

# ANNUAL REPORT 2015



CENTRAL DESERT NATIVE TITLE SERVICES









## CENTRAL DESERT NATIVE TITLE SERVICES

18<sup>th</sup> September 2015

Senator the Hon Nigel Scullion  
Minister for Indigenous Affairs  
Parliament House  
Canberra ACT 2600

Dear Minister

I have great pleasure in presenting the Annual Report of Central Desert Native Title Services Limited for the period 1 July 2014 to 30 June 2015.

This report includes the organisation's report of operations and the audited financial statements for the year ended 30 June 2015.

**Mr Terence Grose**  
Chairperson





Seed collecting Kiwirrkurra country. Photo: Kate Crossing



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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.



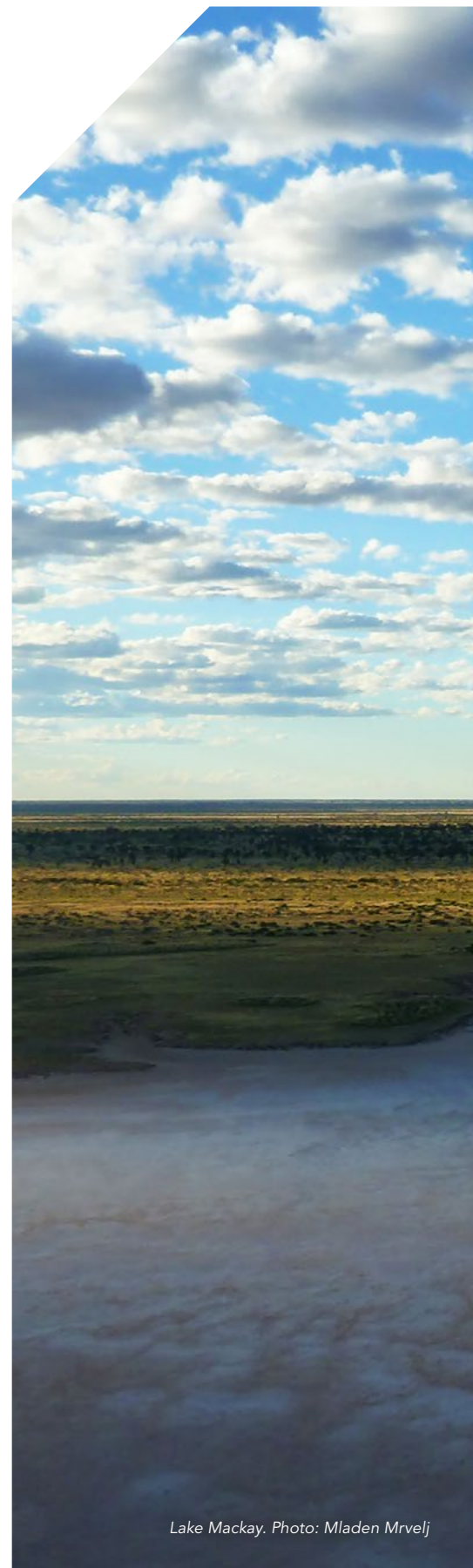






## Glossary

<b>AC</b>	Aboriginal Corporation
<b>ACNC</b>	Australian Charities and Not-for-Profits Commission
<b>AGM</b>	Annual General Meeting
<b>ATSIC</b>	Aboriginal and Torres Strait Islander Commission
<b>CAT</b>	Cultural Awareness Training
<b>CATSI</b>	Corporations (Aboriginal and Torres Strait Islander) Act 2006
<b>Central Desert</b>	Central Desert Native Title Services Limited
<b>CDEP</b>	Community Development Employment Project
<b>CHMP</b>	Cultural Heritage Management Plan
<b>CSR</b>	Canning Stock Route
<b>DPaW</b>	WA Department of Parks and Wildlife
<b>DPM+C</b>	Commonwealth Department of Prime Minister and Cabinet
<b>DSS</b>	Desert Support Services Pty Ltd
<b>GDNR</b>	Gibson Desert Nature Reserve
<b>IAS</b>	Indigenous Advancement Strategy
<b>ILUA</b>	Indigenous Land Use Agreement
<b>IPA</b>	Indigenous Protected Area
<b>ITAA97</b>	Income Tax Assessment Act 1997
<b>MNR</b>	Mungarlu Ngurrurangkatja Rirraunkaja (Aboriginal Corporation)
<b>MOU</b>	Memorandum of Understanding
<b>NNTT</b>	National Native Title Tribunal
<b>NRM</b>	Natural Resource Management
<b>NSRL</b>	Northern Star Resources Limited
<b>NTA</b>	Native Title Act 1993
<b>NTRB</b>	Native Title Representative Body
<b>NTSP</b>	Native Title Service Provider
<b>ORIC</b>	Office of the Registrar of Indigenous Corporations
<b>PBC</b>	Prescribed Body Corporate
<b>PFA</b>	Program Funding Agreement
<b>RFM</b>	Rockhole Funds Management Pty Ltd
<b>RNTBC</b>	Registered Native Title Body Corporate
<b>TNTLAC</b>	Tjurabalan Native Title Land (Aboriginal Corporation)
<b>TO</b>	Traditional Owner
<b>WDLAC</b>	Western Desert Lands Aboriginal Corporation
<b>YNPAC</b>	Yarnangu Ngaanyatjaraku Parna Aboriginal Corporation



Lake Mackay. Photo: Mladen Mrvelj



## Directors

### MR TERENCE (TERRY) GROSE (CHAIRPERSON)

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**Appointed 14 December 2012**

**Central Desert and DSS**

Terry Grose has a strong commercial background gained through his experience as a merchant banker, senior executive and business consultant in Australia and overseas. After a decade spent in various senior roles within the Wesfarmers Group, Terry moved to Hong Kong where he worked as Chief Financial Officer and Executive Director of an innovative start-up company before establishing his own commercial consulting business. Since returning to Australia in 2008 he has undertaken consulting assignments with a range of companies that have benefited from his broad business experience. In 2013 he won the national Woodside Better Business Award, presented by Creative Partnerships Australia, for his contribution as a director of the Yirra Yaakin Theatre Company. He is also a director of Arafura Resources Ltd.



### THE HON. FRED CHANEY AO

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**Appointed 11 September 2007**

**Central Desert and DSS**

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 Limited, 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 is a co-founder and Deputy Chair of the Graham (Polly) Farmer Foundation. In 2011 he was a member of the Expert Panel on the Constitutional Recognition of Indigenous Australians. Fred was the recipient of the Senior Australian of the Year for 2014.



### DR FIONA SKYRING

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**Appointed 7 October 2008**

**Central Desert and DSS**

Fiona Skyring is a historian. While employed by the Kimberley Land Council from 1999 to 2005 as an expert witness, Fiona gave evidence on behalf of the native title applicants in five trials in the Federal Court. Since then Fiona has worked for native title service providers on behalf of applicants, for Aboriginal heritage organisations and for government. She has contributed to community history projects, museum exhibitions and academic publications. Fiona is the author of 'Justice: A History of the Aboriginal Legal Service of Western Australia', which won the 2012 Margaret Medcalf Award, the State Library of Western Australia WA History Prize and the WA Premier's Prize. Fiona's next book, on returned soldier riots at the end of World War I in Australia, will be published by UWAP in 2016.







## MR ANDREW (ANDY) GILMOUR

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**Appointed 14 December 2012**

**Central Desert, DSS, Chairperson of Audit and Finance Committee and RFM**

Andy Gilmour is a director of national chartered accounting firm RSM Bird Cameron practising in the Corporate Finance Division. He has over 30 years experience as a chartered accountant and business adviser initially in the area of audit and subsequently in corporate finance and transaction support. He has had a wide breadth of experience with exposure to businesses in diverse industries from financial services to mining, and of varying size, from small to medium sized family concerns to large multinational corporations. Andy holds a Bachelor of Arts (Honours) from the University College of Wales, Aberystwyth and is the West Australian representative of the Business Valuation Special Interest Group of the Institute of Chartered Accountants. Andy was admitted as a partner of RSM Bird Cameron Partners in 1994.



## DR CAROLYN TAN

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**Appointed 14 December 2012**

**Central Desert**

Carolyn Tan has been an In-house Legal Counsel at Yamatji Marlpa Aboriginal Corporation since 2003 where she has provided native title advice and appeared in the Federal Court, High Court and before the National Native Title Tribunal and the Mining Warden. Prior to that she was a litigation partner at Dwyer Durack for 15 years and headed up their Native Title Department as well as being engaged in a range of commercial, administrative and other civil and industrial litigation. Carolyn has been a Deputy President of the WA Equal Opportunity Tribunal and has served on numerous legal and social justice committees. She holds a PhD for her research on a topic related to Indigenous heritage and religious freedom laws in Australia, New Zealand, USA and Canada.







## MR IAN BAIRD

**Appointed 23 September 2014**

### RFM

Ian Baird is the General Manager of Pila Nguru Aboriginal Corporation, the Registered Native Title Body Corporate for the Spinifex native title holders, based in Tjuntjuntjara community. He recently assumed management of Spinifex Contracting Aboriginal Corporation, a commercial arm of the Spinifex group involved primarily in road works and mining support. Mr Baird has been an adviser to the Maralinga Piling Trust (W.A. Fund) for the past 18 years. Mr Baird has over thirty years experience in community development practice and administration living in remote Aboriginal communities in the Western Desert. He speaks fluent Pitjantjatjara.



## MR ALLAN JAMES

**Appointed 1 October 2014**

### RFM

Allan James is a Wongi/Yamatji man who was raised on a remote pastoral station in the Northern Goldfields region of WA. He has a strong commercial background, an accountant by qualification, and has undertaken several consulting roles with Indigenous organisations and communities, providing business development, financial, insurance and risk management advice through his business consultancy. He has worked with Rio Tinto at Argyle Diamonds, BHPB Billiton, Newmont Boddington Gold and more recently with Carey Mining. He has filled various management roles in the mining sector, accountable for the delivery of Social Responsibility and Community Relations strategies as they relate to Heritage and Land Access approvals, Indigenous Affairs, Community Investment, Media Communications, Government and Stakeholder relations.





## Company Officers

### CHIEF EXECUTIVE OFFICER AND COMPANY SECRETARY

#### MR IAN RAWLINGS

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##### **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. He was the Administration Manager for the Ngaanyatjarra Council Native Title Unit and Acting Unit Manager prior to taking on the role of Chief Executive Officer at Central Desert. Mr Rawlings is the Chairman of Carbon Neutral Charitable Fund Ltd.



### CHIEF OPERATING OFFICER AND PRINCIPAL LAWYER

#### MR MALCOLM O'DELL

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Malcolm O'Dell has served as the company's Principal Lawyer since its inception. Mr O'Dell is also the company's Chief Operating Officer, managing all its operational activities. Mr O'Dell has extensive native title experience having worked for the National Native Title Tribunal from 1996 to 1999 before entering legal 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. Mr O'Dell is also the deputy chair of Access Housing Australia Ltd, a provider of social and affordable housing in WA.



### CHIEF FINANCIAL OFFICER AND COMPANY SECRETARY

#### MR RIC WEST JP

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##### **Appointed Company Secretary 24 September 2010**

Ric West serves as the company's Chief Financial Officer and Company Secretary. Mr West has worked with and for Indigenous organisations since 1992 when he joined ATSIC. His experience includes working in government, 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. Mr West is a Fellow of both CPA Australia and the Institute of Public Accountants, and is a certificated member of the Governance Institute of Australia. He recently completed a Masters of Science (Mineral Economics) at Curtin Graduate School of Business.





## Chairperson's Report

It is with pleasure that I report on the activities of Central Desert Native Title Services Limited for the period 2014-15.

In September 2014 I was fortunate to be able to share with Central Desert staff and many others, celebrations over the declaration of the Kiwirrkurra Indigenous Protected Area (IPA). Apart from the formal part of the celebration we were able to enjoy a couple of days on country with the Pintupi people and get some appreciation of the challenges they have successfully dealt with over many generations. We also saw firsthand the damage to native fauna caused by Australia's wild cat population when we were able to watch the post-mortem of a recently killed cat. It had five lizards in its stomach which would have been eaten in the last 24 hours. With scientists estimating there are in excess of 15 million wild cats in Australia, and assuming the evidence we saw was typical, this amounts to 75 million native fauna being destroyed each night. A frightening statistic, and it was good to be reminded while we were there that one of the tasks of the Pintupi people under their IPA agreement is a reduction of wild cat numbers on their country.

The year under review has seen a tightening of the Australian economy and reduced Government income which has necessitated governments looking at ways to reduce their expenditure. The mining sector has been similarly affected. The impact on many Indigenous organisations has been a reduction in income and the need to cut expenditure. Central Desert has not been exempt from this.

In the course of the year we saw the Federal Government's introduction of its new Indigenous Advancement Strategy (IAS), a much heralded scheme to reduce the complexity of Federal Government funding of Indigenous matters. Unfortunately implementation of this promising concept has been disappointing with a huge amount of confusion amongst organisations over what projects will be funded and what criteria are being applied in the decision making process. Hopefully it will become much clearer and more equitable next year.

These complications in implementing the new IAS have served to magnify the negative impact of the economic downturn referred to above. To this extent the timing of the policy change has been most unfortunate.

A further burden on Central Desert's finances has been the Western Australian Government's narrow view on native title rights. I believe it is fair to say that our State Government is more willing to litigate on native title matters than other state and territory governments across Australia. While we have a satisfactory record of success in court, the cost of the Government's approach is high and can be measured not just in financial terms but also in terms of the time taken to finalise claims and the sadness for traditional owners who are passing away before seeing a resolution of their claims.

Over the past few months the management team, with input from the board, has been preparing a new three year strategic plan. This process has provided an excellent opportunity for us all to question what we are trying to achieve and to consider ways in which we might improve our performance, particularly in the face of reduced funding. My Board colleagues and I are looking forward to monitoring the company's performance against the planned outcomes.

In my report last year I noted that one of our key objectives is to facilitate capacity building within Indigenous corporate entities and this remains a high priority in our new plan. At this year's National Native Title Conference I heard Mr Anthony Beven, Registrar of the Office of the Registrar of Indigenous Corporations, speak. Mr Beven noted that of the 106 corporations that are prescribed bodies corporate under the Native Title Act 1993 and lodged general reports for 2012-13, 82 per cent reported that they have no staff, 54 per cent have no income and 61 per cent no assets.

