
**NSW ABORIGINAL
LAND COUNCIL
ANNUAL REPORT**

1987-88

**OUR
LAND
OUR
LIFE**





NEW SOUTH WALES ABORINGINAL LAND COUNCIL

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30 December 1988

The Hon. N.F. Greiner, MP
Premier of New South Wales
Premier's Wing
State Office Block
Phillip Street
SYDNEY NSW 2000

Dear Mr Greiner,

I have the honour to present the NSW Aboriginal Land Council's Annual Report for the year ending 30 June 1988, pursuant to provisions of the NSW Aboriginal Land Rights Act, 1983, the Public Finance and Audit Act, 1983, and the Annual Reports (Statutory Bodies) Act, 1984.

Yours sincerely,

Tiga Bayles
CHAIRPERSON

Front Cover Artwork by Sue Vaughan from Eora Centre, Redfern.
Design & Production by COMUNICADO (02) 51 5508

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THE ACT AND AMENDMENTS

In the early part of 1985 the Government decided that some aspects of the Land Rights Act needed amending to increase the accountability provisions. Attempts at consultation before the amendments were totally inadequate and effective.

The primary motivation, according to government sources, for the proposed amendments was the adverse publicity created by allegations of misspending. In September 1985 sensationalised accounts of Land Councils' mismanagement and misspending led to a series of proposals for amendments.

The State Land Council considered the proposals totally unacceptable and a counter-attack was launched. This led to negotiations. The amendments are now part of the Act. The State Council by no means supports the entirety of these amendments. Council opposed some of these changes as it felt these would undermine and weaken land council structures. There were also community fears that the changes would enhance bureaucratic control and shift power away from local communities.

Land councils were thrown out of kilter with the proposed changes and the general view was that there had not been sufficient community consultation. There was also concern about the long-term effects of the changes on the delicate relationship between Local Councils, Regions and the State Land Council.

The community felt the Government had over-reacted when negative media stories about Land Councils surfaced in 1985.

Like any other law, the Land Rights Act should accommodate the community it is meant to benefit. There are many flaws and loopholes in the Act which State Council will continue to point out to the Government.

The amendments were put through ostensibly to increase the accountability provisions of the Act. The main thrust in this was to:

- Strengthen accountability provisions for Councils through stricter reporting requirements and the introduction of a Uniform Accounting System.

However, other amendments, including those vigorously opposed by the ALC network, included:

NSWALC ANNUAL REPORT - Part 1

- Denying claims to land which the Minister could declare as being needed for residential purposes;
- The change of land title in the Western Division from inalienable freehold to perpetual leasehold;
- Increases the Minister's power to appoint administrators over Councils;
- Removing power of Local Land Councils to enter into purchase agreements with money provided by Regional Land Councils;
- Granting of certain land claims with restrictions on use so as to accommodate the "essential public purpose" proviso of the Act; and
- Placement of responsibility on NSWALC for payments of Land Council rates which were in arrears for 1985/86.

When the Land Rights Act was introduced in 1983, there had been considerable confusion about the way in which funds were to be handled by Councils. Little or no groundwork had been done as to how the funds would be distributed, what the accountability provisions would be, and who would have control over the funds.

This was acknowledged by the Auditor-General in his financial report to Parliament in September which said:

"With the benefit of hindsight it is hoped that all Councils will overcome problems of the past. I believe that success will be assisted by a continuing intensive training program as recently demonstrated by workshops organised by the NSW Aboriginal Land Council."

The Auditor-General saw the difficulties encountered by Councils in 1983-84 and 1984-85 as "teething problems". He further said: "It has been stated to my officers by some Council officials that they were unable to satisfy fully all aspects of accountability due to members having little knowledge of the processes involved in accounting for moneys received and expended. These officials also lacked guidance as to what was legitimate expenditure under the Act."

There was confusion within Land Councils, exacerbated by conflicting advice, on use of funds. Council believes that many instances of

'missspending' in fact resulted from misunderstandings. There had been no training programs in 1983-84 on accounting and business practices. Many Councils also lacked the expertise and financial knowledge needed to operate smoothly.

The State Land Council was also concerned about the way Government handled its information gathering on the proposed changes. Although State Council was consulted, it was done in a climate adverse to informed and responsible decision-making. This climate was partly generated by the press commentary based, unfortunately, on selective leaking of confidential documents by unknown Government sources.

In a sense, some of the amendments were a fait accompli, particularly the change of land title in the Western Division from freehold to leasehold. There was also the administrative burden placed on NSWALC for the payment of Local Land Council rates, and the inability of Local Councils to purchase land on their own.

The amended Act essentially covers changes to land acquisition, budgeting, accounting, the appointment of administrators and investigators, and the payment of local government rates left in arrears.

From September 1985 to January 1986, funds from the State Treasury were frozen to NSWALC. This amounted to approximately \$4.5 million and was held by Treasury during negotiations over amendments to the Act.

The funds were subsequently released but only after repeated requests to the Government. Funds due in February were not released until June. Government reasoning was that these funds could not be released until the NSWALC budget had been approved. But the Act did not require NSWALC to submit a budget at the time, although this was part of the proposed amendments then under negotiations. The February allocation was released in June but without interest. This interest was given after Council representation to the Treasury.

This meant that there were no additional funds for Regional and Local Councils. It also forced NSWALC to go into overdraft to continue its operations.

The State Council only released funds to Regional Councils with satisfactory audits for 1984-85. Where the Region had an uncleared audit for 1984-85, Council released money directly to Local Councils (with clear audits) with consent of the Region.

As a consequence, many Regional and Local Councils experienced considerable financial difficulties, particularly with Shire Council rate payments, electricity bills, telephones, office rent and wages to Council staff.

LAND CLAIMS

The amendments with potential for most damage include those that narrow, claimable land even further through the exclusion of areas needed for residential purposes and the attempt to strengthen provisions relating to issue certificates which prevent a judicial review of an essential public purpose (Section 36(8)).

"Essential public purpose" for instance, is very broadly interpreted and worded in legal jargon so as to cover a wide range of definition when rejecting land claims.

If this provision is narrowly interpreted, the effect will be the same as if Councils did not have the right to appeal against decisions that claimed land is "essential", for instance, for roads, town expansion, housing, public recreation, state forests, flora reserves, or national parks. The list, in other words, is seemingly endless.

Those worst affected by the changes are Councils in the Western Division. Section 36(9a) and (9b) gives the Western Land Act (1901) precedence over the Land Rights Act because of change in land title from inalienable freehold to perpetual lease.

The Western Region includes some of the most isolated and underprivileged communities at Bourke, Brewarrina, Wilcannia and Balranald. So, while Land Councils in the eastern and central divisions can have an inalienable freehold title to their lands, 18% of Councils will only have perpetual leases. This disparity that caused considerable anger and has left the future of Aboriginal land holdings uncertain.

Freehold title is the only real and true recognition of the community's need to repossess its land. The perpetual lease under Section 36(9a) is not inalienable. Moreover, western leases have an attached schedule which give the Minister powers to cancel a lease should any conditions be breached. For instance, if rent is in arrears for more than three months, or a landholder does not furnish *"such returns or statements as the Commissioner may from time to time require... (on) any matter relative to the holding"* then the Minister can cancel the lease.

The Western Division covers part of the North Western Regional Land Council and the Western Regional Land Council. The two Regions together represent 22 Local Land Councils, about one third of the area of NSW.

ACCOUNTING

Many people in the Community believe that the money received by Land Councils should have no strings attached and should be spent according to the unrestricted wishes of the community. The Government asserts that because all monies paid out by the Government must be accounted for, politically, it would be impossible for Land Councils to be an exception. This means that the audited accounts of Land Councils are required by law to be tabled in Parliament.

Opponents of Land Rights can scrutinise the accounts and attack the Government and the Land Councils for any deficiencies. If opponents have sufficient ammunition then the Government will be placed in a political corner where it may have to take action against the Land Councils. If the political pressure builds up sufficiently, then the Government may perhaps be forced to take greater control.

For this reason the State Council considers it necessary to prevent these political attacks on Land Councils.

ADMINISTRATORS

The original Act contained provisions for the appointment of administrators. Basically Government will only appoint an administrator when a Land Council has ceased to operate in conformity with the Act and is failing to represent the interests of the community.

The appointment of administrators raises very important questions about the ultimate community control of Land Councils.

The State Council is encouraging the Minister to ensure that when an administrator is appointed that he/she is from the Aboriginal community. It is also suggested that the administrator should, as soon as possible after the appointment, convene an advisory body to ensure that community views are reflected in the actions of the administrator. Obviously, it is in the best interests of the community to control the Councils. However, while the power to appoint an administrator exists, it becomes necessary to maximise the community input.

INVESTIGATORS

The main function of an investigator is to examine the financial affairs of a Land Council and to report to the Minister on whether or not the Land Council can be funded.

The investigator can be appointed at the request of a Land Council that has failed to obtain a satisfactory audit.

As a matter of policy, an investigator should be a registered public accountant. Experience indicates that the auditor of the Local Land Council may be appointed as the investigator. The cost for hiring the investigator is met primarily by the Council requesting the appointment. If funds are not available for this, then they will be made available through the State Land Council.

If the investigator's report is particularly unfavourable and the problems of a Local (or for that matter, a Regional) Land Council are unable to be sorted out, then the report of an investigator may supply the basis for appointing an administrator. Again, administrators are only appointed as a last resort.

NEW SOUTH WALES ABORIGINAL LAND COUNCIL

STRUCTURE

LOCAL ABORIGINAL LAND COUNCIL

Total number - 117 Councils

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Elects Two Representatives
To Regional Land Councils

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REGIONAL ABORIGINAL LAND COUNCIL

Total number - 13 Councils

|

Elects One Representative to
NEW SOUTH WALES ABORIGINAL LAND COUNCIL

|

NEW SOUTH WALES ABORIGINAL LAND COUNCIL

Total elected members - 13

MEMBERS

The Council members as at June 30 were:

Chairman Tiga Bayles	Sydney/Newcastle Region.
Secretary Delia Lowe	South Coast Region.
Treasurer Robert Carroll	Wiradjuri Region.
William Bates	Western Region.
Henry Bolt	Far North Coast Region.

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Ray Craigie	Northern Tablelands Region.
Ben Cruse.....	Far South Coast Region.
Cliff Foley	Western Metropolitan Region.
Charlotte Hall	Central Region.
Monica Morgan.....	Murray River Region.
Manuel Ritchie	Central Coast Region.
Darrell Sampson	Northern Region.
Tom Winters	North Western Region.

STAFF

NSWALC Staff as at 30th June 1988

Director.....	Trevor Satour.
Principal Legal Officer.....	Anthony Simpson.
Accountant.....	Mohammed Ishaq.
Assistant Accountant.....	Soane Wainiquolo.
Land Council Co-ordinator.....	Gary Green.
Liaison Officer.....	Kevin Mundine.
Press Officer.....	Nicola Joseph.
Research.....	Peter Croucher.
Office Manager.....	Carmel Childs.
Minutes Secretary.....	Judith Munro.
Secretary.....	Maudie Morgan.
Accounts Clerk.....	Sharon Simms.
Reception.....	Vicky Haroa.

CHARTER

The purpose of the NSWALC is to consolidate and improve the effective operations of all NSW Land Councils at Local and Regional levels through developing creative and effective ways of performing designated functions set out under the NSW Aboriginal Land Rights Act 1983.

As the representative umbrella body we seek to operate our programs and activities within a framework of principles consistent with policies of self-determination and self-management. Our vision for the future is to have Aboriginal communities that are independent, functional and productive; the fullest realisation of Aboriginal potential as human resources and a society where equal opportunity translates into equal outcomes for Aboriginal people.

BUDGET OUTLINE

	<u>87/88</u>	<u>88/89</u>
<u>INCOME</u>	<u>\$000's</u>	<u>\$000's</u>
Funds from NSW Treasury	\$27,000	\$28,000
Sale of Motor Vehicles	110	195
Other	134	98
	<u>\$27,244</u>	<u>\$28,293</u>
<u>PAYMENTS</u>		
Statutory Investments	\$13,500	\$14,000
Allocations to Land Councils	11,781	12,698
Audit Fee	20	20
Consultants Fee	35	50
Insurance	26	28
Legal Expenses	33	30
Members Sitting Fees	71	106
Motor Vehicle Expenses	33	35
Newsletter	10	10
Publicity	-	15
Printing / Stationery	58	65
Rent Rates	48	65
Salaries & Wages	380	551
Superannuation	18	28
Secretarial Services	43	30
Telephone	4	5
Travel /Accommodation	141	188
Other	67	263
Capital Expenditure	<u>986</u>	<u>106</u>
	<u>\$27,244</u>	<u>\$28,293</u>

AIMS & OBJECTIVES

WHY the NSW Aboriginal Land Council was formed

The NSW Aboriginal Land Council was established under the Aboriginal Land Rights Act 1983. That Act repealed the Aborigines Act 1969.

The Aboriginal Land Rights Act followed the Parliamentary Select Committee Report on Aborigines, 1980. The Report said that Aboriginal development was tied to Aboriginal self-determination. Successful Aboriginal self-determination and self-management was, according to the Report, dependent on Aboriginal Land Rights.

The view that successful Aboriginal development relied on Aboriginal self-determination was repute this year by the State Government spokesman on Aboriginal Affairs, Paul Zammit MP.

The Aboriginal Land Rights Act accepted four principles. They are:

- Land in the State of New South Wales was traditionally owned and occupied by Aborigines.
- Land is of spiritual, social, cultural and economic importance to the Aborigines.
- It is fitting to acknowledge the importance which land has for Aborigines and the need of Aborigines for land.
- It is accepted that as a result of past Government decisions the amount of land set aside for Aborigines has been progressively reduced without compensation.

The NSW Aboriginal Land Council is the major body set up to administer the Act. The NSWALC was to receive government funding for fifteen years from 1984 to 1998. The funding was equivalent to 7.5% of the land tax revenue collected each year.

The Democratic Land Councils Network

The Local Aboriginal Land Councils (117 throughout NSW)

The Regional Aboriginal Land Councils (13 Regions)

The NSW Aboriginal Land Council

The Aboriginal Land Councils structure in NSW has three tiers. The first level starts at grassroots level with the Local Aboriginal Land Councils, next is the Regional Aboriginal Land Councils and the third level is the NSW Aboriginal Land Council. This free and democratic Aboriginal organisation is structured to give all Aboriginal people an equal voice. Any adult Aboriginal person living the State or having ties to the State can join a Local Aboriginal Land Council.

Local Aboriginal Land Councils

The Local Aboriginal Land Councils are the foundation stones of the Land Council network. Each of the 117 Local Councils in NSW elects two delegates to its Regional Council. Membership of a Local Land Council is open to Aborigines living within the Council boundaries or Aborigines with ties to the Land Council area. All members have equal rights. These include the right to vote and the right to Local Land Council houses and land. Council members elect three office holders - the Chairperson, the Secretary and the Treasurer. Meetings are usually held every month.

The Local Land Councils acquire land, administer their own land, establish and operate enterprises, hold lands vested in the Council, and negotiate with the Federal Aboriginal Development Commission and the State Department of Housing to build housing on Land Council land.

Regional Aboriginal Land Councils

The thirteen Regional Aboriginal Land Councils are the second tier of the Land Councils structure. Two representatives from each of the Local Aboriginal Land Councils are elected to their Regional Council.

The Regional Councils are required to give expert advice to the Local Land Councils, assist Local Land Councils acquire land, acquire land on their own behalf and arbitrate in disputes involving Local Land Councils. Each Region holds an annual poll to elect its representative to the NSW Aboriginal Land Council.

NSW Aboriginal Land Council

The NSW Aboriginal Land Council is the third tier in the Land Councils structure. It has thirteen members, one representative from each of the thirteen Regions in the State. The members are elected annually. The State Councillors meet once a month at the NSWALC head office in Sydney.

YRIMBIRRA PTY LTD

In as far as the investment of moneys are concerned, Section 29 of the Aboriginal Land Rights Act read with Section 14 of the Trustee Act, casts NSWALC in the role of a "trustee".

In 1984, NSWALC decided to find better investment opportunities for its funds than simply investing on bank deposit and accepting the negotiated rate of interest.

After much consideration, NSWALC resolved to establish an investment trust fund known as the New South Wales Aboriginal Land Council Investment Fund ("Fund"). At the same time NSWALC incorporated a company which was named Yrimbirra Pty Ltd ("Yrimbirra" meaning "keep safe") to become the Trustee of the Fund. Accordingly, a Trust Deed was executed appointing Yrimbirra as the Trustee.

