



CENTRAL DESERT NATIVE TITLE SERVICES



ANNUAL REPORT 2009

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

AC	Aboriginal Corporation
ASIC	Australian Securities and Investments Commission
ATO	Australian Taxation Office
CATSI Act	Corporations (Aboriginal and Torres Strait Islander) Act 2006
Central Desert	Central Desert Native Title Services Limited
CDEP	Community Development Employment Project
CLC	Central Land Council
Council/the Council	Ngaanyatjarra Council Aboriginal Corporation
DEC	Department of Environment and Conservation
DEWHA	Australian Government Department of Environment, Water, Heritage and the Arts
DIA	Department of Indigenous Affairs
DMP	Department of Mines & Petroleum (formerly DOIR)
DPI	Department of Planning and Infrastructure
FaHCSIA	Australian Government Department of Families, Housing, Community Services and Indigenous Affairs
FCA	Federal Court of Australia
GDNR	Gibson Desert Nature Reserve
GLSC	Goldfields Land and Sea Council
GST	Goods and Services Tax
GVDNR	Great Victoria Desert Nature Reserve
ICC	Indigenous Coordination Centre
ICT	Indigenous Conservation Title
ILUA	Indigenous Land Use Agreement
KLC	Kimberley Land Council
Landgate	Land Information Authority (formerly DLI)
MOU	Memorandum of Understanding
NNTT	National Native Title Tribunal
NTA	Native Title Act 1993
NTRB	Native Title Representative Body
NTSP	Native Title Service Provider
NTU	Ngaanyatjarra Council (AC) Native Title Unit
OIPC	Office of Indigenous Policy Coordination
ONT	Office of Native Title (Department of the Attorney General)
ORIC	Office of the Registrar of Indigenous Corporations
PBC	Prescribed Body Corporate
PFA	Program Funding Agreement (between FaHCSIA & Central Desert)
PNTS	Pilbara Native Title Service
RNTBC	Registered Native Title Body Corporate
RPA	Regional Partnership agreement
UCL	Unallocated Crown Land
WDLAC	Western Desert Lands Aboriginal Corporation (Jamukurnu-Yapalikunu)
YNP	Yarnangu Ngaanyatjarraku Parna

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

15 October 2009

Dear Minister

I have great pleasure in presenting the Annual Report of Central Desert Native Title Services Limited for the period 1 July 2008 to 30 June 2009.

This report includes the organisation's report of operations and the audited financial statements for the year ended 30 June 2009.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Irving', written over a thin horizontal line.

George Irving
Chairperson

DIRECTORS



Mr George Irving

LLB (Chairperson)

Appointed 11 September 2007.

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



The Honourable Fred Chaney

AO LLB

Appointed 11 September 2007.

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



Mr John Thurtell

BA

Appointed 11 September 2007.

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



Dr Fiona Skyring

PhD

Appointed 7 October 2008.

Fiona Skyring is an historian who worked for the Kimberley Land Council from 1998 to 2005 as an 'in house' expert witness, preparing reports for litigated and mediated native title claims in the Kimberley region. She gave expert evidence on behalf of the native title applicants in five trials in the Federal Court. In 2006 Fiona prepared several submissions on behalf of the Aboriginal Legal Service of WA (Inc) for the Senate Legal and Constitutional Affairs Committee Inquiry into Indigenous Stolen Wages, and she gave evidence at the Inquiry hearings in Perth. Fiona is currently writing a history of the Aboriginal Legal Service of WA (Inc), due for publication in 2010.



Mr Peter Thomas

MBA BEcon BSc

(Chairperson Audit Committee)

Appointed 5 November 2008.

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

COMPANY OFFICERS



Chief Executive Officer and Company Secretary

Mr Ian Rawlings

**Appointed Company Secretary 26
November 2007**

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



Principal Legal Officer

Mr Malcolm O'Dell

LLB(Hon) BEcon DipTeach

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



Chief Financial Officer

Mr Ric West

MAcc BA JP

Ric West joined Central Desert in March 2009 in the roles of Business Services Manager and Chief Financial Officer. Ric has worked with and for indigenous organisations since early 1992 when he joined ATSIC. His experience includes working in private practice providing offsite accounting solutions for remote Indigenous organisations, serving as CFO for a large city-based CDEP and running his own audit firm specialising in audits for Indigenous and other non-profit organisations

CHAIRPERSON'S REPORT

I am very pleased to present the 2nd Annual Report of Central Desert Native Services Limited ("Central Desert").

On 3 April 2009, Australia endorsed the United Nations' Declaration on the Rights of Indigenous Peoples ("Declaration"). Although the Declaration does not affect existing Australian laws, such as the *Native Title Act*, it does establish a legitimate benchmark for all future dealings with Indigenous peoples. The Central Desert Board of Directors is committed to providing legal, anthropological and other professional services, of the highest calibre, to assist the Indigenous peoples of the Central Desert in realising their aspirations for self-determination and autonomy, consistent with the principles enshrined in the Declaration.

The Constitution of Central Desert requires that Directors have professional qualifications and experience relevant to the Company's mission; and this year I am pleased to announce the appointment of Mr Peter Thomas to the Board of Directors. With an MBA from Harvard University, and many years of experience in finance and corporate affairs, both internationally and in the Australian resource sector, Peter brings a particularly welcome skill-set to the Board. Peter was elected chair of the newly formed audit committee, which met for the first time in April 2009.

The Directors are committed to attending on-country meetings where practical and appropriate and to this end, the Hon Fred Chaney AO and Dr Fiona Skyring, attended the June 2009 Ngaanyatjarra Council meeting to acknowledge the Council's role in establishing Central Desert Native Title Services Ltd; and Dr Skyring and John Thurtell represented Central Desert at the 2009 National Native Title Conference in Melbourne. During the reporting period the Directors also attended three Board meetings.

While there have been solid achievements on many of the native title claims in the past year, I am particularly pleased to report on the progress of the Wiluna and Tarlpa claims and on the additional land management outcomes, in both these areas and the Birriliburu area, as a result of partnerships with government agencies and private industry.

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

This financial year saw the Federal Government inject much needed additional funding into the native title system and for this I congratulate them. Unfortunately, Prescribed Bodies Corporate were not so fortunate and I urge government not to forget these fledgling organisations so crucial to Indigenous aspirations for self-determination.

The Board and the staff at Central Desert will remain resolute in the pursuit of our mission and we look forward to delivering substantial outcomes during the current funding year.

Sincerely



George Irving
Chairperson



CHIEF EXECUTIVE OFFICER'S REPORT

I open this report by acknowledging all Central Desert staff for their exceptional performance throughout another full and at times difficult year. Despite a shaky start to the year brought about by Federal funding issues Central Desert managed to progress all of its claims in accordance with the targets agreed to by the Federal Court of Australia and to make significant headway on numerous related projects along the way.

A major accomplishment for the year was the authorisation of the Yilka claim over approximately 12,000 km² at the western end of the Great Central Road. Connection materials were also compiled and submitted to the State for their consideration. These achievements pave the way for a possible determination for Yilka in mid 2010, giving hope to some of those who worked hard and waited a long time only to be thwarted by the dismissal of the Cosmo Newberry claim in 2007.

Central Desert has also been in negotiation with the State over the use of a truncated connection reporting methodology over the remaining claims in the Central Desert region. This process was suggested by the state as an option to help expedite the claim process after Central Desert was notified of Federal funding cuts. The negotiations have been positive and the methodology will be implemented for the Wiluna and Tarlpa claims in September 2009. Pending the success of the implementation of the truncated process both Wiluna and Tarlpa are on track to be determined in 2010.

Connection materials for Pilki have been submitted to the State for their consideration. Pending their assessment and final negotiations a determination for Pilki is also anticipated in 2010.

Central Desert has put considerable effort into establishing strong prescribed bodies corporate across the region and I am pleased to report that all PBCs that we support are CATSI compliant and functional. In this reporting period considerable time and resource has gone into the establishment of PBCs for the recent Ngururpa and Birriliburu determined areas and registration of both new PBCs is anticipated early in the current funding period.

With the support of funding from the State, extensive research has been undertaken and numerous meetings held in relation to the land within the Central Desert region that was left unclaimed following the dismissal of the Wongatha claim.

