

NEW SOUTH WALES ABORIGINAL LAND COUNCIL
ANNUAL REPORT 1994 - 1995



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■ THE NEW SOUTH WALES ABORIGINAL LAND COUNCIL HAS THE PRIMARY FUNCTION OF OVERSEEING THE RUNNING OF ALL ABORIGINAL LAND COUNCILS IN NSW, SO THAT THE FOLLOWING MAY BE ACHIEVED. 1 LAND ACQUISITION, EITHER BY CLAIM OR PURCHASE, 2 ESTABLISHMENT OF COMMERCIAL ENTERPRISES TO CREATE AN ECONOMIC BASE FOR ABORIGINAL COMMUNITIES IN NSW, 3 TO REVIVE AND PRESERVE ABORIGINAL CULTURE AND CULTURAL SITES IN NEW SOUTH WALES, 4 TO ADVISE AND NEGOTIATE WITH GOVERNMENT AT ALL LEVELS TO ENSURE THE PRESERVATION OF ABORIGINAL LAND RIGHTS AND THAT THE VOICE OF ABORIGINAL COMMUNITIES IS HEARD AT ALL GOVERNMENT LEVELS, 5 TO TRAIN AND EMPLOY ABORIGINAL PEOPLE WITHIN THE LAND COUNCIL NETWORK. ■ THE ABORIGINAL POPULATION OF NEW SOUTH WALES AT THE 1991 CENSUS WAS 54,133, A LARGE PERCENTAGE OF THESE BEING YOUNG PEOPLE UNDER THE VOTING AGE. THE NEW SOUTH WALES ABORIGINAL LAND COUNCIL REPRESENTS ABOUT 13,500 ABORIGINAL INDIVIDUALS AND THEIR FAMILIES.



1 March 1997

The Hon. Bob Carr
Premier of New South Wales
Governor Macquarie Tower
Level 40
1 Farrer place
SYDNEY NSW 2000

Dear Premier,

It is with great pleasure that I present to you the New South Wales Aboriginal Land Council's Annual Report for the year ended 30 September 1995, in accordance with the provisions of the NSW Aboriginal Land Rights Act, 1983, the Public Finance and Audit Act 1983, the Annual Reports (Statutory Bodies) Act 1984 and the directions from the NSW Treasury.

Yours sincerely

Manul Ritchie
Chairperson

- ☐ This year was one of transition for NSWALC, both internally and externally.
- ☐ Internally we experienced a restructure of our organisation. Externally we experienced a change of State Government.
- ☐ We had a successful year in the area of land rights with the number of claims granted rising to 168 during the period. This was a huge rise from 18 successful land claims in 1993/94. This success directly reflects on the determination and skill of NSWALC staff and Aboriginal people across NSW. I must take this opportunity to congratulate all those involved in land rights across NSW, on this outstanding achievement.
- ☐ With new Native Title legislation moving into full swing across the State in 1994/95 the workload of NSWALC increased significantly. New dimensions of responsibility unfolded, leading us to look carefully at the way we do business and to think creatively about change.
- ☐ Our Native Title Unit moved into action with its role of overseeing and participating in Native Title cases across the State. There was and still is much pressure for NSWALC to lead the way with regard to Native Title, a challenge we gladly take on and one with which we are committed to demonstrating real leadership.
- ☐ NSWALC was confirmed by ATSIC as the 'representative Aboriginal/Torres Strait Islander body' gazetted under the Native Title Act for NSW.
- ☐ This position means when communities need assistance or representation in regard to Native Title, NSWALC will be there to help. As you read this report you will see the processes we have established for communities and individuals in regard to Native Title.
- ☐ Throughout 1994/95 in an environment of upheaval and restructure, NSWALC continued to make significant inroads in land acquisition for Aboriginal people, the revival of culture across NSW, and other steps towards true and meaningful self-determination.
- ☐ I am proud to have been the Chairperson of the NSWALC in such an important year as 1994/95 and proud of all that has been achieved over the past 12 months.

Yours in Unity



Manul Ritchie
Chairperson

- ☐ The year that was 1994/95 was a year of both change and consolidation for NSWALC. It was a busy time for all; the Council, Head Office as well as Regional and Local Aboriginal Land Councils.
- ☐ Externally we were positioning ourselves as a peak body involved in the implementation of Native Title legislation across NSW. We were involved in complex negotiations with Governments leading to our appointment as the 'representative Aboriginal/Torres Strait Islander body.'
- ☐ In addition throughout the year we continued to be involved in Land Rights Cases across the State, and found ourselves in court at varying levels preparing cases and representing communities on Land Claim negotiation and litigation. We also continued to play a lead role on many cultural issues.
- ☐ Internally during 1994/95 we were evolving as an organisation, experiencing a major restructure for the first time. As part of this restructuring process we examined all areas of our work, and sought to find better and more efficient systems of achieving both our corporate and community goals.
- ☐ As a result NSWALC was able to make considerable savings in many areas, at the same time expanding our core business.
- ☐ With a focus on servicing all parts of the Land Council network, we developed new approaches to our work including the development of quality communication mechanisms and information systems. The NSWALC also adopted quality purchasing systems and improved our human resource policies.
- ☐ Training and development continued to be a corporate priority for NSWALC throughout the year, evident through the signing of a joint training agreement with NSW TAFE. In particular we focused on the mediation and conciliation function of NSWALC as set out in the Land Rights Act, with the launch of a mediation training program for Councillors and NSWALC staff.
- ☐ After this year of upheaval, we as an organisation can now look forward to a new chapter of the NSWALC. We are poised now, more so than ever before to be an organisation able to respond to the challenges of servicing Aboriginal people across the State in a professional, efficient and accountable manner.
- ☐ We are now preparing for the next NSWALC election to be held in the later part of next year. With this election will come another four-year term for the NSWALC and a term which will fully take advantage of our restructured organisation.
- ☐ I am confident all NSWALC staff look forward to this future term, enjoying the benefits of our years of hard work and commitment.

Yours sincerely



Aden Ridgeway
Executive Director

THE COUNCILLORS

☐ The New South Wales Aboriginal Land Council's elected arm consists of 13 Councillors. These positions are democratically elected by all Local Land Council members and represent the 13 Land Council regions.

☐ Each elected Councillor serves a four-year term and the current Council was elected in November 1991.

☐ In 1994/95 the following representatives held office.

Executive - Chairperson Manul Ritchie, Central Coast Region

Treasurer - Danny Chapman, Far South Coast Region

Secretary - Neita Scott, Central Region

Brian Allen - Northern Region

Ken Foster - Sydney/Newcastle Region

Robert Lester - Western Metropolitan Region

Noel Stanley - Wiradjuri Region

David Clark - Murray River Region

Dave Brown - Far North Coast Region

Neville Kim - Northern Tablelands Region

William Murray - Western Region

Thomas Winters - North West Region

Sonny Simms - South Coast Region

☐ The State representatives are supported by staff at the NSWALC Office in Parramatta and various Branch Offices throughout the State. Senior Staff for 1994/1995 included:

Executive Director - Mr Aden Ridgeway

Financial Controller - Mr Talaat Shanawany

REGIONAL ABORIGINAL LAND COUNCILS AND LOCAL ABORIGINAL LAND COUNCILS

☐ In New South Wales there are 13 Regional Land Councils (RALC), each involved in housing, employment and the general well-being of the Local Aboriginal Land Council (LALC) system.

☐ In 1994/95 Regional Aboriginal Land Councils operated from the following locations.

Armidale - Northern Tablelands Region

Gosford - Sydney/Newcastle Region

Lismore - North Coast Region

Moama - Murray River Region

Nowra - South Coast Region

Wagga Wagga - Wiradjuri Region

Coonamble - North West Region

Kempsey - Central Coast Region

Liverpool - West Metropolitan Region

Batemans Bay - Far South Coast Region

Quirindi - Northern Region

Menindee - Western Region

☐ On 19 May 1995 The Far South Coast Branch Office (Narooma) and the South Coast Branch Office (Nowra) amalgamated to form the South East Coast Branch Office with offices at Batemans Bay.

☐ A complete list of Regional Aboriginal Land Councils is at Appendix 4 of this report.

LOCAL ABORIGINAL LAND COUNCIL

- ☐ Within each of these 13 RALCs there are Local Aboriginal Land Councils (LALC). The number of LALCs in a region varies depending on the size of the regional area, and ranges from 3 to 15. The total number of Land Councils is 117.
- ☐ A complete listing of Local Aboriginal Land Councils is at Appendix 4.
- ☐ LALCs work for their members and all Aboriginal people in their local area. LALCs assist with housing, legal, employment and other day-to-day matters involving Aboriginal people in accordance with their functions as prescribed under the NSW Aboriginal Land Rights Act.