The Trust Deed provided for Yrimbirra to establish a mortgage investment portfolio. Yrimbirra as Trustee advances the moneys to borrowers against first mortgage over land in NSW at a competitive rate of interest.

NSWALC being the sole beneficiary of the Fund, the earnings on the investment is exempt from Income Tax. The NSW Auditor-General is responsible for auditing the books of accounts for both the Fund and Yrimbirra Ltd.

In 1984, NSWALC employed Stephen Goddard and Henrietta J. Dean as managers of Yrimbirra Pty Ltd and as Solicitors for Yrimbirra Pty Ltd.

How the Fund Operates

Yrimbirra carries out a stringent financial investigation of borrowers and obtains independent valuations of properties offered as security. All costs associated with setting up the loan and security documentation are met by the borrower. All the Fund does is to provide the loan moneys.

Loans generally range from \$50,000 to \$500,000. The loan term is 3 years. The loans are restricted to 66% of the valuations placed on the land offered as security and assessed by licensed valuers nominated by Yrimbirra.

At the end of the 3 year term the borrower repays the land. Severe penalties exist for late payment of either interest or principal. If a borrower defaults, Yrimbirra as Trustee of the Fund takes possession of the property over which the mortgage security is held. It then:

- sells the property;
- appropriates from the proceeds of sale all moneys owed to the Fund namely:
 - . selling and legal costs of the sale;
 - . outstanding interest including additional 3% penalty on arrears, and the money advanced;
- pays the borrower what is left of the proceeds of sale.

The Status of Yrimbirra and the Fund

Yrimbirra currently enjoys an excellent reputation in financial circles due to its ability to process loan applications within the time constraints placed by borrowers. Because of the favourable interest rates offered by the Fund no difficulty has been experienced in finding borrowers in NSW.

In 1986, the then Minister for Aboriginal Affairs, Mr G. Paciullo, in response to negative publicity about Land Councils introduced an amendment to the Regulations of the Aboriginal Land Rights Act requiring the Minister's "approval" for every offer of loan from the Fund by Yrimbirra. In order to protect confidentiality of information furnished by borrowers the then Minister set in motion the current practice of having a representative of the State Treasury to attend the offices of Yrimbirra and inspect every application which is made to the Fund before the offer of loan is made.

The regulation requiring Ministerial approval was expected to be removed but with the change of Government that matter is still pending.

Future Prospects

At present Land Councils themselves cannot borrow moneys from the Fund because they cannot mortgage the land, nor could Land Councils guarantee interest payments to the Fund.

Some Regional and Local Land Councils are accumulating funds in bank IBD investments for significant land purchases in the future. The question was

been asked whether these Councils can invest their funds with Yrimbirra. NSWALC has been advised yes; subject to its consent. All that is required is the setting up of a trust deed similar to the deed which created the Fund. The facilities of Yrimbirra would then be available to the Council concerned.

Amendments to the Trustee Act enable Trustees such as NSWALC and Yrimbirra to advance more than 66% of the value of the land offered as security for loans. NSWALC has however, resolved not to take advantage of this amendment as it would involve acceptance of a higher level of risk.

ACCESS

The office of the NSW Aboriginal Land Council is located on the sixth floor of the MBC Building at 301 Castlereagh Street, Sydney.

The telephone numbers are (02) 281 3233, 281 3257 and 281 3258.

The postal address is PO Box A145, Sydney South 2000.

The facsimile number is (02) 281 3563.

The business hours are from 8.30am to 5pm week days.

In January 1989, head office will move to 103 Moore Street, Liverpool.



Staff at NSWALC Office Reception area

MEMBERS ATTENDANCE SCHEDULE

The NSWALC met sixteen times during the 1987/88 financial year, with a total of 61 meeting days. The attendance record of members was:

Central Coast Region representative Manuel Ritchie: 54.5 days .

Central Region representative Charlotte Hall (appointed by Administrator Millie Ingram at 37th Meeting as observer/consultant with no voting rights. Barry Smith had attended one meeting under same terms.): 33 days.

Far North Coast Region representative Henry Bolt: 60 days.

Far South Coast Region representative Ben Cruse who replaced Danny Chapman from the 38th Meeting: 51.5 days.

Murray River Region representative Monica Morgan, who replaced Norm Carroll from the 36th Meeting. The Region was unrepresented at the 33rd, 34th and 35th Meetings: 38.5 day .

Northern Region representative Darrell Sampson: 57.5 days.

Northern Tablelands Region representative Ray Craigie: 58 days.

North Western Region representative Tom Winters: 52.5 days.

South Coast Region representative Delia Lowe: 38 days.

Sydney/Newcastle Region representative Tiga Bayles who replaced the late Tom Williams from the 35th Meeting: 58 days.

Western Metropolitan Region representative Cliff Foley: 51.5 days.

Western Region representative William Bates: 45 days.

Wiradjuri Region representative Robert Carroll who replaced Agnes Coe from the 34th Meeting: 55.5 days.

CHAIRMAN'S OVERVIEW



Tiga Bayles, Chairperson

In early 1988 we have been fighting toe to toe against the Coalition Government and other opponents of the Aboriginal Land Rights Legislation. We have survived! Our survival over these very serious attacks is partially due to the increased support of non-Aboriginal people/groups such as the trade unions, churches and migrants. This support was clearly evidenced at the 26 January 1988 with more than 30,000 Aboriginal and non-Aboriginal supporters in attendance at the March.

As Chairman of the New South Wales Aboriginal Land Council I've had the opportunity to get around the State and talk to people, both black and white, about Land Rights. Nine times out of ten the non-Aboriginal people know nothing about Land Rights. Kooris on the other hand, vary from being totally involved and enthusiastic, to showing no interest whatsoever.

After the early battles against the Greiner Government, we are getting Land Councils into shape as far as accounting systems and meeting procedures. We are increasing awareness in regards to the full potential for positive developments amongst Kooris and therefore, membership is increasing in Land Councils.

These people have no problem seeing the advantages of the Land Rights Act, despite its limitations. Now it's time to convince the rest of the community of the benefits.

Why are Land Rights so important to Kooris?

First of all, there is self-determination. Land Rights do not automatically mean that Kooris have self-determination. A recent visitor to the Land Council for Azania (South Africa) said that self-determination cannot be given by whites and it can't be taken away.

Kooris, and only Kooris, can create their self-determination. What Land Rights offer is the opportunity for us to create our self-determination. All of the mistakes that have been made by Kooris since the Legislation was introduced and all the achievements that have been gained add up to us creating our self-determination.

Secondly, there's the economic independence; creating a black economy where money that Aboriginal people spend stays in the community. The potential is there, the Land Rights Act provides the stepping stone - we are the only ones who can take the step. Once the ball starts rolling, our young people will see the potential of studying at universities and gaining job skills.

Thirdly, Land Rights have to achieve a positive framework for Kooris to overcome the psychological oppression we've been subjected to.

Questions of an Aboriginal Treaty and recognition of Aboriginal prior ownership of Australia were raised once again. The national conscience was also stirred when the Royal Commission into Aboriginal Deaths in Custody appeared in the media.

NSW Government again tried its divisive ploy with the Zammit Consultations throughout NSW which commenced in April. Consultations are to be completed and fully documented by the end of August. The Land Council network was deliberately ignored in relation to the organising and arranging of all meetings within Aboriginal communities across the State.

One of our greatest victories occurred in the Supreme Court of NSW on 13 May when Justice Bryson determined that the NSW Government's amendment (Regulation 24A) to the Land Rights Act was invalid. Regulation 24A was a move by the Government to control Land Council funds through the Office of Aboriginal Affairs.

We are looking towards consolidating our operations throughout the Land Council network, continuing to utilise all the support received from the wider community and developing a closer relationship with Members of Parliament and support groups who are fully aware of the day-to-day problems and development of Aboriginal people.

NSWALC is now in a much stronger psychological and physical position when specialists in their respective areas such as Tranby College, Corben & Co. (Accounting Services) and Goddard & Dean (Solicitors) assist and offer professional advice. We are also in a much better position because people have identified themselves as being either for us or against us.

Many of the LALC's have not received funding since 1986 and this is due to the inability to understand and interpret the legislation.

Finally, I stress once again, responsibility is in our own hands to ensure the Aboriginal Land Rights Act continues to work and exist.

SUMMARY REVIEW OF OPERATIONS

CENTRAL COAST REGIONAL REPORT

State Representative: Manuel Ritchie, member Purfleet/Taree Local Aboriginal Land Council.

Manuel Ritchie has been involved in Aboriginal politics for 22 years. He worked throughout the country with the now-disbanded Federated Council of Aborigines and Torres Strait Islanders. His fondest political memory is of the eight months he spent camped at the Aboriginal Embassy at Canberra in 1972.

"I feel that was probably the catalyst for Aboriginal unity and advancement in Australia," he said. "The NSW Land Rights Act had made Aboriginal ownership of land possible," he said.

That ownership had dramatically changed Aboriginal attitudes.

"Before there was a feeling of apathy," he said. "Now there is a sense of pride. On a financial level owning a piece of land might not mean much, but on a personal level it means a lot. People take an interest in the land. They can look at it with pride."

The State of the LALC's

Coffs Harbour LALC

The Coffs Harbour LALC had a clear audit and was functioning well. The LALC had acquired about \$300,000 worth of assets from the former Aboriginal Land Trust for about \$60,000.

Wauchope LALC

The Wauchope LALC had a clear audit and had bought an artefact enterprise near Timbertown at Wauchope, which attracted about 500,000 people a year.

Birpai LALC

Birpai LALC (Port Macquarie) LALC had a clear audit and had bought a

fishing trawler for \$250,000. The money had been loaned by the Region. The Region was monitoring the administration of the enterprise.

Nambucca Heads LALC

The Nambucca Heads LALC was required to answer a list of questions following the presentation of the Investigator's Report.

Bowraville LALC

The Bowraville LALC had answered questions from the Minister for Aboriginal Affairs. The LALC was having difficulty putting its answers in a form that was acceptable to the Office of Aboriginal Affairs, despite having met every requirement.

Kempsey LALC

The Kempsey LALC had been instructed to appoint an Administrator.

Purfleet/Taree, Forster and Karuah LALC's

The Purfleet/Taree LALC Investigator's Report is with the Office of Aboriginal Affairs, as are the reports from the Forster and Karuah LALC's.

CENTRAL REGIONAL REPORT

State Representative Charlotte Hall, member Warren Local Aboriginal Land Council.

Charlotte Hall began her fight for Land Rights because she saw that the Aboriginal culture was under threat. *"It was starting to look like the young kids would know nothing about their heritage,"* she said. *"I got involved more or less to keep the culture going - and to improve the conditions of Aboriginal people."*

Charlotte, who is 60, was born in Warren and has lived all her life in and around the town. She says she hoped that Land Rights would end the sort of prejudice that she experienced at school.

"It was rotten," she said. *"We were just put in a classroom and left alone. The teachers ignored us. I think I got all my education after I left school."*

Charlotte is offended by the comment that there are no real Aboriginal people left in NSW.

"It's garbage," she said. *"It makes me feel terrible. If I'm not an Aboriginal person, what am I?"*

Charlotte said young people were becoming more interested in their culture.

"Even the kids who have been bought up as white kids, they are trying to find their Aboriginal heritage," she said. "All these kids that were sent to homes...that were taken to the homes when they were small and were brought up as white people. They didn't know where they came from. They didn't know their relations. They'd lost touch with their sisters and brothers. Well, they can't get enough information about where they come from and what their culture is."

Even though Charlotte campaigned for the introduction of the NSW Aboriginal Land Rights Act, she felt the Act was unacceptable. She distanced herself from the Land Council network after the legislation was introduced. But as time wore on, she felt the need to continue working for her people.

"I think I will be involved until they bury me," she said.

The story of the Beemunnel Reserve, the Aboriginal reserve near Warren, shows how Aboriginal people have been treated in the area.

"It was fantastic living there," Charlotte said. "Out there everybody helped everybody else."

About 20 years ago people were moved into town, to better houses and better conditions. But the move was never really a success. A housing group representing the Aboriginal people from the reserve tried to claim it, but Charlotte said a farmers' body claimed it as a travelling stock route.

"It had never been used as a travelling stock route," Charlotte said.

Then the DMR wanted to put a road through the reserve. However, the road route was changed after discussions with the Aboriginal community. Then the Local Council wanted to use the land as a camping site. Finally a rubbish tip was built on it. Though the tip is still there, Charlotte said the land is now listed with the National Parks and Wildlife Service - *"As long as it stays listed it is safe."*

Charlotte is hopeful about the future.

"I think there is a future there," she said. "It all depends on the Aboriginal people themselves from here on out. Everybody has to get in touch with what is going on. The Aboriginal people themselves from here on out. Everybody has to get in touch with what is going on. The Aboriginal people

have to try and put the jealousies and the infighting behind them. We must all want the same thing otherwise we wouldn't be involved with Land Rights. Somehow we have to start working together. I don't know how you do it but I think that would help."

The State of the LALC's

Two of the nine LALC's were being funded, they being Wellington and Narromine. The other seven were waiting on the Office of Aboriginal Affairs to process the reports from the Investigators. All seven Councils, though not being funded are still functioning by holding regular meetings and carrying out the business of a LALC. It is hoped that the full nine Councils will be operating by the end of the next financial year.

Housing

The former Administrator had bought three houses for the Gilgandra LALC. Four houses were purchased for the Narromine LALC, three for the Wellington LALC and one for the Nyngan LALC. The purchases were an attempt to ease the severe housing problem in the area. Houses were being built at Quambone, Wellington and Warren.

Training Program

The Tranby Co-operative College for Aborigines held several training workshops in the Region. The course covered such topics as the Uniform Accounting System, office management, general business skills and meeting procedure. The course was well-received and effective and two further courses are planned this financial year. It is proposed that additional workshops should be organised by the Orana Community College at Dubbo.

National Health Conference

Two regional representatives attended the National Health Conference in Alice Springs in June 1988. The Region is now an affiliate of the National Aboriginal and Islander Health Organisation (NAIHO). The delegates will assist the Region establish an Aboriginal medical centre at Dubbo. Associate clinics are to be established in surrounding area.

FAR NORTH COAST REGIONAL REPORT

State Representative Henry Bolt, member Jali Local Aboriginal Land Council.

Like most Koories, Henry Bolt felt the NSW Aboriginal Land Rights Act was

too limited. Nevertheless, the act existed and he became involved to try and make it work. Henry joined the Aboriginal co-operative on Cabbage Tree Island 25 years ago and he has been involved in Aboriginal politics ever since.

"I saw that the system wasn't working for Aboriginal people," he said. "I came through the Aboriginal Welfare Board days...lived through that on the Aboriginal reserve on Cabbage Tree Island, where I still live. I wanted to make changes in the living standards of Aboriginal people. That was the main issue. I wanted to breakdown the oppression that was placed on the Aboriginal people through the Welfare Board days."

Early on Henry realised that he would have to learn how to use the system that was working against his people. So he started educating himself. He did a course in bookkeeping at the Metropolitan Business College in Sydney. He went to Fiji for three months to study community development. And he did three 12-month administration courses.

Before the Land Rights Act was introduced, Henry had spent six years as a member of the NSW Aboriginal Land Trust. *"The Trust was a stepping stone in Aboriginal Affairs and the trust members were committed to Land Rights for Aboriginal people,"* he said.

Henry believes the inalienable title over Land Rights Act land is too restrictive. He realises that it gives an element of protection, but he thinks that title places too many limits on what can be done with the land. Henry said that despite its limitations the Land Rights Act had brought many improvements in Aboriginal life, both in economic terms and in terms of self-esteem.

"It had bought self-determination," Henry said. *"Which means people making decisions about their lives."*

He said repealing the Act and mainstreaming Aboriginal services would be a backward step. It would work against Aboriginal unity, it would work against the reconstruction and growth of Aboriginal culture and it would work against the progress of the Aboriginal people. Despite the terrible effect of the non-Aboriginal settlement of Australia, Henry is confident about the fate of the Aboriginal people.

"We have survived the last 200 years," he said, *"and I know we will survive into the future. I think things will get better. This nation must realise that the Aboriginal people are unique; because of our culture and*

our way of life we are unique. If we're allowed to develop on our own terms, I feel that the Aboriginal people would enhance the future of this nation."

The State of the LALC's

Five of the thirteen LALC's in the Region were being funded, four were waiting for Investigators' Reports to be finished and one was about to be checked by an Investigator. Of the remaining four, the Muli Muli and Kyogle LALC's were being investigated, the Birrigan/Gargle and the Yaegle LALC's were being assisted by Alan Tegg (Accounting Consultant). LALC's that were not being funded were still performing functions and carrying out duties of a land council.