Substantial areas of land have been laid open for potential claims by a number of dismissals by the Federal Court through the reporting period. Most significant is an area to the south of the Wiluna and Tarlpa claims which is attracting substantial resource industry interest. This is an area in which Central Desert has not had previous dealings so we have put considerable resources into researching the area and building relationships with potential claimants. I would like to acknowledge those members of the mining industry who have been supportive of our efforts to research and develop a native title claim application in this area.

While the global financial crisis created a levelling out in exploration activity within our region the future act load remains significant. Central Desert is continuing to work towards an orderly and efficient approach to mining and exploration matters while remaining committed to making sure claimant and native title holders' rights are properly recognised.

The Central Desert Board has provided clear direction and support to the organisation to maintain a strong focus on achieving best practice native title outcomes for our constituents and they have also sent a strong message encouraging us to develop and support PBCs as platforms from which native title holders are empowered to pursue their social, cultural and economic aspirations.

To this end Central Desert, in conjunction with PBC development in Birriliburu and claim work in Wiluna, has been developing an integrated approach to dealing with land related matters across both areas. We have completed a needs analysis across Birriliburu Lands and been successful in securing establishment funding for land management activities in the area. We have also worked closely within the Wiluna Regional Partnership Agreement (RPA) process and made significant inroads with associated parties that will provide important land management opportunities for the people of Wiluna. It is anticipated that Birriliburu and Wiluna people will benefit from sustainable flow on activities from these early breakthroughs.

Also in pursuit of the Board's vision we have targeted recent recruiting to strengthen our capacity on claim work and to broaden our capacity for PBC support and project development. We have engaged a new Business Services Manager, Mr Ric West, who has had many years experience in business support, accounting and auditing for Indigenous organisations. Since the reporting period closed we have also engaged a new Manager, Land and Community, Mr Rob Thomas, who comes with a wealth of experience in land related matters and Indigenous affairs. Ric and Rob both take up responsibilities on the Central Desert Senior Management Team.

In closing I thank the Central Desert Board for their clear and strong direction and advice and particularly I thank all of my staff, a dedicated, skilled and professional team, for their support and for their inspirational commitment to providing a high quality service in what is and is likely to remain a challenging and evolving environment.



Ian Rawlings
Chief Executive Officer

PRINCIPAL LEGAL OFFICER'S REPORT

The reporting period has again been a very busy time for the Legal Section within Central Desert.

Native Title Claims

Substantial progress was made on all native title claims in mediation within the region to the extent that it is anticipated that in the reporting period 2009 – 2010 up to five determinations of native title may be finalised. These are the Tarpa, Pilki, Yilka and Wiluna 1 and 2 claims.

Major projects

During the reporting period three new uranium-mining proposals commenced in the Central Desert region resulting in the establishment of a major projects team to negotiate comprehensive agreements with the proponents. To ensure that any negotiations regarding these projects are undertaken in a comprehensive and culturally appropriate way Central Desert has entered into 'best practice' negotiation protocols with two of the proponents – BHP Billiton for its Yeelirrie Project and Mega Uranium for its Lake Maitland Project. Discussions are underway with the other proponent, Toro Energy, to undertake negotiations for its Lakeway uranium deposits.

Negotiations under an existing negotiation protocol continued in the reporting period with Golden West Resources on its iron ore deposit south of Wiluna.

Compensation claims

Following a change of government in Western Australia in October 2008, a proposal by the previous government to create a form of Indigenous Conservation Title to offset the State's compensation liability in the Karlamilyi National Park and the Gibson Desert Nature Reserve was overturned. Currently, it appears that the State does not have a policy regarding the payment of compensation. During the reporting period instructions from native title holders where native title has been extinguished were workshopped with the view of lodging compensation applications. It is anticipated that compensation applications for the Gibson Desert Nature Reserve and possibly Karlamilyi National Park will be lodged in the forthcoming reporting period.

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

Test cases

Central Desert received funding in the reporting period for litigating a 'question of law' referred to the Federal Court by the National Native Title Tribunal. The question relates to a number of mining leases in the Martu determination area. The question of law will resolve the issue of whether these particular mining tenements are Category C 'past acts', and could be used as a precedent in relation to similar tenements elsewhere.

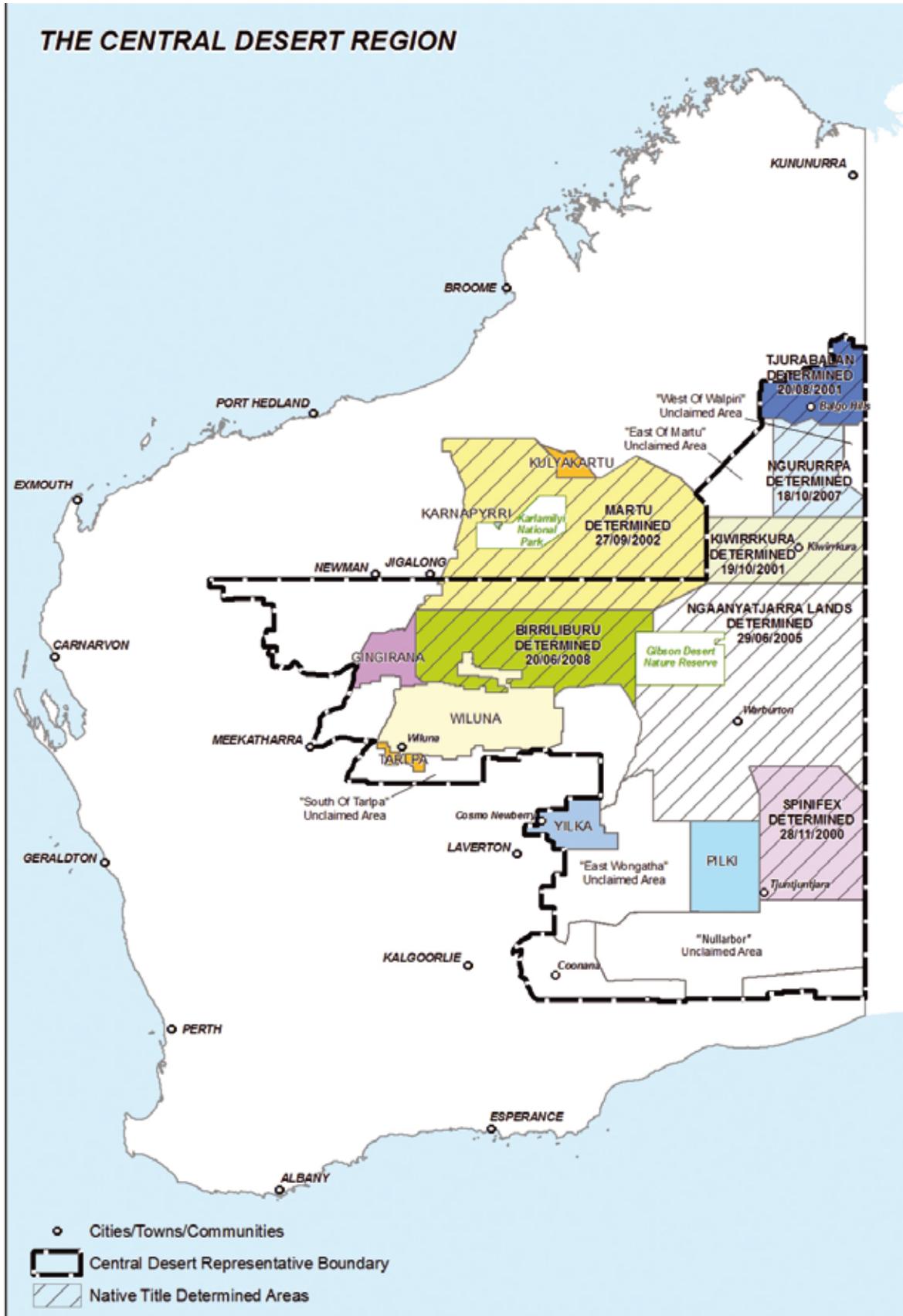
Future Acts

In keeping with the instructions from our various native title claimant groups and prescribed bodies corporate, Central Desert negotiates Land Access Agreements on behalf of its clients. In areas where native title has been determined, these Land Access Agreements are comprehensive and cover a range of issues including environmental, cultural awareness training opportunities and compensation. Central Desert continually monitors the effectiveness of these Land Access Agreements and is engaging an Agreement Implementation Coordinator to ensure that all aspects of agreements are complied with by both the native title party and the mining company to which they relate.