ABOUT THE NSW ABORIGINAL LAND COUNCIL

- ☐ The New South Wales Aboriginal Land Council was established under the NSW Aboriginal Land Rights Act 1983 with major amendments being made in October, 1990. It was established as a non-Government statutory corporation under the Minister for Aboriginal Affairs. The Act itself established the New South Wales Aboriginal Land Council, 13 Regional Aboriginal Land Councils and 117 Local Aboriginal Land Councils.
- ☐ The New South Wales Aboriginal Land Council (NSWALC) itself consists of 13 democratically elected members who represent the 13 regions in New South Wales.
- ☐ The Act also established the NSWALC Account into which is paid an amount equivalent to a percentage of the NSW Land Tax (7.5 percent) collected annually. Fifty percent of this money is invested and the remaining funds are used to meet expenditure for the running of all the Aboriginal Land Councils in NSW.
- ☐ Under the Act the New South Wales Land Council's functions are as follows:
 - a. To administer the NSWALC Account and Mining Royalties Account;
 - b. To grant funds for payment of the administrative costs and expenses of Regional and Local Aboriginal Land Councils;
 - c. To acquire land on its own behalf or on behalf of or to be vested in a Local Aboriginal Land Council, and to transfer land acquired on behalf of all Local Aboriginal Land Councils, on behalf of that Land Council;
 - d. To determine and approve or not the terms and conditions of agreement proposed by Local Aboriginal Land Councils to allow mining or mineral exploration on Aboriginal land;
 - e. To make claims on Crown lands, either on its own behalf or, at the request of Local Aboriginal Land Councils;
 - f. With the agreement of a Local Aboriginal Land Council; to manage any of the affairs of the Council
 - g. To conciliate disputes between other Aboriginal Land Councils or between those Councils and individuals or between individual members of those Councils;
 - h. To make or lend money to, or invest money for or on behalf of Aborigines;
 - i. To hold, dispose of, or otherwise deal with land vested in or acquired by it;
 - j. To ensure that Regional and Local Aboriginal Councils comply with this Act in respect of the establishment and keeping of accounts and the preparation and submission of budgets and financial reports;
 - k. To ensure that elections for Chairpersons and other officers of Regional and Local Aboriginal Land Councils are conducted in accordance with the Act;
 - l. To advise the Minister on matters relating to Aboriginal land rights;
 - m. To exercise such other functions as conferred or imposed on it by, or under this, or any other Act.

1994

1995

IN RE-
VIEW

THE NSWALC HOPES THE
GOVERNMENT IS ABLE TO RESIST
COMMUNITY PRESSURE TO DENY
ABORIGINAL LAND COUNCILS
LAND CLAIMS AND TO
DEVELOP A CLOSE WORKING
RELATIONSHIP WITH THE
NSWALC IN YEARS TO COME.

- ☐ The right to claim land under the Aboriginal Land Rights Act 1983 (NSW) (hereafter 'the Act') is based on one of the most fundamental rights of the Aboriginal community, that is the right to land in Australia.
- ☐ Aborigines have been able to make land claims since the commencement of the Act in 1983.
- ☐ Land Councils lodge land claims over NSW Crown land. Under the Act claimable Crown land is defined as follows:
 - a. Land able to be lawfully sold or leased, or are reserved or dedicated for any purpose under the Crown Land Acts 1989 [NSW].
 - b. Land that is not lawfully used or occupied.
 - c. Lands, which are not, in the opinion of the Minister administering the Crown Lands Act, needed or likely to be needed as residential lands.
 - d. Lands which are not needed or likely to be needed for an essential public purpose.
- ☐ The Minister administering the Crown Lands Act determines land claims. If land satisfies the above tests then it is granted to the claimant Land Council.
- ☐ Land Councils have a right of appeal from the Minister's decision if a claim is refused. That appeal is heard by the NSW Land and Environment Court.

LAND CLAIMS PROCESS

NEW SOUTH WALES ABORIGINAL LAND COUNCIL

Sends Claims to Registrar



ABORIGINAL LAND CLAIMS UNIT IN LAND DEPARTMENT

gives the claim a number and sends it to the Regional Lands Office



REGIONAL LANDS DEPARTMENT OFFICE

notifies Government authorities about the claim and investigates the land



OTHER GOVERNMENT DEPARTMENTS, BODIES AND SHIRE COUNCILS

tell Lands Office about their interest or future need for the land



REGIONAL LAND DEPARTMENT OFFICE

sends report back to Land Claims Unit



ABORIGINAL LAND CLAIMS UNIT IN LANDS DEPARTMENT

makes recommendation to Minister



MINISTER FOR LANDS

makes decision either to grant or refuse and then notifies



NEW SOUTH WALES ABORIGINAL LAND COUNCIL

THE FACTS FOR 1994/95

□ The relationship between NSWALC and the NSW Government in relation to land claims has been a difficult one since 1988. Although dialogue continued during 1994, it remained the case that communication was poor.

□ In March 1995 the NSW State Government election brought a Labour Government to power. The NSWALC immediately seized the opportunity to commence a dialogue with the Government in relation to land claims and the Minister for Land and Water Conservation the Hon. Kim Yeadon MP indicated his Government's preference for settling claims by negotiation rather than litigation.

□ The NSWALC was pleased that the Government understands the merit of negotiating land claims; however it was pointed out to the Minister that litigation would still occur when important matters of law arose. It was hoped however that the number of matters being referred to the court would be greatly reduced.

□ During 1994/95 the Government has demonstrated a willingness to act on its commitment to negotiate. Nevertheless, problems have arisen in relation to a number of negotiations where powerful interest or community groups have voiced their opposition to land claims. In any event, the number of land claims granted was encouraging.

□ THE NSWALC hopes the Government is able to resist community pressure to deny Aboriginal Land Councils land claims and to develop a close working relationship with the NSWALC in years to come.

THE FACTS FOR 1994/95

TOTAL LAND CLAIMS LODGED

■ 129

TOTAL LAND CLAIMS GRANTED

■ 168

TOTAL LAND CLAIMS REFUSED

■ 232

LAND CLAIMS INCOMPLETE

■ 83

Land Claims Commissioner's Office, Sydney, 1995

THE STATUS ON LAND CLAIMS SINCE 1985

Financial Year	Claims Received	Granted	Area (ha)	Value (CPI) adj.	Refused (+part)	Oth.Final (+part)	Tot.Final (+part)	Appealed	Still Incomplete
84/85	2,060	103	524	\$3,380,378	398	167	688	3	56
85/86	534	92	754	\$6,769,186	490	213	795	1	30
86/87	195	105	2,282	\$6,791,295	105	101	311	-	33
87/88	191	261	8,509	\$56,013,343	258	175	694	1	50
88/89	266	16	24,609	\$2,293,733	47	37	100	8	73
89/90	173	19	95	\$2,327,606	189	57	265	20	53
90/91	374	10	128	\$2,449,024	150	12	172	2	85
91/92	404	42	351	\$1,777,924	215	30	287	20	105
92/93	460	108	11,357	\$22,504,049	122	6	236	14	269
93/94	591	18	1,165	\$20,735,362	198	13	229	11	429
94/95	129	168	1,505	\$21,907,504	232	11	411	16	83
Total to Date	5,556	946	51,283	\$147,425,530	2,404	822	4,172	96	1,268

Figures in this report have been adjusted by the Department of Land & Water Conservation to reflect values more accurately. These may differ from previous reports.

THE INTENTION OF THE NSW
GOVERNMENT IN INTRODUCING
THE ACT AND SPECIFICALLY THE
LAND CLAIM PROVISIONS WAS
TO PROVIDE ABORIGINAL
COMMUNITIES WITH
AN OPPORTUNITY TO OBTAIN
LAND FOR ECONOMIC, SOCIAL
AND CULTURAL USES.