The North Coast Region had bought an office block and leased it out. Administrator and Secretary/Typist are employed at the Regional Office. A house had been bought at Woodenbong and the Regional Council was considering making the Muli Muli LALC responsible for it. The RALC received a clear audit. The Regional Council was researching viable business enterprises for those LALC's with satisfactory audits.

Baryugil LALC

LALC was being funded and in the process of answering queries from the Auditor-General.

Birrigan-Gargle LALC

LALC is operating well and has received a clear audit.

Bogal LALC

Receiving funding and operating well.

Boolangle LALC

Investigator's Report was presented to the Minister on 1 June 1987. LALC is in the process of answering queries raised in the Report.

Grafton-Ngerrie LALC

LALC was cleared to resume funding after all queries of the Investigator's Report were answered. Circumstances have now changed.

Gugin-Gubbah LALC

LALC not being funded due to an unclear audit. Regional Office assisting LALC.

Jali LALC

Receiving funding and operating well.

Jana Nglee LALC

Investigator's Report was presented to the Minister on 1/6/87. LALC have answered queries raised in Report and have forwarded them to the Minister.

Jublum LALC

LALC not being funded due to an unclear audit. Regional Office assisting LALC.

Mulli Mulli LALC

LALC awaiting appointment of new investigator following resignation of former investigator.

Ngullingah LALC

Investigator's Report presented to Minister on 10/3/87. LALC answered queries raised in the Report. RALC assisting LALC in answering further questions in relation to the Investigator's Report.

Tweed/Byron LALC

Receiving fund and operating well.

Yaegl LALC

RALC assisting LALC in answering queries raised in Investigator's Report.

FAR SOUTH COAST REGIONAL REPORT

State Representative Benjamin Cruse, member Eden Local Aboriginal Land Council.

As a born again Christian it is Ben's strongest belief that the granting of Land Rights is both a legal and moral obligation of the Government. Aboriginal Land Rights legislation must be based on the policy of self-determination, self-sufficiency and the consequence of the advancement of Aboriginal people in all aspects of Aboriginal community welfare.

Prior to its inception, the 1983 NSW Aboriginal Land Rights legislation and

its related effect was seen by Ben as being bad news for the Aboriginal people. He believes that a great deal of the problems that Land Councils had then and in some cases, still experience are a direct result of the failure to implement a special public awareness program designed to counteract racism that has come about because of the non-Aboriginal people's misunderstanding of the Act and its intent. Racial tension, coupled with the fact that many Aboriginal people received funds with the understanding that it was compensation for stolen land therefore, meant to them that the funds could be spent in whatever manner they chose. After only five years down the track since the introduction of the Act and having overcome many problems, we can finally see a higher standard of living amongst our people starting to eventuate.

Land Councils have weathered the storm of attacks from the Opposition following the 1988 State Elections. At the present moment we have an Act that gives an incentive which in turn leads to self-determination.

"Basically, there are two very different kinds of self-determination which I am aware of," Ben said. "One one hand, you may have the self-determination whereby the Government recognises your right to make our own decisions effecting all aspects of your life. Then there is the type of self-determination that comes from within ourselves, resulting in a strong desire to overcome, to succeed, and to excel in defiance of adverse and disadvantaged effects inflicted upon the Aboriginal people by way of past Government decisions which were based on the policy of forced Government dependency. It is this type of self-determination that has made it possible for the Aboriginal people of Australia in the year 1988 to stand up and say with dignity - WE HAVE SURVIVED! "

The State of the LALC's

Seven of the ten LALC's in the Region were being funded. They are Ulladulla, Bateman's Bay, Mogo, Bodalla, Wagonga, Merrimans and Eden.

Bateman's Bay LALC

Receiving funding and operating well.

Bega LALC

Regional Office assisting LALC to become operational once again.

Bodalla LALC

The Council is investigating the establishment of a wood hauling business.

LALC has also been actively negotiating with the Federal Government

regarding the feral animal program. This involves the eradication of animals listed as feral by trapping, shooting and fencing. It is envisaged that twenty people will be employed by this scheme which is nearing approval. Council believes that through this one project the unemployment for Koories in Bodalla will be virtually wiped out. It will have enormous effects on the local economy as well.

LALC has purchased a steam cleaning machine as an enterprise. It will be hired out to individual and community groups at a reasonable rate. This has created employment for one person for approximately two days per week. It also provides a much needed service for the community.

Negotiations are also being held with the Ulladulla LALC to develop a Landscaping enterprise. This involves buying turf from the Ulladulla LALC and laying it where and when the job becomes available. It is believed that this is a viable enterprise and would benefit both communities.

Eden LALC

Securing a number of portions of land by way of land grants pursuant to the Act, together with the establishment of an office/community centre, owned and under control of the LALC has left the incoming Executive with the prospect of a brighter future. This, in turn, has added much to the incentive and self-determination of the Aboriginal community within the LALC boundaries.

The vast expansion of the LALC's assets, the implementing of employment strategies and the positive and prompt action of the LALC's Executive and staff, which has led to the protection of Sites of Aboriginal significance within the LALC's boundary, together with their overall handling of the LALC's affairs in accordance with the Act, bear witness to the sort of things that can be accomplished through a concerted effort.

The LALC's involvements this year includes the following:

- 1) Protection of Aboriginal Heritage,
- 2) Employment Strategies;
- 3) Enterprise Developments; and
- 4) Researching, lodging and followup negotiations on Land Claims.

Merrimans LALC

The Council owns the old mission, which has about 400 hectares and about 30 houses. The Council is looking at a market gardening project and is spending considerable time and money repairing the old houses, which are in a poor condition. One of the community leaders, Mervyn Penrith, has been negotiating with a businessman with the intention of starting a stationery factory at the old mission. About 250 people live there.

Council has been negotiating with the Bodalla LALC and DAA to develop the feral animals program. It is anticipated that both communities will be supplying half the labour force needed for this project.

Mogo LALC

The Council owns 13 houses at Mogo. When the houses were built - not by the Council - septic tanks were installed. However, the clay soil is almost impervious, which means there is no drainage and the septic tanks fail to function. Negotiations have been carried out with the Shire Council, DAA and the State Government to develop some ideas to try to overcome this real health hazard. The outcome of the meetings is a feasibility study to be undertaken by the Shire Council and to be funded by the DAA to develop a small sewerage system. It is hoped that this will finally alleviate this seriously outstanding problem.

LALC has also been successful in getting the Shire Council to upgrade the oval at Mogo. The community is considering a gymnasium and other sporting ideas for the young people.

Council has been carrying out repairs and maintenance program on the houses that were in desperate need of renovation. The program to date has been successful and will be completed in the near future.

Moruya LALC

Audit being carried out.

Ngunawal LALC

Discussions being carried out between community members and the OAA and Regional Office in relation to the re-establishment of the LALC.

Ulladulla LALC

The Ulladulla LALC intends buying a 180 acre property at Milton. The Council has prepared a feasibility study on the \$165,000 property. The Administrator at Ulladulla, Jim Butler, worked on the property for four years. The aim is to produce beef, turf, garden produce and timber. Jim Butler said the farm had the potential to provide employment for most unemployed Koories in the area. Because he so strongly believes in the project, Jim Butler has decided to accept no payment for his work as the Administrator. He wants his salary to go to the project.

Wagonga LALC

The Far South Coast RALC bought five blocks of land in Narooma. The Wagonga LALC intends building houses on them.

The Council-owned block of land at Reedy's Creek was landscaped and developed through a CEP program. The 17-week, five-person program finished in September.

A large farm shed was built on the land, which backs onto the Wagonga inlet. While the block has 300 acres, the majority of the land is unusable. Citrus trees and vegetables were planted. The produce will be used by the community.

The Council bought a curb and guttering machine off the Bateman's Bay LALC. The Council also bought a five-tonne Hino truck to carry the equipment, which includes a cement mixer and a compressor. Five trainees were employed under a NSW Department of Employment, Education and Training program. By July, contracts had been undertaken in Melbourne, Sydney, Narooma and Merimbula. Initially the LALC had difficulty getting local contracts because of the prejudice against employment Aboriginals.

MURRAY RIVER REGIONAL REPORT

State Representative Monica Morgan, member Yota Yota Local Aboriginal Land Council.

Monica Morgan worked to prevent the NSW Aboriginal Land Rights Act being passed.

"Our community (Cummeragunja) didn't believe it was good enough" she said.

Consequently, the people of Cummeragunja ignored the new Act. But by 1984 they realised that their long-standing land claims would fall through if they had no local land council.

"We adapted," she said, "as Koori people have always adapted."

Monica said the Yota Yota LALC was working towards feeding, clothing and employing its people from its own land. At Cummeragunja, large projects take second place to community-related, conservation-oriented ventures, such as chemical-free market gardening and fruit growing. Monica said Koori communities should be wary of developing western-style enterprises.

"I believe very strongly in Koori people retaining their heritage," she said.

"To know who we are and to not go into the mainstream."

Monica believes the onus should be on society to disprove the validity of Aboriginal land claims, rather than the reverse.

"It's our land. It should come back to us if its only being used for pony clubs or bike clubs," she said. "I don't think their arguments (for keeping such land) are good enough."

Monica is a Director of the Cummeragunja Housing Development Corporation and a member of the Riverina II Aboriginal Education Consultative Group. As well as promoting Aboriginal issues, she works for the rights of women, raising issues such as domestic violence.

The State of the LALC's

Albury and Districts LALC

The Albury and District LALC owned a block of flats which is operating well. It had also bought a house, which was being used for three purposes:

- As the administrative centre for the LALC;
- As the administrative centre for the housing co-operative; and
- As the base for a children's playgroup.

Two feasibility studies were being conducted: one for a supermarket in Albury and the other for a tourist enterprise. The most viable option would be considered for funding.

Deniliquin LALC

The Deniliquin LALC was awaiting approval of its Investigator's Report.

Moama LALC

The Moama LALC had formed a building company to construct its houses and \$55,000 had been granted for building equipment.

Yota Yota LALC

The Yota Yota LALC had paid \$30,000 for a mud brick-making machine. Additional equipment, including a truck and a tractor, had cost another \$30,000.

Funds had been granted for a community centre/shopping complex at Cummeragunja. The complex would be built following the construction of five houses at Cummeragunja, possibly in October. A builder had been contracted to build the five houses.

A feasibility study was also being carried out on a caravan park.

NORTHERN REGIONAL REPORT

State Representative Darrell Sampson, member Walhallow Mission Local Aboriginal Land Council.

The NSW Aboriginal Land Rights Act has created havoc in the Aboriginal community, according to Darrell Sampson. People had to wrestle with the inadequate Act and try to make it work. Many were under-educated and most were under the impression that the Land Rights funds were compensation - albeit pitifully small - for the land that was stolen.

For reasons such as these the Land Councils struggled, but Darrell says they are now on the road to recovery. People have come to terms with the Act and are working to mould it to the Aboriginal way of life.

"There are teething problems with everything," Darrell said. "A baby has to crawl before it can walk, well we are starting to walk."

But it may all be in vain. The newly-elected Coalition Government intends repealing the Act and mainstreaming Aboriginal services.

"We're starting to get this thing running and we've got 10 years to go and they're taking it away from us," Darrell said. "People are thinking we're going back to the mission days when you had to get the manager's permission before you could leave the mission. It was pretty bad in them days, but under Land Rights people were starting to feel free. A lot of people are cheesed off about the Government's actions in my Region. They don't think it's fair to step in without giving us a chance."

The State of the LALC's

Four LALC's were being funded and were operating well. They were Walcha, Quirindi, Gunnedah and Walhallow. A \$2.5 million project, a cultural centre, had been initiated in the Region. The Regional Council was unhappy with the architect's fees and was negotiating to have them reduced.

Coonabarabran LALC

Investigator's Report currently with the Office of Aboriginal Affairs.

Gunnedah LALC

LALC purchased two houses and two flats.

Nungaroo LALC

The Nungaroo LALC interprise at Hanging Rock was doing well. It was being rented to holiday makers and weekend visitors.

LALC purchased houses in both Quirindi and Werris Creek. Department of Housing have built four houses in Quirindi.

Tamworth LALC

Investigator's Report currently with the Office of Aboriginal Affairs.

Walcha LALC

The Walcha LALC had been clearing weeds on its 300-acre property and also purchased three houses.

Walhallow LALC

The three houses being built for the Walhallow LALC were almost complete. The Walhallow Corporation had received \$54,000 from the Department of Aboriginal Affairs to extend the Land Council's community hall.

Wanaruah LALC

Investigator's Report nearing completion.

NORTHERN TABLELANDS REGIONAL REPORT

State Representative Ray Craigie, member Anaiwan Local Aboriginal Land Council.

Ray believes the structure of the NSW Aboriginal Land Rights Act puts pressure on Aboriginal people to adapt their way of life. But at the same time, he is convinced that Aboriginal people have to *"work within the system whether we like it or not."*

He said the NSW Coalition Government's decision to mainstream Aboriginal services would be a disaster for Aboriginal people. *"If they mainstream, we're finished," he said. "They have done it before and it wasn't successful. It won't work at all."*

He said the Aboriginal people had spent four years coming to terms with the cumbersome Land Rights Act and now the Government intended repealing it. The Government's stand had caused people to become disillusioned with the Land Council system.

"That's why people are pulling out," Ray said. "They say they haven't got time to work at something that the Government is going to finish off. People have tried to administer an Act that was never impressive to start with and now they are in limbo. The grassroots ones are the ones that are affected the most and without them there is no Act."

Despite many valid criticisms of the way the Land Councils have run, Ray sees that the Act is working: people have been educated; jobs have been created; and for the first time Aboriginal people have had some control over their destiny.

"That right to make decisions should not be taken away from people," he said. "The right to vote for the community leaders. The alternative is to go back to Government appointees. Government appointees don't know what people want. And if someone is appointed by the Government they are controlled by the Government, not by the people."

"Why did he decide to take the job on? "It was a chance to create employment, to better living conditions and to make the average Aboriginal person's life just that little bit better."

The State of the LALC's

The Northern Tablelands Region was running exceptionally well. Only one LALC was not being funded, that being Anaiwan. It would be operating soon. The Regional Council had always had clear audits and was considering starting a regional enterprise.

Armidale LALC

The Armidale LALC recently took control of an earthmoving contracting business. Five Aboriginal people are employed, with three of them being trainees. The business had already established a credible reputation in the area and is getting plenty of work.

Ashford LALC

The Ashford LALC had been funded again, after failing to get funds for two-and-a-half years. The Region had allocated \$130,000 to the LALC to upgrade four houses it owned. The LALC was on the Uniform Accounting System and was required to submit monthly budgets to the Region for 12 months.

Glen Innes LALC

The Glen Innes LALC had a property called "The Willows" which was

operating well. The property is running about 1500 sheep. Ten people are working for minimal wages on the farm.

As well as running the property, they are preparing a cultural camping site. The University of New England has indicated that there is outstanding tourist potential in the area, particularly relating to Aboriginal culture.

The Glen Innes LALC had always had clear audits.

Guyra LALC

The Guyra LALC had just bought a small panel beating shop at Armidale. Two young Aboriginal men from Guyra were working with the tradesman learning the business. The business sells secondhand cars, sells car parts and does mechanical repairs.

The enterprise was praised by the State Government spokesman for Aboriginal Affairs, Paul Zammit, MP. He told the NSWALC that the former owner said the Aboriginal workers were better than any non-Aboriginal workers he had employed.

Guyra LALC had always had clear audits.

Tenterfield LALC

The Tenterfield LALC had recently been allocated \$70,000 to buy a block of units. The Tenterfield LALC was required to submit monthly budgets.

NORTH WESTERN REGIONAL REPORT

State representative Tombo Winters, member Brewarrina Local Aboriginal Land Council.

Tombo Winters was involved in the old Land Council network, the organisation that was used by the Labor Government as the basis for the present Land Council structure. Tom helped establish 15 LALC's in the North Western Region and helped establish the North Western RALC.

He was elected as the Regional representative to the NSWALC in 1983 and has been the representative ever since. He was Chairperson of the NSWALC from 1985 till the end of 1987, when he stood down. He has worked for the Foundation for Aboriginal Affairs, the Aboriginal Legal Service and the Western Aboriginal Legal Service.

He said that while the NSW Aboriginal Land Rights Act was only five years old, it was already producing results. *"There is enormous potential there (within the Act) for the Aboriginal people,"* he said.

"It's the one thing that will give the Aboriginal people self-determination and an economic base to work from."