Malcolm O'Dell
Principal Legal Officer

THE CENTRAL DESERT REGION





WHO WE ARE

Our Vision, Mission and Values

Our Vision

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

Our Mission

To secure for the Indigenous Peoples of the Central Desert:

- The highest level of native title rights and interests; or
- Alternative forms of title to land in those areas where native title cannot be recognised, and

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

Our Values

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

Strategic Plan Focus Areas

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



WHAT WE DO

Our Role and Functions

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

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

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

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

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

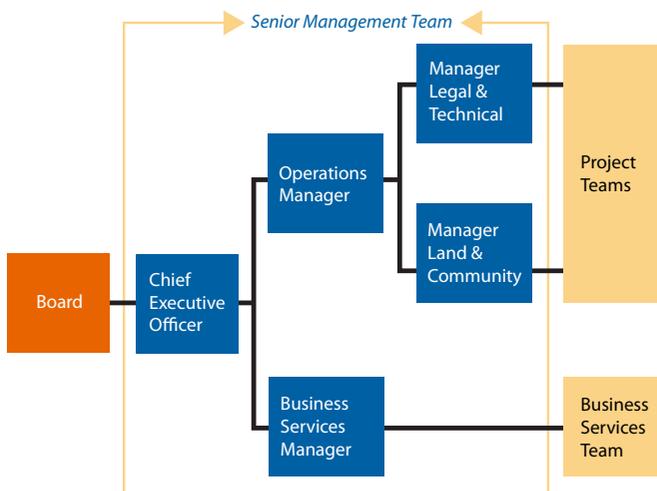
Central Desert is committed to the promotion of a corporate culture that is ethical and transparent and an organisational culture that is client focused and based on merit, teamwork and results.

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

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

Our Organisational Structure

Central Desert is structured to provide effective service delivery to our constituents. At the core of the structure are dedicated multi skilled project teams.



Our Outcome and Output Structure

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

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

- building internal capacity,
- securing and protecting native title,
- establishing and supporting strong PBCs and
- empowering PBCs to improve the social and economic situations of their constituents.

HOW WE PERFORM

Strategic Focus Area One - Central Desert Capacity

Central Desert has the capacity to deliver on its aspirations.

Cross Cultural Exchange Processes

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

- Supported the attendance of 2 claimants and native title holders at the 2009 Native Title Conference.
- Provided ongoing support to the Indigenous Liaison Officer Team.

- Supported attendance by 2 Liaison Officers at in-house and external workshops.
- Encouraged & supported all non-field staff to attend and engage in on-country activities.

Best Practice Workplace

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

- Development and consolidation of a Business Services unit. Sadly Robyn Pope, Business Services Manager, had to leave in October 2008. Thank you Robyn for your work in establishing a sound base to the Business Services team and for recruiting well and building capacity in the team around you. In March 2009 Ric West joined the team as Business Services Manager. Ric brings with him a wealth of experience and expertise in accounting, administration, business development and corporate governance.
- Providing staff with clear expectations through the ongoing review and development of new job descriptions, employment contracts and conditions, and the management of a Performance Evaluation and Learning system. This system provides the opportunity for performance evaluation as well as encouraging learning and development.
- Ensuring a quality environment, resources and equipment through:
 - The ongoing development of a project specific accounting and reporting system.
 - The purchase of an additional two 4WD vehicles to support the operational team.
 - The upgrade and ongoing maintenance of the IT systems and network.
- Developing and implementing documented policies and procedures which integrate the requirements of quality standard ISO9001:2000, risk management and corporate governance best practice. Each policy is written with the collaboration of all managers and feedback from staff.
 - Involving staff in decisions at all levels of planning and reporting of projects and encouraging them to contribute ideas and give feedback. Staff develop project plans, attend operational planning meetings and weekly staff meetings.



Broadening the Organisation's Funding Base

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

FaHCSIA provide Central Desert with core funding from the native title program to provide the services described and approved in the 2008/2009 grant funding agreement operational plan. Unfortunately, FaHCSIA experienced difficulties in releasing funding on the usual timetable during the year which contributed to significant delays in our program delivery. We only received an 'interim' funding release during the first half year. When FaHCSIA resolved its processing difficulties, it was too late for us to complete the scheduled field program for the year. This led to an apparent surplus of grant funds at the end of the year. However, all these unexpended funds are required to meet commitments for capital or to enable us to "catch-up" with our scheduled program during 2009-2010.

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

ONT also provided an additional grant of funds over 2 years to ensure timely resolution of heritage matters in the Central Desert region following the February 2007 Federal Court decision to dismiss the Wongatha claim. This grant agreement will expire on December 31, 2009.

Central Desert continually negotiates with industry to assist with the funding of meetings and to provide training to claimants or native title holders in situations where there are mutual benefits. In this reporting period, mining and exploration companies have been encouraged to assist with funding for meetings to ensure fast-tracking of agreement negotiations. They have also supported training of claimants and native title holders in relation to monitoring compliance with exploration agreements. By way of example, two companies are contributing to regular meetings for claimants and company staff in the South of Tarlpa area.



STRATEGIC FOCUS AREA TWO - DETERMINATIONS AND AGREEMENTS

Central Desert is maintaining momentum in negotiating determinations and agreements.

Native Title Matters

As at June 30 2008 there had been 8 determinations that native title exists on lands within the Central Desert region.

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

There were no native title claims determined during the reporting period July 1 2008 to June 30 2009.

Central Desert had 10 registered claims on foot for the reporting period 1 July 2008 and 30 June 2009.

Birriliburu People No 2 parts A & B

FCA No: **W108/08** Area: **105km²**

Date Filed: **27/06/08**

Central Desert negotiated with the State to reach an appropriate pathway to finalising the matters, assessed existing tenements and drafted relevant affidavits during the reporting period.

Gingirana

FCA No: **WAD6002/06** Area: **12,150km²**

Date Filed: **10/03/06**

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

Kulyakartu

FCA No: **WAD293/05** Area: **3,550km²**

Date Filed: **11/10/05**

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

Martu pt 2

FCA No: **WAD6110/98**

Karnapyrri

FCA No: **WAD77/06** Area: **151km²**

Date Filed: **22/03/06**

These two claims are being run concurrently.

Central Desert is in negotiation with the State over a range of small areas of land that were left out of the greater

Martu determination in 2002 (Martu pt 2) and an additional small area within the Karlamilyi National Park boundary (Karnapyrri). Central Desert and the State are preparing for a question of law relating to pre-1994 mining leases to be heard by the FCA to settle a portion of the area in the next reporting period. The balance of the area is on track to be settled by consent in the next reporting period.

Nullarbor

FCA No: **WAD6121/98** Area: **78,900km²**

Date Filed: **30/09/98**

Central Desert agreed to take on management of this claim in the previous reporting period. Desktop research undertaken indicated that the current claim needed to be reconfigured to form a viable claim (or claims) that would pass the registration test. On June 8 2009 McKerracher J dismissed the Nullarbor claim.

Pilki

FCA No: **WAD6002/02** Area: **24,399km²**

Date Filed: **12/08/02**

Connection materials have been submitted to the State and pending negotiations a consent determination is anticipated in 2010.

Tarlpá

FCA No: **WAD248/07** Area: **5,369km²**

Date Filed: **14/12/07**

Central Desert has been in negotiation with the State over a truncated process to prove connection and pending successful implementation of the truncated process and negotiations over the nature of the native title rights that will follow, a consent determination is anticipated in 2010.

Wiluna

FCA No: **WAD6164/98** Area: **47,594km²**
Date Filed: **30/10/98**

Central Desert has been in negotiation with the State over a truncated process to prove connection and pending successful implementation of the truncated process and negotiations over the nature of the native title rights that will follow, a consent determination is anticipated in 2010.

Wiluna No 2

FCA No: **WAD241/04** Area: **5,615km²**
Date Filed: **26/10/04**

Central Desert has been in negotiation with the State over a truncated process to prove connection and pending successful implementation of the truncated process and negotiations over the nature of the native title rights that will follow, a consent determination is anticipated in 2010.

Progress on Other Native Title Activities

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

Yilka

The Yilka claim covers the area previously claimed as Cosmo Newberry but dismissed in 2007. During the reporting period July 1 2008 to June 30 2009 Central Desert undertook further research, held an authorisation meeting and in December 2008 filed a claim application with the FCA. Central Desert is awaiting a decision on the registration test. Connection materials were submitted to the State in April 09 and pending registration by NNTT and negotiations with the State on the nature of the native title rights that will follow, a determination is anticipated in 2010.