THE FUNCTION AND PURPOSE OF LAND CLAIMS

- ☐ The making of a claim and the granting of land is one of the two forms of compensation for dispossession of land available under the Act. The other being monetary compensation in the form of an equivalent of 7.5% of Land Tax levied in NSW per year for a period of 15 years, concluding in 1998.
- ☐ The Act contains a preamble, which states the reasons for the compensation:
- ☐ Whereas:
 - a. Land in the State of New South Wales was traditionally owned and occupied by Aborigines;
 - b. Land is of spiritual, social, cultural and economic importance to Aborigines;
 - c. It is fitting to acknowledge the importance which land has for Aborigines and the need of Aborigines for land;
 - d. 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 total number of land claims granted to Land Councils since the commencement of the Act is 946. This represents approximately 51 282 hectares of land. As a percentage of the total land area in NSW this represents approximately 0.05%.
- ☐ Of the 51 282 hectares, 22 000 hectares was made in a single grant in the Western Division of NSW in 1989 following extensive litigation between the New South Wales Aboriginal Land Council and the Minister administering the Crown Lands Act (The Winbar case).
- ☐ The intention of the NSW Government in introducing the Act and specifically the land claim provisions was to provide Aboriginal communities with an opportunity to obtain land for economic, social and cultural uses.
- ☐ As an explanatory memorandum to the Bill in 1983 it was stated that:
"vast tracts of crown land will be available for claim and will go some way to redress the injustices of dispossession."
- ☐ Unfortunately the land claims process has been undeniably frustrating and disappointing to Aborigines. The low number of successful land claims granted, the excessive and unacceptable delay in the processing of land claims and the highly restrictive interpretations given to the tests of claimable Crown land by administrative departments have caused great concern to Land Councils throughout the years.

THE NOWRA BRICKWORKS

- ☐ In the 1993/94 Annual Report the land claim appeal known as the Nowra Brickworks case was discussed. In brief, the land claim was lodged in 1987 over land adjacent to a brickworks in South Nowra. The land claim was refused by the Minister for Conservation and Land Management in September 1991. As a consequence the land claim was the subject of an appeal to the Land and Environment Court by the NSWALC and in September 1992 His Honour Justice Bignold delivered his judgement in favour of the NSWALC.
- ☐ The Minister appealed his Honour's decision to the NSW Court of Appeal and in July 1993 the court delivered its judgement in favour of the Minister. The NSWALC then made an application to the High Court for leave to appeal the Court of Appeals decision. The application was refused in February 1994.

□ In accordance with the Court of Appeal decision the matter was then remitted to the Land and Environment Court for re-hearing. The matter was re-heard by His Honour Justice Bignold on 31 May 1994 and his judgement in the matter delivered on 13 April 1995. His Honour upheld his previous decision, allowing the appeal and ordering the transfer of the land to the NSWALC.

□ The issue throughout the Nowra Brickworks case is whether or not the land the subject of the land claim is lawfully used because it the subject of an existing mining lease.

□ The relevant section of the Aboriginal Land Rights Act is section 36 1 (b) which states that land is not claimable Crown land if it is 'lawfully used or occupied.'

□ Following the Daruk Local Land Council vs Minister Administering the Crown Land Act, the Nowra Brickworks case adopted the test of lawful use or occupation as:

"used and occupied in the sense of being used and occupied in fact and to a more than national degree."

□ However they added to this test by explaining that in any land claim appeal the Court must look at the purpose of the use of the occupation being asserted in order refuse the claim. In the Nowra Brickworks case that purpose was through an existing mining lease over the area.

□ The Court of Appeal ordered that the case be remitted to the Land and Environment Court and the modified test of lawful use or occupation applied.

□ His Honour Justice Bignold gave judgement in the re-heard case on 13 April 1995. His Honour applied the Court of Appeal test and held that a passive use of land the subject of a mining lease, if it adjoined land physically used for that purpose, was a use sufficient to defeat a land claim. However on the facts of this case, the use of the land at the date of the lodging of a land claim was not lawful because of deficiencies in certain planning law approvals.

□ Accordingly he ordered the land transferred to the NSWALC, as he had in his first judgement of this matter in 1992.

□ Regrettably the Minister administering the Crown Lands Act, (now the Minister for Land and Water Conservation), has appealed to the Court of Appeal for a second time on the question of what the word 'lawful' means in section 36 1 (b).

□ The NSWALC has asked the Minister to reconsider his position; however it appears the matter will be returned to the Court of Appeal at a date yet to be fixed.

RATES

□ As with land claims, the change of Government in NSW in March 1995 brought with it a new chapter in the struggle by the NSWALC to have Aboriginal Land Council Land made rate exempt.

□ The NSW Government had proposed administrative guidelines for the Minister administering the Aboriginal Land Rights Act to rely on when determining applications for rate exemption pursuant to section 43. Briefly the guidelines proposed that land owned by Aboriginal Land Councils would be exempt from rates if it was:

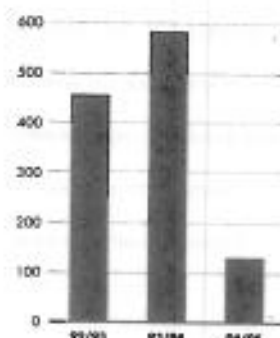
a. Land that was acquired by land claim and was not income-producing.

b. Land which is used for a public purpose (e.g. school or cemetery)

c. Land which is being used for a charitable purpose, including community housing, community development, health etc.

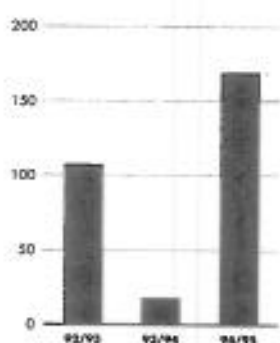
LAND CLAIMS LODGED

for the year ended 30 September 1995



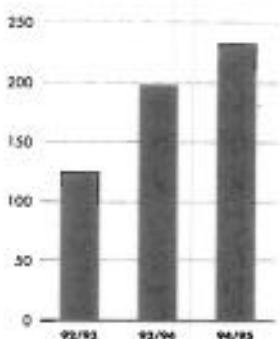
LAND CLAIMS GRANTED

for the year ended 30 September 1995



LAND CLAIMS REFUSED

for the year ended 30 September 1995



PROGRESS HAS BEEN SLOW AND
REGRETTABLY BY THE CLOSE OF
THE 1994/95 YEAR THE NSWALC
WAS BECOMING INCREASINGLY
FRUSTRATED WITH THE LACK OF
A GOVERNMENT RESPONSE.

- ☐ The NSW Government was not able to implement these guidelines before it lost office in March 1995. It is the NSWALC's view this was because of the strident opposition to rate exemption for Aboriginal Land Councils from the Local Government and Shires Association in NSW and the Government's inability to deal with this situation.
- ☐ When the Labour Government came to power the NSWALC immediately raised rate exemption for Aboriginal Land Councils. The Government undertook to look at the wider issues concerning rate exemption for Aboriginal Land Councils.
- ☐ Progress has been slow and regrettably by the close of the 1994/95 year the NSWALC was becoming increasingly frustrated with the lack of a Government response.
- ☐ The issues of the rating of Aboriginal Land Council Land remains of fundamental concern to the NSWALC. The Dareton Local Aboriginal Land Council in far south western NSW has requested assistance for the NSWALC to make an application to the Land and Environment Court seeking rate exemption under the Local Government Act 1993. The NSWALC has agreed to take up the case and the matter will be heard by the court in late 1995.
- ☐ Pursuing rate exemption in the courts has become an option for Aboriginal Land Councils because of the slow progress being made by the NSW Government.

THE RESOURCES AND CONSERVATION ASSESSMENT COUNCIL

- ☐ In the 1993/94 Annual Report the Natural Resources Audit Council (NRAC) was discussed. The NRAC was a peak body established by the Liberal National Government consisting of heads of Government departments and key stakeholder groups. The function of the NRAC was to conduct assessment of land use capabilities in various regions of NSW.
- ☐ The NSWALC had been concerned about the lack of Government consultation with the Aboriginal community in relation to the NRAC and also about the failure of the NRAC to address issues of concern to the Aboriginal community, namely:
 - a. Native Title
 - b. Land Rights under the Aboriginal Land Rights Act
 - a. Cultural Heritage rights.
- ☐ The Labour Government disbanded the NRAC soon after coming to office in 1995 and established the Resource and Conservation Assessment Council (RACAC). The RACAC was to carry out similar functions to the NRAC with an initial emphasis on forest policy. The NSWALC has been in dialogue with RACAC since it commenced and is encouraged by the open process being established. The NSWALC will press the RACAC for a continuing role in its work and for adequate recognition of Aboriginal concerns.
- ☐ The bona fides of the Government's commitment to include the Aboriginal community in the RACAC process will be tested in the coming year.