These figures brought home to me the challenge of how best to improve the capacity and effectiveness of Aboriginal corporations trying to do the best for their people with so few resources. I believe this is a state of affairs that will challenge Australia for many years to come and a situation that Central Desert must continue to tackle.

I would like to take this opportunity to thank the CEO, Ian Rawlings, and his dedicated staff for their work during the year. Their work is never easy and the uncertainties due to the economic slowdown, exacerbated by the Federal Government's difficulty in managing the change to its new IAS funding strategy, have certainly contributed to the challenges facing the company. Despite this, the team continues to work enthusiastically to achieve our goals. I would also like to thank my Board colleagues for their ongoing contribution and support. I highly value the opportunity to work with such a well-qualified and dedicated group.



**Terry Grose**  
Chairperson





## Chief Executive Officer's Report

It has been another full but challenging year for Central Desert and again I am very pleased with the quality of the outcomes that we have been able to facilitate for our clients over the reporting period.

The Statutory Functions team has continued to make steady progress on all native title matters before the Federal Court. The Pilki People had their native title recognised in December 2014. We also supported the establishment of one new Prescribed Body Corporate (PBC) and have been working with groups on the establishment of two others.

A highpoint for the year was the preparation and staging of a two week 'on country' hearing before Barker J for the Gibson Desert Nature Reserve compensation claim. The hearing was held at various sites out from the very remote community

of Patjarr. This was a logistical exercise of epic proportions, which allowed the claimants to present their evidence with confidence and in the most appropriate cultural context.

Our Land and Community team has had another productive and progressive year, with the declaration of two Indigenous Protected Areas (IPA), bringing the total IPA land area in the region to around 11 million hectares. This area runs for more than half the distance from the state border west towards the Indian Ocean at the widest part of WA. More importantly, this Indigenous managed conservation

estate underpins and drives tremendous social, cultural and economic opportunities for its Indigenous stewards. These IPAs are the springboard for a number of locally driven programmes and a raft of smaller projects that build employment capability, provide meaningful and sought after employment opportunities, build the local economy and strengthen the social and cultural fabric of remote communities. These programmes are breaking new ground in productive and collaborative engagement, and developing shared value arrangements between land holders





*Dancers, Gibson Desert Nature Reserve, August 2014. Photo: Allister Hill*

and stakeholders in the region.

At a corporate level we have reviewed and revised our strategic plan to set our course for the next three years. The revised plan recognises the central role of PBCs and the need for them to be robust and sustainable. It prioritises the need for PBCs having clearly articulated goals and aspirations and a means to achieving them, and acknowledges that these needs are best addressed from the sound foundation of rights and interests.

We will face numerous challenges implementing our plan. On a national level government policy is at last starting to acknowledge

the importance of healthy and sustainable PBCs. The approach has been adjusted to allow more flexibility in how we can support PBCs, however the economic climate means that in order to be able to respond, we are forced to do much more with less.

At a state level the WA Government continues to set a very high bar for consenting to the recognition of native title. This environment works to drive up costs for all parties and leads to a slowing down of the determination process and post-determination engagement.

We still have a full programme of native title claims to take us well

into the foreseeable future, a yet to be quantified compensation programme, and with the resolution of every claim, a range of new and interesting issues to be addressed.

Considering the challenges outlined above, we are well placed to continue to develop as an organisation and to deliver a high quality range of services to our clients. Central Desert has a history of producing very good outcomes for our clients across a range of activities. Internally we have to be ever vigilant to keep our skills and focus at the cutting edge and to strive to be the provider of choice in the open market post-determination world.





Rockhole in Katjarra country. Photo: Lindsey Langford

I would like to acknowledge the strength and commitment of traditional owners across the Central Desert region and thank them for welcoming us onto their lands and keeping us safe while we are there. Also the level of commitment and the ongoing support and direction from my Chairperson Terry Grose and his very capable and experienced board of directors gives our organisation a tremendous foundation from which to operate. Turning our aspirations into reality on a day-to-day basis is the highly committed and incredibly talented team that is Central Desert Native Title Services. Thank you to you all and especially to my senior management team for your support during the year.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ian Rawlings'.

**Ian Rawlings**

Chief Executive Officer



# Chief Operating Officer's Report

## INCORPORATING THE PRINCIPAL LAWYER'S REPORT

### Native Title Claims

#### General

The Ngurra Kayanta claim and the Kulyakartu claim, both filed over land and waters in the northern Great Sandy Desert, and consisting largely of Unallocated Crown Land, are being progressed towards determinations.

The Mantjintjarra Ngalia #2 claim, taken on by Central Desert in the previous reporting period, continues to be progressed towards a determination of native title, with work focused upon anthropological research.

Litigation occurred in the four Birriliburu claims in the previous reporting period on a question of law relating to the taking and use of resources for commercial purposes. The determination of the Birriliburu claims was due to take place in the current reporting period but was delayed due to an appeal in a Pilbara matter which dealt with matters relevant to Birriliburu. A determination is expected to take place in the next reporting period.

A preservation evidence hearing for the Gingirana claim was held in March 2015 with a view to taking evidence from a number of key elders. The Gingirana claim is being progressed towards a determination.

#### Determinations

A determination of native title was achieved in the Pilki claim following litigation on a question of law relating to the taking and use of resources for commercial purposes. Work will take place in the next reporting period towards the nomination of a prescribed body corporate to hold the native title rights and interests.

#### Litigated Matters

The Tjiwarl claim is listed for a trial in July 2015. Work during this reporting period focused upon preparing the claim for trial, including thorough preparation of witness statements.

The hearing of the Yilka claim continued during the reporting period. The State of Western Australia sought and was given leave to re-open its case and lead further evidence in relation to roads within the Yilka claim area. Hearing on this point took place in April 2015. Submissions are due to be filed by the Yilka Applicant in the next reporting period, with the matter then reserved for judgment.

In relation to the Pilki determination, the State appealed against the judgment in favour of the Pilki People, which found that there was no non-commercial limitation on

their native title right to take and use resources. This matter was heard by the Full Court of the Federal Court of Australia in May 2015 and judgment will be in the next reporting period.

#### New Claims

A new claim was lodged in June 2015 over the current area of the Ngurra Kayanta claim, with a view to taking advantage of beneficial provisions of the Native Title Act 1993 (NTA) in relation to extinguishment.

A new claim was lodged in June 2015 over areas of unallocated crown land within the external boundaries of the Tjiwarl claim, with a view to taking advantage of beneficial provisions of the NTA in relation to extinguishment.

#### Compensation Claims

During the reporting period work continued on the Gibson Desert Nature Reserve compensation claim. An on-country hearing for Indigenous witnesses was held, as was a hearing of expert evidence and on a separate legal question relating to extinguishment.

Central Desert also continued work on strategies aimed towards filing future compensation claims on behalf of native title holders in the region with a view to seeking compensation for the numerous compensable 'past acts' that have been undertaken on native title land since the advent of the Racial Discrimination Act (Cth) 1975, in circumstances where compensation has not already been made.

#### Future Acts

In keeping with instructions from our various native title claimant groups and prescribed bodies corporate, Central Desert negotiates Land Access Agreements on behalf of its clients in relation to all future acts. Larger future act matters are dealt with as 'major projects' as mentioned below.

The State of Western Australia still maintains a policy of notifying all exploratory mining tenements under the future act 'expedited procedure' provisions of the NTA. This policy continues notwithstanding that by notifying mining tenements in this way, questions of access to and from those tenements are not resolved, which often leaves mining companies stranded with a granted mining tenement that they cannot access.

In keeping with our standing instructions, where Land Access Agreements cannot be negotiated, objections to



the application of the expedited procedure are lodged. A significant number of these objections were successfully prosecuted during the reporting period.

## Major Projects

The number and diversity of 'major projects' within the Central Desert region continues to generate activity, although a downturn in the mining industry generally has taken some of the heat out of the urgency of this activity. During the reporting period:

1. Negotiations continued between the Wiluna native title holders and Rosslyn Hill Mining after the reopening of its lead mine at Wiluna.
2. Negotiations continued between the Wiluna native title holders and Toro Energy for its Lakeway uranium deposits.
3. Negotiations continued between the Yilka native title claimants and Gold Road Resources Limited over its Gold Bore gold deposit near the Cosmo Newberry community, east of Laverton.
4. Agreement was reached between the Spinifex native title holders and Lost Sands Pty Ltd in relation to the 'Cyclone Project' north of the Great Victoria Desert nature reserve.

As with all matters that affect the native title rights of Central Desert's clients, Central Desert spends a considerable amount of time and resources ensuring that the processes involved in all major projects support high quality outcomes for our clients, and ensure that the native title holders are able to give their 'free, prior and informed consent' to any outcomes achieved. Central Desert considers this not only to be best practice, but it is also essential to comply with the statutory regulations that govern the way native title decisions are made.

## Monitoring and Implementing Agreements

Central Desert continually monitors the effectiveness of all agreements it assists its clients to reach. During the reporting period Central Desert assisted parties to a number of agreements to meet their obligations to conduct heritage surveys by supplying cultural expertise as well as professional skills in anthropology and archaeology.

The monitoring of agreements for compliance and ensuring that our clients are able to fully and beneficially implement agreements continues to be an area of increasing activity for Central Desert.

## Land and Community

Working alongside and supporting traditional owner groups to harness opportunities in relation to land is the key role of Central Desert's Land and Community team. This year's efforts have yielded significant results. Of particular mention is the work directed towards the declaration of the IPA in the Kiwirrikurra determination area in September 2014 and another in the Wiluna area, the Matuwa Murrara Kurrara IPA in July 2015.

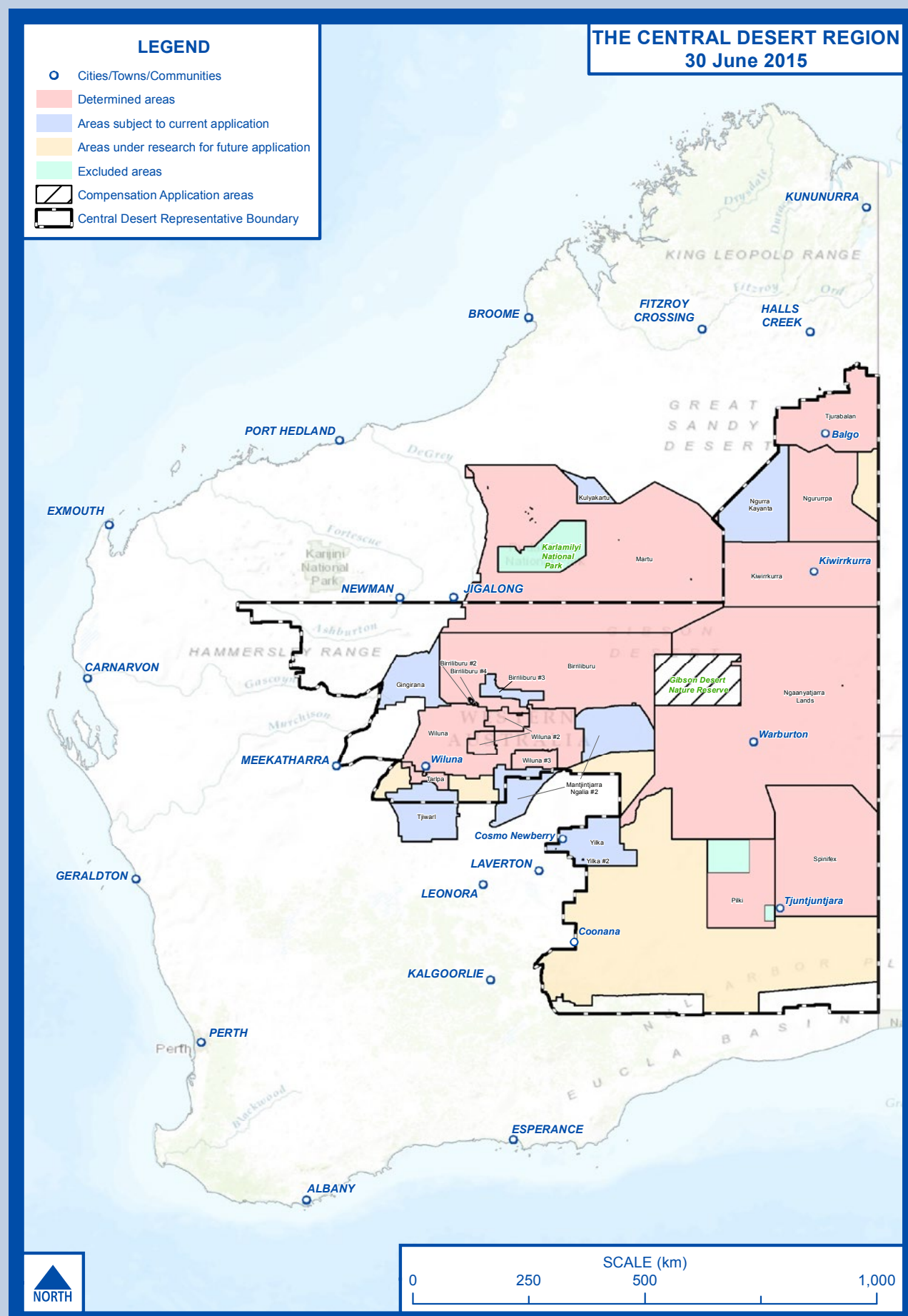
The IPAs provide a focal point for a range of land management projects that engage local Indigenous ranger groups and generate partnerships of mutual benefit. Rangers in the region also conducted 'fee-for-service' work, tourism related activities and acquired formal land management qualifications during the past year. The dedicated Land and Community Resource Centre which opened in Wiluna last year has provided a valuable base for many of these activities.



**Malcolm O'Dell**

Chief Operating Officer and Principal Lawyer

# The Central Desert Region





## Who We Are

Central Desert Native Title Services Limited (Central Desert) is the recognised native title service provider (NTSP) 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.