East Wongatha

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

East of Martu

During the reporting period Central Desert has undertaken preliminary research for an unclaimed piece of land that is surrounded by 5 areas that have had exclusive possession native title determined to exist over them. The 5 determined areas are Tjurabalan, Kiwirrkura, Martu, Ngururpa and Ngurrara. Central Desert is in negotiation with the KLC who represent the Ngurrara people and expect to determine a claim strategy in the next reporting period.

West of Warlpiri

During the reporting period Central Desert has maintained minimal communication with the CLC in relation to an unclaimed area that is surrounded by Tjurabalan, Kiwirrkura and Ngururpa in WA and Warlpiri land and the WA/NT boarder to the east. This is a low priority area and little more than maintaining ongoing communications with CLC and monitoring any future act notifications is expected in the next reporting period.

South of Tarlpa

During the reporting period Central Desert has undertaken preliminary research for an unclaimed area that is surrounded by the Tarlpa and Wiluna claims to the north and the Central Desert regional boundaries on other sides. This is a high priority area due to resource industry interest and the lack of security over country for potential claimants. Central Desert has been in negotiation with the GLSC over release of relevant consultant anthropological research undertaken by Dr Lee Sackett in the matter of the Sir Samuel native title claim.

Nullarbor

Central Desert has taken no action since the dismissal of the Nullarbor claim late in the reporting period. In the next reporting period Central Desert will consider a strategy for researching and lodging a new claim.

Compensation Matters

As at June 30 2009 there have been no compensation applications lodged by Central Desert.

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



Night time filming of "Tatitjarra's Movie" with the people of Patjarr community, April 2009. Photo: Jason Thomas.

Gibson Desert Nature Reserve

As stated by Black J at the Ngaanyatjarra Lands determination in June 2005, but for the granting of the GDNR the people of the Gibson Desert would have been enjoying the full benefits of exclusive possession native title rights over their land since June 2005. The people of the Gibson Desert were prepared to consider the ICT as a part of a package in lieu of compensation for the extinguishment of native title rights over their land. Central Desert has continued research and the preparation of materials in support of a potential compensation claim. Also, with a small grant from Screenwest and support from FTI, Central Desert has documented the story of Tatitjarra, a senior lawman of the region.



Karlamilyi National Park

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

Other compensation matters

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

Agreements

Land Access & Mineral Exploration Agreements

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

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

Other Agreements

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

STRATEGIC FOCUS AREA THREE - PRESCRIBED BODY CORPORATE CAPACITY

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

As at June 30 2009 there were 5 registered Prescribed Bodies Corporate (PBC) functioning within the Central Desert Region. There were no new PBCs registered in the reporting period however two new PBCs were developed and awaiting registration at June 30 2009.

Pila Nguru (Aboriginal Corporation) RNTBC

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

In the reporting period from July 1 2008 to June 30 2009 Central Desert provided advice and assistance drafting new PBC rules compliant with the CATSI Act. The new rules were passed at the AGM and have subsequently been accepted by ORIC. Central Desert also provided legal advice and assistance negotiating future act matters affecting Pila Nguru lands.

FaHCSIA provided \$45,000 to Pila Nguru, via the Central Desert PFA, to support their day-to-day operations for the reporting period.

Tjurabalan Native Title Land Aboriginal Corporation

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

Tjurabalan did not seek assistance from Central Desert during the reporting period.

Central Desert has been approached about providing support to Tjurabalan in the next reporting period and has applied to FaHCSIA for support funding.

Tjamu Tjamu (Aboriginal Corporation) RNTBC

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

In the reporting period from July 1 2008 to June 30 2009 Central Desert provided advice and assistance drafting new PBC rules compliant with the CATSI Act. The new rules were passed at the AGM and have subsequently been accepted by ORIC. Central Desert also provided legal advice and assistance negotiating future act matters affecting Tjamu Tjamu lands.

Western Desert Lands Aboriginal Corporation (Jamukurnu-Yapalikunu) RNTBC

The Martu native title holders nominated that the Western Desert Lands Aboriginal Corporation (Jamukurnu-Yapalikunu) is to hold in trust the rights and interests recognised to exist in the determination made in the Federal Court of Australia on September 27 2002. WDLAC did not seek assistance from Central Desert during the reporting period. Central Desert maintains open communications with WDLAC and provides mentoring support to some staff.

Yarnangu Ngaanyatjarraku Parna (Aboriginal Corporation) RNTBC

The Ngaanyatjarra Lands native title holders nominated that the Yarnangu Ngaanyatjarraku Parna (Aboriginal Corporation) is to hold in trust the rights and interests recognised to exist in the determination made in the Federal Court of Australia on June 26 2005. YNP(AC) did not seek assistance from Central Desert during the reporting period. Central Desert maintains open communications with YNP(AC).

Ngururrpa

In the reporting period Central Desert provided information and capacity building to the Ngururrpa people regarding the roles and functions and the running of a PBC and also provided advice and assistance drafting PBC rules compliant with the CATSI Act. The new rules were accepted by the members in May and have been submitted to ORIC for registration. Central Desert also provided assistance negotiating future act matters affecting Ngururrpa lands.

Birriliburu

In the reporting period Central Desert provided information and capacity building to the Birriliburu people regarding the roles and functions and the running of a PBC and also provided advice and assistance drafting PBC rules compliant with the CATSI Act. Final instructions on the PBC rules are pending. Central Desert also provided assistance negotiating future act matters affecting Birriliburu lands.



STRATEGIC FOCUS AREA FOUR – SOCIAL AND ECONOMIC OUTCOMES

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

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

Tjambu Tjambu (Aboriginal Corporation) RNTBC

FaHCSIA provided \$45,000 to Tjambu Tjambu, via the Central Desert PFA, to support their day-to-day operations for the reporting period and Central Desert provided administrative and accounting advice and support to manage these funds. Central Desert also assisted Tjambu Tjambu to review its income management policy, which directs income into a range of activities for the benefit of the community.

Yilka

Central Desert arranged a capacity building and PBC planning workshop at Cosmo Newberry facilitated by an economic development consultant.

Ngururrpa

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

Birriliburu

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

Canning Stock Route project

Central Desert is a key partner in a project coordinated by the Australian National University (ANU) in relation to a proposed management plan for the Canning Stock Route (CSR). Funding from the Commonwealth Department of Environment, Water, Heritage and the Arts was used by Central Desert, Kimberley Land Council and WDLAC to facilitate the establishment of a pan-Indigenous working group. This working group gives the claimants and native title holders of the CSR a strong voice in the development of the ANU project and other projects that flow from it.

Birriliburu IPA Consultations

In January of 2009 Central Desert engaged a consultant to prepare a Natural and Cultural Heritage Management Plan for the Birriliburu Native Title Holders.

Funding from the Partnering Indigenous Communities section of the Australian Government Caring for Country Initiative, Department of Environment, Water, Heritage and the Arts enabled this report. The report is heavily focused on the Birriliburu native title holders aspirations for returning to country.

The recommendations made in this report have enabled Central Desert, under instruction from the Birriliburu native title holders, to successfully apply for more federal government funding to begin 'on country' consultations about turning the Birriliburu native title determined area into an Indigenous Protected Area (IPA).

Wiluna RPA Land Management Project

As partner to the Wiluna RPA, Central Desert has been successful in acquiring funding for the development of a land management focused project for the Wiluna native title claimants.

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

The employment of a Martu person as the liaison between the Martu and stakeholders is crucial to the success of the project. This person will be responsible for keeping Martu updated regarding the project and will provide an important link to the Wiluna community in planning around other cultural events and RPA activities.

Training and employment will be focused on land based activities such as the reinstatement of traditional burning regimes, threatened species monitoring and implementation of threat abatement strategies, monitoring and cleaning of water sources, visitor management and other activities.

Rangelands Coordinating Group Project

Central Desert has successfully partnered with Rangelands Coordinating Group, Western Desert Land and Culture (WDLAC), and DEC Goldfields and Pilbara, to manage regional biodiversity outcomes.

The funding allocation will enable the employment of a land management officer and 200 days of on ground land management work for Birriliburu native title holders within the Birriliburu native title determined area.