PROPERTY

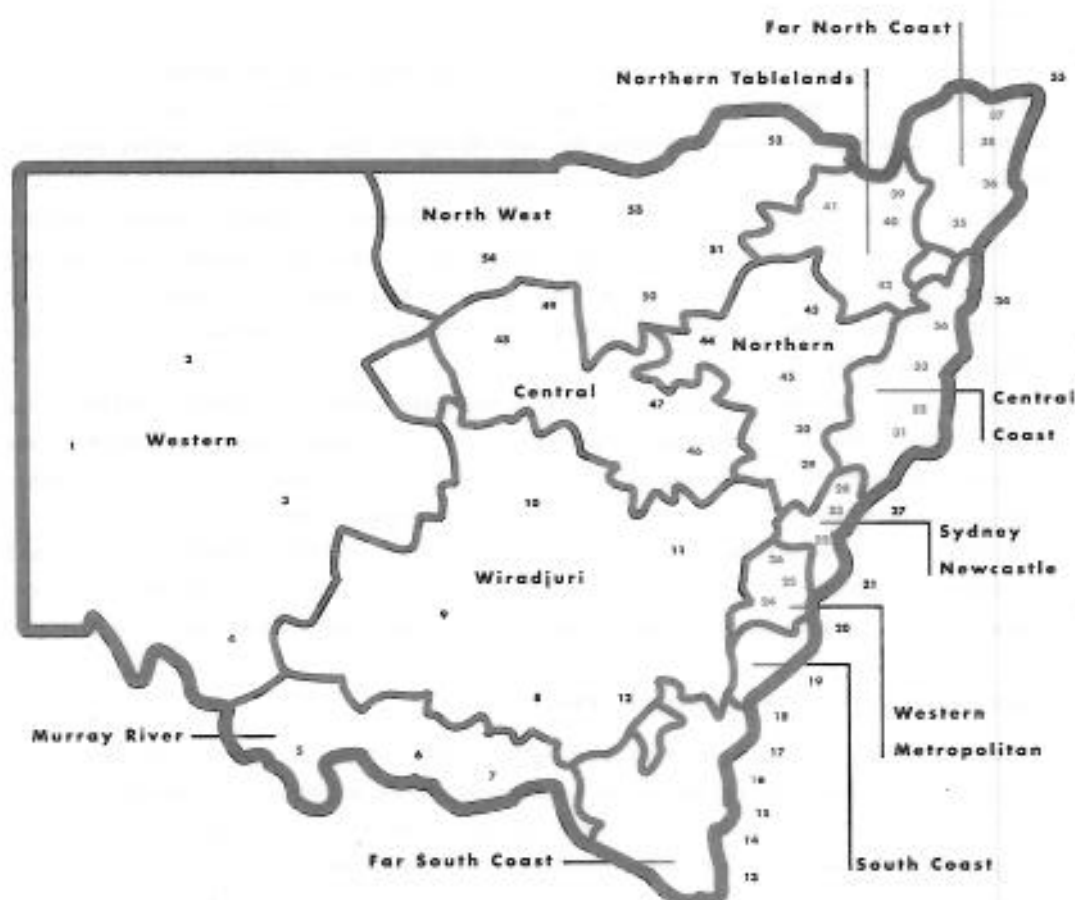
- ☐ The process of transferring former Regional Aboriginal Land Council properties, vested in the NSWALC by 1990 amendments to the Aboriginal Land Rights Act, continued during 1994/95. All residential properties have been transferred to Local Aboriginal Land Councils in whose area they are located.
- ☐ The process of transferring or disposing of non-residential properties is on-going; however the process is not easy. A number of the properties are valuable commercial sites, and negotiations with Regional and Local Aboriginal Land Councils will take time before NSWALC can act to transfer or dispose of them. The NSWALC is very concerned to ensure Aboriginal Land Council members are satisfied with decisions made by the NSWALC.
- ☐ A number of Local Aboriginal Land Councils have expressed interest in developing land they have acquired. The NSWALC has been asked to provide advice on such developments. The NSWALC sees land development as a critical activity for Aboriginal Land Councils in the coming years, and various policies and procedures will be implemented to meet the challenge of property development.
- ☐ Lands claimed were the main source of land acquisition during 1994/95. NSWALC also purchased one property on behalf of Wilcannia Local Aboriginal Land Council. Further acquisitions will be considered in coming years, particularly with the development of the Commonwealth Land Fund.

SUMMARY OF LAND RIGHTS ACTIVITY 1994/95

- ☐ 1994/95 was a year of transition for Land Rights in NSW with the change of State Government. The Government's attitude to land claims was encouraging with the number of claims being granted rising. The commitment by the Government to negotiate those claims that are not clear-cut is also encouraging, and the next year should show if this commitment will be carried through.
- ☐ Rate exemption for Aboriginal Land Councils remains the issue of greatest concern to the NSWALC, and the response of the government has been slow.

NSWALC ALSO PURCHASED ONE
PROPERTY ON BEHALF OF
WILCANNIA LOCAL ABORIGINAL
LAND COUNCIL. FURTHER
ACQUISITIONS WILL BE
CONSIDERED IN COMING
YEARS, PARTICULARLY WITH
THE DEVELOPMENT OF THE
COMMONWEALTH LAND FUND.

ABORIGINAL LAND COUNCIL NETWORK



- | | | | |
|----------------|------------------|-------------------|-------------------|
| 1. BROKEN HILL | 15. NAROOMA | 29. SINGLETON | 43. TAMWORTH |
| 2. WILCANNIA | 16. BODALLA | 30. MUSWELLBROOK | 44. COONABARABRAN |
| 3. IVANHOE | 17. BATEMANS BAY | 31. FORSTER | 45. QUIRINDI |
| 4. BALRANALD | 18. ULLADULLA | 32. PURFLEET | 46. WELLINGTON |
| 5. MOAMA | 19. NOWRA | 33. TAREE | 47. DUBBO |
| 6. DENILQUIN | 20. WOLLONGONG | 34. COFFS HARBOUR | 48. NYNGAN |
| 7. ALBURY | 21. LA PEROUSE | 35. GRAFTON | 49. QUAMBONE |
| 8. WAGGA WAGGA | 22. REDFERN | 36. YAMBA | 50. COONAMBLE |
| 9. GRIFFITH | 23. GOSFORD | 37. BYRON BAY | 51. NARRABRI |
| 10. CONDOBOLIN | 24. MINTO | 38. LISMORE | 52. TOOMELAH |
| 11. ORANGE | 25. MOUNT DRUITT | 39. TENTERFIELD | 53. WALGETT |
| 12. TUMUT | 26. LIVERPOOL | 40. GLEN INNES | 54. BREWARRINA |
| 13. EDEN | 27. NEWCASTLE | 41. INVERELL | 55. TWEED HEADS |
| 14. BEGA | 28. MAITLAND | 42. ARMIDALE | 56. KEMPSEY |

☐ In 1994/95 NSWALC was confirmed as the "representative Aboriginal /Torres Strait Islander body" gazetted under the Native Title Act for New South Wales.

The role of this position under Section 202 (4) of the (Commonwealth) Native Title Act 1993 is as follows:

- a. facilitate the researching, preparation or making of claims, by individuals or groups from among Aboriginal peoples or Torres Strait Islanders, for determinations of native title or for compensation for acts affecting native title; or
- b. assist in the resolution of disagreements among such individuals or groups about the making of such claims; or
- c. assist such individuals or groups by representing them, if requested to do so, in negotiations and proceedings relating to the doing of acts affecting native title, the provision of compensation in relation to such acts or any other matter relevant to the operation of this Act.

NON-CLAIMANT APPLICATIONS

☐ Since the Native Title Act came into operation at the end of 1993, 30 non-claimant applications have been proposed through the National Native Title Tribunal with respect to land within New South Wales. This is compared to only three in the Northern Territory, five in Queensland, two in South Australia, one in Western Australia and zero in Victoria.

☐ The large number of non-claimant applications lodged in NSW appears to be partly because the NSW Government has adopted a cautious view about which sort of land dealings extinguish Native Title and which sort do not.

☐ The Native Title Tribunal has adopted a practice of sending non-claimant applications to representative Aboriginal and Torres Strait Islander bodies when they are first lodged, and then contacting them again once they have been accepted.

☐ Under the Act, a representative body has the right to become a party to every application for Native Title and every non-claimant application that is accepted by the Tribunal with respect to land within its area.

☐ Where no people asserting Native Title are actually opposed to what a non-claimant wants to do with the land in question, NSWALC sees its role as being to ensure that the application is resolved in a way which:

- a. guards against the setting of negative precedents [concerning the extinguishment of Native Title and/or the maintenance of a traditional connection to land];
- b. avoids - if possible - the offence that can be caused to Aboriginal communities by the making of a determination by the Tribunal that no title exists; and
- c. promotes the perception in the wider community that the new regime of land management introduced by the Native Title legislation is workable.

☐ Four positive applications were lodged in response to non-claimant applications during the 1994/95 period. Two of these were lodged by NSWALC; the other two were lodged by claimants who had learned of the non-claimant applications through being notified by NSWALC.