To prove the value of the Act, he cites the general store at Goodooga. It was bought by the Goodooga LALC and is managed by former shearer, Mr Ray Cubby. The shop employs six people and turns over around \$10,000 a month.

"Everybody involved had to learn from scratch," Tom said. *"They were hard working people and they said we're going to make a success of this."*

The State of the LALC's

The Regional Office was moved from Brewarrina to Coonamble to be closer to Government Departments and other services.

Four of the sixteen LALC's would be funded. They being Toomelah/Boggabilla, Moree, Coonamble and Goodooga. The Regional Council decided to allocate funds to both Lightning Ridge and Moree LALC's subject to the receipt of satisfactory audit reports for 1987/88.

Brewarrina LALC

The Brewarrina LALC had one farming property of 640 acres. There were 240 sheep and 30 pigs on the property. As there was no money to pay shearers, the North Western State representative, Tom Winters, was shearing them. Two tracts of land of 27 acres and 13 acres are used for residential purposes.

The LALC owns three houses in town.

Cobar LALC

LALC awaiting for an Investigator to be appointed. Problems occurred when office was gutted by fire and LALC records were damaged.

Collarenebri LALC

Investigator has been appointed. Six houses are in bad repair. LALC are addressing this problem.

Coonamble LALC

The hire service business owned by the Coonamble LALC is running well.

Engonnia LALC

LALC acquired a parcel of land through a land claim. Investigator of LALC is S. Khan.

Goodooga LALC

The Goodooga LALC continued to have satisfactory audit reports and the Council is running well. The Goodooga enterprise, a shop, is banking about \$10,000 a month.

Lightning Ridge LALC

Despite difficulties, the Lightning Ridge LALC had a satisfactory audit report.

Nulla Nulla LALC (Bourke)

Investigator has been appointed. Seven houses are being constructed on land council owned land. LALC received 1700 acres as a successful land claim.

Moree LALC

The Moree LALC had a clear audit last year. A block of flats was purchased and eight HOAL houses are being constructed on Stanley Village.

Mungindi LALC

LALC functioning well and has invested \$72,000 into IBD.

Narrabri LALC

The Narrabri LALC had experienced difficulties but efforts were being made to resolve the difficulties.

Pilliga LALC

The Pilliga LALC had just formed. The new Council is buying three houses in Pilliga, two in Baradeen and five housing blocks. The Regional Council had allocated \$400,000 to the LALC for the purchases and to set up an office.

Toomelah/Boggabilla LALC

The Toomelah/Boggabilla LALC had always had clear audits. However, an internal dispute had delayed the Annual General Meeting. Though the Council is eligible for funding this was being withheld until the AGM was conducted.

Walgett LALC

The rate bill owed by the Walgett LALC was being paid out of the rental income. There were difficulties with the audit report but the Annual General Meeting had been held and the major problems appeared to have been solved.

Wee Waa LALC

The Wee Waa LALC had closed its offices and an Investigator was working on the books. He had submitted an interim report which was awaiting Ministerial approval.

Weilmoringle LALC

There are problem in providing clean drinking water to the community. LALC negotiating proposal for a new bore. LALC owns land whilst Wytalibah Housing Company manages the houses. Therefore, Wytalibah Housing Company is responsible for the rates.

SOUTH COAST REGIONAL REPORT

State representative Delia Lowe, member Jerringah Local Aboriginal Land Council.

Like her father before her, Delia Lowe has worked for the political advancement of the Aboriginal people. But Delia believes the future lies beyond politics; she believes the real hope lies with the Aboriginal people and their culture and their heritage.

She says that Aboriginal people have to change their thinking and their way of life to make structures like the Land Councils system work. And she has grave doubts about the wisdom of such change.

"In a way the NSW Aboriginal Land Rights Act cuts across the way Aboriginal people share with one another," she says. "It's a non-Koori structure and I just believe some of it is alien to Koories."

Despite the failings of such non-Aboriginal structures, Delia believes Aboriginal people should support the Act and try to adapt it to suit the Aboriginal way of life. She strove to have the Act introduced and she worked with the Parliamentary Select Committee that led to its introduction. After the legislation was passed she was appointed by the Minister for Aboriginal Affairs as one of the original State Council members. She has been the State representative for the South Coast Region ever since.

She became involved because she could see that people in her community were not getting a fair deal. When she looked at other Aboriginal communities she found that they were in a similar situation. She says the

Jerrinjah elders encouraged her to take up the struggle. Her vision comes from her people, her land, her culture and her heritage; a culture that many people, including the Premier of NSW, believe has died out.

"That's nonsense," Delia says. "It's just not true. But unfortunately because this was the first part of the country to be settled, people here think we're lesser Aborigines than those in the Northern Territory or Central Australia or Western Australia. We have always had a closeness with the land and our culture. Because of the terrible conditions that have been forced on us, the culture sometimes gets pushed away to the back. But it's there. It never leaves an Aboriginal person. And when you feel strong it's because you know where you have come from."

Delia says that despite the troubles facing Aboriginal people, they have a strong sense of belonging to this country. And it comes from something deeper than an acceptance of the momentous fact that Aboriginal people have lived here for at least 40,000 years.

The State of the LALC's

The Region received a satisfactory audit. There were three LALC's in the Region.

Illawarra LALC

Crown Lands in this area are scarce and with Local Government opposition land claims have been difficult to achieve.

A large housing program with the Department of Housing had commenced at Commiditchie Reserve, Wollongong.

Jerrinjah LALC

LALC was operating under an Administrator and looked like receiving funding for the first time since 1986.

Nowra LALC

LALC have been operating reasonably throughout the year without any paid employees or funding.

Units owned by the LALC have rent returns of 96%. Two blocks of units are owned by the LALC with a total of eight units receiving approximately 96% rental income.

A total of four land claims have been granted to the LALC since the NSW Aboriginal Land Rights Act began.

Fishing Co-operative

A fishing co-operative and a trawler had been bought along with a trawler. The trawler broke its moorings during a storm and was wrecked. It was insured.

"We Come From The Land"

The Jerrinjah and Wreck Bay communities made a 26-minute film about their communities and the traditions of the two communities. The film was made to show why the proposed naval base at Jervis Bay should not go ahead. But the film did far more than that. It showed the public just how strong the traditions and the culture was within those two communities.

The film also inspired many Aboriginal people to look at their ancestry and to learn more about their culture. When the film was shown at the theatre in Nowra many non-Aboriginal people expressed surprise at how rich the Aboriginal culture was and at how strong it still is.

SYDNEY/NEWCASTLE REGIONAL REPORT

State representative Tiga Bayles, member Metropolitan Local Aboriginal Land Council.

The State of the LALC's

Six of the eight LALC's in the Region were being funded. The two not functioning were Koompahtoo and Awabakal. Considerable effort was being made to get these two LALC's functioning. There were five LALC's in the Newcastle area, two in the Sydney area and one on the Central Coast at Gosford.

Region Working Well

The RALC is working well. It operates from a house it had bought at Gosford. The RALC spent \$55,000 on the purchase and another \$45,000 on renovations and extensions. A detached conference centre was built at the side of the building and an accommodation facility was built at the rear.

The Region had bought The Pelican Bowling Club at Swansea on the outskirts of Swansea. The aim of the regional enterprise was to establish a sport and recreation association and club house. The Club is situated on a reserve which includes a cricket pitch, a football field and a tennis court. A land claim is being proposed for the reserve.

Bahtabah LALC

The Bahtabah LALC had bought a small shop, which was doing well. The LALC was developing cultural centre and a kiosk there and had already organised for tourist buses to call. The enterprise was close to the Pelican Bowling Club.

Darkinjung LALC

The Darkinjung LALC had resumed funding after two years of inactivity.

La Perouse LALC

The La Perouse LALC had completed renovations of the Yarra Bay House.

Metropolitan LALC

The Metropolitan LALC was responsible for the former Lands Trust building at Penshurst, which was earning around \$1,500 a month.

The development at Camp Wollimi had been put on hold. A lease is being negotiated to establish a Drug and Alcohol Rehabilitation Centre to address this particular problem being experienced by the inner city communities.

The LALC owned its office at Redfern and it owned a house at Bexley, which was being renovated. The LALC had prepared a significant land claim in the Macdonald area.

Worimi LALC

The Worimi LALC had bought a bulldozer and two tractors for its market garden. The LALC also had a well-managed oyster lease. The Council has a large land claim and is considering developing a large tourist village. A substantial developer had made an offer, which the LALC was considering.

WESTERN REGIONAL REPORT

State representative William Bates, member Broken Hill Local Aboriginal Land Council.

The State of the LALC's

Auley Station

The major activity in the Western Region during the year was the purchase of the 8500-acre Auley Station on behalf of the Balranald LALC. The

Regional policy is to pool finances and acquire large land holdings on behalf of individual LALC's. Eventually each LALC would own a property.

Balranald LALC

The Balranald LALC was operating well. The first shearing was done this year and an irrigation unit was set up. The LALC had a satisfactory audit.

Dareton LALC

LALC under investigation. No charges expected to be laid and funding expected to resume.

Ivanhoe LALC

LALC has no assets and has only received \$3,000 during the life of the legislation. Awaiting to acquire a property.

Menindee LALC

Apart from collecting rents the Menindee LALC had little to administer. It had a clear audit. LALC currently negotiating purchase of a 78,000 acre property with 23 kilometres of river frontage.

Mutawintji LALC

The Mootawintji LALC is non-residential and had a clear audit. It was incorporated by people originally from the area because of its sacred significance.

The LALC is taking part in the plan of management and conduct guided tours during school holiday period when it has funds. No financial assistance whatsoever is received from the National Parks & Wildlife Service or any other Government agency. When guided tours are conducted it is accompanied by a questionnaire. The feedback from the questionnaire show a 90% support for the protection of the sacred sites and the work that the LALC is doing. These statistics can be located at the National Parks & Wildlife Service, Broken Hill.

Tibooburra LALC

The Tibooburra LALC receives no funding and has no assets. When a property becomes available, the LALC will begin functioning.

Wilcannia LALC

The Wilcannia LALC is under an Administrator. The LALC owns the Weinterriga property, which is overseen by a manager. It has 8,000 sheep and is producing some of the best wool in western NSW. It is anticipated that the wool would earn about \$200,000 this year.

WESTERN METROPOLITAN REGIONAL REPORT

State representative Clifford Foley, member Gandangara Local Aboriginal Land Council.

The Western Metropolitan Region has a policy of having no large Regional projects. This is to allow the Land Councils to receive sufficient funds for use at the local level as each respective LALC decides.

The State of the LALC's

Daruk LALC (Mt Druitt)

Investigator has been appointed and it seems likely that an Administrator will be appointed by the end of 1988.

Gandangara LALC

LALC continues to function very strongly with meetings being convened every month. A monthly meeting notice and newsletter is sent to all members. Administration of the LALC is now computerised and printing facilities functioning. LALC makes its premises available for use by all Aboriginal people/groups in the Gandangara area.

LALC had held Community Educational Projects: Tranby College Workshops, Community Site Schools, Gandangara Eel Dreaming Project, Computer Lessons and Business Management Courses. LALC also involved in Community Liaison with the Liverpool and Sutherland Shire Councils, the Catholic and Uniting Churches, Cabramatta/Fairfield Police Citizen Club and the local schools.

Negotiations have continued with Aboriginal Lands Claim Unit (Department of Lands), Department of Housing and the Sutherland Shire Council in relation to the crown land the LALC has claimed in the Menai area. Feasibility study for the proposed Menai project is nearing completion.

Tharawal LALC

LALC has continued to function holding their meeting as required under the Land Rights Act.

The Thirlmere Project is in the negotiation stages of being handed back to the control of the LALC.

WIRADJURI REGIONAL REPORT

State representative Robert Carroll, member Griffith Local Aboriginal Land Council.

Robbie Carroll is a member of the new generation of Aboriginal leaders. He is young, educated, articulate and has proved himself in the non-Aboriginal world. Despite that, he has experienced the same racism that meant his father couldn't go into the pub with his non-Aboriginal workmates.

Robbie grew up in the the fringe settlement on the outskirts of the small Wiradjuri town of Narrandera. His people settled there after being shunted off land at Warangesda and Grong Grong. At school, to prove a point, he disciplined himself to perform well. But ultimately, the only point he proved was that academic success meant little. He always was the wrong colour and he always came from the wrong side of the track.

And when he defended the causes of his people, most non-Aboriginal people wrote him off as either a radical hothead or as a confused young man who had enough intelligence to eventually see the value of assimilating.

Robbie has worked for two Government Aboriginal agencies - and was disillusioned by both experiences. *"They didn't allow Aboriginal people to make decisions about their lives,"* he said. *"They were just showpieces for the white community. It allowed them to say, Look what we're doing for the Aborigines."*

Then in 1983, the NSW Aboriginal Land Rights Act was introduced. Robbie, like most Koories, thought it was inadequate. The 15-year timeframe was too short and the funds unacceptably low. The arguments in favour of his case could go on forever: 200 years of back rent remains unpaid following the illegal land grab by the settler; the attempted genocide; the denial of democratic rights to Koories; the immoral kidnapping of Aboriginal children for use as servants; and so on.....

But like many Koories, Robbie compromised his principals and committed himself to making the Land Council system work. *"I thought it could give my people a degree of self-determination and a degree of economic independence,"* he said. *"And that is happening now."*

In the first couple of years following the introduction of the Act there were huge hurdles to overcome. People had to acquire the skills necessary to run the bureaucracy and people had to learn that despite the propaganda the Act was not providing compensation for stolen land.

Robbie says the Act is starting to provide self-determination and economic independence, it is giving people pride and dignity; it is freeing the Aboriginal people from their dependence on welfare. Under the Act, Aboriginal people have acquired skills and employment, businesses have been established and there have been some improvements in the dreadful problems of housing, education and health.

But the new Coalition Government now has the power to repeal the Act, which it intends doing.

"That's ludicrous," Robbie said. "It's totally unbelievable. But then, it's a racist Coalition Government that doesn't even believe that we are Aboriginal people. Real genocide didn't work so now they're trying cultural genocide."

As for the future? *"In a way it scares me,"* Robbie says. *"We were just starting to get runs on the board and the Coalition Government is going to destroy everything we have done."*

"The only hope is for Aboriginal people to forget their differences and their faction fighting and stand together as one united group of people. Then it won't matter how many Greiners or Wal Murrays there are, they will never defeat us."

The State of the LALC's

Staffing was increased for the Region with the appointment of a Co-ordinator and a Registry Clerk for the Regional Office and a Property Manager for Baroonga Karrai.

Bathurst LALC

LALC under an Administrator.

Leeton LALC

LALC received enterprise grant of \$620,000 for the Leeton Gardens Motel. RALC carried out evaluation, negotiation and purchase of the enterprise on behalf of LALC.

Murrin Bridge LALC

LALC under an Administrator.

Narrandera LALC

RALC purchased land to the value of \$110,000 on behalf of the LALC to

NSWALC ANNUAL REPORT - Part 4

facilitate an Aboriginal Artifact Cultural and Farm Tourist Complex. Total cost estimated at \$3.5 million. ADC has approved \$80,000 for architect to draw up plans. RALC contributing \$250,000 per year for two years towards construction. Both ADC and DAA contributing towards final cost of complex. DEET subsidising salaries - complex will employ 17 full-time Koori positions and 6 part-time jobs.

Onerwal LALC

LALC under an Administrator.

Tumut LALC

LALC converted a house to be used as an office plus other service costs to the amount of \$92,000.

Wagga Wagga LALC

LALC received enterprise grant of \$150,000 for Irvin Bull Bars. RALC carried out evaluation, negotiation and purchase of enterprise on behalf of LALC.

West Wyalong LALC

LALC received enterprise grant of \$87,000 for a block of flats. RALC carried out evaluation, negotiation and purchase of enterprise on behalf of LALC.

Young LALC

LALC received \$137,000 for purchase of two houses.

LAND RIGHTS

LAND CLAIMS

Land Claims Through the Year

In the 12 months ending 30 June, 263 claims were granted across the State, though some were in part only. These grants involved the transfer of around 33,311 hectares of Crown land: 7000 hectare by freehold title and another 26, 311 hectares by Western Lands Lease.

However, from 19 March till the end of the financial year there was virtually no response to land claims. The attitude of the Greiner Government concerning the claims provisions of the Land Rights Act remains unclear. Despite the post-March fall off, grant approvals were up on the previous year, when 110 claims were granted over some 2000 hectares of Crown land.

One of the May 1986 amendments to the Act was used for the first time. Section 36(5A) relates to conditional title being placed on granted land that previously would not have been granted because it was needed for an essential public purpose. The section was usually applied to land with high conservation value.