Government Liaison

Central Desert is continually engaging with State and Federal agencies on post determination matters, primarily to resolve specific matters but also to build awareness and capacity in addressing the post determination environment generally. In this reporting period we have been successful in persuading the Department of Minerals & Petroleum to change their approach in relation to the expedited procedure on determined native title land.

TRENDS INFLUENCING PRINCIPAL FUNCTIONS AND SERVICES

With many native title claims within our service area already determined, Central Desert continues to evolve as a service provider in support of emerging and established Prescribed Bodies Corporate (PBCs). These services aim to assist emerging and established PBCs to become sustainable, effective and culturally appropriate. This support extends to working with and empowering native title holders to use and manage their traditional lands to achieve their social, cultural and economic aspirations.

One of the key organisational developments of the latter part of the year has been the broadening of the support services provided by Central Desert to include land management support to native title holders and claimants. These services will complement our existing Legal, Anthropological and Community Engagement services to respond to and enable the delivery of holistic support services to native title holders and claimants on a regional and determination/claim basis.

To reflect the broader scope of services, we have re-named our Anthropology section as the *Land and Community* unit and have continued to recruit quality staff with supplementary skills and experience to complement the range of skills and expertise already within the organisation. Some of the resources to employ additional staff have been accessed through Australian Government programs such as the *Caring for Our Country* and *Indigenous Protected Area* programs.

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



PROJECT TIMELINES

Funding Year	2007/2008			2008/2009			2009/2010			2010/2011		
	July-Oct	Nov-Feb	Mar-Jun	Jul-Oct	Nov-Feb	Mar-Jun	July-Oct	Nov-Feb	Mar-Jun	July-Oct	Nov-Feb	Mar-Jun
Birriliburu			D									
Birriliburu - Part 2			L					R 1 D		1		
East of Martu									D	Amalgamates with Birriliburu		
East Wongatha									L			
Gibson Desert									L			
Gingirana									C		S	
Karlamilyi National Park									L			
Karnapyrri												
Kulyakartu									C		S	
Martu - Part 2											D	
Ngurrupa		D						R 1 D			1	
Nullarbor							Claim dismissed			set a new strategy		
Yarnangu Ngaanyatjaraku Parna	YNP operates independently of Central Desert						YNP continues to operate independently of Central Desert					
Ngaanyatjarra B			D	Amalgamates with YNP								
Pila Nguru	PN operates with some Central Desert support						PN continues to operate with some Central Desert support					
Pilki									C	S		D
South of Tarpa									L			
Tarpa										C		S
Tjamu Tjamu	TJ TJ operates with Central Desert support						TJ TJ continues to operate with Central Desert support					
Tjurabalan	Tjurabalan operates independently of Central Desert						Tjurabalan operates with some Central Desert support					
Wiluna									C		S	
Wiluna - 2									C		S	
WDLAC	WDLAC operates independently of Central Desert						WDLAC continues to operate independently of Central Desert					
West of Warlpiri											L	
Yilka										S		D

KEY

Actual			Claim Lodged
Planned			Identify claim group
Actual			Connection Report submitted
Planned			Research Connection
Actual			State assessed connection material *Determination date to be scheduled in accordance with outcome
Planned			State assess connection.
Actual			Determination taken place
Planned			Negotiate
Actual			Registration taken place
Planned			Determination taken place
			First Special General Meeting Held
Actual			First AGM Held
Planned			PBC General Business
Actual			Compensation Claim Lodged
Planned			Compensation Claim

EXTERNAL SCRUTINY

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

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

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

MANAGEMENT OF HUMAN RESOURCES

Our Staff

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

We thank all of the people listed below who were employed by Central Desert during the 2008/2009 year.

Beth Woodward	Malcolm O'Dell
Carly Talbot	Mark D'Lima
Dave Howard	Melvin Farmer
Diedre Fagan	Michelle Alexander
Ian Rawlings	Michelle Goodwin
Irene Assumpter Akumu	Mitch Miller
Jan Turner	Peter Manning
Joe Fardin	Phil Ramsay
Joshua Booth	Ric West
Karine Flematti	Robbie Wongawol
Kate Fuller	Robyn Pope
Kate Turtley-Chappel	Sarah Bell
Katrina Shaw	Sarah Hobson
Kelvin Jackman	Sara Thistlethwaite
Leah Davies	Sean Calderwood
Lena Long	Sian Hanrahan
Lindsey Langford	Slim Williams
Lisa Maher	Stevie Sinclair
Louise Mazandarani	Susan Ware
Ludger Dinkler	Vera Elliott

Staffing Levels and Retention Rates for the Year

Section	Full-time	Part-time	Casual	LWOP	Maternity Leave	Staff Turn-over
CEO	1					
Legal	9	1		1		1
Aboriginal Liaison Officers		1	6			
Anthropology (Land & Community)	4	2			1	4
Corporate	5	1			1	2
Total	19	5	6	1	2	7

At 30 June 2009 Central Desert Native Title Services comprised a core staff of 19 full-time employees, 5 part-time, 6 casual, 1 leave without pay, and 2 staff on maternity leave.

A turnover of 7 staff during the reporting period represents a retention rate of 78.7%, compared with 83.87% in 2008.

The predicted increase in workload for the 09/10 year will necessitate the recruitment of a further 3 to 5 operational and liaison staff.

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

Occupational Safety and Health Performance

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

The organisation's OSH procedures are reviewed every 6 months and updated as necessary. No days have been lost to work-related injury or illness during the reporting period.

CONSULTANTS AND COMPETITIVE TENDERING AND CONTRACTING

Central Desert is committed to achieving value for money in the purchasing of goods and services, including tendering and contracting.

Central Desert maintains a register of consultants with skills and experience in relevant areas.

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

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

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

Exemptions to the above procedures apply to:

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

Consulting agreements:

	2009
Number of consultancies for goods and services	19
Value	\$202,634
Consultancies with Traditional Owners	\$13,803

OUTPUTS

Facilitation and assistance:	Number
Claimant Applications	
– (a) Filed this year by NTRB	1
– (b) Number of current active claims at 30 June 2009	10
– (c) Number of these registered with NNTT	10
Non-Claimant Applications	0
Agreements	104
Compensation Claims	0
Future Act Notices received	81
Responses to Future Acts	81
Determinations of Native Title	0
ILUAs negotiated, registered	0
Complaints and Disputes	
Complaints	
– (a) Received,	0
– (b) Resolved,	0
– (c) Pending	0
Disputes relating to Native Title Applications	0
Disputes relating to ILUAs, rights of access and other matters	0
Requests for Review of decisions not to assist	
– (a) Completed,	0
– (b) Pending	0

SUMMARY FINANCIAL INFORMATION

	Actual 2007-08 \$	Budget 2008-09 \$	Actual 2008-09 \$	Variance 2008-2009 \$
INCOME				
FaHCSIA Funding				
Unexpended Grants B/Fwd	1,015,526	206,396	206,396	-
Capital	420,000	125,000	125,000	-
Operational	1,926,500	3,248,908	3,248,908	-
Other Income				-
ONT Future Act Officer funding	78,000	-	-	-
Heritage Work & Recoveries	389,003	50,000	100,028	50,028
Interest	69,734	21,000	26,971	5,971
	3,898,763	3,651,304	3,707,303	55,999
EXPENDITURE				
Capital Acquisitions	298,952	272,959	184,362	88,597
Activities	1,935,127	1,515,437	1,345,530	169,907
Corporate	1,458,288	1,862,908	1,633,816	229,092
	3,692,367	3,651,304	3,163,708	487,596
Unexpended	206,396	-	543,595	(431,597)



DIRECTORS' REPORT

Your directors present this report on the company for the year ending 30 June 2009.

Review of Operations

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

Operating Results

The operating result of the company, acting in its own right, amounted to \$108,399 (2008:\$440,238).

Principal Activities

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

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

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

Significant Changes in State of Affairs

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

After Balance Date Events

- i. No matter has arisen since the end of the year that will or may significantly affect:
- ii. the company's operations in future financial years or
- iii. the results of those operations in future financial years, or
- iv. the company's state of affairs in future financial years.