THE LARGE NUMBER OF
NON-CLAIMANT APPLICATIONS
LODGED IN NSW APPEARS TO
BE PARTLY BECAUSE THE NSW
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A CAUTIOUS VIEW ABOUT
WHICH SORT OF LAND DEALINGS
EXTINGUISH NATIVE TITLE
AND WHICH SORT DO NOT.

DEPENDING ON THE SITUATION
IN EACH AREA, IT MAY BE MORE
APPROPRIATE TO RUN SEVERAL
FAMILY-BASED MEETINGS AND
THESE WILL EXTEND TO CLAN
BASED MEETINGS.

NOTIFICATION OF PROPOSED FUTURE ACTS

- ☐ Of the four notices of proposed future acts which were given, three related to some form of mining lease or license.
- ☐ These types of grants are not capable of extinguishing any surviving Native Title, and compensation for interference with the exercise of Native Title rights would be payable whether or not a Native Title claim was in existence at the time of the grant.
- ☐ NSWALC advises possible claimants on the question of whether to lodge a positive Native Title application in response to a notification of a proposed future act should mainly depend on the following questions:
 - a. Are the claimants opposed to the proposed exploration or mining activity?; and/or
 - b. Are there legitimate benefits that the claimants' community could seek to gain from a negotiated agreement?
- ☐ No positive claims were lodged in response to the three notices which related to mining activity.
- ☐ The fourth notice dealt with the proposed compulsory acquisition of Native Title rights and interests in land already under claim at Crescent Head near Kempsey: the registered claimant in that case automatically had a "right to negotiate".

REQUESTS FOR REPRESENTATION IN THE NATIONAL TITLE TRIBUNAL, OR REFERRED TO THE FEDERAL COURT

- ☐ Requests for Native Title assistance are usually not specifically concerned with representation in the Tribunal or in court.
- ☐ Initial requests are received in writing, usually following phone or personal contact from Aboriginal individuals or family group members.
- ☐ NSWALC's approach needs to be adapted to different situations. A model developed on the basis of its experience to date is as follows:
 - a. First meeting: This meeting is arranged between members of the group who have made the request for assistance and the NSWALC officer.
 - ☐ At this meeting the NSWALC officer would spend at least one day in a formal workshop with the group and one or more days taking notes on that group's general family and social history, list of key Elders etc. This would include a series of small family meetings at people's homes or visiting key Elders and land interests.
 - b. Second meeting: This meeting would be arranged for a wider group to establish consensus on certain issues and to allow as many family members/traditional owners as possible to know what is being planned.
 - ☐ Amongst other things this meeting would include a workshop on Native Title; NSWALC would also host a discussion with other Aboriginal people who have land interests in the area, explain the need for mediation with any opposing Aboriginal factions or organisations, and assist with the forming of a committee for the process.
 - c. Broader family group or clan-based meetings:
 - ☐ Depending on the situation in each area, it may be more appropriate to run several family based meetings and these will extend to clan-based meetings.
 - d. Wider community consultation/meetings - notification.
 - ☐ NSWALC officer would contact all major Aboriginal organisations and factions in the area, notifying them of the request and explain the role of the NSWALC Native Title Unit, and asking if meetings could be held [this would be done with the consent of claimant group].

☐ This round of meetings would be followed by wider-based or regional community meetings if necessary, especially if areas of conflict became apparent.

☐ NSWALC's role in mediation pursuant to Section 202 of the Act provides an obligation to attempt mediation at the grass roots level. This is backed up by the bitter experiences of the first year of the Native Title in NSW, with several communities unnecessarily torn apart by Native Title claims.

When most community organisations have been informed of the Native Title interests of the claimant group - and if it is seen as appropriate - a large tribal-based meeting would be conducted.

☐ NSWALC would arrange for all key people to be funded to attend the meeting, which would be backed by a panel of Elders and chaired by a prominent and respected person from the Tribal group.

COMMUNITY EDUCATION UNDERTAKEN

☐ NSWALC responds to all requests it receives from Aboriginal communities in NSW for all information sessions on native title.

☐ These workshops can range from half a day to a week in length.

**NSWALC'S ROLE IN MEDIATION
PURSUANT TO SECTION 202 OF
THE ACT PROVIDES AN
OBLIGATION TO ATTEMPT
MEDIATION AT THE GRASS
ROOTS LEVEL.**

LOCAL ABORIGINAL COMMUNITY

CUSTODIANS AND TRADITIONAL

OWNERS WILL HAVE

RESPONSIBILITY FOR

DAY-TO-DAY MANAGEMENT AND

PROTECTION ISSUES.

☐ NSWALC continued to be heavily involved in the preservation and reviving of Aboriginal culture across NSW during 1994/95.

ABORIGINAL CULTURAL HERITAGE WORKING GROUP

☐ The Aboriginal Heritage Working Group was established in late 1993 by the then Ministers for Aboriginal Affairs (Jim Longley MP) and the Environment, (Chris Hartcher MP). The Working Group is responsible for developing a legislative proposal for consideration by the NSW Government on the future regulation of Aboriginal cultural heritage in NSW.

☐ The Working Group is made up of the Director General of the NSW National Parks and Wildlife Service, (NPWS), the Director General of the Department of Aboriginal Affairs, the Chairperson of the NSWALC and Cultural Heritage (Interim) Advisory Committee. Officers of the various agencies also assisted the Working Group as required. In mid 1994 the working Group employed research staff to assist with the terms of reference. In early 1995, Aboriginal field staff from the NPWS and the NSWALC assisted with the first round of consultation.

☐ The main objective of the Working Group's terms of reference was to develop a proposal for Aboriginal cultural heritage protection in NSW which was compatible with the preferred option of the 1989 NSW Ministerial Task Force on Aboriginal Heritage and Culture. This option proposed the establishment of discrete Aboriginal cultural heritage legislation and an independent Aboriginal heritage Commission.

☐ In September 1995 the Working Group produced a Discussion Paper. The Discussion Paper recommends the establishment of an independent statutory body, to be known as the Aboriginal Heritage Commission. The Commission will be composed of elected male and female Aboriginal custodians.

☐ The Commission is to operate on a decentralised basis. Local Aboriginal community Custodians and traditional owners will have responsibility for day-to-day management and protection issues.

☐ The NSWALC has produced a detailed response to the Discussion Paper. While generally in agreement with it, the NSWALC is concerned that along with the 'responsibility' granted to the commission, real and effective control of cultural heritage protection is also given. Also, Government control through Ministerial power should not override the Commission's powers.

☐ The issue of local control of cultural heritage protection is critical, and the Working Group must ensure this part of the Discussion Paper's recommendations is carefully and thoroughly implemented.

☐ The NSWALC is now awaiting the NSW Government's comments in relation to the Discussion Paper and NSWALC's response.

☐ The NSWALC's position in relation to the management and protection of Aboriginal Cultural Heritage can be stated in the principles listed in Appendix 3 of this report.

BOOBERA LAGOON

- Boobera Lagoon is a narrow snake-like body of water in north western NSW. It lies approximately 20 kms south of the NSW/Queensland border at Goondiwindi. The lagoon has long been recognised as the resting place of Garriya, an Aboriginal mythological being that plays a central role in the Rainbow Serpent dreaming. It is recognised as an Aboriginal cultural site of national significance. The lagoon is seen as a place of power; it is to be respected. An important part of the Aboriginal tradition is that no person should enter the waters of the lagoon.
- The lagoon is located within the boundary of the Toomelah Local Aboriginal Land Council (Toomelah), and in 1992 they requested that NSWALC advise them on ways to protect the Lagoon from continuing injury and desecration. The Toomelah community had been actively involved in efforts to protect the lagoon since the 1960's. Their efforts had largely failed because of strong opposition to Aboriginal cultural protection and Aboriginal control of the lagoon.
- The NSWALC advised Toomelah that the NSW Government and NSW law would not assist them in protection of the lagoon. NSWALC further advised that an application be made pursuant to the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (the Heritage Act), for protection of the lagoon. The Commonwealth Government was seen as the only avenue of redress for Toomelah and all Aboriginal people with an interest in Boobera Lagoon. Because of entrenched opposition to their position at State level, no effective remedies were available.
- The two main threats to the cultural integrity of the lagoon are its use for recreational water skiing and the use of adjoining public lands for stock feeding and watering. Toomelah would like both activities to stop because of the injury and desecration to the tradition of the lagoon and also because of the environmental degradation they cause to the waters of the lagoon and surrounding lands.
- In March 1994 the NSWALC, the then Commonwealth Minister for Aboriginal and Torres Strait Islander Affairs (Robert Tickner), refused an application by Toomelah to prohibit inter alia water skiing and stock use of Boobera Lagoon. Instead he made a declaration pursuant to section 9 of the Heritage Act protecting a small area around a known burial site at the lagoon. Both Toomelah and the NSWALC were bitterly disappointed by the Minister's decision.
- In July 1994 a detailed application for permanent protection of Boobera Lagoon was made by Toomelah pursuant to Section 10 of the Heritage Act. The Commonwealth Minister took no action on this application until December 1994 when he appointed Hal Wootten AC QC pursuant to Section 13 (3) of the Heritage Act to attempt to mediate between Toomelah, NSWALC and various parties objecting to the application. These are the Goondiwindi Aquatic Club (the water skiers), The Warialda Rural Land Protection Board (the body responsible for stock access to the lagoon) and the Moree Plains Shire Council (trustees of part of the lagoon).
- Prior to the mediation occurring, Toomelah and NSWALC advised both the Commonwealth Minister and Mr. Wootten that mediation was unlikely to succeed because water skiing and stock use of the lagoon must be prohibited if the immense cultural significance of the lagoon is to be maintained.
- Mr. Wootten met with the various parties in December 1994 and no agreement was reached. He subsequently wrote to the Minister and Toomelah informing them that mediation would not be useful until the Minister had reached a decision in relation to the Section 10 application.
- In April 1995 the Commonwealth Minister commissioned Mr. Wootten to report to him in relation to the Section 10 application lodged by Toomelah. The report writer's task is to review an application for protection and make recommendations to the Minister on what should be done. At the end of 1995 Mr. Wootten had not completed his report.