Summary of Claims Determined

Central Coast Region

Coffs Harbour LALC

The Coffs Harbour LALC received further grants in the Corindi/Red Rock area.

Kempsey LALC

Part claims were granted over lands at Stuarts Point and Crescent Head. A claim was granted near the racecourse at Greenhills, where Aboriginal people have lived for many years. A claim over part of Shark Island was granted - the land used to be part of a reserve.

The Shark Island grant includes a condition on the title relating to the regeneration of a rainforest area cleared by a former lease holder. The regeneration will involve funds provided by the Commonwealth through the National Parks and Wildlife Service.

Nambucca LALC

The Nambucca LALC was granted land adjoining Bellwood, including the Bellwood Swamp, which is subject to a condition excluding clearing and development.

Far North Coast Region

Birrigan Gargle and Yaegl LALC's

Both LALC's received their first grants following drawn out negotiations. One of the grants at Birrigan Gargle was over land to have been included in the Yamba Waters tourist development. The area contains a large midden said to be 7000 years old.

Bogal and Ngulingah LALC's

The two LALC's were granted claims over parts of travelling stock reserves. These grants were revoked to allow conditional grants.

The area granted to the Ngulingah LALC is the former Cubbawee Reserve and the area granted to the Bogal LALC is the block adjoining Box Ridge.

Jali LALC

About 614 hectares of the so-called Wardell Swamp near Cabbage Tree Island was granted to the Council. The wetland area of the claims will have conditional title while the remainder was granted without condition.

Tweed-Byron LALC

Land at Uki and Ocean Shores were granted to the Tweed-Byron LALC. The LALC withdrew claims over island and foreshore land in the Tweed River area.

Far South Coast and South Coast Regions

Claims and parts of claims were granted to the Illawarra, Nowra, Mogo, Batemans Bay, Bodalla, Wagonga and Eden LALC.s'

Bateman's Bay LALC

The Bateman's Bay LALC was granted claims and parts of claims at Durras, Bateman's Bay and Nelligen.

The grant at Nelligen was for 144 hectares and was part of a larger claim for about 1400 hectares. The decision has been deferred by the Department of Lands to allow further investigations and consultations with the Forestry and National Parks authorities.

Bodalla LALC

About 150 hectares was granted to the Bodalla LALC. The land was part of a 510 hectare claim over land stretching from Potato Point to Dalmeny near Brou Lake. The balance of the claim was refused because the land was said to be needed for recreation, access and coastal protection. Despite the refusal, the Department of Lands has told the Bodalla LALC that it would investigate the most appropriate way to conserve Aboriginal sites in the remaining Crown land.

Illawarra LALC

Parts of four claims by the Illawarra LALC were granted. The claims were for land south of Wollongong at Primbee and Windang and made a total of 9.4 hectares. The land has tourism and sports-related potential. The balance of the claim areas were refused by the Minister because the land was said to be needed for "essential public purposes of recreation, access and foreshore protection".

Mogo LALC

One claim and one part claim were granted to the Mogo LALC. Nine claims were made by the LALC. The grants involve about 5.2 hectares of Crown land in Mogo. The remaining claims were refused because the land was said to be needed for public buildings, recreation and water supply.

Nowra LALC

The Nowra LALC was granted 11 hectares at Nowra adjoining the Flatrock Creek Dam. The longstanding claim was only partly successful, with the balance of the land being refused because it was said to be needed for housing and recreation.

Wagonga LALC

Nine claims and parts of claims were granted to the Wagonga LALC. About 63 hectares of land was involved near Wagonga and Narooma. One claim has a condition imposed on the title under section 36(5A) of the Aboriginal Land Rights Act, banned clearing and development.

Northern Region

Nungaroo, Tamworth and Wanaruah LALC's

Claims were granted to the Nungaroo, Tamworth and Wanaruah LALC's. The Wanaruah LALC received the largest of these grants, about 117 hectares of what used to be the Muswellbrook Common.

Northern Tablelands Region

Armidale, Glen Innes and Tenterfield LALC's

Claims were granted to the Armidale, Glen Innes and Tenterfield LALC's. About 4000 hectares at Binghi was granted to the Tenterfield LALC. Title to about 540 hectares will be transferred in fee simple with the remainder subject to a condition on title. The condition aims at preserving the wilderness character of the land. The land was part of a larger area proposed as part of a National Parks Wilderness Area.

North Western Region

Murrawari LALC

About 527 hectares of land at Enngonia was granted to the Murrawari LALC. The land was mostly travelling stock reserves and was one of the first grants as a Perpetual Western Land Lease. This Council, too, amended its claim following negotiations with the Department of Lands.

Nulla Nulla LALC

About 675 hectares of land at Bullamunta near Bourke was granted to the Nulla Nulla LALC. The land was mostly part of travelling stock reserves and was one of the first grants as a Perpetual Western Land Lease. The Council amended its original claim following negotiations with the Department of Lands.

Toomelah LALC

Land beside the highway at Boggabilla was granted to the Toomelah LALC. The land has commercial potential.

Sydney/Newcastle Region

Bahtabah LALC

The Bahtabah LALC received its first land grant in July 1987. The LALC was granted title of five parcels of Crown land adjoining the Pacific Highway at Pelican Point.

Darkinjung LALC

The Darkinjung LALC was granted land at Empire Bay, Budgewoi, Kariong, Spencer, Noraville and south of the village of Mangrove Mountain. The lands had possible residential, farming and tourist/recreation development potential. The largest grant was for some 177 hectares of land near the village of Mangrove Mountain. Part of the claim was said to be needed for the protection of native plants and animals. However, it was granted with conditional title under section 36(5A), which bans clearing of the land.

La Perouse LALC

Grants to the La Perouse LALC include a prime housing site near the school. That grant follows extensive negotiations over the past three years between the Departments of Housing and Lands.

Metropolitan LALC

A number of substantial land claims granted in the Northern Suburbs of Sydney are being negotiated with commercial developers.

Mindaribba LALC

Extensive negotiations were carried out between the Mindaribba LALC and the Department of Lands over claims lodged near Cessnock, Kurri Kurri and Maitland. Many of the lands claimed were said to be needed for mining, forestry and housing. Negotiations resulted in the withdrawal of 73 claims and the granting of 23 claims over about 633 hectares of land.

Western Metropolitan Region

Gandangarra LALC

Grants to the Gandangarra LALC include six housing blocks at Alford's Point and up to five more blocks when adjoining subdivisions are opened.

Western Region

Dareton LALC

Claims by the Dareton LALC were granted in part over about 8 hectares of land near the Hospital at Wentworth. About 24,750 hectares of the Winbar claims were granted as a Perpetual Western Land Lease.

Wiradjuri Region

Brungle-Tumut LALC

About 100 hectares at Mount Naughton near Tumut was granted to the Brungle-Tumut LALC. It was the first grant to the Council.

Condobolin LALC

About 85 hectares of land between Trundle and Fifield was granted to the Condobolin LALC. A condition on the title bans the clearing of timber or native plants.

Murrin Bridge and Windradyne LALC's

The Murrin Bridge and Windradyne LALC's received their first land grants during the year. The Windradyne LALC had 13 claims granted in the villages of Wattle Flat and Sofala. The land has housing, farming and tourist potential.

Young LALC

About 83 hectares of Crown land adjoining the Bimbadeen College at Cootamundra was granted to the Young LALC. This compliments the 105 hectares granted to the Council in May 1987.

UPDATE ON LAND CLAIMS AS AT 30 JUNE 1988

CLAIMS RECEIVED.....	3136
Under Section 36 (General land claims purportedly over Crown lands).....	2977
Under Section 37 (Aboriginal lands in travelling stock reserves).....	159
CLAIMS GRANTED (includes those claims granted in part).....	565
Approximate area of grants surveyed, not including Western Land Leases (529 claims).....	9688.8ha
Approximate area of grants surveyed, Western Land Leases (12 claims).....	26,311ha
CLAIMS NOT GRANTED.....	1834
Invalid (Area claimed outside constituted area of Land Council).....	199
Withdrawn.....	453
Land not claimable being freehold, leasehold or lawfully used and occupied.....	969
Land area used for essential public purpose.....	64
Ministry of Agriculture declined to enter into an agreement pursuant to Section 37(3).....	53

Land Council produced no evidence of traditional association pursuant to Section 37(3).....	96
CLAIMS UNDER INVESTIGATION.....	737
Section 36.....	724
Section 37.....	13

ENTERPRISE DEVELOPMENTS

SPENDING ON PROPERTY & ENTERPRISES

The NSWALC is committed to establishing enterprises that will generate ongoing income and provide employment for Aboriginal people. The major items of enterprise spending are listed below, along with major property purchases.

CENTRAL COAST REGION

Properties were purchased for two LALC's in the Region: \$67,435 was allocated to the Bowraville LALC and \$47,800 was allocated to the Coffs Harbour and Districts LALC.

CENTRAL REGION

Houses were purchased for two LALC's in the Region: \$209,410 was allocated to the Narromine LALC and \$199,875 was allocated to the Wellington LALC.

FAR NORTH COAST REGION

The Regional Council bought a Regional Office building for \$118,700.

FAR SOUTH COAST REGION

The Regional Council commissioned Peat Marwick Hungerford Management Consultants to review the administrative structure of the Region. The study cost \$24,300.

Eden LALC

The Council spent \$23,000 establishing a fibreglass moulding business. The Council established an Aboriginal Sites Safari Enterprise, which received \$88,000 from the Department of Employment, Education and Training. Several workers were employed to identify Aboriginal sites and objects.

Merrimans LALC

The Council bought two houses for \$138,000.

Mogo LALC

The Council undertook a maintenance program that cost \$94,345.

Moruya LALC

The Council bought two houses for \$138,000.

Wagonga LALC

A kerb and guttering business was bought for \$9,000.

MURRAY RIVER REGION

Albury & District LALC

The Council spent \$38,000 on office renovations and extensions.

Moama LALC

The Council bought two blocks of land at Moama for \$50,000. A workshop will be built on the land for an estimated cost of \$55,000.

Yota-Yota LALC

The Council spent \$30,000 establishing an earth brick construction enterprise. The Council spent \$150,000 on a community store/office complex.

NORTHERN REGION

Regional Council purchase a house for use as an office.

Amaroo LALC

The Council bought three houses for \$90,557.

Nungaroo LALC

The Council bought and renovated two houses at a cost of \$117,660 and Department of Housing built four houses.

Red Chief LALC

The Council bought two properties for \$85,787 plus two flats.

Walhallow LALC

The Council built three brick veneer houses on the Walhallow Aboriginal Reserve at a total cost of \$128,000.

NORTHERN TABLELANDS REGION

The Regional Council bought an office at Armidale at a cost of \$60,750.

NSWALC ANNUAL REPORT - Part 6

Armidale LALC

The Council bought out C.T. Briggs Excavations Pty Ltd and following additional plant purchases established a backhoe contracting business. The cost was \$113,339. The business will involve training programs. The Council bought a house at Armidale for \$60,000.

Ashford LALC

Several houses were renovated at a total cost of \$67,715.

Glen Innes LALC

The Council bought a sheep and cropping property called "The Willows" for \$194,250. Training programs have been established in conjunction with the Department of Employment, Education and Training and the Aboriginal Development Commission. A further \$24,023 was spent on establishment costs and stock purchases.

Guyra LALC

The Council bought a car sales and spare parts business for \$150,000. It is called I.M. Brazel & Co.

Tenterfield LALC

The Council bought property worth \$120,000.

NORTH WESTERN REGION

Goodooga LALC

The Council bought a truck for \$21,700.

Moree LALC

The Council bought a block of flats at Moree for \$120,000.

Pilliga LALC

The Council established an office and employed a secretary at a total cost of \$67,500.

SYDNEY/NEWCASTLE REGION

The Regional Council bought a bulldozer for \$132,000 to be hired out for contract work and used by the LALC's. The Regional Council bought a building in Gosford for \$55,000 and spent \$45,000 on refurbishing and extensions.

Darkinjung LALC

The Council bought a house at Wyong to use as the Council office. It cost \$80,000. Part of the building is leased to the Aboriginal Home Care.

Worimi LALC

The Council started a horticultural enterprise on 30 acres of land. Initially six people were to be employed to develop the enterprise. Long-term employment will be provided for four people, with additional casual employment of pickers.

Metropolitan LALC

Substantial claims have been granted in LALC area and close negotiations with commercial developers are in place.

WIRADJURI REGION

The Regional Council contributed \$35,000 to Community Employment Programs in the Region.

Bathurst LALC

The Council initiated a market garden project at a total cost of \$44,930.

Condobolin LALC

LALC functioning. Eight houses are being constructed on Willow Bend under the HOAL program.

Cowra LALC

The Council subdivided a claimed block of land into nine blocks and provided services to each block at a cost of \$53,000.

Griffith LALC

The Council bought a freehold farm 12km north of Griffith. The sheep property cost \$210,000.

Leeton LALC

The Council bought a 23-unit Leeton Gardens Motel for \$635,000. The motel has a restaurant, swimming pool and self-contained managerial accommodation.

Narrandera LALC

LALC received an enterprise grant for the amount of \$110,000 to facilitate an Aboriginal Artifact Cultural & Farm Tourist Complex. Total estimated cost for the complex is \$3.5 million. ADC has approved \$80,000 for an architect to draw up the plans. RALC contributing \$250,000 per year for

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two years towards construction. Both ADC and DAA also contributing towards final cost of complex. DEET subsidising salaries - complex will employ 17 full-time Koori positions and 6 part-time jobs.

Onerwal LALC (Yass)

The Council bought market garden equipment worth \$10,523.

Tumut LALC

The Council bought a house at Tumut to be the LALC office. The building is big enough to be sublet. The cost was \$89,000.

Wagga Wagga LALC

LALC received an enterprise grant for the amount of \$150,000 for Irvin Bull Bars.

West Wyalong LALC

LALC received an enterprise grant for the amount of \$87,000 for the purchase of a block of flats.

NEW SOUTH WALES ABORIGINAL LAND COUNCIL

The State Council authorised the purchase of an office building at Liverpool. The building will become the Council's office. There will be space for subletting. The cost was \$711,054.

EDUCATION & TRAINING

MANAGEMENT TRAINING FOR LAND COUNCILS

Tranby Aboriginal College has continued to support Land Councils with training though 1987/88. This has been made possible with the assistance of the NSW Office of Aboriginal Affairs (formerly Ministry of Aboriginal Affairs), TAFE Aboriginal Education Unit, DEET and with the assistance of Land Councils themselves.

Training in this period covered important areas of management for Land Councils:

- Accountability;
- The Uniform Accounting System;
- Land Rights Act, Regulations and functions of Land Councils;
- Enterprise establishment;
- Effective meetings; and
- Membership and roles of office holders.

The 1987 program had a two level approach; with the second phase from July to December.

1. Statewide workshops for members of Local and Regional Councils covering key issues.
2. Workshops within Regions for Local Councils covering specific needs.

Three series of Statewide Workshops were held in 1987 in 18 centres around NSW with around 550 participants.

Preparing Administration Budgets

Four workshops in March 1987 - Lightning Ridge, Nambucca, Redfern and Griffith. (168 participants)

Preparing Annual Reports, Understanding new Regulations

Eight workshops in August 1987 - Dubbo, Albury, Lismore, Coonamble, Tamworth, Bateman's Bay, Newcastle and Broken Hill. (200 participants)

Accounting, Wages, Planning Enterprises

Six workshops in November 1987 - Coonamble, Grafton, Wollongong, Port Macquarie and Broken Hill. (190 participants)

Workshops within Regions for Local Land Councils were conducted in the Far North Coast, Far North Coast, Northern Tablelands and Western Regions.

After a review of the 1987 program, the 1988 program took a strategic approach to build on the results of the previous two years. The primary thrust was towards regionally based and supported training, with Tranby providing the planning, support and resource development functions, although direct training was also extensively undertaken. This made the most effective use of Tranby and the Land Councils resources and expertise.

The primary objective of the program is for each Land Council to have access to regionally based training on a long term basis. This involves an active training role for RALC's and the development of regional training plans.

Uncertainty around the March election meant training was temporarily slowed while urgent legal and political matters were resolved:

Major achievements for this period were:

NSWALC

A series of workshops for members of NSWALC on:

- 1) Training Needs;
- 2) Roles of NSWALC members;
- 3) Land Rights Act and Regulations; and
- 4) Meeting procedure for NSWALC.

RALC's

The development of specialised workshops for RALC employees and later, officeholders on regional management issues, exchanging information between Regions and producing a management database.