## OUR CORPORATE STRUCTURE

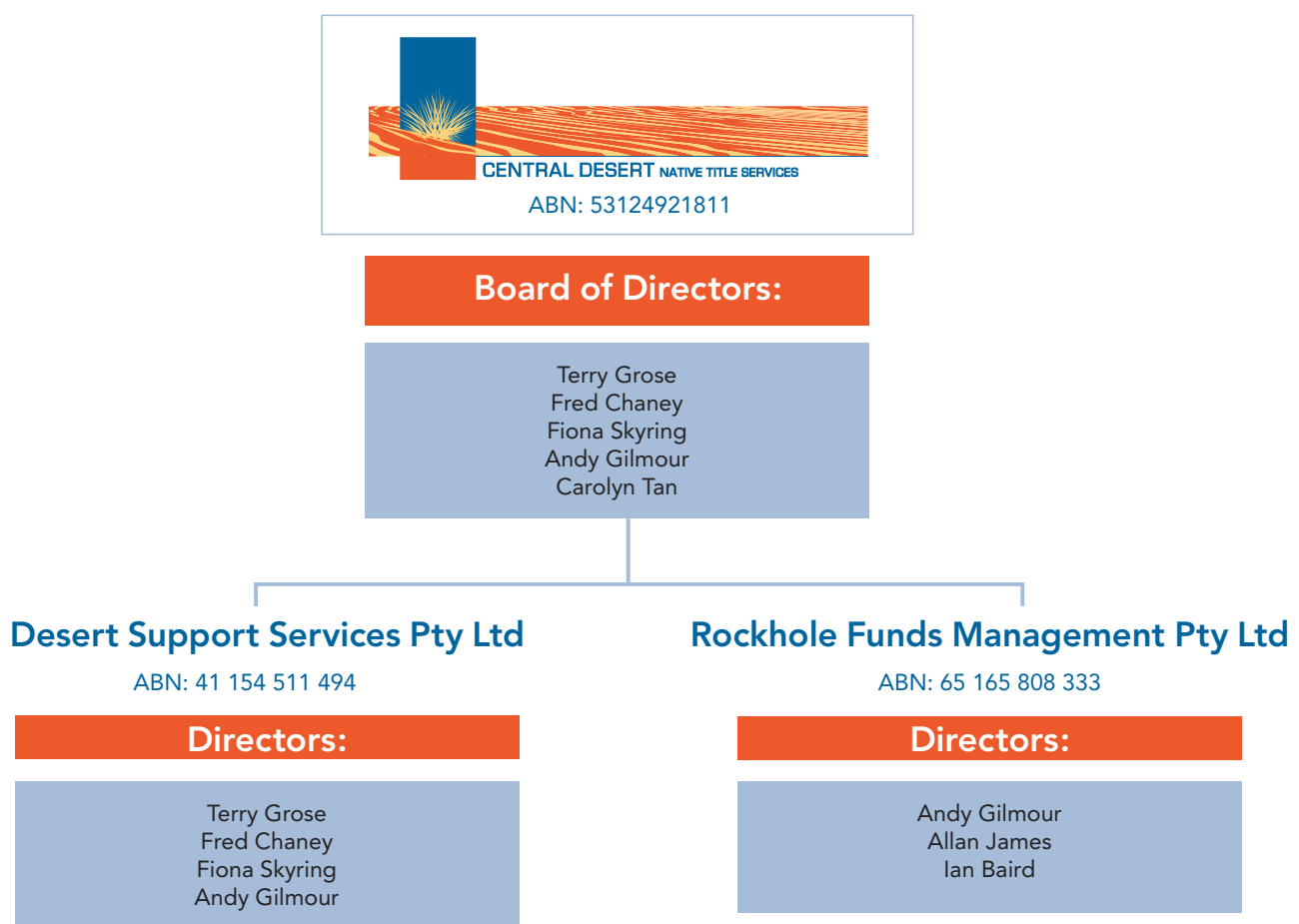
Central Desert was registered under the Corporations Act 2001 (Cth) on 16 April 2007 as a public company limited by guarantee. Established as a native title service provider, the inaugural board was selected by the Ngaanyatjarra Council when it elected to not seek re-recognition as a native title representative body itself.

Central Desert currently has five directors on its Board of Management who volunteer their time and bring a wealth of skills and experience to the company. Their profiles are available on page 7-9.

Since its inception Central Desert has developed into a 'group', establishing two subsidiary companies. Desert Support Services Pty Ltd (DSS) commenced operations in 2011 and Rockhole Funds Management Pty Ltd (RFM) in 2013.

The two subsidiary companies have their own respective governing boards. As shown in the diagram below, the four directors of DSS are also Central Desert directors. As at 1 July 2015 staff serving in DSS will be employed directly through DSS rather than through secondment from Central Desert.

RFM is governed by a director of Central Desert and two independent directors and receives administrative support to operate through DSS.



## Governance Standards

Central Desert and its subsidiaries are registered with the Australian Charities and Not-for-profits Commission (ACNC). As such, the directors of the Central Desert Group place great value on meeting the ACNC governance standards outlined below.

### Standard 1: Purposes and not-for-profit nature

Charities must be not-for-profit and work towards their charitable purpose. They must be able to demonstrate this and provide information about their purposes to the public.

### Standard 2: Accountability to members

Charities that have members must take reasonable steps to be accountable to their members and provide them with adequate opportunity to raise concerns about how the charity is governed.

### Standard 3: Compliance with Australian laws

Charities must not commit a serious offence under any Australian law or breach a law that may result in a penalty of \$10,200 or more.

### Standard 4: Suitability of responsible persons

Charities must take reasonable steps to:

- Be satisfied that its responsible persons are not disqualified from managing a corporation under the Corporations Act 2001 (Cth) or disqualified from being a responsible person of a registered charity by the ACNC Commissioner; and,
- Remove any responsible person who does not meet these requirements.

### Standard 5: Duties of responsible persons

Charities must take reasonable steps to make sure that responsible persons are subject to, understand and carry out the duties set out in this standard. The duties are:

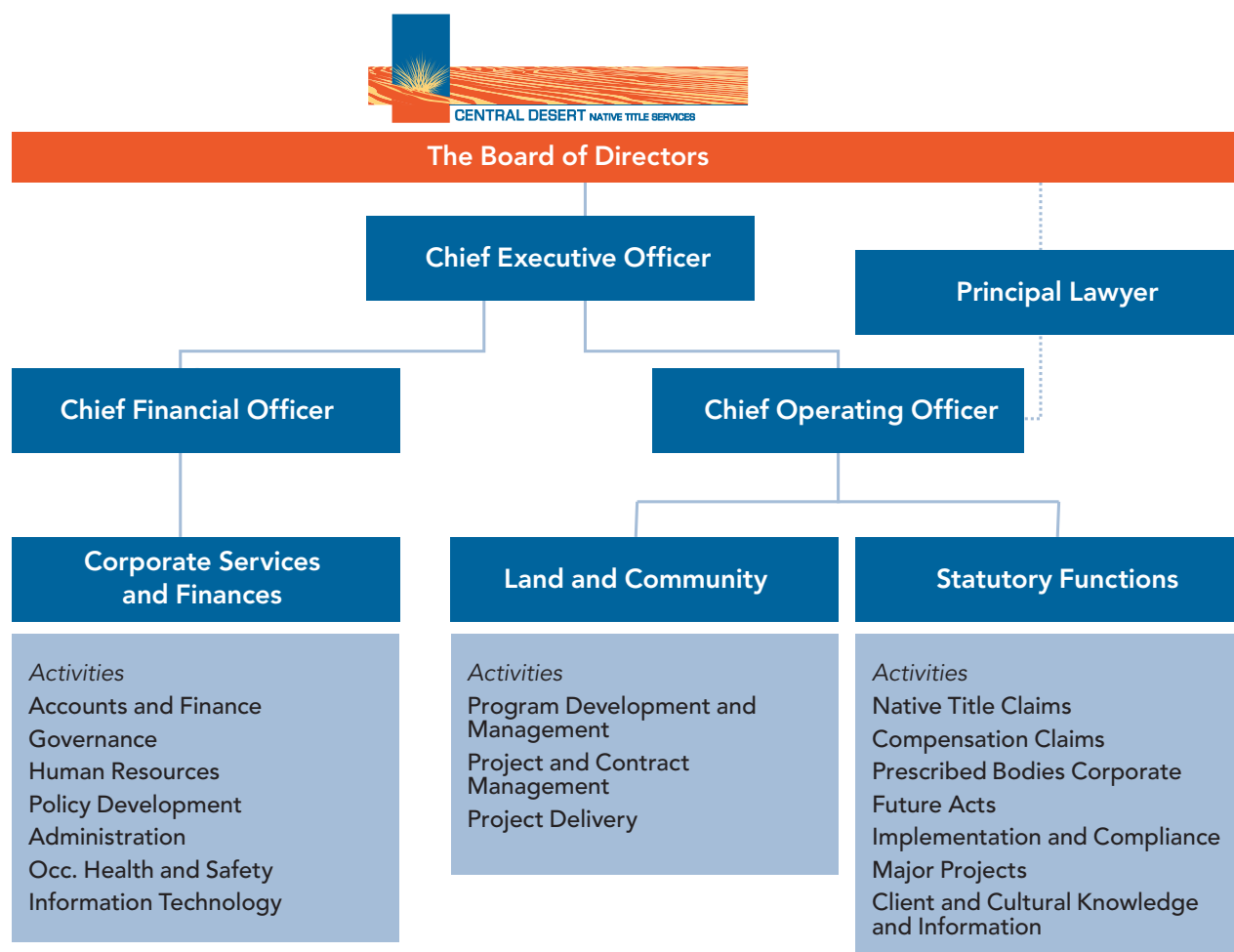
- Act with reasonable care and diligence;
- Ensure that financial affairs are managed responsibly;
- Act honestly in the best interests of the charity and for its purposes;
- Not misuse their position or information;
- Disclose any actual or perceived conflict of interest; and,
- Not allow a charity to operate while insolvent.

[www.acnc.gov.au/ACNC/Manage/Governance/ACNC/Edu/GovStds\\_overview.aspx](http://www.acnc.gov.au/ACNC/Manage/Governance/ACNC/Edu/GovStds_overview.aspx)



## OUR ORGANISATIONAL STRUCTURE

The Organisational chart for Central Desert Native Title Services is shown below.



On-country hearing, Gibson Desert Nature Reserve. Photo: Jason Thomas



# What We Do

## OUR ROLE AND FUNCTIONS

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As a native title service provider Central Desert carries out specific functions under part 11, Division 3 of the Native Title Act (NTA). In addition to these prescribed activities, Central Desert provides a range of related services and expertise to native title communities in the Central Desert region of WA. The work carried out by Central Desert can be divided into four main areas, described briefly below:

1. Statutory functions under the NTA
2. Land and Community
3. Heritage, Future Act, Agreements and Compliance
4. Subsidiaries

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

### **Statutory functions under the NTA**

The statutory functions performed by Central Desert under part 11, Division 3 of the NTA are:

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

Central Desert's statutory functions and corporate services operate with core funding provided by the Australian Government's Department of Prime Minister and Cabinet in accordance with s203FE of the NTA 1993 (Cth).

### **Land and Community**

Central Desert's Land and Community team support native title bodies with land management program development, including Indigenous ranger employment and training programs. The work of the Land and Community team builds the capacity of native title communities to manage their own land and community programs and promotes partnerships between native title communities and other organisations for mutual benefit. Much of this work is funded through project-specific grants.

### **Heritage, Future Act, Agreements and Compliance**

This team facilitates negotiations between native title holders or claimants and resource or other companies regarding access to areas within the Central Desert region. Once agreements are reached, our ongoing role involves implementation and ensuring timeframes are met. As many agreements require anthropological and archaeological surveys to be completed, the team also has the professional expertise to conduct this work.



## Subsidiaries

### Desert Support Services Pty Ltd

DSS's principal activities during the financial year were:

- Labour hire of casual employees, usually regionally-based Traditional Owners undertaking future act and land management activities for Central Desert;
- Accounting, bookkeeping and HR services for Prescribed Bodies Corporate (PBC) and community groups within the Central Desert region; and
- Property management of surplus office space at 76 Wittenoom Street East Perth on behalf of Central Desert.

The company is a non-profit organisation. The company is endorsed by the Australian Charities and Not-for-profits Commission (ACNC) and the Australian Taxation Office (ATO) as a Public Benevolent Institution (PBI).

### Rockhole Funds Management Pty Ltd

RFM continued to serve as a Native Title Trust fund management service for Central Desert PBCs and for claim groups where native title has not been determined. Trusts held are below the commercial threshold for private trust fund services. The company deliberately operates on a low cost model and use the Public Trustee as its 'high' benchmark for costs. Over the past twelve months RFM took over responsibility for all the native title trusts funds held by Central Desert. The company holds legal advice stating that the company does not need to be the holder of an Australian Financial Services Licence.

The company is a non-profit organisation. The company is endorsed by the Australian Charities and Not-for-profits Commission (ACNC) and the Australian Taxation Office (ATO) as a charity.

It is the intention of the Central Desert Board to consult with clients and other stakeholders on a timeframe and structure to devolve ownership of both entities to PBCs within the region.

## Our Strategies

During the 2014-15 year Central Desert embarked upon a comprehensive process to re-vision and review its Strategic Plan for the coming three years.

The purpose of our organisation continues to focus on achieving native title recognition, protection and compensation, and facilitating the use and management of lands, with a stronger emphasis on empowering independent and sustainable Prescribed Bodies Corporate.

The values that drive our work are:

- Community focus,
- Goal oriented,
- Innovation,
- Collaboration,
- Professionalism.

Central Desert's new Strategic Plan sets the direction for our efforts in the coming years and will be launched by the Central Desert Board at its coming AGM in September 2015.

This is the last year that Central Desert will report against its current Strategic Plan that was approved in 2011. The four key objectives for reporting in the 2014-15 year are:

1. The social, cultural and economic conditions of the peoples of the Central Desert are improved within a culturally respectful framework.
2. The Indigenous corporate entities established out of the native title process are functional, empowered and independent.
3. Central Desert is maintaining momentum in progressing high value determinations and agreements.
4. Central Desert has the capacity to deliver on its mission.



Signing ceremony Kiwirrkurra IPA.  
Photo: Erin Mearns-Tonkins, Ngaanyatjarra Council

## How We Perform

### OBJECTIVE: SOCIAL, CULTURAL AND ECONOMIC OUTCOMES

**The social, cultural and economic conditions of the peoples of the Central Desert region are improved within a culturally respectful framework.**

Central Desert supports social, cultural and economic outcomes for our clients in the region by facilitating governance training and capacity-building during regular meetings of native title holders and claimants. The 'hands-on' project work facilitated by Central Desert's Land and Community Program also plays a pivotal role in meeting this objective. Central Desert's subsidiary companies, DSS and RFM, deliver ancillary services such as administrative, accounting and labour hire services as well as fund management, to help achieve the social, cultural and economic aspirations.

#### Land and Community Program

Central Desert's land and community services complement our existing legal, anthropological and community engagement services. The program of activities delivered by the Land and Community team involves working with and empowering native title holders to use and manage their traditional lands to achieve their social, cultural and economic aspirations. Central Desert continues to establish strategic partnerships and alliances between our constituents and other relevant stakeholders in order to support and sustain beneficial outcomes in the longer term.