THE LAGOON HAS LONG BEEN
RECOGNISED AS THE RESTING
PLACE OF GARRITA, AN
ABORIGINAL MYTHOLOGICAL
BEING THAT PLAYS A CENTRAL
ROLE IN THE RAINBOW
SERPENT DREAMING.

THE COMMONWEALTH
MINISTER HAS INDICATED
THAT HE WILL REFER THE
MATTER TO MEDIATION WITH
HAL WOOTTEN AC QC
LATER THIS YEAR.

□ In July 1995 the NSWALC briefed the NSW Minister for Land and Water Conservation (Kim Yeadon MP) in relation to Boobera Lagoon. We await a response from the Minister on what the NSW Government may be able to do to protect Boobera Lagoon.

□ It remains an issue of deep frustration to NSWALC and Toomelah that a place of such high spiritual significance as Boobera Lagoon continues to be desecrated by recreational water sports and excessive stock use, because of the failure of both Commonwealth and the NSW Governments to use legal remedies available to them to protect and therefore respect the lagoon.

□ In late March 1994 the Commonwealth Minister for Aboriginal and Torres Strait Islander Affairs (Robert Tickner) made a declaration which only prohibited access to a known burial site on the banks of the lagoon. The declaration fell far short of what was requested by Toomelah.

□ In July 1994 an application was made pursuant to Section 10 of the Heritage Act asking for permanent declarations to protect the lagoon. The Commonwealth Minister has indicated that he will refer the matter to mediation with Hal Wootten AC QC later this year.

□ The NSWALC strongly believes that the Boobera lagoon matter highlights the lack of commitment and co-ordination by the Commonwealth and NSW State Governments in relation to Aboriginal cultural heritage protection. How the matter unfolds in the coming months will demonstrate if NSWALC is justified in holding these views.

NSWALC FUNERAL FUND

□ Life expectancy and mortality rates among our communities are significantly abnormal when compared to mainstream markets. Apart from direct assistance in aiding living standards through community development, the NSWALC continued to respond to some immediate effects of this situation on Aboriginal families through the continuing work in maintaining a Funeral Fund.

□ During 1994/95 the Funeral Fund continued to seek registration or exemption from the Department of Consumer Affairs and was unable to trade. All current members who had paid their renewals during 1994/95 continued to be covered by the Funeral Fund in the event of a member deceased. Although no new memberships were accepted, the Fund continued to receive many daily enquires regarding joining the fund.

TRAINING AND DEVELOPMENT

- ☐ The Training Unit continued to develop and deliver a number of training courses to NSWALC and LALC staff in 1994/95.

NSW STATE TRAINING PROFILE 1996/97

- ☐ The importance that NSWALC places on training and development was acknowledged by the inclusion of NSWALC training goals in the NSW State Training profile for 1996/97 produced by the NSW Board of Vocational and Educational Training in 1995. The NSWALC training priorities were regarded in the profile as greater resources for the Aboriginal management program, knowledge of the Aboriginal Land Rights Act and the Native Title Act, and the provision of pathways for Aboriginal people to obtain training through NSWALC and NSW TAFE.

NSWALC TRAINING

- ☐ A number of courses were developed and run for NSWALC during the year. These included:

Induction To NSWALC Computer System

- ☐ This was developed to give staff an overview of NSWALC computer systems and the future direction of NSWALC information technology.

Introduction to Windows

- ☐ In consultation with the Western Sydney Institute of TAFE an Introduction to Windows course was developed and delivered to NSWALC staff. the course gave participants a hands-on introduction to Windows and covered basic operation, as well as special features provided in graphic interface setting.

Recruitment and Selection

- ☐ A training program on Staff Selection techniques was developed and delivered to NSWALC Managers and Supervisors. The program included: options for filling a vacancy, the advertisement, culling of applications, organisation of interview, and offers of appointment/employment and equal employment opportunity awareness training.
- ☐ The NSWALC recruitment and selection guidelines, which include an Aboriginal employment strategy, were also covered in the course.

Occupational Health and Safety

- ☐ A training program on Occupational Health and Safety was developed and delivered to all NSWALC staff during the year 1994/95. The topics covered included: The Occupational Health and Safety Act 1983, health and safety committees, workers compensation and rehabilitation and accident reporting.
- ☐ Participants in the training program were also made aware of NSWALC policies on occupational health and safety and general rehabilitation programs.

Conduct and Ethics

☐ As the Aboriginal community and public of NSW have a right to expect and indeed deserve a high standard of professional conduct from all NSWALC employees, a code of conduct and ethics was developed and included in a training program for all staff. The topics included: the purpose of the code, reporting corrupt conduct, responsibility and accountability, public comment, conflict of interest and personal and professional behaviour. The training program also included guidelines for reporting corrupt conduct.

Telephone Skills and Customer Service

☐ This course was delivered to provide client service staff with the skills and knowledge to deal effectively with all client enquires including difficult situations. Participants examined methods of verbal and non-verbal communication in line with the NSWALC approach to client service. A number of topics were covered including: effective client service, communication skills, effective listening, professionalism, telephone courtesy, answering the telephone, use of language, keys to effective telephone communication, dealing with difficult clients, and welcoming complaints.

☐ NSWALC is committed to providing quality service to our clients. NSWALC's clients come from all over Australia, from every occupation and industry and from all educational backgrounds. Through effective and efficient client service, NSWALC will ensure that all its clients receive prompt, courteous and professional assistance and response to their enquires.

Conflict Resolution

☐ Grievance handling and dispute resolution guidelines were developed and included in a training program to provide NSWALC staff with an opportunity to gain and develop the skills necessary to successfully resolve conflict situations. The topics included: coping with conflict, conflict response styles, active listening skills, guiding principles behind conflict, grievance handling procedure, principles of natural justice and dispute resolution procedure.

☐ The objectives of the guidelines are:

- To create an environment where grievances and disputes are identified, heard and resolved.
- To ensure grievances and disputes are solved as fairly and promptly as possible.
- To empower managers to resolve grievances as close to the source of the complaint as possible.