LALC's

In response to local demands, training was maintained in LALC's eg. Toomelah, Northern Tableland Region, Central Region, Far South Coast Region. In the case of Toomelah, this training backed its Social Plan from the Human Rights Inquiry.

TRAINING NEEDS SURVEY

An in-depth survey was conducted into Land Councils Training Needs. It concluded that the use of the Uniform Accounting System and Accountability Procedures were its most urgent needs, followed by; Land Rights Act and legal issues, Enterprise Establishment, Submission Writing, Annual Reports, Budgeting, and Claiming Land.

The use of a regionalised workshop format was reinforced by its survey and its need for resources emerged as an urgent one.

RESOURCE DEVELOPMENT

Tranby has begun work on some major training resources. Two in particular should be mentioned.

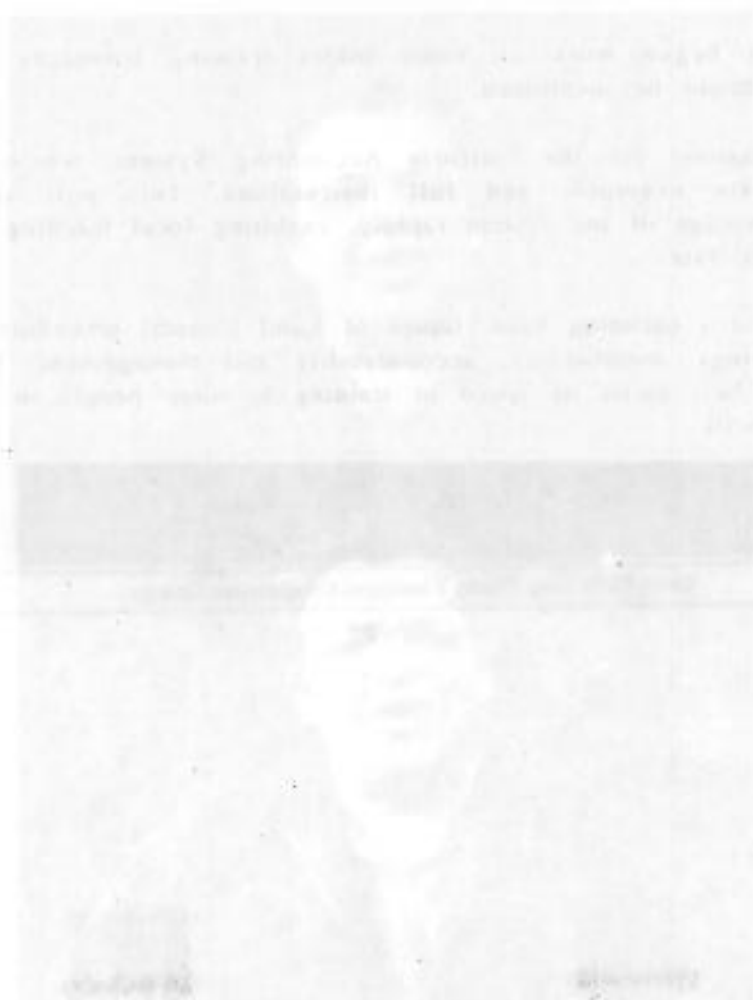
- A manual for the Uniform Accounting System, which will contain examples and full instructions. This will spread knowledge of the system rapidly, enabling local teaching at a faster rate.
- A video outlining basic issues of Land Council procedures, in meetings, membership, accountability and management. These will best assist its speed of training to more people in Land Councils.



Kevin Cook from Tranby Aboriginal Co-operative College

ACKNOWLEDGEMENT

The NSW Aboriginal Land Council wishes to formally acknowledge the good work done by Tranby Aboriginal Co-operative College in training for Land Councils. Many of our Councils and members have gained its knowledge needed for Land Councils at Tranby workshops. The work of Kevin Cook, Dave Morrissey, Michael Christie and Chris Milne, though 1987-88 has made a great contribution and will hopefully continue and expand. There is a lot yet to be done and it's good to know that Tranby with OAA, TAFE and DEET will be there in 1988-89 for support.



LEGAL CHANGES

NEW MODEL RULES

The new Model Rules were adopted during the year after lengthy consultation between the Registrar's Office, the NSWALC and the Aboriginal Land Council network.

The aim of the new Rules was to enable the Land Councils to operate more efficiently. The new Rules explain more clearly the powers, functions and objectives of the Land Councils. The new Rules have detailed descriptions of the roles of Land Council office bearers.

People who require more detailed information about the Model Rules can contact the NSWALC.

COALITION GOVERNMENT OPPOSES LAND COUNCILS

The greatest threat to the Land Councils operation during the financial year was the election of the hostile Coalition Government. While in opposition the Coalition had promised to repeal the NSW Aboriginal Land Rights Act upon election to office.

Because the Coalition failed to gain control of the Upper House, thoughts of repealing the Act were put aside. However, other means of controlling the Land Councils were apparently considered by the Government.

On May 17, the Premier, Nick Greiner, announced in Parliament that he planned to appoint an Administrator to the NSW Aboriginal Land Council. This move failed because there was no legal justification for it. The Government then moved to hamstring the NSWALC by controlling the funds of all Land Councils.

It would do this by amending the Aboriginal Land Rights Act. The amendment, to be effective from 15 April, would put financial control of all Land Councils into the hands of senior public servants in the Office of Aboriginal Affairs (then the Bureau of Aboriginal Affairs and formerly the Ministry of Aboriginal Affairs).

The NSWALC challenged the legality of the amendment in the Equity Division of the Supreme Court. On 13 May, Justice Bryson determined that the Government's amendment was invalid. Supporters of the Land Councils viewed the court decision as a major victory for the Aboriginal people. Many felt that it showed that Aboriginal people were capable of defending their rights, even against the mightiest of opponents.

The Land Council cause was helped immeasurably by the support of Opposition groups in the Upper House. They being, the Labor Party, the Democrats and the Call to Australia Party.

The view that the court case was a victory for the Aboriginal people has been rejected by Liberal MP, Paul Zammit. He toured the State holding so-called consultative meetings with Aboriginal people over changes to the Aboriginal Land Rights Act. He says the court case turned many Government members against Aborigines. He says the Government was elected to govern and should be allowed to do so. He also says the amendment was not aimed at controlling the finances of the Land Councils.

The NSWALC legal team for the Supreme Court victory was headed by George Masterman QC.

WHY REGULATION 24A WAS REJECTED

An attempt by the NSW Coalition Government to gain control over Land Council spending was successfully challenged in the Supreme Court. On 13 May, Justice Bryson ruled that the Government amendment by regulation of the Aboriginal Land Rights Act was invalid.

The amendment would have given senior public servants in the Office of Aboriginal Affairs the power of veto over Land Council expenditure.

Regulation 24A(4) stated that all money held by an Aboriginal Land Council was to be invested except for spending approved by the Minister for Aboriginal Affairs.

Regulation 24A(5) prevented any Land Council spending except:

- By cheques signed by two people approved by the Minister;
- For purposes approved by the Minister.

The Director of the Office of Aboriginal Affairs, Neville Perkins, sent a directive to all Land Councils relating to the regulations. According to the directive, all Land Councils were required to invest their funds in a so-called Aboriginal Land Councils Trust Account in Sydney. That account was to be administered by Mr Perkins. The signatories to the account were to be Mr Perkins and other Office of Aboriginal Affairs staff, including Keith Kocken.

On 16 April, the NSWALC initiated a Supreme Court action challenging the legality of the regulation. The NSWALC case was put by George Masterman QC.

Justice Bryson said the Act gave the Minister *"no power of control"* over the ordinary operation of Land Councils. He said the Act gave Councils control over spending *"apart from the submission of a budget"*.

The court found that the regulation was inconsistent with the intentions of the Act. The strongest element of the NSWALC case was summarised by Justice Bryson.

He said the NSWALC had submitted that:

- While there were provisions in the Act to control maladministration, there was no provision for total control of expenditure.
- Regulation 24A meant that every provision of the Act authorising expenditure would have the qualification *"with the consent of the Minister"*.
- The Regulation would prevent the Land Councils carrying out their legal functions without the specific approval of the Minister.
- The Regulations were being used to achieve control over all funds, excluding investment.

Quoting Justice Dixon in the 1957 *Shanahan v Scott* case, Justice Bryson said regulations could not extend the scope or operation of an Act. The court found that Regulation 24A would widen the purposes of the Act and would depart from the tenor of the Act.

NSWALC RESPONDS TO FIRST ZAMMIT MEETING

The Greiner Government's "consultation" with the Aboriginal people of NSW is *"seen as a sham"*, according to the NSW Aboriginal Land Council. As well, the Council has accused the Government of *"increasing tensions and divisions in the Aboriginal community"*. The Council urged the Government to end its *"confrontationist"* approach to Aboriginal Affairs and the Land Councils.

These comments were made in a submission to the Government, that followed a meeting between Liberal MP, Paul Zammit and the NSWALC. In that submission the Council said it was *"outraged"* that the Government would use the plight of the Aboriginal people as an excuse for destroying the Land Councils.

The Council said that plight was caused by 200 years of colonial rule, not by the Land Councils. Further, the *"Aboriginal Land Rights Act was not designed to address the problems of health, housing and education"*. Government Departments had been funded to solve those problems - and had failed to do so.

The Council accused the Government of *"deliberately misleading"* the public with continual references to the *"large amounts of public money"* being spent by Land Councils. Instead of trying to turn the public *"against the Aboriginal people of NSW"*, the Government should act responsibly and inform the public of the achievements of the Land Councils.

The Council opposed the Greiner Government's return to a welfare approach to Aboriginal Affairs, an approach that had left the Aboriginal people *"broken, dependent and powerless"*.

"Aboriginal development can only occur with a cultural strengthening and pride from being able to manage our own affairs." The Council said the Government's "New Directions in Aboriginal Affairs", was in fact *"an attack on Aboriginal rights"*.

"The Government has no policy, no planning, no attention to detail and no real consultation with the Aboriginal people," the Council said.

Consultation meant listening to the community not *"imposing your own ideas"* on it. The Government had stated it would repeal the Aboriginal

Land Rights Act before the so-called consultations started. For this reason the "consultations" were seen as a sham aimed at paving the way for *"high handed and authoritarian"* changes in Aboriginal Affairs.

The Council appealed to the Government to *"work with us"* to improve the lot of Aboriginal people in NSW. After *"50 years of Aboriginal political struggle"*, the Aboriginal people of NSW were *"on the threshold of a new era."*

The Land Councils had brought renewed pride and strength to the Aboriginal community through the *"realisation of Aboriginal self-determination and self-management."* Despite that, the Government intended turning *"the clock back"* to an era of handouts, paternalism and dependence.

OTHER ISSUES

ARTIFACT COLLECTION



Phil Gordon, Aboriginal Liaison Officer at the Australian Museum

The NSW Aboriginal Land Council has a collection of Aboriginal artefacts, which are on loan to the Australian Museum. The collection has been valued at over \$20,000. Six pieces from the collection are on display in the Aboriginal Gallery at the Museum.

The Aboriginal Liaison Officer at the Museum, Phil Gordon, said the Aboriginal Gallery was the most popular section of the Museum. He said any serious study of Aboriginal history would be forced to confront contemporary social and political issues. Issues such as Land Rights.

MUSEUMS STILL HOLD ABORIGINAL BONES

The bones of an estimated 1800 Aboriginal people are still held by the Museum of Victoria in Melbourne and the Australian National Museum in Canberra. The Museums have failed to release the bones for reburial despite requests from some of the communities along the Murray River.

The bones were dug up in the 1930's by Gippsland farmer Murray Black, after whom the collection is named. While some staff from both Museums favour the return of the bones, many academics oppose reburial. They say that only a radical minority is seeking the return of the bones. However, this is untrue.

Many Aboriginal people are offended by the fact that the bones of their ancestors have been taken from their graves and placed in museum cupboards. That conflict between respect for deeply-held beliefs and the rights of science is epitomised by the dealings of the National Museum.

Museum personnel met with people from the Murray River and offered to return bones that had been taken from their areas. However, at the last minute the Museum changed its mind.

HUMAN RIGHTS COMMISSION INQUIRY FAVOURS LAND RIGHTS

During 1988 the national press twice focused on the 500 Aboriginal people living in the NSW/Queensland border town of Toomelah.

On 10 January fighting broke out in the neighbouring town of Goondiwindi. As a result 17 Aboriginal men from Toomelah and Boggabilla were charged by Police.

Following that, the Human Rights and Equal Opportunities Commission inquired into the conditions at Toomelah, Boggabilla and Goondiwindi. Toomelah hit the headlines again following the presentation of the Commission report on Toomelah on 2 June.

The NSW Premier, Nick Greiner, responded publicly after receiving advice from the Office of Aboriginal Affairs. Misinterpreting the findings of the

Commission, Mr Greiner was reported saying that conditions at Toomelah were "a very clear test case" for abolishing Land Rights Legislation in NSW.

One of the authors of the Commission Report, Race Discrimination Commissioner Ms Irene Moss, said that statement was totally wrong. She said the poor living and social conditions at Toomelah were the result of long-term mismanagement by the three tiers of Government. They being:

- The Federal Government,
- The NSW Government, and
- The Local Government, which in this case is the Moree Plains Shire Council.

She said the problems at Toomelah had existed for at least 40 years, while Land Rights Legislation had only existed since 1983. If anything, the Commission Report was an affirmation of the value of Land Rights-style legislation and the Land Council network.

One of the recommendations of the Report was titled "Self-Determination". It stated: *"The policy of Aboriginal self-determination should be effectively implemented, particularly in the provision of basic services and the establishment of a decent quality of life for all Aboriginal and Torres Strait Islander peoples."*

The problems of Toomelah are repeated time-and-again across the State, as the Premier has said. Finding workable solutions requires an honest commitment. History shows that politically-expedient remedies have always failed.



Poor living conditions at Toomelah

UN OFFICIAL BACKS LAND RIGHTS

Aboriginal and Islander people should be allowed to govern themselves, according to the United Nations. And that self-government must be funded, *"preferably through the establishment of rights to land"* and other revenue.

The UN statement was made in August by Professor Erica-Irene Daes, the Chairperson of the UN Working Party on Indigenous Populations. Professor Daes was in Australia from December 1987 till January 1988.

She found Australia to be a *"rich and beautiful"* country but was disturbed to find the Aboriginal people *"living in poverty, misery and extreme frustration."* That finding led her to the conclusion that *"Australia stands in violation of her international human rights."*

"In one indigenous community after another I saw people living in run-down houses, tin sheds and tents, without clean or running water and without sewerage facilities," she said.

She said schools were *"few and far between"* and few of those provided instruction in Aboriginal tradition, culture or language. Several indigenous languages had become extinct while others faced *"an uphill struggle for survival."* Rights were denied Aboriginal people and promises of new rights were unfulfilled. That brought about mistrust, frustration and anger.

"During my visit to Australia I met two Aborigines in their late thirties or early forties who, as small children, had been removed by the authorities from their natural families and placed in non-indigenous foster care," she said. *"They and other Aboriginal representatives told me that many other children of their race had shared the same fate."*

Professor Daes said the underlying problem was - *"and will obviously remain for a long time"* - Land Rights. She said the concept of the *"restoration of Aboriginal Land Rights"* was seen by Governments as a social program. In fact it should be viewed as recognition of wrongs committed against Aboriginal people and as a *"step towards the self-determination of Aboriginal people."*

She said the justice of Land Rights claims was recognised by Pope John Paul II, who said *"it is time for a just recognition of Aboriginal rights to land"*.

FINANCIAL REPORT



BOX 12, G.P.O.
SYDNEY, N.S.W. 2001

AUDITOR-GENERAL'S CERTIFICATE

NEW SOUTH WALES ABORIGINAL LAND COUNCIL

The accounts of the New South Wales Aboriginal Land Council for the year ended 30 June 1988 have been audited in accordance with Section 34 of the Public Finance and Audit Act 1983.

In my opinion, the accompanying balance sheet, income and expenditure and funds statements, read in conjunction with the notes thereto, comply with Section 41B of the Act and exhibit a true and fair view of the financial position at 30 June 1988 and transactions for the year then ended.

A handwritten signature in dark ink, appearing to read "K J Robson".