Central Desert's Land and Community team has developed and implemented a land management program across the Birriliburu, Wiluna and Kiwirrkurra lands. The program uses cultural and natural resource management activities to create regional Indigenous employment and build social and cultural capital in the process. Land management planning has also taken place with Ngurrurpa native title holders.

Outcomes from the program continue to be very encouraging as it engages intergenerational participants and a range of committed partners. It also facilitates the transfer of stories and traditional knowledge about country from the old people and elders to younger generations.

Highlights of the Land and Community program for this year include:

#### Kiwirrkurra Indigenous Protected Area

The Kiwirrkurra Indigenous Protected Area (IPA) was declared at a ceremony on country in September 2014. The IPA covers the whole of the Kiwirrkurra Native Title determination, an area of 42,857 square kilometres. It shares its southern boundary with the Ngaanyatjarra IPA and most of its eastern boundary with the Southern Tanami IPA, thereby contributing to a continuous network of protected lands in the region. Situated on the boundary of the Gibson and Great Sandy Deserts, the Kiwirrkurra IPA increases the level of protection of the Great Sandy Desert bioregion from 15-20% and that of the Gibson Desert bioregion from 36-51% (based on 2013 data).

At the time of the declaration, the Kiwirrkurra IPA Management Team was elected and is working with Central Desert Land and Community to plan and oversee on-ground activities. The management themes for the IPA are grouped into four key areas:

- Looking after culture,
- Looking after country,
- Keeping our people strong,
- Economic development.



Desert oak bush lolly. Photo: Kate Crossing



Funding from Lotterywest allowed the purchase of a dedicated IPA vehicle to support the work of the rangers and make it possible for more people to participate. The last twelve months has seen 39 casual rangers engaged on land management projects and between them, 1,554 hours of paid work has been undertaken.

The first trip included the Kiwirrkurra remote school, introducing students to land management activities within the IPA.

Kiwirrkurra traditional owners have a strong tradition of hunting feral cats and this skill was recognised through the Invasive Animals Cooperative Research Centre Photo Award and a poster presentation at the Australian Rangelands Society Conference.

The IPA is working in partnership with Batchelor Institute and Ngaanyatjarra Remote Jobs and Communities Program to create training opportunities and this year six Kiwirrkurra rangers have started Certificate 1 in Conservation and Land Management. It is hoped that in time this training can expand to higher certificate levels and involve more rangers.

### **Matuwa and Kurrara Kurrara IPA Declaration**

After many years of hard work, the Matuwa and Kurrara Kurrara IPA was declared in a ceremony at Matuwa in early July 2015. The vision for Matuwa and Kurrara Kurrara is to make sure it remains a place where Martu law and culture is practiced and that country is made healthier. Matuwa and Kurrara Kurrara will be managed through progressive partnerships between the Wiluna native title holders, the government and the broader community. These groups have been working together to establish these partnerships which will help to balance Martu and Western knowledge of land management, create economically and environmentally sustainable employment and contribute to the health and wellbeing

of future Martu generations. The ceremony received support from the WA Department of Parks and Wildlife (DPaW), Northern Star Resources and Sodexo.

In December, the Threatened Species Commissioner visited Matuwa and was impressed by both the threatened species conservation efforts and the goanna cooked and shared with him by the Wiluna rangers.

### **Matuwa Cacti Cull**

A new project funded through the State NRM Program aims to manage the spread of the highly invasive cacti species *Cylindropuntia fulgida* var. *mamillata* (Boxing Glove Cactus) spreading around Matuwa (formerly Lorna Glen station). The Wiluna Rangers treated 655 cacti with chemicals and recorded the GPS points of each cactus sprayed. A follow up in spring will establish the effectiveness of the work.

### **Building camps at Matuwa**

Over the year the Wiluna Martu Rangers have built three multi-use camps at Matuwa. The project was funded by the Indigenous Land Corporation and is designed to provide better access for people to look after country and to facilitate cultural exchange programs. In November Northern Star Resources, Sodexo and DPaW staff worked side by side with the Wiluna Rangers to erect two shed-tanks for the camps and spent time learning more about Martu culture.

### **Ranger Training at Matuwa**

Wiluna Martu Rangers worked with training provider BCA National over a twelve month period towards a Certificate 3 in Conservation and Land Management. Six rangers completed the course. DPaW assisted with the training as part of the Joint Management arrangement at Matuwa.



Tourists and Traditional Owners during Katjarra Open Month.  
Photo: Hamish Morgan

### Jundee Memorandum of Understanding

A new Memorandum of Understanding (MOU) was signed with Northern Star Resources Ltd (NSRL) for the Wiluna Rangers to deliver environmental, natural and cultural resource management services to the Jundee operations. In addition to setting out a framework for the delivery of these services, the MOU commits NSRL and Central Desert to work together in partnership with Wiluna Traditional Owners to create meaningful employment opportunities and build the capacity of local TOs to develop sustainable business enterprises.

The Wiluna Rangers were also visited by Parliamentary Secretary to the Prime Minister, Hon. Alan Tudge and Member for Durack Ms Melissa Price at Jundee in October. Ms Price was so impressed by what she heard and saw that she gave mention of the Wiluna Ranger program in Parliament.

### Wiluna Careers Expo

The Wiluna Rangers and Land and Community staff participated in the inaugural Wiluna Careers Expo that was organised by the Wiluna Muntjiltjarra Wurr gumu Group. Both the stall and the activities that showcased the work of the Wiluna Rangers were a big hit, particularly for the students from Wiluna and Leonora schools.

### Wiluna Biodiversity Project

Highlights for this project this year included the Wiluna women taking an active role in patch burning on Ululla station and undertaking land use and management planning on Windidda Station. The patch burning was done to reduce the risk of large hot summer fires on important habitat on Ululla, including habitat that supports Malleefowl populations. The land use and management planning has enabled the identification of a number of important natural and cultural resource management projects on Windidda for which further partnerships will be pursued.

### Birriliburu Indigenous Protected Area Katjarra in July

In 2014 the Birriliburu Traditional Owners opened the remote Carnarvon Ranges to cultural and conservation tourism for the first time. "Katjarra in July" as the project became known, provided a fantastic opportunity for traditional owners to showcase their country and knowledge and to engage a new interest group in the appreciation and protection of Katjarra's important conservation values. Over the month of July Katjarra was open to tourism via an online permit system. Traditional owners were stationed at the "ranger camp" and hosted visitors, providing full day cultural immersion tours, cross-cultural learning, engagement in conservation



Ranger Coordinator Mo Pawero at the Wiluna Careers Expo.  
Photo: Emma Drake

and "looking after country" work. Katjarra is closed to public access for the rest of the year. The trial was a great success and it is hoped that a similar event can be held again, should funding be available to support it.

### Birriliburu Ranger Exchange

Also in July Birriliburu Rangers hosted the Ngadju Rangers in an on-country exchange at Katjarra. The trip enabled ranger teams to exchange experiences and ideas around looking after remote country for threatened species, cultural sites and 'right way' fire management as well as providing opportunities for leadership development amongst the teams.

### Canning Stock Route Signage Project

The Wiluna and Birriliburu Ranger teams have been busy installing Welcome and interpretive signage between Wells 1 to 15 on the Canning Stock Route (CSR) in partnership with Trackcare WA. The interpretive signage tells some of the rarely heard Martu stories for places along the CSR, which complements the oft-told whitefella stories for this famous route.

### World Parks Congress

Three traditional owners, one from each of the IPA areas within the Central Desert region, travelled to Sydney with Central Desert staff to participate in the inaugural Indigenous Desert Network workshop and to attend the 2014 World Parks Congress. During the Congress it became apparent that our IPA land management work is contributing to the international movement to engage local communities as the main protectors of the natural world. Our participation was made possible with support from the IPA Program and The Nature Conservancy.



## OBJECTIVE: TRADITIONAL OWNER CAPACITY

**The Indigenous corporate entities established out of the native title process are functional, empowered and independent.**

As at 30 June 2015 there were eight (8) registered Prescribed Bodies Corporate (PBC) functioning within the Central Desert region.

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

MNR was registered by the Office of the Registrar of Indigenous Corporations (ORIC) in 2010. Central Desert has continued to provide advice throughout the reporting period in relation to MNR's obligations under its Rules, Commonwealth legislation and regulations. Capacity building in the reporting period focused on developing the directors' and members' understanding of good governance. Central Desert also provided assistance dealing with future act matters affecting the Birriliburu determination area. A service agreement was executed between Central Desert and MNR which outlines the services to be provided by Central Desert, including the rights and obligations afforded to each party for the term of the agreement. The PBC received funding from the Department of Prime Minister and Cabinet (DPMC) in the reporting period to support its day-to-day operations.

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

Parna Ngururrpa is the RNTBC for the Ngururrpa determination area and was registered by ORIC in 2009. Central Desert has continued to provide advice throughout the reporting period in relation to Parna Ngururrpa's obligations under its Rules, Commonwealth legislation and regulations.

In the reporting period Central Desert assisted with the administration and running of meetings in Balgo and Wangkatjungka. Central Desert assisted with negotiating future act matters and provided information and capacity building to the Ngururrpa native title holders. The PBC received funding from DPMC in the reporting period to support its day-to-day operations.

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

The Spinifex native title holders nominated Pila Nguru (Aboriginal Corporation) RNTBC to hold on trust the rights and interests recognised in the Spinifex determination made by the Federal Court in November 2000. During the reporting period Central Desert continued to provide advice to the directors and assist Pila Nguru in complying with obligations under its Rules, Commonwealth legislation and regulations. Central Desert also provided legal advice to Pila Nguru to assist future acts negotiations that affect the Spinifex determination area.

Pila Nguru employs a General Manager, a full-time Ranger Coordinator, and a number of part-time and casual rangers. Central Desert entered into a funding agreement with Pila Nguru to supply approved funds from DPMC to support the PBC's day-to-day operations.

### **Tarlka Matuwa Piarku (Aboriginal Corporation) RNTBC (TMPAC)**

On 23 January 2015 the Federal Court determined that Tarlka Matuwa Piarku (Aboriginal Corporation) RNTBC (ICN 8156) (registered with ORIC on 21 November 2014) hold the native title rights and interests comprising the native title as determined in Wiluna, Wiluna #2, Wiluna #3 and Tarlpa, on trust for the common law native title holders. Central Desert provided assistance to the Wiluna native title holders throughout the process of the corporation's establishment and gave advice in relation to TMPAC's obligations under its Rules, Commonwealth legislation and regulations. Directors attended a corporate governance workshop in Kalgoorlie in May. At a meeting held on 25 June 2015, the TMPAC directors resolved to terminate engagement of Central Desert as their legal representative in relation to future acts and heritage matters. Central Desert is now cooperating in handover arrangements with the corporation's new representatives.

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

Kiwirrkurra native title holders nominated Tjamu Tjamu (Aboriginal Corporation) as the RNTBC in June 2003. During the reporting period Central Desert continued to provide advice and assistance to Tjamu Tjamu Corporation to maintain compliance with obligations under its Rules, Commonwealth legislation and regulations. Central Desert also provided legal advice to assist negotiations on future acts affecting the Kiwirrkurra determination area. The PBC received funding from DPMC in the reporting period to support its day-to-day operations.

### **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.

TNTLAC did not seek assistance from Central Desert during the reporting period. Central Desert maintains open communications with TNTLAC.

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

The Martu native title holders nominated WDLAC to hold in trust their native title rights and interests recognised by the Federal Court of Australia on 27 September 2002. On 16 May 2013 native title rights and interests were recognised over additional Martu lands and WDLAC was also nominated to hold in trust these native title rights and interests. WDLAC did not seek assistance from Central Desert during the reporting period. Central Desert maintains open communications with WDLAC.

### **Yarnangu Ngaanyatjaraku Parna (Aboriginal Corporation) RNTBC (YNPAC)**

The Ngaanyatjarra Lands native title holders nominated YNPAC to hold in trust their rights and interests recognised in the determination made in the Federal Court of Australia on 29 June 2005. Central Desert entered into a funding agreement with YNPAC to supply approved funds from DPMC to support the PBC's day-to-day operations. Central Desert maintains open communications with YNPAC.



Yakari gathering bush tomato, Kiwirrkurra country. Photo: Brian Hawkins, Bush Blitz.



## OBJECTIVE: DETERMINATIONS AND AGREEMENTS

**Central Desert is maintaining momentum in progressing high value determinations and agreements.**

### Native Title Matters

As at 30 June 2015 there had been 16 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
Kiwirrkurra	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
Martu Part B	WAD6110/98	3,010 km <sup>2</sup>	30/09/98	16/05/13
Martu No.2	WAD141/2010	836 km <sup>2</sup>	01/06/10	16/05/13
Karnapyrri	WAD77/2006	151 km <sup>2</sup>	22/03/06	16/05/13
Wiluna	WAD6164/1998	45,796 km <sup>2</sup>	30/09/98	29/07/13
Wiluna No.3	WAD181/2012	3,596 km <sup>2</sup>	03/08/12	29/07/13
Tarlpa	WAD248/2007	5,369 km <sup>2</sup>	14/12/07	29/07/13
Wiluna No.2	WAD241/2004	5,616 km <sup>2</sup>	28/10/04	03/09/13
Pilki	WAD6002/2002	17,858 km <sup>2</sup>	12/08/02	02/12/14

There was one native title claim determined during the reporting period 1 July 2014 to 30 June 2015, the Pilki native title determination.

Central Desert had 14 claim and compensation applications in progress for the reporting period 1 July 2014 to 30 June 2015.

#### Birriliburu People No 2 parts A&B

**FCA No.** WAD108/08

**Area** 105km<sup>2</sup>

**Date Filed** 27/06/08

This matter is pending the outcome in Banjima People v State of Western Australia [2015] FCAFC 84 in regards to the application of section 47B of the Native Title Act to exploration licences.

#### Birriliburu People No 3

**FCA No.** WAD50/10

**Area** 3,319km<sup>2</sup>

**Date Filed** 15/03/10

A determination in this matter is also pending the outcome in Banjima People v State of Western Australia [2015] FCAFC 84 in regards to the application of section 47B of the Native Title Act to exploration licences, despite that decision not applying to this matter.

#### Birriliburu People No 4

**FCA No.** WAD299/11

**Area** 15km<sup>2</sup>

**Date Filed** 18/07/11

This matter is pending the outcome in Banjima People v State of Western Australia [2015] FCAFC 84 in regards to the application of section 47B of the Native Title Act to exploration licences.