Likely Developments

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

Environmental Performance

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

Distributions to members during the year

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

DIRECTOR'S REPORT

Directors

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

Mr. George Marshall Irving LLB, Chairperson and Audit Committee Member

Hon Frederick Michael Chaney LLB AO, Audit Committee Member

Mr. John David Thurtell BA

Dr Fiona Mary Skyring PhD BA (Hon) – appointed 7 October 2008

Mr. Peter James Thomas MBA BEcon BSc, Audit Committee Chairperson– appointed 5 November 2008

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

Meetings of Directors

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

	Director's Meetings		Audit Committee Meetings	
	Eligible to attend	Number attended	Eligible to attend	Number attended
Mr. George Marshall Irving	3	3	1	1
Hon Frederick Michael Chaney	3	3	1	1
Mr. John David Thurtell	3	3	-	-
Dr Fiona Mary Skyring	3	3	-	-
Mr. Peter James Thomas	3	3	1	1

Company Secretary

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

Indemnifying Officers or Auditor

No indemnities have been given or insurance premiums paid, during or since the end of the financial year, for any person who is or has been an officer or auditor of the company.

Proceedings on Behalf of the Company

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

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

Auditor's Independence Declaration

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

The Mr. Foley's independence declaration for the Year ended 30 June 2009 has been received and can be found on page 4 of the financial report.

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



.....

George Irving
Chairperson

Dated this 15th Day of September 2009



.....

Peter Thomas
Audit Committee Chairperson

AUDITOR'S INDEPENDENCE DECLARATION



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

Dear Sirs,

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

I declare that, to the best of my knowledge and belief, during the Year Ended 30 June 2009 there have been:

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

Yours faithfully,

A handwritten signature in blue ink that reads "Simon Foley".

Simon Foley CPA BBus
Registered Company Auditor

Date: 29 day of September 2009

Accountants & Auditors
Simon JE Foley
John E Foley



Simon Foley is a CPA
practice

Contacts:
PO Box 2225
Marrion WA 6020
T: (08) 6201 5865
M: 0437 052 592
E: simonfoley@inet.net.au

Liability limited by a scheme approved under Professional Standards

DIRECTOR'S DECLARATION For the Year Ended 30 June 2009

The directors of the company declare that:

The financial statements and notes, as set out in the following pages, are in accordance with the *Corporations Act 2001*:

- i) comply with applicable Accounting Standards and the *Corporations Regulations 2001*; and
- ii) give a true and fair view of the financial position as at 30 June 2009 and of the performance for the year ended on that date of the company.

In the directors' opinion there are reasonable grounds to believe that the company will be able to pay its debts as and when they become due and payable.

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



.....
George Irving
Chairperson



.....
Peter Thomas
Audit Committee Chairperson

Dated this 15th Day of September 2009

INDEPENDENT AUDITOR'S REPORT

The Members
Central Desert Native Title Services Ltd



INDEPENDENT AUDITOR'S REPORT

Report on the Financial Report

We have audited the accompanying general purpose financial report of Central Desert Native Title Services Ltd (the "company") which comprises the statement of financial position as at 30 June 2009, the statement of comprehensive income, statement of changes in equity and the statement of cash flows for the year then ended, a summary of significant accounting policies and other explanatory notes, and the directors' declaration. We have also audited the grant acquittal statements attached.

The Responsibility of Directors for the Financial Report

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

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report 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 report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, 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 report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal controls. 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 report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

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

Accountants & Auditors
Simon JE Foley
John E Foley



Simon Foley is a CPA
practice

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Independent Auditor's Report (Cont)

Auditor's Opinion

In our opinion the financial report of the company is 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 2009 and of its performance for the year ended on that date; and
2. complying with Australian Accounting Standards (including the Australian Accounting Interpretations) and 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 report is prepared on the basis of company being a going concern. This is dependent upon continued funding from government agencies.

Report on other Legal, Contractual and Regulatory Requirements

Compliance with Commonwealth Grant Conditions for Native Title Grants

In accordance with clause 10.7 of the *2008-2009 General Terms and conditions relating to Native title Program Funding Agreements*, we certify that:

1. The actual expenditure is in accordance with the budget
2. The financial statement for the activity for the financial year is based on proper books and records; and
3. You are able to pay all your debts as and when they fall due and that you have sufficient resources to discharge all your debts at the end of the financial year.



Simon Foley CPA BBus
Registered Company Auditor

Date: 29 day of September 2009

STATEMENT OF FINANCIAL POSITION

As at 30 June 2009

	Note	2009 \$	2008 \$
Current Assets			
Cash and cash equivalents	6	826,973	344,309
Trade and other receivables	7	381,764	385,646
Current tax assets	8	2,011	72,125
Other current assets	9	67,685	66,153
Total Current Assets		1,278,433	868,233
Non-Current Assets			
Property, Plant & Equipment	10	401,835	500,622
Total Non-Current Assets		401,835	500,622
Total Assets		1,680,268	1,368,855
Current Liabilities			
Trade and other payables	11	169,038	471,488
Payroll liabilities	12	39,259	-
Provisions and accruals	13	288,660	220,818
Unexpended grants	14	543,594	236,311
Trust Liabilities	15	40,237	-
Other current liabilities	16	30	-
Total Current Liabilities		1,080,818	928,617
Non-Current Liabilities			
Provisions and accruals	13	50,813	-
Total Non-Current Liabilities		50,813	-
Total Liabilities		1,131,631	928,617
Net Assets		548,637	440,238
Equity			
Members Funds		548,637	440,238
Total Equity		548,637	440,238

The accompanying notes form part of these financial statements

STATEMENT OF COMPREHENSIVE INCOME

For The Year Ended 30 June 2009

	Note	2009 \$	2008 \$
Revenue from continuing operations	4	4,193,496	4,204,077
Other gains	4	7,636	-
Employee benefits expense		(1,888,474)	(1,852,016)
Services and supplies		(1,010,256)	(894,943)
Other expenses	5	(900,510)	(888,452)
Depreciation / amortisation		(229,112)	(128,428)
Net income before income tax		172,780	440,238
Income tax expense	3	-	-
Net Income after income tax		172,780	440,238
Other comprehensive income			
Reclassification adjustments		(64,381)	-
Total Comprehensive Income		108,399	440,238

STATEMENT OF CHANGES IN EQUITY

For The Year Ended 30 June 2009

	Retained Earnings	Reserves	Total
	\$	\$	\$
Balance at 30 June 2007	-	-	-
Total comprehensive income for the period	440,238	-	440,238
Movement in reserves	-	-	-
Revaluation increment	-	-	-
Balance at 30 June 2008	440,238	-	440,238
Total comprehensive income for the period	108,399	-	108,399
Movement in reserves	-	-	-
Revaluation increment	-	-	-
Balance at 30 June 2009	548,637	-	548,637

STATEMENT OF CASH FLOWS

For The Year Ended 30 June 2009

	Note	2009 \$	2008 \$
Cash Flow from Operating Activities			
Receipts from government and customers		3,757,669	2,591,154
Payments to suppliers and employees		(3,186,986)	(3,147,285)
Interest received		30,913	69,734
Finance costs		(442)	-
Net cash from operating activities	17	601,154	(486,397)
Cash Flow from Investing Activities			
Proceeds from sale of property & equipment		7,636	70,000
Payment for property & equipment		(126,126)	(356,070)
Net cash used in investing activities		(118,490)	(286,070)
Cash Flow from Financing Activities			
Repayment of financing commitments		-	-
Increase in financing commitments		-	-
Net cash from financing activities		-	-
Net (decrease) increase in cash held		482,664	(772,467)
Cash at the end of the financial year	6	826,973	344,309
Cash at the beginning of the financial year	6	344,309	1,116,776
Net Increase / (Decrease) in cash held		482,664	(772,467)

NOTES TO THE FINANCIAL STATEMENTS

For The Year Ended 30 June 2009

1. THE REPORTING ENTITY

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

The financial report covers the company as an individual entity.

The Registered and Business address of the Company is:

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

2. BASIS OF PREPARATION OF THE FINANCIAL REPORT

Date of Issue

This financial report was authorised for issue by the directors on 15 September 2009. The directors have the authority to amend the financial report after that date.

Basis of Accounting

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

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

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

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

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

Going Concern

The accounts have been prepared on a going concern basis.