K J ROBSON, FASA CPA
AUDITOR-GENERAL OF NEW SOUTH WALES

SYDNEY,
20 October 1988

NEW SOUTH WALES ABORIGINAL LAND COUNCIL

YEAR ENDED 30 JUNE 1988

STATEMENT BY MEMBERS OF THE COUNCIL

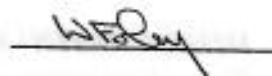
Pursuant to Section 41B(1)(f) of the Public Finance and Audit Act, 1983, and in accordance with a resolution of the members of the New South Wales Aboriginal Land Council, we declare on behalf of the Council that in our opinion:

1. The accompanying financial statements exhibit a true and fair view of the financial position of the New South Wales Aboriginal Land Council as at 30 June 1988 and transactions for the year then ended.
2. The statements have been prepared in accordance with the provisions of the Public Finance and Audit Act, 1983, the Public Finance and Audit (Statutory Bodies) Regulation, 1985, and the Treasurer's Directions.

Further, we are not aware of any circumstances which would render any particulars included in the financial statements to be misleading or inaccurate.



11 August 1988



NEW SOUTH WALES ABORIGINAL LAND COUNCIL

BALANCE SHEET as at 30 June 1988

1987 \$'000		Note	1988 \$'000
	CURRENT ASSETS		
218	Cash and Deposits		486
192	Debtors and Prepayments	5	140
2,892	Accrued Interest on Investments		5,186
10	Advances	4	8
-	Accrued Treasury Allocations	1A	7,119
29,733	Investments	2	21,415
33,045	Total Current Assets		34,354
	NON-CURRENT ASSETS		
242	Plant, Equipment, etc	3	294
16,883	Investments	2	46,334
17,125	Total Non-Current Assets		46,628
50,170	TOTAL ASSETS		80,982
	CURRENT LIABILITIES		
136	Accounts Payable		242
14	Provision for Employee Entitlements	6	27
150	TOTAL CURRENT LIABILITIES		269
150	TOTAL LIABILITIES		269
50,020	NEW ASSETS		80,713
	RETAINED EARNINGS		
39,251	Statutory Investment Funds	2	63,448
10,769	Accumulated Funds		17,765
50,020			80,713

**NEW SOUTH WALES
ABORIGINAL LAND COUNCIL
INCOME AND EXPENDITURE STATEMENT
for the year ended 30 June 1988**

1987 \$'000		Note	1988 \$'000
INCOME			
27,995	Allocations - NSW Government	7	34,600
<u>10,997</u>	Less - Statutory Investment Fund	2	<u>17,300</u>
<u>10,998</u>			<u>17,300</u>
5,296	Interest		8,024
<u>4,504</u>	Less - Statutory Investment Fund	2	<u>6,897</u>
<u>792</u>			<u>1,127</u>
51	Grant - NSW Government		-
63	- Commonwealth Government	9	39
80	Gross Proceeds on Sale of non-current assets		225
<u>5</u>	Sundry		<u>31</u>
<u>11,989</u>	Income Available for Council Activities		<u>18,722</u>
EXPENDITURE			
6,601	Allocations to Regional and Local Land Councils	10	10,119
52	Administrator's Costs		24
524	Expenses Paid on Behalf of Regional Councils	10	372
223	Salaries and Wages		421
104	Members Travel, Accommodation, etc		151
72	Members Sitting Fees		105
65	Legal Expenses		91
91	Depreciation		67
43	Uniform Accounting System	13	42
35	NSW Investment Fund - Expenses	1B	-
20	Audit Fee		35
-	Provision for Employee Entitlements	6	13
7	Grants	10	4
534	Other Expenses	11	566

NSWALC ANNUAL REPORT - Part 11

<u>73</u>	Book Value of non-current assets sold	<u>216</u>
<u>8,444</u>		<u>12,226</u>
3,545	Excess Income Over Expenditure	6,496
<u>89</u>	Transfer to Statutory Investment Fund 2	<u>-</u>
<u>3,456</u>	Additions to Accumulated Fund	<u>6,496</u>

NEW SOUTH WALES ABORIGINAL LAND COUNCIL

Notes to and Forming Part of the Financial Statements for the year ended 30 June 1988

1. Accounting Policies

- 1.1 The Council's financial statements have been prepared in accordance with current Australian Accounting Standards and in compliance with Section 41B(1) of the Public Finance and Audit Act 1983.
- 1.2 They are prepared on the basis of historical cost, using the concept of accrual accounting and do not take into account changing money values.
- 1.3 Fixed assets are shown at cost or valuation. Fixed assets previously owned by the Aboriginal Lands Trust and being used by the Council are shown at nil valuation.
- 1.4 Depreciation has been calculated on a straight line basis over the anticipated life of each asset.
- 1.5 The Treasurer's exemption has been received in relation to Section 41B(3) of the Public Finance and Audit Act as to preparation of consolidated statements.

Consolidated statements for New South Wales Aboriginal Land Council and Yrimbirra Pty Ltd were not prepared as the latter did not have any external operations.

1.A Changes in Accounting Policies

The Treasury allocations due for the quarter ended 30 June 1988 have been accrued and appropriately distributed in terms of the Act, whereas during the previous year accruals were ignored.

- B The NSWALC Investment Fund meets its management expenses direct from its income with effect from 1 July 1987, whereas during the previous year management expenses were reimbursed.

2. Statutory Investment Fund

The provisions of the Aboriginal Land Rights Act require 50% of all

NSWALC ANNUAL REPORT - Part II

allocations received from the New South Wales Government based on Land Tax collections to be invested. The interest earned on the investment must also remain invested. Interest earned on the total investment after 31 December 1998 may be disbursed.

Accumulated Land Tax amounts required to be invested were \$45,942,773 at 30 June 1988 (\$32,202,436 at 30 June 1987). Accumulated interest earned on this amount was \$13,945,533 (\$7,048,533 at 30 June 1987). The total amount required to be invested in terms of the Act was therefore \$63,447,790 (\$39,250,969 at 30 June 1987), which included \$3,559,484 being 50% of the Treasury Allocation due for the quarter ended 30 June 1988 and not received.

Actual Investments were:

1987		1988
\$		\$
2	Shares - Yrimbirra Pty Ltd	2
	Settlement - NSW Aboriginal	
10	Land Council Investment Fund	10
2,462,491	Cash at Call	2,000,000
13,285,910	Interest Bearing Deposits	6,311,567
22,134,390	Commerical Bills	47,367,636
	NSW Aboriginal Land Council	
<u>8,733,674</u>	Investment Fund	<u>12,068,370</u>
<u>46,616,477</u>		<u>67,748,585</u>

The total investment includes statutory investments of \$54,703,261 (\$36,401,872 during 1986-87). In addition, accrued interest of \$5,185,045 and accrued Treasury Allocation of \$3,559,484 forming part of the Statutory Investments would be invested upon realisation.

Yrimbirra Pty Ltd is the trustee of the New South Wales Aboriginal Land Council Investment Fund and is a wholly owned subsidiary of the New South Wales Aboriginal Land Council. Under the trust arrangement funds are invested by the lending of those funds to third parties. The loans are secured by short term first mortgages.

3. Plant and Equipment**(a) Motor Vehicles**

Movements in the asset during the year were:

1987		1988
\$		\$
240,769	Cost at 1 July	221,984
<u>107,303</u>	Purchases	<u>308,588</u>
348,072		530,572
<u>126,088</u>	Disposals	<u>246,789</u>
221,984	Book Value	283,783
<u>58,911</u>	Depreciation	<u>73,327</u>
<u>163,073</u>	Written down Value at 30 June	<u>210,456</u>

Market value of the motor vehicles at that time has been assessed by the Council at the written down value.

(b) Artefacts

At the close of year these assets had -

1987		1988
\$		\$
24,970	Cost at 1 July	36,778
<u>11,808</u>	Purchases	<u>-</u>
<u>36,778</u>	Book Value at 30 June	<u>36,778</u>

No depreciation is charged on these assets as they are considered to be appreciating in value.

(c) Equipment

Movements in the assets during the year were:

1987		1988
\$		\$
38,577	Cost at 1 July	68,162
<u>29,585</u>	Purchases	<u>26,076</u>
68,162		94,238
<u>-</u>	Disposals	<u>6,471</u>

NSWALC ANNUAL REPORT - Part 11

68,162	Book Value	87,767
<u>25,762</u>	Depreciation	<u>40,777</u>
<u>42,400</u>	Written down Value at 30 June	<u>46,990</u>

Market value of the assets at that time has been assessed by the Council Officers at the written down value.

4. **Advances**

Nine of the thirteen regional representatives of the NSW Aboriginal Land Council had a cash advances of up to \$1,000 each to cover their official travelling and incidental expenses.

5. **Debtors and Repayments**

1987 \$		1988 \$
	Amounts Owing Under Commonwealth	
184,962	Government Employment Schemes	122,738
31,431	Ex-Council Members Advances Owing*	35,917
-	Prepayments	8,384
<u>5,260</u>	Other Debtors	<u>2,706</u>
221,653		169,745
	Less Provision for Doubtful Debts	
<u>30,000</u>	against ex-council members advances	<u>30,000</u>
<u>191,653</u>	Debts due as at 30 June*	<u>139,745</u>

* Litigation in progress

6. **Provisions for Employee Entitlements**

An amount of \$27,193 (1987 \$14,157) was provided for accumulated annual leave at 30 June 1988. There is no liability for extended leave at 30 June 1988.

7. **State Government Funding**

The Aboriginal Land Rights Act 1983 provides for annual State funding up to and including 1998. The amount payable for each year is 7.5% of those land tax collections (received in that year and the previous year) which relate to the previous year. \$7,118,978 accrued and not received as at 30 June 1988 has been accounted for as accrual.

8. **Commonwealth Government Grants**

The Commonwealth subsidised the Council to provide training to Aboriginal job seekers through various employment programs. A sum of \$19,352 (1986-87 \$63,184) was received during the year. In addition, \$20,000 was received to hold a Statewide Policy Conference.

9. Funding of Regional and Local Aboriginal Land Councils

During 1987-88 funds totalling \$10,118,710 were allocated by a direct payment to some Regional and Local Aboriginal Land Councils. Allocations were \$7,198,941 to Regional Councils and \$2,919,769 to Local Councils. In addition, expenses of \$372,314 were paid on behalf of some Regional Councils. Details were:

	Direct Allocations Regional Councils \$	Expenses paid on behalf of Regional Councils \$	Totals
Central	-	140,182	140,182
Central Coast	220,147	62,784	282,931
Far South Coast	1,189,947	-	1,189,947
Murray River	289,231	899	290,130
North Coast	512,020	22,629	534,649
Northern	-	78,731	78,731
Northern Tablelands	1,141,814	30,055	1,171,869
North Western	-	37,034	37,034
South Coast	60,000	-	60,000
Sydney/Newcastle	1,308,503	-	1,308,503
Western	64,000	-	64,000
Western Metropolitan	-	-	-
Wiradjuri	<u>2,413,279</u>	<u>-</u>	<u>2,413,279</u>
	<u>7,198,941</u>	<u>372,314</u>	<u>7,571,255</u>

**Direct Allocations and Expenses Paid
on behalf of Local Land Councils**

	\$	\$	\$
Central			
Narromine	229,124		
Wellington	223,227		
Weilwan	4,995		
Quambone	3,843		
Warren	1,880		
Nyngan	<u>425</u>		
		463,494	
Central Coast			
Bowraville	73,646		

NSWALC ANNUAL REPORT - Part 11

Bunyah	117,342	
Coffs Harbour	116,261	
Purfleet/Taree	84,490	
Birpai	74,881	
Foster	551	
Kempsey	8,663	
Nambucca	7,594	
Thungutti	3,824	
Unkye	<u>3,864</u>	
		491,116
Murray River		
Albury	76,830	
Moama	105,988	
Wamba Wamba	90,595	
Yota Yota	<u>79,920</u>	
		353,333
Northern		
Amaroo (Walcha)	188,331	
Nungaroo	195,923	
Red Chief	134,915	
Tamworth	75,882	
Walhallow	<u>183,210</u>	
		778,261
North Western		
Coonamble	67,583	
Goodooga	21,900	
Moree	267,742	
Pilliga	67,500	
Narrabri	2,350	
Toomelah	1,410	
Mungundi	589	
Nulla Nulla	12,864	
Murawari	3,641	
Brewarrina	<u>764</u>	
		446,343
South Coast		
Jerrinjah		42,921
Western Metropolitan		
Gandangarra	34,560	

Daruk	<u>4,700</u>	39,260	
Wiradjuri			
Cowra		10,000	
Sydney/Newcastle			
Worimi		188,629	
Far South Coast			
Bega		5,474	
Far North Coast			
Ngulinguh	7,970		
Yaegl	<u>13,992</u>	21,962	
Western			
Dareton	20,871		
Wilcannia	<u>58,105</u>	<u>78,976</u>	<u>2,919,769</u>

11. Grants

To assist in expenses associated with delegations and organisations representing Aboriginal people, grants were made during 1987-88 totalling \$3,906 (1986-87 \$7,495).

12. Other Expenses

Other expenses comprise:-

1987		1988
\$		\$
14,605	Accounting	3,087
9,486	Advertising	18,580
2,060	Bank Charges	6,749
1,590	Bank Interest	2,947
15,238	Consultant's Fees	75,570
11,376	Government Charges	5,301
97,308	Motor Vehicle Expenses	49,425
10,959	Office and Administrative Expenses	29,344
29,799	Postage, Printing, Stationary, etc	67,724
26,374	Rent and Outgoings	77,934
88,118	Secretarial Services	61,250
21,935	Telephone	39,564
16,745	Travel Expenses	73,190

NSWALC ANNUAL REPORT - Part 11

2,000	Provision for doubtful debts	-
19,670	Films	-
-	Policy Conference	26,294
-	Meeting Costs	7,772
56,597	Workshop Expenses	20,974
<u>110,351</u>	Site Curators Course Expenses	-
<u>534,211</u>		<u>565,705</u>

13. Accounting System

To assist all Aboriginal Land Councils with their recording of financial transactions a computerised processing system was developed. The system, developed and maintained by an accounting firm, was implemented and made available to all Councils from the 1 July 1986. Initial costs of developing and implementing the system were borne by the NSW Aboriginal Land Council. Costs during the year were \$41,760.

**NEW SOUTH WALES
ABORIGINAL LAND COUNCIL
STATEMENT OF SOURCE AND APPLICATION OF FUNDS
for the year ended 30 June 1988**

SOURCE OF FUNDS

	1988 \$'000	1987 \$'000
Funds from operations-Notes 1 & 2		
Inflow of funds from operations	42,919	27,489
Outflow of funds from operations	<u>12,183</u>	<u>8,278</u>
	30,736	19,211
Reduction in Assets		
Current assets		
Debtors and prepayments	52	-
Advances	2	23
Investments	<u>8,318</u>	<u>-</u>
	8,372	23
Increase in liabilities		
Current liabilities		
Accounts payable	<u>106</u>	<u>-</u>
	39,214	19,234

APPLICATION OF FUNDS

Increase of Assets				
Current Assets				
Cash and deposits	268		218	
Accrued interest	2,294		2,267	
Accrued Treasury allocation	<u>7,119</u>	9,681	<u>-</u>	2,485
Non-current Assets				
Plant, Equipment, etc	82		149	
Investments	<u>29,451</u>	<u>29,533</u>	<u>16,500</u>	<u>16,649</u>
		39,214		19,134
Reduction in liabilities				
Current liabilities				
Creditors and provision		<u>-</u>		<u>100</u>
		39,214		19,234

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Note 1.

Reconciliation of Income with inflow of Funds from operations:

	\$'000
Income:	18,722
Add transfers to Statutory Investment Fund	<u>24,197</u>
	<u>42,919</u>

Note 2.

Reconciliation of operating result with Funds from operations:

Operating result:	6,496
Add depreciation (after write-back to provision of assets disposal-\$37,000)	30
provision for employee entitlements	13
transfer to Investment Fund	<u>24,197</u>
Funds from operations	<u>30,736</u>

END OF FINANCIAL STATEMENTS



BOX 12, G.P.O.
SYDNEY, N.S.W. 2001

AUDITOR-GENERAL'S CERTIFICATE

NEW SOUTH WALES ABORIGINAL LAND COUNCIL INVESTMENT FUND

The accounts of the New South Wales Aboriginal Land Council Investment Fund for the year ended 30 June 1988, have been audited in accordance with Section 34 of the Public Finance and Audit Act 1983.

In my opinion, the accompanying balance sheet, income and expenditure statement and statement of trust funds comply with Section 41B of the Act and exhibit a true and fair view of the financial position at 30 June 1988 and transactions for the year then ended.

A handwritten signature in dark ink, appearing to read "K. Robson".