## Gibson Desert Nature Reserve Compensation Application

**FCA No.** 86/2012

**Area** 18,458km<sup>2</sup>

**Date Filed** 29/03/12

An on country hearing occurred over two weeks in August 2014. An expert report by Dr Lee Sackett was prepared and filed along with genealogies of the claim group. Further expert reports were prepared in the reporting period. An interlocutory matter relating to extinguishment was heard by Justice Barker in March 2015 and a decision handed down in June 2015.

## Gingirana

**FCA No.** WAD6002/2006

**Area** 12,150km<sup>2</sup>

**Date Filed** 10/03/06

This matter is in active case management by the Federal Court of Australia. Preservation evidence was heard from five claimants in March 2015. The State and the Applicant are now engaging in a process designed to narrow the issues between the parties.

## Kulyakartu

**FCA No.** WAD293/2005

**Area** 3,550km<sup>2</sup>

**Date Filed** 11/10/05

The matter remained in case management in the Federal Court. The claim group description was amended in 29 January 2015, in line with research undertaken. A research report was provided to the State, to feed into a process designed to narrow the matters in issue between the parties.

## Pilki

**FCA No.** WAD6002/02

**Area** 17,858 km<sup>2</sup>

**Date Filed** 12/08/02

The Pilki claim was determined on 2 December 2014. A PBC must be nominated by 2 December 2015.

## Tjiwarl

**FCA No.** WAD288/2011

**Area** 13,623.41km<sup>2</sup>

**Date Filed** 17/06/11

The claim had been placed in case management with the Federal Court with orders to resolve any issues relating to the claim group's connection to the claim area. Expert evidence was filed during the reporting period and the matter was listed for hearing of on-country evidence in July 2015.

## Tjiwarl No 2

**FCA No.** WAD302/2015

**Area** 1,312 km<sup>2</sup>

**Date Filed** 22/06/15

The Tjiwarl #2 claim is a small claim that overlaps parts of the Tjiwarl claim and was lodged to take advantage of changes in tenure in the area.

## Yilka

**FCA No.** WAD297/2008

**Area** 12,260 km<sup>2</sup>

**Date Filed** 15/12/08

The Yilka claim remains in litigation. Final oral submissions were heard in late July 2014. The State's interlocutory application to strike out the Yilka native title claim has been adjourned until final submissions have been heard. The State made another interlocutory application in July 2014 to re-open the case to address the narrow issue of roads. They were given leave to re-open, with costs awarded to the Applicant, and final written submissions in that matter will be filed by September 2015.

## Yilka No 2

**FCA No.** WAD303/2013

**Area** 3.5 km<sup>2</sup>

**Date Filed** 6/8/2013

The Yilka #2 claim is a small claim that overlaps parts of the Yilka claim and was lodged to take advantage of changes in tenure in the area. Orders were made for it to be heard together with the Yilka claim and all evidence and pleadings that have been filed in relation to the Yilka claim have also been used in the Yilka #2 claim.

## Ngurra Kayanta

**FCA No.** WAD410/2012

**Area** 19,574 km<sup>2</sup>

**Date Filed** 21/12/2012

The application is in active case management by the Federal Court. Although many issues may be agreed, some issues may have to be isolated and litigated, in particular the State's assertion that the entire area is partially extinguished due to historical tenure. Also, negotiations concerning the use of resources will be informed by the decision in *Willis on behalf of the Pilki People v State of Western Australia* [2014] FCA 714. There are some future act matters, particularly in relation to petroleum, where Central Desert has been facilitating negotiations with the claim group.

## Ngurra Kayanta No 2

**FCA No.** WAD326/2015

**Area** 19,574km<sup>2</sup>

**Date Filed** 30 June 2015

This application was made as a result of orders in Ngurra Kayanta. It is brought by the same claim group as in the Ngurra Kayanta matter and overlaps the entirety of that application. It is intended that the Ngurra Kayanta #2 application will be finally determined together with the Ngurra Kayanta application.



## Mantjintjarra Ngalia No 2

**FCA No.** WAD372/2006

**Area** 22,929 km<sup>2</sup>

**Date Filed** 21/12/2006

Mantjintjarra Ngalia #2 was lodged by the Goldfields Land and Sea Council in 2006. Central Desert agreed to represent the claim in March 2014 after extensive consultation with the claim group. In-house anthropological research is underway which considers a new claim to consolidate the two non-contiguous areas of the existing claim. The matter is in case management by the Federal Court.

## Progress on Other Native Title Activities

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. In 2007 the Federal Court of Australia dismissed the Cosmo Newberry claim along with all other overlapping claims in the Wongatha area. Central Desert lodged an appeal against the decision on behalf of the Cosmo Newberry claimants. 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 further desktop research.

Central Desert is yet to formalise a claim strategy in relation to this area.

### 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.

### Nullarbor

Central Desert intends to brief out further preliminary anthropological and historical research and make this area more of a priority after the Pilki People have nominated a PBC.

### Compensation Matters

As at 30 June 2015 there is one compensation application lodged by Central Desert, being the Gibson Desert Nature Reserve compensation application. An on-country hearing was held in August 2014, with a process of expert reports following. The Federal Court heard an interlocutory argument on extinguishment issues in March 2015 and handed down its decision in June.



Purple flowering plant, Kiwirrkurra country. Photo: Brian Hawkins. Bush Blitz.

## Agreements

On instructions from its clients, Central Desert continues to develop strong Land Access and Heritage Agreements with mining companies wishing to enter onto native title lands. The agreements vary depending on the nature of the land tenure and whether the area is subject to a determination of native title. On areas where native title is determined, the agreements have been developed to encompass all aspects of land access including heritage issues, rehabilitation of the land, compensation, cultural awareness, employment and training opportunities. Some agreements also include special conditions for mining companies wishing to explore for uranium. These agreements are subject to periodic review.

Agreements designed to facilitate access to determined native title land by other interest groups such as tourists, tour operators, as well as government agencies and researchers, are also developed on instructions from our clients.

With the establishment of the Agreement Implementation team at Central Desert, greater efforts are being made to increase mineral explorers' understanding of our clients native title rights and interests. Explorers and miners are invited to engage directly with our clients at native title group meetings where they can hear first hand the importance of respecting the traditional owners' cultural heritage and complying with their obligations under exploration or mining agreements. Central Desert has also increased its dialogue with exploration and mining companies on agreement implementation and compliance issues. A compliance database to assist in this process is expected to go live during the next reporting period.

## Developing Cultural Heritage Management Plans (CHMP)

Three mining agreements involving the Wiluna Martu People provide for the development of Cultural Heritage Management Plans. Central Desert has worked with the Wiluna Martu to develop draft plans informed by cultural mapping (ethnographic studies) and archaeological surveys in and adjacent to the project areas. One CHMP has been executed. Two others are in advanced stages of drafting.

A mining agreement being developed with the Yilka native title claimants has facilitated the drafting of a CHMP, which is now in its advanced stages.

## Cultural Awareness Training Projects

Previously Central Desert worked with the Kiwirrkurra People to produce a DVD film called, "This Is Our Country – Stories of the Kiwirrkurra People". This film, showcasing Kiwirrkurra culture and history, has been used successfully as the centrepiece of a Cultural Awareness Training (CAT) program for non-Aboriginal people working or living on Kiwirrkurra land. The first CAT program was delivered on country in August 2013 and it is intended that more programs will be delivered in the next reporting period.

Through funding obtained from exploration and mining agreements within the Wiluna area, the traditional owners in conjunction with Central Desert have developed a cultural awareness program, which will be used to educate non-Aboriginal audiences about Martu culture and history. This program has been delivered to mining companies operating in the Wiluna area during the reporting period.



Kiwirrkurra TOs at the IPA Declaration. Photo: Tim Schneider, Kanyirrinpa Jukurpa



## OBJECTIVE: CENTRAL DESERT CAPACITY

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

Our strategies involve focusing on four key areas:

- sound governance;
- recruiting and retaining high-quality staff;
- building robust, effective systems; and
- diversifying our resource base.

### Sound Governance

Central Desert is a public company limited by guarantee, registered with the Australian Charities and Not-for-profits Commission (ACNC) as a Public Benevolent Institution. We are endorsed by the Australian Taxation Office (ATO) as a Deductible Gift Recipient. Maintaining an effective compliance system is a priority for our directors and senior staff.

Our directors bring a strong blend of skills and experience to the company's corporate governance. Being a not-for-profit organisation, our directors do not have a beneficial interest in the company. They volunteer their time, enthusiasm and expertise to this important work. While the Board maintains strict independence from operational matters involving claims and future acts, their influence is felt through the company's strategic and policy frameworks. These flow from their keen interest in setting a clear strategic direction for the company with the cooperation of the CEO, senior management team and staff.

### High-Quality Staff

Central Desert operates with a team of skilled, experienced and professional staff. We pride ourselves on recruiting well and retaining employees. We provide staff with clear expectations through the ongoing review and development of job descriptions, employment contracts and conditions, and the management of a performance evaluation and learning system.

We partner with another not-for-profit organisation, Community Business Bureau, to provide tailor-made salary packaging opportunities to staff. This, and our family friendly workplace, enables us to provide a competitive offer to attract and retain talented people.

Due to the tight economic environment and funding restraints we faced this financial year, we have been forced to make some difficult decisions around staffing. Three positions were made redundant due to a slow down in

the resources sector and a tightening of Commonwealth funding. It is not anticipated that we will need to make any more decisions of this sort in the coming year.

### Effective Systems

Central Desert focuses on delivering outcomes related to native title and land. To deliver our services to a consistent standard in some of the remotest parts of the country we have to:

- build and maintain effective finance, administrative and business systems to support our operational staff;
- preserve our corporate knowledge; and
- keep our Board, staff, clients and stakeholders informed.

Our Corporate Services, Finance, Logistics and Compliance teams perform this behind-the-scenes work with enthusiasm, skill and dedication.

Key activity indicators and previous year comparison are provided in the table below:

	2015	2014
Turnover	\$9,572,593	\$9,771,759
Number of trips	190	216
Number of return flight bookings	514	526
Number of person days travelling	3922	3,672
Number of vehicle operating days	1398	1,367

Particular initiatives this year include:

- the launch of our new website, which provides an interactive platform for access and sharing of information;
- the installation of video-conferencing facilities in our regional offices to enhance communications between Perth based staff and our clients in the region and to reduce travel costs;
- the upgrade and ongoing maintenance of our IT systems and network including the engagement of an external consultant to review the efficiency and effectiveness of the system;

- enhancement of our in-house database system to unify information gathering and retention and automate many of the basic functions of our logistics and reporting systems;
- the 'conversion' of two leasehold properties in Wiluna to freehold;
- further progress in developing a Cultural Geography database;
- the ongoing development of a comprehensive, project-specific accounting and reporting system using MYOB Enterprise linked to the flexible reporting and budgeting system Calxa;
- further development of automated electronic filing systems;
- quarterly meetings of our safety committee; and
- increase in safety awareness of staff and incident reporting rates.

This coming year will see Central Desert develop and implement a comprehensive risk management strategy involving all sections of the organisation.

### Adequate Resources

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

Central Desert received core funding through its 2013-2015 grant funding agreement with the Department of Prime Minister and Cabinet to provide the services described in the operational plan. Core funding for the reporting year and anticipated core funding in forward years is:

2014-15	\$4,129,000
2015-16	\$4,084,210
2016-17	No indication yet

Central Desert applied for and received additional amounts from DPMC to meet contested litigation commitments.

The WA Government has not provided any funding to deal with future act processes since 2010 when a funding agreement expired. Some agreements, which were formed on the presumption of ongoing State support in relation to future act matters, are still in force. These agreements place considerable pressure on administration costs as they restrict the ability to charge for legitimate services.

Central Desert negotiates with industry to assist with the cost of meetings dealing with agreement negotiations and to provide training to claimants and native title holders in situations where there are mutual benefits.

It was another successful year working with key partners in our Land and Community program, namely the WA Department of Parks and Wildlife and Northern Star Resources (previously Newmont Mining Corporation). Our clients have benefitted from their assistance in developing land management projects in the Wiluna and Birriliburu areas. Other key resource companies working in the Central Desert region, such as Rosslyn Hill Mining, Gold Road, Toro Energy and Lost Sands have assisted traditional owners groups to participate in project negotiations and skills development.

Other Grant funding received during the year included amounts from:

- The Department of Environment for Indigenous Protected Area projects (IPA);
- Rangelands NRM for several land management projects focusing on protecting biodiversity and threatened species;
- The Indigenous Land Corporation;
- The Western Australian Government's State NRM Program through the Department of Agriculture and Food supporting collaborations in land management;
- The Western Australian Government's Social Enterprise Fund through the Department of Local Government and Communities;
- Lotterywest for a vehicle to conduct land management activities within the Kiwirrikurra IPA; and
- The Nature Conservancy Limited supported three traditional owners to attend the World Parks Congress held in Sydney.

The ratio of Native Title funding compared to all other sources for 2014-15 was 61% to 39% compared to 57% to 43% in 2013-14. The decline was mainly the result of decreased economic activity in the mining area and a corresponding fall in heritage protection activities.

Central Desert wishes to thank our funding bodies and corporate partners for their support during the year.



## TRENDS INFLUENCING PRINCIPAL FUNCTIONS AND SERVICES

The Federal Court of Australia's directed case management continues to expedite native title matters in the region. This approach by the Court creates a consistent and heavy workload for native title staff.

The State of WA is maintaining its high threshold for consenting to native title determinations and referring a significant number of questions to litigation. This trend is putting further pressure on staff workloads and putting extreme pressure on the Commonwealth's contested litigation funding capacity.

The Commonwealth Minister for Indigenous Affairs announced that support for PBCs is a priority, committing an additional \$20m over four years for PBC support. The announcement and changes to funding guidelines have raised expectations in the PBC community, however additional funding has yet to be delivered.

The combination of these three factors means that our organisation, which is already functioning beyond its sustainable capacity, will need to prioritise very carefully in the coming year.

## 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 affect native title matters generally. There have been no other reports on Central Desert operations by any of the above bodies during the reporting period.

During the reporting period Central Desert received nil external review requests under 203FBA of the Native Title Act 1993.



Water monitoring project, Kiwirrkurra country. Photo: Kate Crossing

## 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 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 2014-2015 year.