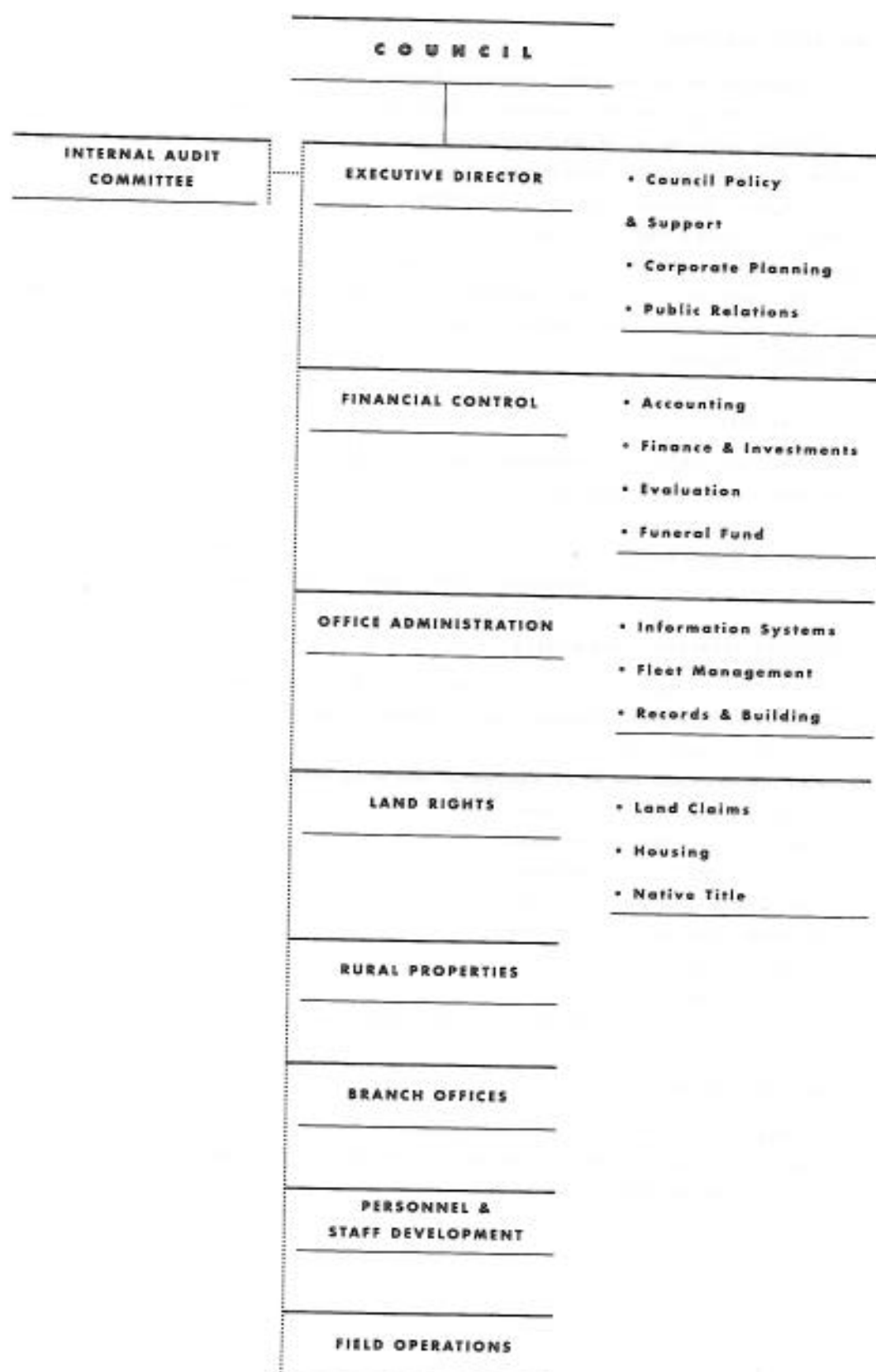
Client Service Skills

☐ As a result of these courses, participants were made aware of NSWALC Policies, which were incorporated in the course.

Aboriginal Cultural Awareness Training Program

☐ The Aboriginal Cultural Awareness training program was developed to provide participants with an overview of Aboriginal history since European settlement, including Government policies on Health, Education, Housing and Employment, as well as the importance of Land Rights to the Aboriginal community and the importance of preserving Aboriginal culture and heritage. A number of organisations participated in the above training program, including staff from the Western Sydney Institute of TAFE, Sydney Water and the Work Cover Authority.

ORGANISATIONAL STRUCTURE



THE COURSE IS DESIGNED TO
PROVIDE STAFF OF NSWALC AND
OTHER ABORIGINAL PEOPLE,
SELECTED BY NSWALC, WITH
SKILLS TO MEDIATE DISPUTES
THAT OCCUR WITHIN THE
ABORIGINAL COMMUNITIES
AND BETWEEN THE
ABORIGINAL COMMUNITIES.

MEDIATION TRAINING

- ☐ In consultation with the Australian Commercial Disputes Centre, the Mediation training was developed to train Aboriginal people in mediation and dispute resolution. A number of people participated in the four-day accredited course, which was conducted in July 1995. Sir Lawrence Street was the guest speaker at the first Mediation course in July.
- ☐ The course is designed to provide staff of NSWALC and other Aboriginal people, selected by NSWALC, with skills to mediate disputes that occur within the Aboriginal communities and between the Aboriginal communities. The course also provides an overview of the many alternatives to litigation. The aim of the three-day training course in mediation is to provide participants with a broad range of mediation skills, enhance participants' negotiation skills and ensure that participants understand the many alternatives to litigation.

PUBLIC AFFAIRS

- ☐ NSWALC continued to communicate extensively with all levels of clients during the period 1994/95, both inside and outside the organisation.
- ☐ With the absence of a discrete Public Affairs Unit during this period, responsibility for the function was taken on directly by the Executive Director, in close consultation with line managers and Council.
- ☐ On occasion, consultants were recruited to perform specific tasks for the NSWALC.

SIGNIFICANT EXTERNAL COMMITTEES

- ☐ NSWALC's participation in various committees and forums has assisted in furthering the aims and objectives of the Land Council network. These committees included:
 - Police Aboriginal Council
 - NSW Advisory Committee for the International Year of the World's Indigenous Peoples
 - Aboriginal Justice Advisory Committee
 - Streetwise Comics Management Board.
 - ATSIC & NSWALC Liaison Committee
 - State Advisory Committee on Aboriginal Housing
 - Supported Accommodation Committee
 - Community Relations Forum
 - Local Government Network
 - Aboriginal and Torres Strait Islander Employment 2000 Committee.

HUMAN RESOURCES

- ☐ During the period 1994/95 much change occurred in the area of staffing of the New South Wales Aboriginal Land Council. These changes were implemented and managed by the Human Resources Section which was established in early 1994.

VOLUNTARY REDUNDANCY PROGRAM

- ☐ The NSWALC began to receive significantly less funding from land tax revenue from 1 October 1994. NSWALC is funded almost entirely from an annual payment out of the consolidated fund equal to 7.5 per cent of land tax revenue collected under the Land Tax Management Act 1956.
- ☐ It was necessary therefore to achieve significant efficiencies and economies to compensate for the reduced funding. Council therefore approved a restructure of NSWALC Head Office at Parramatta, resulting in a voluntary redundancy program being implemented.
- ☐ The number of redundancies was consistent with the Corporate Plan, which was developed during the previous year. It was predicted in the Corporate Plan that between 30 and 38 redundancies would be required in order to cater for the reduced land tax funding.
- ☐ The process of earmarking positions for redundancy, and offering voluntary redundancy packages to 37 staff was managed at a cost of approximately \$300,000. Costs in respect to the redundancy program mainly centered on staff payouts.

**COUNCIL THEREFORE APPROVED
A RESTRUCTURE OF NSWALC
HEAD OFFICE AT PARRAMATTA,
RESULTING IN A VOLUNTARY
REDUNDANCY PROGRAM
BEING IMPLEMENTED.**

RECRUITMENT

- ☐ Following the NSWALC voluntary redundancy program and in line with the restructure of the organisation, recruitment for new positions commenced.
- ☐ The following positions were filled after the redundancies were finalised:
 - Planning Officer (Special Projects)
 - Project Officer (Special Projects - Council Support Unit)
 - Project Officer (Evaluation and Review - Finance and Accounts Section)
 - Land Rights Unit Manager (Land Rights Unit)
 - Manager, Office Administration (Administration)
 - Staff Officer (Personnel and Staff Development)
 - Fleet Supervisor (Administration)
 - Fleet Assistant (Administration)
 - Accounting Officer (Finance and Accounts).

NSWALC AFTER THE RESTRUCTURE

- ☐ After the 1994 restructure, the new-look NSWALC Head Office at Parramatta was made up of 10 sections. These sections and their functions are as follows:

Councillors

- ☐ The NSWALC's elected arm consists of 13 Councillors. These positions are democratically elected by all Local Land Council members and represent the 13 Land Council regions. Each elected Councillor serves a four-year term. The Council meets regularly both in Head Office Parramatta as well as at Local and Regional Offices.

Executive Section

- ☐ The Executive Section of NSWALC is responsible for the affairs of the Land Council network, ensuring all functions are carried out efficiently and effectively. The Executive Section is headed by the Executive Director.

THE INTERNAL AUDIT SECTION
CARRIES OUT REGULAR
APPRAISALS OF THE INTERNAL
CONTROL SYSTEMS IN
OPERATION SO AS TO
ENSURE COMPLIANCE.

Office Administration

- ☐ The Office Administration Section provides the NSWALC with general administration, corporate services and fleet management.
- ☐ Within this section is located the Purchasing Section and the Building Management Section of NSWALC. Office Administration also carries responsibility for the overall management of the Head Office building and equipment at Parramatta.