Economic Dependence

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

Compliance with International Financial Reporting Standards

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

NOTES TO THE FINANCIAL STATEMENTS

For The Year Ended 30 June 2009

Adoption of new Australian Accounting Standard requirements

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

AASB Amendment	Standard Affected	Outline of Amendment	Application Date of Standard	Application Date for the Entity
AASB 2007-3 Amendments to Australian Accounting Standards	<p>AASB 5: Non-current Assets Held for Sale and Discontinued Operations</p> <p>AASB 6: Exploration for and Evaluation of Mineral</p> <p>AASB 102: Inventories</p> <p>AASB 107: Cash Flow Statements</p> <p>AASB 119: Employee Benefits</p> <p>AASB 127: Consolidated and Separate Financial Statements</p> <p>AASB 134: Interim Financial Reporting</p> <p>AASB: 136: Impairment of Assets</p> <p>AASB 1023: General Insurance Contracts</p> <p>AASB 1038: Life Insurance Contracts</p>	<p>The disclosure requirements of AASB 114: Segment Reporting have been replaced due to the issuing AASB 8: Segment Reporting in February 2007. These amendments will involve changes to segment reporting disclosures. However it is anticipated there will be no direct impact on recognition and measurement criteria amounts included in the financial report as the Company does not fall within the scope of AASB 8.</p>	1 January 2009	1 July 2009
AASB 8: Operating Segments	AASB 114: Segment Reporting	As above	1 January 2009	1 July 2009
AASB 2007-6 Amendments to Australian Accounting Standards	<p>AASB 1: First-time Adoption of AIFRS</p> <p>AASB 101: Presentation of Financial Statements</p> <p>AASB 107: Cash Flow Statements</p> <p>AASB 111: Construction Contracts</p> <p>AASB 116: Property, Plant and Equipment</p> <p>AASB 138: Intangible Assets</p>	<p>The revised AASB 123: Borrowing Costs issued in June 2007 has removed the option to expense all borrowing costs directly attributable to the acquisition, construction or production of a qualifying asset. However, there will be no direct impact to the amounts included in the Company as it already capitalise borrowing costs related to qualifying assets.</p>	1 January 2009	1 July 2009

NOTES TO THE FINANCIAL STATEMENTS

For The Year Ended 30 June 2009

AASB 123: Borrowing Costs	AASB 123: Borrowing Costs	As above	1 January 2009	1 July 2009
AASB 2007-8 Amendments to Australian Accounting Standards	AASB 101: Presentation of Financial Statements	The revised AASB 101: Presentation of Financial Statements issued in September 2007 requires the presentation of a statement of comprehensive income and makes changes to the statement of changes in recognised income and expenditure.	1 January 2009	1 July 2009
AASB 101	AASB 101: Presentation of Financial Statements	As above	1 January 2009	1 July 2009

Comparatives

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

3. SIGNIFICANT ACCOUNTING POLICIES

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

Cash and cash equivalents

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

Financial Instruments

Recognition and Initial Measurement

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

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

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.

NOTES TO THE FINANCIAL STATEMENTS

For The Year Ended 30 June 2009

Held-to-maturity investments

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

Available-for-sale financial assets

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

Financial liabilities

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

Derivative instruments

The company does not deal with or hold derivative instruments.

Fair value

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

Impairment

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

Inventories

The company does not maintain inventories

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.

Property, plant and equipment

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

Plant and equipment

Plant and equipment are measured on the cost basis.

Depreciation

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

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

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

NOTES TO THE FINANCIAL STATEMENTS

For The Year Ended 30 June 2009

Intangible assets

Software

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

Employee benefits

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

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

Provisions

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

Borrowings

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

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

Funds Held on Trust

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

Revenue

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

Grant Revenue

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

NOTES TO THE FINANCIAL STATEMENTS

For The Year Ended 30 June 2009

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.

Dividends

Dividends received from associates and joint venture entities are accounted for in accordance with the equity method of accounting.

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

Taxation

Public Benevolent Institution

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

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

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

Goods and Services Tax (GST)

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

Critical Accounting Estimates and Judgments

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

NOTES TO THE FINANCIAL STATEMENTS

For The Year Ended 30 June 2009

	Note	2009 \$	2008 \$
4. REVENUE FROM CONTINUING OPERATIONS			
Revenue from continuing operations			
Net grant revenue	14	3,391,357	3,291,689
Revenue from the sale of services			
Fee for Service		508,371	389,003
Reimbursements		184,352	-
Administration Fees		29,115	-
Sundry		49,388	450,625
Interest		30,913	72,760
		4,193,496	4,204,077
Other Gains			
Proceeds on sale of non current assets		7,636	-
		7,636	-

5. NET INCOME

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

Travel and accommodation expenses	265,760	285,930
Occupancy costs	200,674	150,273
Motor vehicle expenses	198,348	255,303
Bad debts written off	116,775	-
Program expenses	99,008	141,335
Repairs & maintenance	12,158	17,811
Sundry	4,200	2,452
Provision for doubtful debts	3,145	-
Interest expense	442	-
Loss on disposal of assets	-	35,348

6. CASH AND CASH EQUIVALENTS

Cash at Bank		
Operating Account	44,186	199,328
Max-i Direct	752,468	144,981
Trust Accounts		
Birriliburu claimant group	28,983	-
Cash on Hand		
Gift cards held	1,036	-
Petty Cash	300	-
	826,973	344,309

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

Restriction. Cash at bank includes an amount of \$543,594 representing the balance of unexpended grants. The restriction arises as a result of the terms and conditions of various funding agreements which require unspent funds to be returned or used in future years for the purposes specified in the funding agreements. A further amount of \$40,267 is held on Trust and in unearned income for Birriliburu and Pilki Native Title claimant groups – see note 15

NOTES TO THE FINANCIAL STATEMENTS

For The Year Ended 30 June 2009

	Note	2009 \$	2008 \$
7. TRADE AND OTHER RECEIVABLES			
Trade Receivables		381,309	378,725
Other Receivables		44,186	199,328
Less: Provisions for Doubtful debts		752,468	144,981
		<u>381,726</u>	<u>385,646</u>

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

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

Aging			
31-60		55,000	3,145
61-90		6,214	-
90+		271,497	-
		<u>332,711</u>	<u>3,145</u>

b) Ageing of amounts receivable, past due and impaired

Current		-	-
31-60		-	-
61-90		-	-
90+		3,145	-
		<u>3,145</u>	<u>-</u>

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

8. CURRENT TAX ASSETS

GST receivable		2,011	72,125
		<u>2,011</u>	<u>72,125</u>

9. OTHER CURRENT ASSETS

Prepayments		65,985	66,153
Bonds & deposits		1,700	-
		<u>67,685</u>	<u>66,153</u>

10. PROPERTY PLANT & EQUIPMENT

Leasehold improvements			
Leasehold improvements at cost		250,478	228,305
Less: accumulated depreciation		(128,187)	(41,986)
		<u>122,291</u>	<u>186,319</u>
Motor Vehicles			
Motor Vehicles at cost		328,423	293,887
Less: accumulated depreciation		(133,319)	(34,767)
		<u>195,104</u>	<u>259,120</u>
Office equipment & furniture			
Office equipment & furniture at cost		165,680	26,095
Less: accumulated depreciation		(88,518)	(9,179)
		<u>77,162</u>	<u>16,916</u>
Plant & equipment			
Plant & equipment at cost		13,429	80,763
Less: accumulated depreciation		(6,151)	(42,496)
		<u>7,278</u>	<u>38,267</u>
		<u>401,835</u>	<u>500,622</u>

NOTES TO THE FINANCIAL STATEMENTS

For The Year Ended 30 June 2009

a) Movements in carrying amounts

	L/hold Imp	Motor Vehicles	OE & Furn	Plant & Equipment	Total
	\$	\$	\$	\$	\$
2008					
Balance at 1 July 2007	-	-	-	-	-
Additions					
by purchase	228,305	367,824	-	151,027	747,156
Depreciation expense	(41,986)	(34,767)	-	(51,675)	(128,428)
Impairment	-	-	-	-	-
Disposals	-	(73,937)	-	(44,169)	(118,106)
Carrying amount at 30 June 2008	186,319	259,120	-	55,183	500,622
2009					
Additions					
by purchase	15,994	34,536	71,606	3,990	126,126
by donation	-	-	-	-	-
Depreciation expense	(78,534)	(97,994)	(48,226)	(4,358)	(229,112)
Adjustments	(1,488)	(558)	53,782	(47,537)	4,199
Impairment	-	-	-	-	-
Disposals	-	-	-	-	-
Carrying amount at 30 June 2009	122,291	195,104	77,162	7,278	401,835

Adjustments. Adjustments refer to reallocations between classes and corrections to prior year depreciation.