2014-2015	
Alissa Strain	Maia Williams
Allister Hill	Malcolm O'Dell
Anita Field	Marian Hennessy
Barry Hooper	Michael Allbrook
Christina Araujo	Michael Ierace
Claire Greer	Mladen Mrvelj
Darren Farmer	Monique Jekel
Des Godber	Mo Pawero
Emlyn Collins	Nicholas Brisbout
Emma Drake	Pandy Lee
Emma Thompson	Phil Ramsay
Felicity Noonan	Rachel Melville
Gavin Dunn	Ric West
Gemma Wheeler-Carver	Rob Thomas
Giacomo Boranga	Robin Smythe
Glenda Allen	Rose Lukman
Grant Sutherland	Sam Hall
Hamish Morgan	Sandra Brown
Heather Lynes	Sarah Hobson
Ian Rawlings	Sasa Oentarijo
Irene Akumu	Sean Calderwood
Isobel Milnes	Shannon Wren
Janamat Sharma	Stacey Little
Jenna Mizzi	Stephen Bai
Jo Lanagan	Susan Ware
Kara Baldwin	Sue Yoong
Karine Flematti	Sumeet Kaur
Kate Crossing	Tessa Herrmann
Katrina Shaw	Tristan Adfield
Kim Baldwin	Zareth Long
Lindsey Langford	

### STAFFING LEVELS AND RETENTION RATES FOR THE YEAR

At 30 June 2015 Central Desert Native Title Services comprised a core staff of 42 full-time employees, 4 part-time and 7 casual staff members.

A turnover of 8 staff during the reporting period represents a retention rate of 87%, compared with 65% in 2014.

Staff remuneration is based on individual common law agreements negotiated with regard to operational requirements, the prevailing recruitment environment, and available resources.

### PROFESSIONAL DEVELOPMENT

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.

Priority is given to those employees obliged to complete annual requirements of Continuing Professional Development (CPD) to retain their certificate of practice or professional affiliations.

Central Desert is also committed to contributing to the annual National Native Title Conference. This year one of our directors Fred Chaney, CEO Ian Rawlings and Harvey Murray Snr, a senior native title claimant for the Yilka claim, presented a paper on the social, economic and cultural opportunities of native title.

Central Desert also has a focus on safety for staff travelling in remote locations. Staff receive training in first aid and how to manage and maintain four-wheel drive vehicles.



## 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 (WA) and the Occupational Safety and Health Regulations 1996 (WA).

Central Desert encourages its staff to report any incidents and/or identified hazards. Since the introduction of a server-based reporting system in 2014, the number of incidents reported has shown an increase on previous years. Analysis of the data and investigation of the incidents shows that the increase in the number of incidents is due to improved reporting rather than a reflection of poor safety performance. Central Desert's incidents are divided into four categories: Accidents, Injuries, Hazards Identified and Near Misses.

The following incidents were reported this financial year.

INCIDENT REPORTED	2015	2014
Accident	8	5
Injury	1	4
Hazard Identified	4	4
Near Miss	2	1
Total:	15	14

Lost time injuries for the 2014-15 year were 0.

## 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 three 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 three 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 fee is less than \$80,000; and
- Vehicle purchases.

### Native Title Consulting Agreements:

	2015	2014
Number of Consultancies for goods or services	19	25
Value of consultancies for Goods or Services	\$1,350,974	\$ 1,078, 582
Consultancies with Traditional Owners	\$23,279	\$ 10,735

## Outputs

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

	2015	2014	2013
<b>FACILITATION AND ASSISTANCE</b>			
The Claims Experience			
Number of claims at 1 July	14	18	13
Plus: Filed this year by NTSP	2	1	2
Less: Claims determined	1	4	3
Less: Claims dismissed	0	0	0
Less: Claims withdrawn	0	0	0
Less: Claims amalgamated/altered	0	2	1
Number of current active claims at 30 June	15	14	18
Claims in Development	4	4	5
Non-claimant Applications			
Compensation claims	0	0	0
	1	1	1
The Agreements Experience			
Future Acts			
Notices received	318	435	439
Responses to Future Acts	318	435	439
Agreements			
Agreements concluded	73	63	69
Agreements in development	0	0	0
ILUAs			
ILUAs concluded and registered	0	0	0
ILUAs in development	0	0	0
<b>COMPLAINTS AND DISPUTES</b>			
Complaints			
Received	1	0	1
Resolved	1	0	1
Pending	0	0	0
Disputes relating to native title			
Disputes relating to ILUAs, rights of access and other matters	0	1	1
	0	0	0
Requests for s203B1 reviews of decisions not to assist			
Completed	0	1	1
Pending	0	0	0



## Subsidiaries

Central Desert Native Title Services has two wholly owned subsidiaries, being Desert Support Services Pty Ltd and Rockhole Funds Management Pty Ltd.

### DESERT SUPPORT SERVICES PTY LTD

**Formed: 6 January 2012**

#### Objectives as stated in the Constitution

1.1. The objects of Desert Support Services Pty Ltd are to:

- (a) deliver services including administrative, financial, labour hire, training, and land management services to support Aboriginal people, Aboriginal Communities and Aboriginal Organisations (including PBCs) and projects on Aboriginal Land;
- (b) promote and further the economic, social and cultural development of Aboriginal people in Australia;
- (c) establish and maintain Amenities for the benefit of Aboriginal people; and
- (d) relieve poverty, sickness, misfortune, suffering, distress and helplessness of socially and financially disadvantaged Aboriginal people in Australia through the provision of services to people and organisations, including those services set out in rule 4.1(a).

1.2. The Company must operate solely for the purpose of promoting and advancing its objects. However, the Company is not required to promote each specific object at the same time or in any particular order and may, in its absolute discretion, determine the level and amount of promotion, funding or any other support that should be applied to anyone or more specific objects at any given time.

	2015	2014
Financial Results	\$ -4,867	\$66,062
Casual Employees	365	242

### ROCKHOLE FUNDS MANAGEMENT PTY LTD

**Formed: 26 July 2013**

#### Objectives as stated in the Constitution

The Company is established as a not-for-profit company for the sole purpose of:

- (a) Acting as trustee for trusts that receive, hold or manage benefits (including cash or non-cash benefits) within the meaning of the ITAA97, that relates to:
  - (i) native title (withing the meaning of the Native Title Act 1993); or
  - (ii) traditional indigenous rights of ownership, occupation, use of enjoyment of land; and
- (b) Any other function or purpose that is consistent with or furthers the objects of the trusts which the Company acts as trustee.

	2015	2014
Financial Results	\$ 7,356	\$195
Funds Under Management	\$ 657,909	\$248,483
Trust Funds	8	1

## Summary Financial Information

NTRBs/NTSPs are required to provide a summary of financial performance as follows:

	ACTUAL 2013-14	BUDGET 2014-15	ACTUAL 2014-15	VARIANCE 2014-15
<b>Income</b>				
Native Title Funding				
Unexpended grants	1,010,934	-		-
Capital	80,000	-		-
Operational	4,526,000	6,640,810	6,640,810	-
Other Income				
Other Income	108,662	60,000	119,580	59,580
Recoveries	43,091	30,000	23,585	-6,415
Interest	28,268	36,000	19,798	-16,202
	5,796,955	6,766,810	6,803,773	36,963
<b>Expenditure</b>				
Capital Acquisitions	80,000	-	-	-
Corporate	2,139,799	2,004,306	2,010,255	5,949
Activities	3,577,156	4,762,504	4,400,578	-361,926
	5,796,955	6,766,810	6,410,833	(355,977)
<b>Net Result</b>	-	-	<b>392,940</b>	<b>392,940</b>

All amounts are net of GST





Lake Mackay. Photo: Mladen Mrvelj



CENTRAL DESERT NATIVE TITLE SERVICES LTD  
AND SUBSIDIARIES

# The Central Desert Group Consolidated Directors' and Financial Report

FOR THE YEAR ENDED 30 JUNE 2015

Issued: 18 September 2015

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## Corporate Directory

<b>The Group</b>	Central Desert Native Title Services Ltd Desert Support Services Pty Ltd Rockhole Funds Management Pty Ltd
<b>Chairperson</b>	Mr. Terence Grose
<b>Company Secretaries</b>	Mr. Ian Rawlings Mr. Ric West JP
<b>CEO</b>	Mr. Ian Rawlings
<b>Registered Address</b>	76 Wittenoom Street, EAST PERTH WA 6004
<b>Telephone</b>	08 9425 2000
<b>Fax</b>	08 9425 2001
<b>Email address</b>	reception@centraldesert.org.au
<b>Group Auditor</b>	Paul Gilbert CPA MacLeod Corporation Pty Ltd Registered Company Auditor No: 165334

## Glossary

ABN	Australian Business Number
ACNC	The Australian Charities and Not-for-Profits Commission
ASIC	The Australian Securities and Investments Commission
ATO	The Australian Taxation Office
Central Desert	Central Desert Native Title Services Ltd (ABN 53 124 921 811)
Central Desert Group	Central Desert, DSS and RFM
The Company	Central Desert Native Title Services Ltd (ABN 53 124 921 811)
DAF	WA Department of Agriculture and Food
DGR	Deductible Gift Recipient
DPM&C	The Commonwealth Department of the Prime Minister and Cabinet
DSS	Desert Support Services Pty Ltd (ABN 41 154 511 494)
FBT	Fringe Benefits Taxation
GST	Goods and Services Tax
HR	Human Resources
IPA	Indigenous Protected Area
NRM	Natural Resource Management
NTA	The <i>Native Title Act 1993</i>
PBC	Prescribed Body Corporate
PBI	Public Benevolent Institution
RFM	Rockhole Funds Management Pty Ltd (ABN 65 164 808 333)
TO	Traditional Owner

## Directors' Report

The directors of Central Desert Native Title Services Ltd present this report on the Central Desert Group for the year ended 30 June 2015.

### THE CENTRAL DESERT GROUP

The Central Desert Group comprises the following entities:

NAME	PRINCIPAL ACTIVITY	FORMED	% HELD
Central Desert Native Title Services Ltd	Native Title Service Provider, land and community management services, heritage surveys and future act management.	16 Apr 2007	N/A
Desert Support Services Pty Ltd	Labour hire, accounting, HR, and property management.	6 Jan 2012	100%
Rockhole Funds Management Pty Ltd	Management of Native Title Trusts for PBCs and Claimant groups.	26 Jul 2013	100%

### DIRECTORS

Directors within the group are as follows:

NAME	CENTRAL DESERT		DSS	RFM
	BOARD	AUDIT COMMITTEE		
Mr. Terence (Terry) Grose	Chairperson	Member	Chairperson	-
Hon. Frederick (Fred) Chaney AO	Director	Member	Director	-
Dr. Fiona Skyring	Director	-	Director	-
Dr. Carolyn Tan	Director	-	-	-
Mr. Andrew (Andy) Gilmour	Director	Chairperson	Director	Chairperson
Mr. Ian Baird (appointed 23/9/2014)	-	-	-	Director
Mr. Allan James (appointed 1/10/2014)	-	-	-	Director

The directors have been in office since the beginning of the financial year unless otherwise stated. Their profiles are provided in the annual report. Directors do not have a beneficial interest in the companies in the group and volunteer their time to their duties.

### OFFICERS & COMPANY SECRETARIES

The following people serve as officers and secretaries within the group:

NAME	CENTRAL DESERT	DSS	RFM
Mr. Ian Rawlings	Chief Executive Officer, Company Secretary	CEO	CEO
Mr. Richard (Ric) West JP	Chief Financial Officer, Company Secretary	CFO, Secretary	CFO, Secretary
Mr. Malcolm O'Dell	Principal Lawyer, Chief Operations Officer	-	-

The officers and secretaries have been in office since the beginning of the financial year unless otherwise stated. Their profiles are provided in the annual report.



## Review Of Operations

### OPERATING RESULTS

The group's consolidated comprehensive surplus for the year was \$57,583 (2014: surplus 182,478).

### PRINCIPAL ACTIVITIES

#### Central Desert

Central Desert 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:

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

The company provides the following services to Traditional Owners and claimants:

- Supporting PBCs to manage land under Indigenous Protected Area (IPA) programs;
- Managing ranger programs in a number of determined and claim areas; and,
- Developing Land Management and Access plans.

The company also coordinates Heritage and Archaeological surveys on a Fee-for-service basis, linking exploration and mining companies with Traditional Owners and Native Title Claimants.

The Australian Taxation Office ("ATO") endorsed the company as a Public Benevolent Institution and it conducts a range of charitable activities. The company is also endorsed as a Deductible Gift Recipient. Donations of \$2 or more are tax deductible. No change in its tax status as a result of activities undertaken during the year is likely.

#### Desert Support Services

DSS's principal activities during the financial year were:

- a. Labour hire of casual employees, usually regionally-based Traditional Owners to Central Desert for future act and land management activities;
- b. Accounting, bookkeeping and HR services for Prescribed Bodies Corporate (PBC) and community groups within the Central Desert region; and,
- c. Property management of surplus office space at 76 Wittenoom Street East Perth on behalf of Central Desert.

The company is a non-profit organisation. The company is endorsed by Australian Charities and Non for Profit Commission (ACNC) and the Australian Taxation Office (ATO) as a Public Benevolent Institution (PBI).

#### Rockhole Funds Management

RFM continued to serve as a Native Title Trust fund management service for Central Desert PBCs and for claim groups where native title has not been determined. Trusts held are below the commercial threshold for private trust fund services. The company deliberately operates on a low cost model and use the Public Trustee as its 'high' benchmark for costs. Over the past twelve months RFM took over responsibility for all the native title trusts funds held by Central Desert. The company holds legal advice stating that the company does not need to be the holder of an Australian Financial Services Licence.

The company is a non-profit organisation. The company is endorsed by Australian Charities and Not for Profit Commission (ACNC) and the Australian Taxation Office (ATO) as a charity.

### SIGNIFICANT CHANGES IN STATE OF AFFAIRS

No significant changes in the group'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:

- The group's operations in future financial years; or,
- The results of those operations in future financial years; or,
- The group's state of affairs in future financial years.

### LIKELY DEVELOPMENTS

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

## MEETINGS OF DIRECTORS

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

	DIRECTORS MEETINGS		AUDIT COMMITTEE MEETINGS	
	ELIGIBLE TO ATTEND	NUMBER ATTENDED	ELIGIBLE TO ATTEND	NUMBER ATTENDED
Mr. Terence Grose	3	3	3	3
Hon. Fred Chaney AO	3	3	3	1
Dr. Fiona Skyring	3	3	0	0
Dr. Carolyn Tan	3	3	0	0
Mr. Andrew Gilmour	3	3	3	3

## ENVIRONMENTAL PERFORMANCE

The group 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 by members of the group during the year. The companies within the group are all non-profit companies and their constitutions do 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.