K.J. ROBSON, FASA CPA
AUDITOR-GENERAL OF NEW SOUTH WALES

SYDNEY,
20 October 1988

**NEW SOUTH WALES
ABORIGINAL LAND COUNCIL
INVESTMENT FUND BALANCE SHEET AS AT 30 JUNE 1988**

	1988 \$	1987 \$
<u>CURRENT ASSETS</u>		
Cash at Bank	112,155	489,554
Debtors and Accrued Income	<u>155,942</u>	<u>132,558</u>
	268,097	622,112
<u>NON-CURRENT ASSETS</u>		
Investments		
First Mortgage Loans	<u>11,805,100</u>	<u>8,114,850</u>
	<u>12,073,197</u>	<u>8,736,962</u>
<u>CURRENT LIABILITIES</u>		
Advances		
New South Wales Aboriginal Land Council	12,069,370	8,733,675
Creditors and Accruals	<u>3,817</u>	<u>3,277</u>
	<u>12,073,187</u>	<u>8,736,952</u>
<u>NET ASSETS</u>	<u>10</u>	<u>10</u>
<u>TRUST FUND</u>	<u>10</u>	<u>10</u>

**NEW SOUTH WALES
ABORIGINAL LAND COUNCIL
INVESTMENT FUND STATEMENT OF TRUST FUND
AS AT 30 JUNE 1988**

	1988 \$	1987 \$
Settlement Account	<u>10</u>	<u>10</u>
Net Income for the year	<u>1,397,446</u>	<u>941,305</u>
Distribution to New South Wales		
Aboriginal Land Council	<u>1,397,446</u>	<u>941,305</u>

**NEW SOUTH WALES
ABORIGINAL LAND COUNCIL
INVESTMENT FUND
INCOME AND EXPENDITURE STATEMENT
FOR THE YEAR ENDED 30 JUNE 1988**

	1988	1987
	\$	\$
<u>INCOME</u>		
Interest and Bank Charges Recouped	1,443,123	941,305
<u>LESS EXPENDITURE</u>		
Management Fees	45,678	-
Surplus -Transferred to Trust Fund	1,397,446	941,305
	<u>1,443,123</u>	<u>941,305</u>

**NEW SOUTH WALES
ABORIGINAL LAND COUNCIL
INVESTMENT FUND**

**NOTES TO AND FORMING PART OF THE FINANCIAL
STATEMENTS**

The Trust

Under a trust deed, the New South Wales Aboriginal Land Council Investments Fund was established with Yrimbirra Pty Ltd as Trustee. The trust is operative until 31 December 1998 (unless determined at an earlier date by the beneficiary) at which time the Trustee company will as soon as possible hand over all money invested, documents and other assets to the Trust to New South Wales Aboriginal Land Council.

Yrimbirra Pty Ltd (The Trustee) entered into a management agreement with Henrietta Jane Dean and Stephen Murray Goddard whereby the latter would act as Manager.

Statement of Accounting Policies

The accounting policies adopted by the Trust in the preparation of accounts for the year ended 30 June 1988, reflect the fiduciary nature of the Trust's responsibility for the assets and liabilities of the trust estate. The accounts have been prepared on the basis of historical cost and accrual accounting and have been drawn up in accordance with applicable accounting standards, the requirements of the law and the disclosure requirements of the Australian Accounting Bodies.

Funds Statement

A sources and Application of Funds Statement has not been prepared as the Financial Statements, as prepared, adequately disclose movement of funds.

NEW SOUTH WALES ABORIGINAL LAND COUNCIL INVESTMENT FUND

STATEMENT BY DIRECTORS OF THE TRUSTEE COMPANY

FOR THE YEAR ENDED 30 JUNE, 1988

In the opinion of the Directors:

- (a) The attached income and expenditure statement is drawn up so as to give a true and fair view of the results of the Fund for the year ended 30 June 1988; and
- (b) The attached balance sheet of the Fund is drawn up so as to give a true and fair view of the state of affairs of the Fund as at 30 June, 1988;
- (c) At the date of this statement, there are reasonable grounds to believe that the Fund will be able to pay its debts as and when they fall due;
- (d) The accounts have been made out in accordance with Australian Accounting Standards;
- (e) The accounts have been properly prepared in accordance with the trust deed;
- (f) At the date of this statement, there are no known circumstances that have arisen or information that has become available since the end of the financial year which effect the financial period but have not been incorporated in the accounts.

Signed at Sydney this ~~ELEVENTH~~ day of AUGUST 1988.

J. J. Bayl

W. J. M.



BOX 12, G.P.O.
SYDNEY, N.S.W. 2001

AUDITOR-GENERAL'S CERTIFICATE

YRIMBIRRA PTY LTD

The accounts of Yrimbirra Pty Ltd for the year ended 30 June 1988 have been audited in accordance with Section 34 of the Public Finance and Audit Act 1983, the Companies (New South Wales) Code and Australian Auditing Standards.

In my opinion, the accompanying balance sheet and profit and loss statement, read in conjunction with the notes thereto,

- (a) comply with Section 41B of the Public Finance and Audit Act 1983; and
- (b) are properly drawn up in accordance with the provisions of the Companies (New South Wales) Code and so as to give a true and fair view of:
 - (i) the state of affairs of the Company at 30 June 1988 and of the result of its operations for the year then ended;
 - (ii) the other matters required by Section 269 of that Code to be dealt with in the accounts;

and in accordance with Australian Accounting Standards and applicable approved accounting standards.


K.J. ROBSON, FASA, CPA
AUDITOR-GENERAL OF NEW SOUTH WALES

SYDNEY,
20 October 1988

YRIMBIRRA PTY LIMITED

YEAR ENDED 30 JUNE, 1988

STATEMENT BY MEMBERS OF THE BOARD

Pursuant to Section 41B(1)(f) of the Public Finance and Audit Act 1983, and in accordance with a resolution of the members of Yrimbirra Pty Limited, we declare on behalf of the Board that in our opinion:

1. The accompanying financial statements exhibit a true and fair view of the financial position of Yrimbirra Pty Limited as at 30 June, 1988 and transactions for the year then ended.
2. The statements have been prepared in accordance with the provisions of the Public Finance and Audit Act 1983, the Public Finance and Audit (Statutory Bodies) Regulations 1985, and the Treasurer's Directions.

Further, we are not aware of any circumstances which would render any particulars included in the financial statements to be misleading or inaccurate.

Signed at Sydney this *Eleventh* day of *August* 1988.

Jeje Bayl

W. E. Day

NSWALC ANNUAL REPORT - Part 11

YRIMBIRRA PTY LIMITED

YEAR ENDED 30 JUNE, 1988

STATEMENT BY DIRECTORS

In the opinion of the Directors:

- (a) The attached Profit and Loss Statement is drawn up so as to give a true and fair view of the results of the Company for the year ended 30 June, 1988; and
- (b) The attached balance sheet of the Company is drawn up so as to give a true and fair view of the state of affairs of the company as at 30 June, 1988;
- (c) At the date of this statement, there are reasonable grounds to believe that the Company will be able to pay its debts as and when they fall due;
- (d) The accounts have been made out in accordance with Australian Accounting Standards;
- (e) At the date of this statement, there are no known circumstances that have arisen or information that has become available since the end of the financial year which affect the financial period but have not been incorporated in the accounts.

Signed at Sydney this ELEVENTH day of August 1988.

Gina Bayle

W. Forster

YRIMBIRRA PTY LIMITED

BALANCE SHEET AS AT 30 JUNE 1988

	1988	1987
	\$	\$
<u>CURRENT ASSETS</u>		
Right to Indemnity form New South Wales Aboriginal Land Council Investment Fund	12,069,370	8,733,675
Sundry Debtors	<u>5,402</u>	<u>2,502</u>
	12,074,772	8,736,177
<u>CURRENT LIABILITIES</u>		
Incurred as trustees for New South Wales Aboriginal Land Council Investment Fund)		
Advances from New South Wales Aboriginal Land Council	12,069,370	8,733,675
Sundry Creditors	<u>5,400</u>	<u>2,500</u>
	12,074,770	8,736,175
<u>NET ASSETS</u>	<u>2</u>	<u>2</u>
<u>SHAREHOLDERS EQUITY</u>		
Share Capital	<u>2</u>	<u>2</u>

YRIMBIRRA PTY LIMITED

PROFIT AND LOSS STATEMENT FOR THE YEAR ENDED 30 JUNE 1988

	1988	1987
	\$	\$
Income - Management Fees	5,400	33,857
Expenditure - Audit Fees	<u>5,400</u>	<u>33,857</u>
PROFIT FOR THE YEAR	<u>Nil</u>	<u>Nil</u>

YRIMBIRRA PTY LIMITED

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

Incorporation of the Company

The Company was incorporated on 23 August 1984 and acts only as trustee of New South Wales Aboriginal Land Council Investment Fund. All administrative costs of the Company are met by the Fund.

Statement of Accounting Policies

The Accounting policies adopted by the Company in the preparation of financial statements for the year ended 30 June 1988 reflect the fiduciary nature of the Company's responsibility for the assets and liabilities of the trust estate. The accounts have been prepared on the basis of historical costs and accrual accounting and have been drawn up in accordance with applicable accounting standards, the requirements of the law and the disclosure requirements of the Australian Accounting bodies.

The Company's balance sheet excludes all trust assets but includes all the trust liabilities.

Right to Indemnity

The Assets of the Fund at balance date available to meet the trustee's right of indemnity comprise the following:-

	1988 \$	1987 \$
Debtors and Accrued Income	155,942	132,558
Cash at Bank	112,155	489,554
Investments	<u>11,805,100</u>	<u>8,114,850</u>
	<u>12,073,197</u>	<u>8,736,962</u>

Expenditure

From 1st July 1987, the New South Wales Aboriginal Land Council Investment Fund has met its administration expenses directly where as they were previously met by the New South Wales Aboriginal Land Council.

Share Capital	1988	1987
	\$	\$
Authorised		
100,000 Shares of \$1 each	<u>100,000</u>	<u>100,000</u>
Issued and Paid Up		
2 Ordinary Shares of \$1 each fully paid	<u>2</u>	<u>2</u>

Funds Statement

A Source and Application of Funds Statement has not been prepared as the financial statements, as prepared, adequately disclose movement of funds.

YRIMBIRRA PTY LIMITED

DIRECTOR'S REPORT FOR THE YEAR ENDED 30 JUNE 1988

The Directors in office at the date of this report are:

W.Bates, D.Lowe, T.Bayles, D.Sampson, H.Bolt, R.Carroll,
M.Morgan, M.Flores, C.Foley, T.Winters, B.Cruse.

Activity of the Company

The Company acts solely as Trustee for New South Wales Aboriginal Land Council Investment Fund. It did not carry on any business activities on its own behalf nor derive any income except for the payment of commission to its Manager. There were no changes in the activity during the year.

Result of Operations

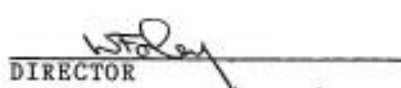
The net profit of the Company for the year was Nil.

Director's Benefits

No Director received or became entitled to receive a benefit, other than a benefit included in the aggregate amount of emoluments received or due and receivable by Directors shown in the accounts, or the fixed salary of a full-time employee of the Company or a related corporation, by reason of contract made by the Company or a related corporation with the Director or with a firm of which he is a member or with a Company in which he has a substantial financial interest.

Signed in accordance with a resolution of Directors.


DIRECTOR


DIRECTOR

ANNEXURE

LITIGATED LAND CLAIMS

Darkinjung Local Aboriginal Land Council

Property: Bateau Bay, Central Coast. Approximate area: 4,844 sq m.

On 5 May 1988, the Land and Environment Court made the following orders:

- 1) The Respondent provide replies to the questions set out in Schedule 1 of the letter of 12 May 1986, to him from the Solicitors for the Applicant with the exception of 5, which has already been answered being a request pursuant to S.36(14) of the Aboriginal Land Rights Act 1983.
- 2) The Respondent to pay the Applicant's costs.

The Minister complied with the Court Order on 6 July 1988. On 8 August 1988, NSWALC requested the Minister to provide copies of documents disclosed in the replies to the S.36(14) request, which to date have not been received. The parties have agreed that the matter should be restored to the list to obtain a hearing date.

Western Land Act

Property: Part Winbar claim, north-west of Wilcannia. Approximate area: 25,516ha.

NSWALC applied to the Land and Environment Court to have the land transferred to the Winbar LALC in Fee Simple. The case was heard before His Honour Mr Justice Stein on 11 February 1988. He handed his judgement down on 7 March 1988.

Justice Stein's opinion was that the Minister had no option but to transfer the land by way of a lease in perpetuity under the Western Land Act as amended. He rejected NSWALC's submission that "as at 2 May 1986 the Council had an accrued right to receive a transfer of the land in fee simple."

Justice Stein dismissed NSWALC's application. NSWALC appealed the decision. The appeal was heard on 8 July 1988.

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Tibooburra Claim

Property: North-western NSW. Approximate area: 50,500ha.

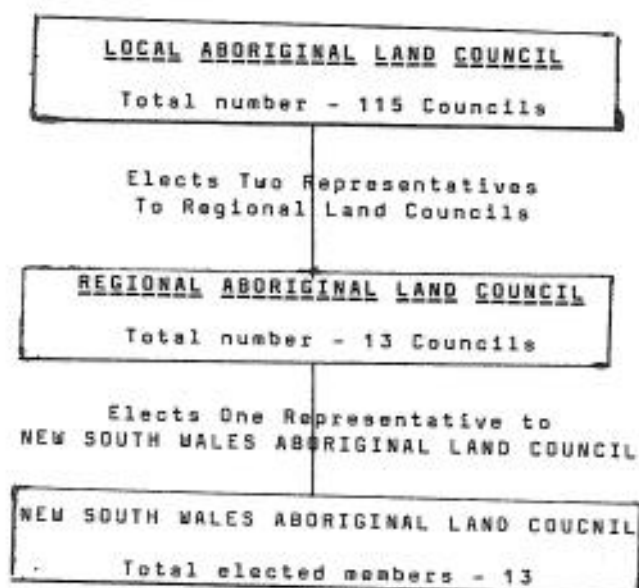
NSWALC's application against the Minister's decision to refuse the land claims had been set down for hearing in the Land and Environment Court on 5 and 6 October 1988.

NSW ABORIGINAL LAND COUNCIL

STAFF OF NSWALC

A/Director	Trevor Satour
Principal Legal Officer	Anthony Simpson
Consultant	Allan Tegg
Accountant	Mohammed Ishaq
Accounts Clerk	Sharon Simes
Assistant Accountant	Soane Mainiqolo
Land Councils Co-ordinator	Garry Green
Assistant	Kevin Mundine
Publicity Officer	Nicola Joseph
Office Manager	Carmel Childs
Minutes Secretary	Judith Munro
Secretary	Maudie Morgan
Receptionist	Vicki Haros

ORGANISATIONAL CHART



NEW SOUTH WALES ABORIGINAL LAND COUNCIL

ADMINISTRATION

DIRECTOR

ADMINISTRATIVE
SUPPORT SECTION

Office Manager
W/Process Operator x 2
Receptionist

FINANCE
SECTION

Accountant
A/Accountant
Accounts Clerk

RESEARCH
SECTION

Snr Research Officer
Press Officer

LEGAL SECTION

Principle Legal Officer

FIELD SERVICE SECTION

Senior Co-ordinator
Field Officer

Ref:1/1/4A:

21 February 1989

HUMAN RESOURCES

The Council has a staff of 13 people to fullfill the Administrative functions required by the Act.

The Administration is headed by the Director who has authority over all staffing matters and whose principle duty is to ensure that the needs of the Members are catered for and that the directions of the Council are carried out. It is therefore part of the role of the Director to direct the administrative arm of the Council operations.

The Administrative Section is divided into five sections each with a distinct function and each headed by a senior officer who is directed by the Director. These five sections and the designation of the officer in charge of the section is as follows:-

- | | | |
|-----------------------------------|---|-------------------------|
| 1. Administrative Support Section | - | Office Manager |
| 2. Finance Section | - | Senior Accountant |
| 3. Research Section | - | Senior Research Officer |
| 4. Field Service Section | - | Senior Co-ordinator |
| 5. Legal Section | - | Senior Legal Officer |

The Administrative Support Section is staffed with 2 word processors a minute secretary and a receptionist.

The Finance Section is staffed by an assistant accountant supported by a accounts clerk.

The Field Section is comprised of two field officers whose role is to assist Local and Regional Aboriginal Land Councils in the operations of those Councils.

The Research Section is comprised of a senior research officer and a press officer.

The Council has adopted the policy of using in house staff for it's purposes as much as possible and relies on outside consultants in only exceptional circumstances.

The Councils follows the general principles and guidelines of the Public Service in regard to employment of staff. Staff is made up of both Aboriginal and Non-Aboriginal people.