	Note	2009 \$	2008 \$
11. TRADE AND OTHER PAYABLES			
Trade payables		137,460	402,355
Other payables		-	45,212
Credit card			
American Express		143	-
Mastercard		31,435	23,921
		169,038	471,488

Credit Card Facility. The company has a \$100,000 credit card facility with Westpac Banking Corporation of which \$68,565 remained unused at balance date. MasterCard balances are cleared on the 27th of each month. The American Express account was closed after the end of the financial year.

12. PAYROLL LIABILITIES

Superannuation payable	39,258	-
Other payroll liabilities	1	-
	39,259	-

NOTES TO THE FINANCIAL STATEMENTS

For The Year Ended 30 June 2009

	Note	2009 \$	2008 \$
13. PROVISIONS AND ACCRUALS			
a) Current			
Provisions			
Audit fees		11,000	-
Annual report		20,000	-
Accrued Employee Entitlements			
Accrued wages		49,943	43,499
Annual Leave		140,384	124,274
Long Service Leave		67,333	53,045
		<u>288,660</u>	<u>220,818</u>
b) Non-current			
Accrued Employee Entitlements			
Long Service Leave		50,813	-
		<u>50,813</u>	<u>-</u>

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

14. UNEXPENDED GRANTS

	Year	Unexp B/fwd	New Grants	AGI	Transfers/ Repay	Exp'd	Unexp C/Fwd
Commonwealth Government							
FaHCSIA							
Native Title	06/07	147,959	-	-	-	129,825	18,134
Cont Lit (Cosmo)	07/08	58,437	-	-	-	-	58,437
Cont Lit (Martu)	08/09	-	65,000	-	-	-	65,000
Native Title - Capital	08/09	-	125,000	-	-	54,537	70,463
Native title - Operational	08/09	-	3,183,908	126,999	-	2,979,346	331,561
DEWHA							
Community Water	08/09	-	30,205	5,642	-	35,847	-
Caring for our Country	08/09	-	34,527	9,092	-	43,619	-
		<u>206,396</u>	<u>3,438,640</u>	<u>141,733</u>	<u>-</u>	<u>3,243,174</u>	<u>543,595</u>
WA State Government							
ONT - East Wongatha	08/09	29,915	182,000	-	-	211,915	-
ONT - Future Acts	08/09	-	78,000	-	-	78,000	-
		<u>29,915</u>	<u>260,000</u>	<u>-</u>	<u>-</u>	<u>289,915</u>	<u>-</u>
		<u>236,311</u>	<u>3,698,640</u>	<u>141,733</u>	<u>-</u>	<u>3,533,089</u>	<u>543,595</u>

15. TRUST LIABILITIES

Funds held for Birriliburu Native Title claimants	28,953	-
Funds held for Pilki Native Title claimants	11,284	-
	<u>40,237</u>	<u>-</u>

16. OTHER CURRENT LIABILITIES

Interest on trust accounts	30	-
	<u>30</u>	<u>-</u>

NOTES TO THE FINANCIAL STATEMENTS

For The Year Ended 30 June 2009

	Note	2009 \$	2008 \$
17. CASH FLOW INFORMATION			
a) Reconciliation of Cash Flows from Operating activities			
Profit after income Tax		108,399	440,238
Non Cash Flows included in Profit			
Depreciation and Amortisation		229,112	128,428
Contribution of Assets		-	(378,328)
Loss on sale of non current assets		-	35,348
Net other non cash flows in Profit		(11,835)	-
Changes in Assets and Liabilities			
(Increase)/Decrease in receivables		3,882	(361,725)
(Increase)/Decrease in prepayments		(1,532)	(66,153)
Increase/(Decrease) in payables		(263,191)	447,567
Increase/(Decrease) in provisions		118,655	220,818
Increase/(Decrease) in current tax liabilities		70,114	(173,375)
Increase/(Decrease) in unexpended grants		307,283	(779,215)
Increase/(Decrease) in other liabilities		40,267	-
Cash flows from operating activities		601,154	(486,397)

18. AUDITOR REMUNERATION

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

Auditor Remuneration for the year ended 30 June			
Audit of the financial report		13,910	5,430
Compilation of financial statements 2008		6,000	-
Other non-audit services		363	-
		20,273	5,430

19. KEY MANAGEMENT PERSONNEL

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

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

a) Remuneration of Key Management Personnel

	Directors		Management Staff	
	2009 \$	2008 \$	2009 \$	2008 \$
Short Term Benefits				
Salaries & Allowances	-	-	447,085	364,003
Directors Fees	500	-	-	-
Travel & Allowances	-	-	-	-
Post Employment Benefits				
Superannuation	-	-	41,645	34,731
Total	500	-	488,730	398,734

Source of Director's Fees: Director's fees have not been paid from any Government program funding received during the 2008/09 financial year or from surpluses of prior years.

NOTES TO THE FINANCIAL STATEMENTS

For The Year Ended 30 June 2009

	Note	2009 \$	2008 \$
20. RELATED PARTY TRANSACTIONS			
Transactions between related parties are on normal commercial terms and conditions no more favourable than those available to other parties unless otherwise stated. Transactions with related parties are listed below:			
George Irving LLB	Legal Services - Native Title	12,000	49,795
		12,000	49,795

21. CAPITAL AND LEASING COMMITMENTS

Operating Lease Commitments

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

Operating Lease	Expiring	Payments due		
		within 1 Year	1-2 years	2-5 years
Wellington Street East Perth	1/04/11	149,183	124,319	-
Picadilly St Kalgoorlie	18/07/11	20,091	16,742	-
Storage Units	30/06/10	5,628	-	-
Wiluna Office	-	204	204	612
Sharp copier	31/07/10	9,709	-	-
		184,815	141,265	612

22. COMMITMENTS – GRANT FUNDING

Commitments entered into by the company for the supply of goods and services as at 30 June 2009, and which are to be paid from grant funds carried forward are as follows:

Commitments relating to capital contracts entered into	158,833	-
Commitments for other goods or services	10,937	-
	169,770	-

The commitments arise from contracts for the delivery of goods or services that were entered into by 30 June 2009 but for which the goods or services had not been delivered or completed at balance date.

Additionally, the company is committed to rental and operating lease commitments and accrued annual and long service leave entitlements for staff.

Other than those items listed above, there are no other grant funding commitments

23. CONTINGENT ASSETS AND LIABILITIES

There are no contingent assets or liabilities of the Company.

24. FINANCIAL INSTRUMENTS

a) Financial Risk Management

The company's financial instruments consist mainly of deposits with banks accounts receivable and payable. The company does not have any derivative instruments at 30 June 2009.

NOTES TO THE FINANCIAL STATEMENTS

For The Year Ended 30 June 2009

i Treasury Risk Management

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

ii Financial Risks

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

Foreign currency risk

The Company is not exposed to fluctuations in foreign currencies.

Liquidity risk

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

Credit risk

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

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

Price risk

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

b) Interest Rate Risk

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

i. Financial Assets

Financial Instrument	Floating Interest Rate		Non-Interest Bearing		Total		Weighted Ave Eff Int Rate	
	2009 \$	2008 \$	2009 \$	2008 \$	2009 \$	2008 \$	2009 %	2008 %
Cash	825,637	344,309	1,337	-	826,974	344,309	2.80	2.80
Receivables	-	-	384,908	385,646	384,908	385,646		
Financial Assets	-	-	69,696	138,278	69,696	138,278		
Total	825,637	344,309	455,941	523,924	1,281,578	868,233		

ii. Financial Liabilities

Financial Instrument	Floating Interest Rate		Non-Interest Bearing		Total		Weighted Ave Eff Int Rate	
	2009 \$	2008 \$	2009 \$	2008 \$	2009 \$	2008 \$	2009 %	2008 %
Payables	31,578	23,921	137,460	491,067	169,038	514,988	-	-
Payroll	-	-	35,259	-	35,259	-		
UXG	-	-	543,595	236,311	543,595	236,311		
Other	-	-	40,237	-	40,237	-		
Total	31,578	23,921	756,551	727,378	788,129	751,299		

NOTES TO THE FINANCIAL STATEMENTS

For The Year Ended 30 June 2009

25. MEMBERS' GUARANTEE

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

If the company is wound up the constitution states that each member is required to contribute a maximum of \$1 each towards the property of the company for payment of the debts and liabilities of the company. At 30 June 2009 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.

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 Australian Government Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA);

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

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

Screenwest/Film & Television Institute WA Inc



For More Information:

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Central Desert Native Title Services

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



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