## INDEMNIFYING OFFICERS OR AUDITOR

The group has entered into deeds of access and indemnity with all directors and officers to the extent allowed at law. Other than these, 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's Liability insurance policy which includes both directors and officers and professional indemnity cover.

## PROCEEDINGS ON BEHALF OF THE COMPANY

No person has applied for leave of Court to bring proceedings on behalf of the group or to intervene in any proceedings, to which any company within the group is a party, for the purpose of taking responsibility on behalf of the group for all or any part of those proceedings. The group was not a party to any such proceedings during the year.

## AUDITOR'S INDEPENDENCE DECLARATION

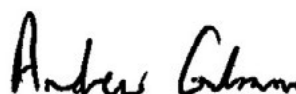
The group's auditor is Mr. Paul Gerrard Gilbert (ASIC Reg. 165334). Mr. Gilbert's independence declarations for the year ended 30 June 2015 have been received and Central Desert's can be found on the next page of the financial statements.

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



**Terence Grose**  
Director/Chairperson

18 September 2015



**Andrew Gilmour**  
Director/Audit and Finance Committee Chairperson

18 September 2015



3rd August 2015

The Directors  
Central Desert Native Title Services Ltd  
76 Wittenoom Street  
EAST PERTH WA 6004

Dear Directors,



**MACLEOD  
CORPORATION PTY LTD.**

A.B.N. 25 082 636 968

186-190 Princess Royal Drive  
Albany WA 6330

PO Box 5151 Albany WA 6332

t. 08 9841 2277

f. 08 9841 3260

m. 0412 375667

e. paul@macleodcpa.com.au

www.macleodcpa.com.au

## 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 2015 there have been:

4. No contraventions of the auditor independence requirements as set out in the *Corporations Act 2001* in relation to the audit; and,
5. No contraventions of the requirements of the Accounting Professional and Ethical Standards Board in relation to the audit.

Yours faithfully,

**Paul Gilbert**

**Macleod Corporation Pty Ltd  
Registered Company Auditor**

CERTIFIED PRACTISING ACCOUNTANTS



## CONSOLIDATED FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2015

### Directors' Declaration

#### FOR THE YEAR ENDED 30 JUNE 2015

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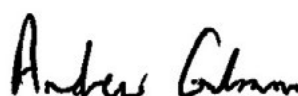
In accordance with a resolution of the directors of Central Desert Native Title Services Ltd, the directors of the company declare that:

1. The consolidated financial statements and notes, as set out in pages 50 to 67 are in accordance with the *Corporations Act 2001*, the Regulations and the company's constitution and:
  - a. Comply with Australian Accounting Standards – Reduced Disclosure Requirements; and,
  - b. Give a true and fair view of the financial position of the consolidated group as at 30 June 2015 and of its performance for its operations as a whole for the year then ended.
2. In the directors' opinion that there are reasonable grounds to believe that the company, and the group, will be able to pay its debts as and when they fall due.



**Terence Grose**  
Director/Chairperson

18 September 2015



**Andrew Gilmour**  
Director/Audit and Finance Committee Chairperson

18 September 2015

---

17th August 2015  
 The Members  
 Central Desert Native Title Services Ltd



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## Independent Auditor's Report

### REPORT ON THE FINANCIAL STATEMENTS

We have audited the accompanying consolidated general purpose financial statements of Central Desert Native Title Services Ltd (the "company") which comprises the consolidated balance sheet as at 30 June 2015, the consolidated statement of profit or loss and other comprehensive income, the consolidated statement of changes in equity, and the consolidated statement of cash flows for the year then ended, a summary of significant accounting policies and other explanatory notes, and the directors' declaration.

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

The directors of the company are responsible for the preparation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards – Reduced Disclosure Requirements, the Corporations Act 2001 and meets the needs of the members and funding bodies. The directors of the company are responsible for such internal controls as the directors determine are necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

#### 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.

CERTIFIED PRACTISING ACCOUNTANTS





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.

### **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 2015 and of its performance for the year ended on that date; and
2. Complying with Australian Accounting Standards Reduced Disclosure Requirements 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.



**Paul Gilbert**

**Macleod Corporation Pty Ltd  
Registered Company Auditor**

# Consolidated Statement Of Profit Or Loss And Other Comprehensive Income

FOR THE YEAR ENDED 30 JUNE 2015

	NOTE	2015 \$	2014 \$
Revenue from continuing operations	4	<b>9,560,484</b>	9,766,396
Other gains	4	<b>12,109</b>	5,364
		<b>9,572,593</b>	9,771,760
Employee benefits expense		<b>(4,942,586)</b>	(5,029,371)
Services and supplies		<b>(2,256,571)</b>	(2,266,951)
Other expenses	5	<b>(1,928,793)</b>	(1,888,114)
Interest expense		-	(149)
Depreciation / amortisation		<b>(380,734)</b>	(393,332)
Other Losses		<b>(6,326)</b>	(11,365)
		<b>(9,515,010)</b>	(9,589,282)
Net Income before income tax		<b>57,583</b>	182,478
Income tax expense	3 (m)	-	-
Net Income after income tax		<b>57,583</b>	182,478
Other comprehensive income		-	-
Total Comprehensive Income		<b>57,583</b>	182,478

The accompanying notes form part of these financial statements.

## Consolidated Balance Sheet

AS AT 30 JUNE 2015

	NOTE	2015 \$	2014 \$
<b>Current Assets</b>			
Cash and cash equivalents	7	<b>2,196,594</b>	1,940,138
Trade and other receivables	9	<b>297,733</b>	408,312
Other current assets	10	<b>205,906</b>	26,148
Total Current Assets		<b>2,700,233</b>	2,374,598
<b>Non-Current Assets</b>			
Property, plant & equipment	11	<b>1,314,490</b>	1,564,534
Investments in Associates	12	-	-
Total Non-Current Assets		<b>1,314,490</b>	1,564,534
Total Assets		<b>4,014,723</b>	3,939,132
<b>Current Liabilities</b>			
Trade and other payables	13	<b>160,503</b>	311,350
Current tax liabilities	14	<b>113,861</b>	289,839
Payroll liabilities	15	<b>24,775</b>	11,557
Provisions and accruals	16	<b>617,410</b>	476,752
Deferred income	17	<b>773,193</b>	1,035,646
Trust liabilities	18	<b>660,412</b>	417,487
Other current liabilities	19	<b>135,129</b>	-
Total Current Liabilities		<b>2,485,283</b>	2,542,631
<b>Non-Current Liabilities</b>			
Provisions and accruals	16	<b>213,081</b>	137,725
Total Non-Current Liabilities		<b>213,081</b>	137,725
Total Liabilities		<b>2,698,364</b>	2,680,356
Net Assets		<b>1,316,359</b>	1,258,776
<b>Equity</b>			
Member's Funds		<b>1,316,359</b>	1,258,776

The accompanying notes form part of these financial statements.



## Consolidated Statement Of Changes In Equity

FOR THE YEAR ENDED 30 JUNE 2015

	NOTE	RETAINED EARNINGS	RESERVES	TOTAL
		\$	\$	\$
Balance at 30 June 2013		1,076,298	-	1,076,298
Total comprehensive income for the period		182,478	-	182,478
Movement in reserves		-	-	-
Revaluation increment		-	-	-
Balance at 30 June 2014		1,258,776	-	1,258,776
Total comprehensive income for the period		<b>57,583</b>	-	<b>57,583</b>
Movement in reserves		-	-	-
Revaluation increment		-	-	-
Balance at 30 June 2015	6	<b>1,316,359</b>	-	<b>1,316,359</b>

The accompanying notes form part of these financial statements.

## Consolidated Statement Of Cash Flows

FOR THE YEAR ENDED 30 JUNE 2015

	NOTE	2015	2014
		\$	\$
<b>Cash Flow from Operating Activities</b>			
Receipts from government and customers		<b>9,338,836</b>	9,859,556
Payments to employees		<b>(4,792,251)</b>	(4,945,124)
Payments to suppliers		<b>(4,190,365)</b>	(4,177,048)
Interest received		<b>30,181</b>	38,529
Finance costs		-	(149)
Net cash from operating activities	8	<b>386,401</b>	775,764
<b>Cash Flow from Investing Activities</b>			
Proceeds from sale of property & equipment		<b>744</b>	4,000
Payment for property & equipment		<b>(130,689)</b>	(568,418)
Payments for investments in associates		-	-
Net cash used in investing activities		<b>(129,945)</b>	(564,418)
<b>Cash Flow from Financing Activities</b>			
Repayment of financing commitments		-	-
Increase in financing commitments		-	-
Net cash from financing activities		-	-
Net (decrease) increase in cash held		<b>256,456</b>	211,346
Cash at the end of the financial year	7	<b>2,196,594</b>	1,940,138
Cash at the beginning of the financial year	7	<b>1,940,138</b>	1,728,792
Net Increase / (Decrease) in cash held		<b>256,456</b>	211,346

The accompanying notes form part of these financial statements.

# Notes To The Consolidated Financial Statements

## FOR THE YEAR ENDED 30 JUNE 2015

### 1. THE PARENT COMPANY

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.

#### (a) Registered Office

All companies in the group have the following registered and business address:

**76 Wittenoom Street  
East Perth, WA, 6004**

#### (b) Not For Profit

The Company is a not-for-profit organisation. It is registered as a PBI with the ACNC and the ATO.

### 2. BASIS OF PREPARATION OF THE FINANCIAL REPORT

#### (a) Date of Issue

These consolidated financial statements of Central Desert Native Title Services Ltd and the Central Desert Group were authorised for issue by the directors on 18 September 2015. The Directors have the authority to amend the financial statements after that date.

#### (b) Basis of Accounting

The Central Desert Group applies Australian Accounting Standards – Reduced Disclosure Requirements as set out in *AASB 1053: Application of Tiers of Australian Accounting Standards* and *AASB 2010-2: Amendments to Australian Accounting Standards arising from Reduced Disclosure Requirements*.

These consolidated financial statements are General Purpose Financial Statements that have been prepared in accordance with Australian Accounting Standards – Reduced Disclosure Requirements of the Australian Accounting Standards Board (AASB) and the *Corporations Act 2001*. All companies in the group are a not-for-profit entity for financial reporting purposes under Australian Accounting Standards.

Australian Accounting Standards set out accounting policies that the AASB has concluded would result in financial statements containing relevant and

reliable information about transactions, events and conditions. Material accounting policies adopted in the preparation of these financial statements are presented below and have been consistently applied unless stated otherwise.

The financial report covers the company and its subsidiaries as a consolidated group.

The financial statements, except cash flow information, have been prepared on an accruals basis and are based on historic costs. They do not take into account changing money values or, except where specifically stated, the measurement at fair-value of selected non-current assets, financial assets and financial liabilities.

These accounts are presented in Australian dollars (\$AUD) and are rounded to the nearest dollar.

#### (c) Going Concern

The accounts have been prepared on a going concern basis.

#### (d) 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.

### 3. SIGNIFICANT ACCOUNTING POLICIES

The following specific policies, which are consistent with the previous year unless otherwise stated, have been adopted by the company and other companies in the Central Desert Group in the preparation of this financial report:-

#### (a) Principles of consolidation

##### **Subsidiaries**

The consolidated financial statements incorporate the assets and liabilities of the parent entity (the parent) and all subsidiaries as at 30 June 2015 and the results of the parent and all subsidiaries for the year then ended. Central Desert Native Title Services Ltd and its subsidiaries together are referred to in this financial report as the group or the consolidated entity. Subsidiaries are all entities (including special purpose entities) over which the group has the power to govern the financial



and operating policies, generally accompanying a shareholding of more than one half of the voting rights. The existence and effect of potential voting rights that are currently exercisable or convertible are considered when assessing whether the group controls another entity.

Subsidiaries are fully consolidated from the date on which control is established or transferred to the group. They are de-consolidated from the date that control ceases. Intercompany transactions, balances and unrealised gains on transactions between group companies are eliminated. Unrealised losses are also eliminated unless the transaction provides evidence of the impairment of the asset transferred. Accounting policies of subsidiaries have been changed where necessary to ensure consistency with the policies adopted by the group. Non-controlling interests in the results and equity of subsidiaries are shown separately in the consolidated income statement, statement of comprehensive income, statement of changes in equity and balance sheet respectively.

#### (b) 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.

#### (c) 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.

##### **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.

**(d) Inventories**

The company does not hold inventories of goods for sale.

**(e) 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.

**(f) 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.

**Freehold land and buildings**

Freehold land and building are measured on the cost basis.

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

**(g) 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.

**(h) 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.

**(i) 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.

**(j) 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.

**(k) Funds held on trust**

From time to time the company holds funds on trust for indigenous organisations. 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.

**(l) 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.

**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).

**(m) Taxation****Public Benevolent Institution**

The Australian Charities and Not-for-Profits Commission has registered the company as a Public Benevolent Institution. The Australian Taxation office has endorsed the company as eligible for the following concessions:

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

**(n) 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.



#### 4. REVENUE FROM CONTINUING OPERATIONS

	NOTE	2015	2014
		\$	\$
Revenue from continuing operations			
Net grant revenue	18	<b>7,306,332</b>	7,051,506
Revenue from the sale of services		<b>2,062,491</b>	2,510,715
Sales of goods		<b>6,892</b>	1,083
Reimbursements		<b>107,037</b>	96,682
Rent & Utilities		<b>26,557</b>	38,911
Donations		<b>8,583</b>	3,500
Sundry		<b>12,411</b>	25,470
Interest		<b>30,181</b>	38,529
		<b>9,560,484</b>	9,766,396
Other Gains			
Proceeds on sale of non-current assets		<b>744</b>	5,364
Other Gains		<b>11,365</b>	-
		<b>12,109</b>	5,364
Total		<b>9,572,593</b>	9,771,760

#### 5. NET OPERATING RESULT

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

Travel and accommodation expenses	<b>721,568</b>	740,615
Occupancy costs	<b>646,916</b>	604,376
Motor vehicle expenses	<b>271,825</b>	352,833
Program expenses	<b>255,886</b>	177,694
Repairs & maintenance	<b>30,828</b>	11,050
Charitable activities	<b>1,770</b>	1,546
Sundry	-	-
	<b>1,928,793</b>	1,888,114

## 6. MOVEMENT IN RESERVES

	UNRESTRICTED FUNDS	ASSET REVALUATION	GENERAL	TOTAL
Reserves at beginning of year	1,258,776	-	-	1,258,776
Operating Result for the year	57,583	-	-	57,583
Items charged directly to equity	-	-	-	-
Movement in Reserves	-	-	-	-
Reserves at end of year	<b>1,316,359</b>	-	-	<b>1,316,359</b>

## 7. CASH AND CASH EQUIVALENTS

	2015	2014
	\$	\$
<b>Cash at Bank</b>		
Central Desert	<b>1,377,293</b>	1,389,679
DSS	<b>158,851</b>	141,037
RFM	<b>2,241</b>	62
	<b>1,538,385</b>	1,530,778
<b>Trust Accounts</b>		
Held by Central Desert	-	160,577
Held by RFM	<b>657,909</b>	248,483
	<b>657,909</b>	409,060
<b>Cash on Hand</b>		
Petty cash	<b>300</b>	300
Gift vouchers	-	-
	<b>2,196,594</b>	1,940,138

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

Restrictions: Cash at bank for Central Desert includes the following restricted amounts:

- \$412,193 representing the balance of unexpended grants – see note 17
- \$361,000 representing grants-in-advance – see note 17

The restrictions arise 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.

Further restrictions are in place over funds held in respect of third party agreements:

- \$660,412 is held on Trust for 3rd parties – see note 18.
- Term deposit of \$205,615 is held as security for the bank guarantee – see note 24.

## 8. CASH FLOW INFORMATION

### Reconciliation of cash flows from operating activities

	2015	2014
	\$	\$
Surplus/(loss) after income tax	<b>57,583</b>	182,478
Non cash flows included in surplus/(loss)		
Depreciation and amortisation	<b>380,734</b>	393,331
Sale of assets	<b>(744)</b>	(4,000)
Changes in assets and liabilities		
(Increase)/decrease in receivables	<b>110,578</b>	340,223
(Increase)/decrease in other current assets	<b>(179,758)</b>	9,120
Increase/(decrease) in payables	<b>(150,846)</b>	(56,285)
Increase/(decrease) in current tax liabilities	<b>(175,977)</b>	7,422
Increase/(decrease) in deferred income	<b>(262,453)</b>	(183,198)
Increase/(decrease) in provisions and accruals	<b>216,014</b>	64,923
Increase/(decrease) in other liabilities	<b>391,270</b>	21,750
Cash flows from operating activities	<b>386,401</b>	775,764

## 9. TRADE AND OTHER RECEIVABLES

Trade receivables	<b>264,351</b>	434,676
Other receivables	<b>42,789</b>	-
Less: Provision for doubtful debts	<b>(9,407)</b>	(26,364)
	<b>297,733</b>	408,312

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.

Ageing of amounts receivable, past due (over 30 days) but not impaired

31-60	<b>51,947</b>	232,156
61-90	-	273
90+	<b>25,780</b>	52,046
	<b>77,727</b>	284,475

## 10. OTHER CURRENT ASSETS

Prepayments	<b>83,828</b>	9,698
Bonds	<b>1,980</b>	1,900
Accrued Income	<b>120,098</b>	14,550
	<b>205,906</b>	26,148



**11. PROPERTY PLANT & EQUIPMENT**

	2014	2013
	\$	\$
Freehold land and buildings		
Freehold land	23,500	825,718
Buildings at cost	923,210	-
Less: accumulated depreciation	(25,357)	(3,506)
	921,353	822,212
Leasehold improvements		
Leasehold improvements at cost	530,654	637,262
Less: accumulated depreciation	(385,839)	(310,562)
	144,815	326,700
Motor vehicles		
Motor vehicles at cost	1,316,181	1,235,542
Less: accumulated depreciation	(1,096,398)	(883,693)
	219,783	351,849
Office equipment & furniture		
Office equipment & furniture at cost	288,951	288,951
Less: accumulated depreciation	(265,486)	(234,086)
	23,465	54,865
Plant & equipment		
Plant & equipment at cost	62,967	62,967
Less: accumulated depreciation	(60,969)	(57,134)
	1,998	5,833
Artwork		
Artwork	3,076	3,076
Less: accumulated depreciation	-	-
	3,076	3,076
Carrying Amount	1,314,490	1,564,535

## (a) Movements in carrying amounts

	F/HOLD LAND & BUILDINGS	L/HOLD IMP	MOTOR VEHICLES	OE & FURN	PLANT & EQUIPMENT	ARTWORKS	TOTAL
	\$	\$	\$	\$	\$	\$	\$
<b>2014</b>							
Opening balance	-	438,609	416,489	97,258	13,649	3,076	969,081
Additions							
by purchase	825,718	-	163,068	-	-	-	988,785
Depreciation expense	(3,506)	(111,909)	(227,708)	(42,392)	(7,816)	-	(393,332)
Disposals		-	-	-	-	-	-
	822,212	326,700	351,849	54,865	5,833	3,076	1,564,535
<b>2015</b>							
Additions							
by purchase	50,051	-	80,638	-	-	-	130,689
Depreciation expense	(21,851)	(110,944)	(212,704)	(31,400)	(3,835)	-	(380,734)
Disposals	70,941	(70,941)	-	-	-	-	-
<b>Closing Balance</b>	<b>921,353</b>	<b>144,815</b>	<b>219,783</b>	<b>23,465</b>	<b>1,998</b>	<b>3,076</b>	<b>1,314,490</b>

## 12. INVESTMENTS IN ASSOCIATES

	2015	2014
	\$	\$
Investments carried at cost		
Desert Support Services Pty Ltd	100	100
Rockhole Funds Management Pty Ltd	100	100
	<b>200</b>	200

Note: Shareholding in subsidiaries is eliminated on consolidation.

Details of the Group's subsidiaries at the end of the reporting period are as follows:

## (a) Ownership Interests

NAME	PRINCIPAL ACTIVITY	PLACE OF INCORPORATION	PROPORTION OF OWNERSHIP HELD BY GROUP	
			2015	2014
Desert Support Services P/L	Labour Hire, Accounting, Property Management	Australia	100%	100%
Rockhole Funds Management P/L	Native Title Trust Management	Australia	100%	100%

Both companies are formed as not-for-profit private companies and therefore Central Desert is not entitled to dividends or other distributions from either subsidiary. Investments in associates are carried at cost rather than using the equity method as the parent has not right to the equity of the subsidiaries.

**(b) Financial Results**

NAME	2015		2014	
	SURPLUS/ (LOSS)	NET ASSETS	SURPLUS/ (LOSS)	NET ASSETS
Desert Support Services Pty Ltd	<b>(4,866)</b>	<b>73,200</b>	66,062	78,066
Rockhole Funds Management Pty Ltd	<b>7,356</b>	<b>7,651</b>	195	295

**13. TRADE AND OTHER PAYABLES**

	2015	2014
	\$	\$
Trade payables	<b>71,552</b>	217,832
Other payables	<b>10,017</b>	32,117
Credit card		
Mastercard	<b>48,591</b>	36,870
American Express	<b>30,343</b>	24,531
	<b>160,503</b>	311,350

*Credit Card Facilities.* The company has a \$100,000 credit card facility with Westpac Banking Corporation of which \$63,130 remained unused at balance date. The company has a \$70,000 credit card facility with American Express of which \$45,469 remained unused at balance date. MasterCard and American Express purchasing card balances are cleared on or about the 27th of each month.

**14. CURRENT TAX LIABILITIES**

GST payable	<b>121,734</b>	361,385
GST receivable	<b>(85,350)</b>	(163,313)
PAYG Withholding payable	<b>77,477</b>	91,767
	<b>113,861</b>	289,839

**15. PAYROLL LIABILITIES**

Superannuation payable	<b>19,354</b>	164
Wages deductions payable	<b>5,421</b>	3,297
Long service leave payable	-	8,096
	<b>24,775</b>	11,557



**16. PROVISIONS AND ACCRUALS****(a) Current**

	2015	2014
	\$	\$
Provisions		
Audit fees	<b>9,985</b>	9,625
Accruals		
Employee entitlements		
Wages	<b>33,883</b>	16,015
Annual leave	<b>320,179</b>	311,024
Long service leave	<b>174,824</b>	134,555
Program expenses	<b>78,539</b>	5,532
	<b>617,410</b>	476,752

**(b) Non -current**

Accrued Employee Entitlements		
Long Service Leave	<b>213,081</b>	137,725
	<b>213,081</b>	137,725

*Accrued Entitlements:* Some employees continue to have entitlements accrued from their service with a predecessor entity. These entitlements were recognised by the company under "transmission of business" provisions when the personnel transferred to the company.

**17. DEFERRED INCOME**

Grants-in-advance	<b>361,000</b>	930,820
Unexpended grants	<b>412,193</b>	104,826
	<b>773,193</b>	1,035,646

**(a) Grants in advance**

Matuwa Kurrara Kurrara IPA Declaration	<b>15,000</b>	-
Native Title representation and services	<b>346,000</b>	930,820
	<b>361,000</b>	930,820

**(b) Unexpended grants**

	2015	2014
	\$	\$
Native Title - contested litigation	<b>350,440</b>	-
Native Title - PBC support	<b>42,500</b>	-
Department of the Environment	-	63,289
Rangelands NRM	-	29,345
WA NRM	-	4,262
WA DAF	<b>19,253</b>	7,930
	<b>412,193</b>	104,826

*Net Grant Revenue:* Net grant revenue is represented by new grants plus Unexpended Grants b/fwd less unexpended grants c/fwd. 2015: \$7,306,332 (2014: \$7,051,506).

**18. TRUST LIABILITIES**

Funds held by Central Desert		
Trust funds - claimant groups	-	160,576
Mining company contributions for distribution	-	1,485
	-	162,062
Funds held by DSS	<b>2,503</b>	6,942
Funds held by RFM	<b>657,909</b>	248,483
	<b>660,412</b>	417,487

**19. OTHER CURRENT LIABILITIES**

Unearned Income	<b>135,129</b>	-
	<b>135,129</b>	-

*Unearned Income:* Funds are held under agreements with mining companies to deliver particular services or as deposits for services to be delivered in future accounting periods.

**20. KEY MANAGEMENT PERSONNEL**

The company's Key Management Personnel comprise the directors identified in the director's report and the following management staff:

POSITION	2015	2014
Chief Executive Officer	Ian Rawlings	Ian Rawlings
Principal Lawyer, Chief Operating Officer	Malcolm O'Dell	Malcolm O'Dell
Chief Financial Officer	Ric West	Ric West
Manager - Statutory Functions	Jo Lanagan	-
Manager - Land & Community	Rob Thomas	-

**(a) Remuneration of Key Management Personnel**

	DIRECTORS		MANAGEMENT STAFF	
	2015	2014	2015	2014
	\$	\$	\$	\$
Short Term Benefits				
Salaries & allowances	-	-	<b>803,521</b>	521,362
Directors fees	-	-	-	-
Travel allowances	-	-	-	-
Post Employment Benefits				
Superannuation	-	-	<b>75,222</b>	47,538
	-	-	<b>878,743</b>	568,900

**21. RELATED PARTY TRANSACTIONS**

The company has paid for services provided by related parties in the Central Desert Group as follows:

	LABOUR HIRE	FINANCE AND ADMIN	PROPERTY MANAGEMENT	TOTAL
Desert Support Services Pty Ltd	580,894	96,805	1,328	679,027
Rockhole Funds Management Pty Ltd	-	5,000	-	5,000
	<b>580,894</b>	<b>101,805</b>	<b>1,328</b>	<b>684,027</b>

The company provides services to and has received payments from related parties in the Central Desert Group as follows:

	MANAGEMENT SERVICES	ADMIN & LOGISTICS	TOTAL
Desert Support Services Pty Ltd	360,000	-	360,000
Rockhole Funds Management Pty Ltd	-	-	-
	<b>360,000</b>	<b>-</b>	<b>360,000</b>

**22. CAPITAL AND LEASING COMMITMENTS****Capital Expenditure Commitments**

There are no capital expenditure commitments.

**Operating Lease Commitments**

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



OPERATING LEASE	EXPIRING	PAYMENTS DUE		
		WITHIN 1 YEAR	1-5 YEARS	OVER 5 YEARS
76 Wittenoom Street East Perth <sup>1</sup>	31/03/16	412,108	-	-
225 Piccadilly St Kalgoorlie	30/06/16	22,880	-	-
Storage units (2 units)	Monthly	12,180	-	-
Canon photocopiers	13/06/19	8,072	26,234	-
		455,240	26,234	-

1. *Lease Options:* The property at 76 Wittenoom Street has 2 three year options expiring in 31/3/2022.

## 23. COMMITMENTS – GRANT FUNDING

Commitments entered into by the company for the supply of goods and services as at 30 June 2015, and which are to be paid from grant funds carried forward are as follows:

	2015	2014
	\$	\$
Commitments relating to capital contracts entered into	-	-
Commitments for other goods or services	15,000	-
	15,000	-

Commitments arose from contracts for the delivery of goods or services that were entered into by 30 June 2015 but for which the goods or services had not been delivered or completed at balance date. Other than those items listed above, there are no other grant funding commitments.

## 24. CONTINGENT ASSETS AND LIABILITIES

### Contingent Assets

Nil.

### Contingent Liabilities:

A bank guarantee in favour of Kella Nominees Pty Ltd in the amount of \$205,614.60 is in place with Westpac Banking Corporation and represents the equivalent of 6 months rental. The guarantee is secured by a term deposit.

The company received an invoice from Smoothy Helicopter Services for a trip conducted in the financial year, however the amount due is in dispute. The company contends that the trip was abandoned due to faulty equipment and is seeking an adjusted rate. The company anticipates a settlement in the range of \$10,000 to \$17,000. This matter had not been settled at balance date.

## 25. MEMBERS' GUARANTEE

Central Desert is incorporated as a company limited by guarantee under the *Corporations Act 2001*.

If the company is wound up the company's constitution requires each member 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 2015 the number of members was five (5).

## 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.



Gingirana country. Photo: Mladen Mrvelj





## 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 Department of Prime Minister and Cabinet;
- Department of Environment;
- Rangelands NRM;
- The Indigenous Land Corporation;
- Lotterywest;
- The Western Australian Government's NRM Program through the Department of Agriculture and Food;
- The Western Australian Government's Social Enterprise Fund through the Department of Local Government and Communities; and
- The Nature Conservancy.

## FOR MORE INFORMATION:

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[www.centraldesert.org.au/about-us-item/annual-reports](http://www.centraldesert.org.au/about-us-item/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.



Saltlake in Gingirana country. Photo: Mladen Mrvelj



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