Internal Audit

- ☐ NSWALC is a Statutory Body in terms of Section 39 (1) of the Public Finance and Audit Act 1983. The provisions of Section 41 of that Act apply to NSWALC in regard to keeping of accounts, and preparation and audit of financial statements. The Chairperson of NSWALC, as the Head of the Authority, established an Internal Audit Section in terms of Section 11 (2) of the Act to assist in the audit function.
- ☐ The Internal Audit Section carries out regular appraisals of the internal control systems in operation so as to ensure compliance. The Section also reviews functional operations, special projects and accounting records of Aboriginal Land Councils to ascertain whether results are consistent with established objectives and goals. The Section reports to the Chairperson, at regular meetings of the Internal Audit Committee, on the results of the appraisals and reviews carried out.

Land Rights

- ☐ The Land Rights Section of NSWALC has responsibility for the administration of many functions under the NSW Land Rights Act, including investigating land for claiming (both on its own behalf and on behalf of other Land Councils).
- ☐ There are three main areas of activity for the section:
 - lodging claims,
 - negotiating with various Government agencies as well as the Minister on land claims in progress, and if a claim is refused,
 - instructing solicitors in regard to refusal of claims.
- ☐ Other areas of responsibility for the Land Rights Section include Local Government, Rates, land use planning, environmental issues, sites protection and administration of NSWALC property. The Land Rights Section assists in the development of policy related to land right activities across NSW.

Field Liaison

- ☐ The Field Liaison Section provides a link between the Local Aboriginal Land Councils (LALCs), Regional Aboriginal Land Councils (RALCs), the wider Aboriginal community in NSW and the many external agencies associated with NSWALC Administration Office in Parramatta. It works both in the field as well as from Head Office. Staff of the Field Liaison Unit visit communities across NSW on invitation from that community.

Finance and Accounts

□ Not only is the Finance and Accounts Section of the NSWALC responsible for NSWALC accountancy and its branch offices, but also for the management and control of the Investment Fund. This section, headed by the NSWALC Financial Controller, is also responsible for business advisory services. The NSWALC Funeral Fund, although not trading during 1994/95, is located within the Financial and Accounts Section of NSWALC.

Information Systems Section

□ The Information Systems Section of the NSWALC is responsible for the establishment, expansion and ongoing management and maintenance of an extensive information system network in NSWALC offices throughout the State.

Native Title

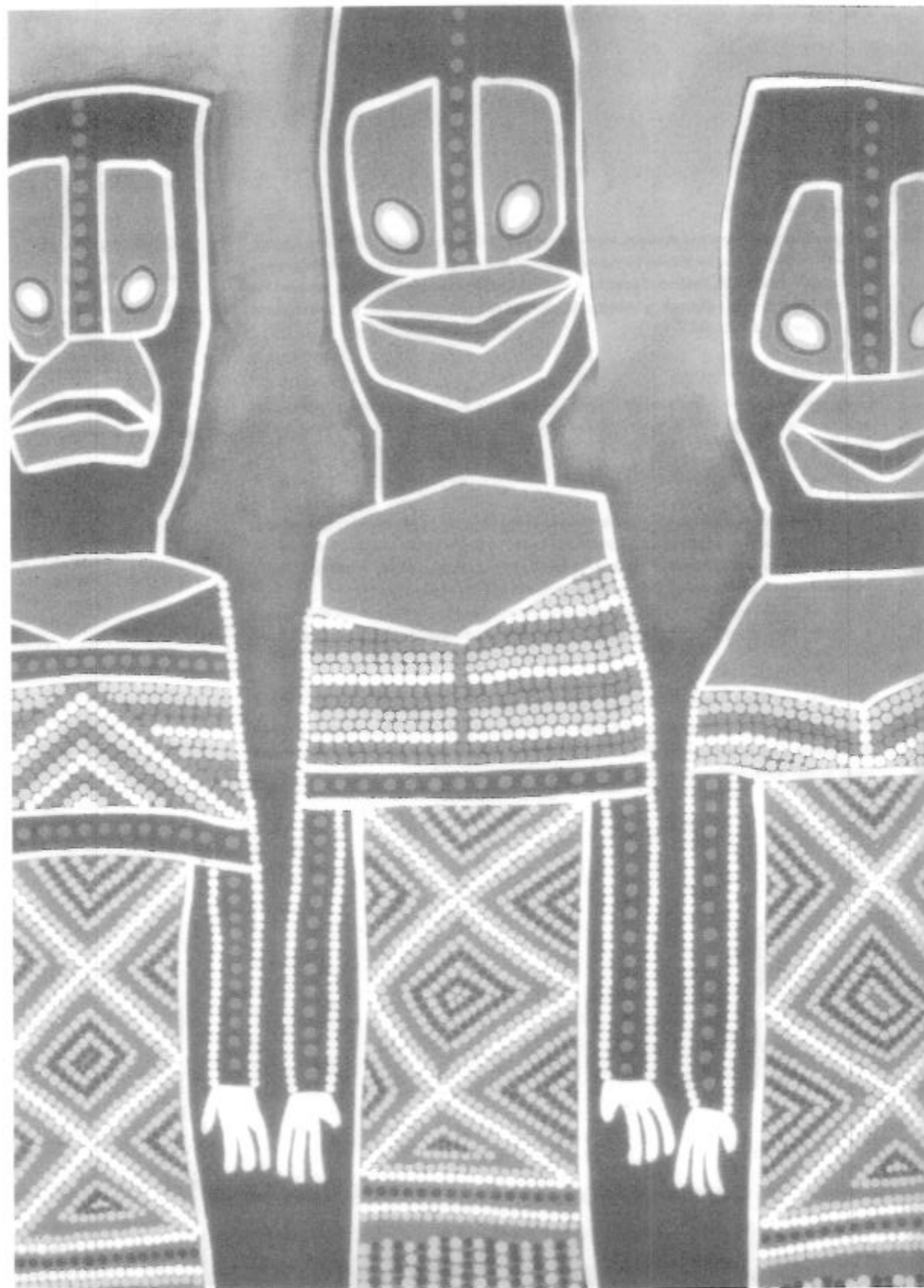
□ The Council's responsibilities as a Native Title Representative Body include notifying and advising indigenous communities with respect to claimant application under the Native Title Act. It also advises on notices of proposed Government acts such as the granting of mining licenses, in relation to which traditional owners may be able to claim negotiating rights under the Native Title Act.

□ The Council also has the function of promoting and protecting Native Title rights in NSW, becoming a party in its own right to all positive claims and non-claimant applications which are lodged within the State.

Personnel and Staff Development

□ The Personnel and Staff Development Section carries responsibility for the recruitment and career development of all NSWALC staff in Head Office and Branch Offices. Ongoing responsibilities for such issues as staff leave, entitlements and superannuation fall to this section.

THE COUNCIL ALSO HAS THE
FUNCTION OF PROMOTING AND
PROTECTING NATIVE TITLE
RIGHTS IN NSW, BECOMING A
PARTY IN ITS OWN RIGHT TO
ALL POSITIVE CLAIMS AND
NON-CLAIMANT APPLICATIONS
WHICH ARE LODGED WITHIN
THE STATE.



FINA- NCIAL STATE- MENTS

TO MEMBERS OF THE NEW SOUTH WALES PARLIAMENT AND COUNCILLORS OF THE NSW
ABORIGINAL LAND COUNCIL

Scope

- ☐ I have audited the accounts of the New South Wales Aboriginal Land Council for the year ended 30 September 1995. The preparation and presentation of the financial statements consisting of the accompanying balance sheet, income and expenditure statement and statement of cash flows, together with the notes thereto, and the information contained therein is the responsibility of the Council. My responsibility is to express an opinion on these statements to Members of the New South Wales Parliament and Councillors of the New South Wales Aboriginal Land Council based on my audit as required by sections 34 and 41C(1) of the *Public Finance and Audit Act 1983*.
- ☐ My audit has been conducted in accordance with the provisions of the Act and Australian Auditing Standards to provide reasonable assurance as to whether the financial statements are free of material misstatement. My procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial statements, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial statements are presented fairly in accordance with the requirements of the *Public Finance and Audit Act 1983*, Accounting Standards, and other mandatory professional reporting requirements (Urgent Group Consensus Views) so as to present a view which is consistent with my understanding of the Council's financial position, the result of its operations and its cash flows.
- ☐ The audit opinion expressed in this report has been formed on the above basis.

Audit Opinion

- ☐ In my opinion, the financial statements of the Council comply with Section 41B of the Act and present fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements the financial position of the Council as at 30 September 1995 and the results of its operations and its cash flows for the year then ended.

P.K. Brown

P.K. Brown

Principal Auditor

(duly authorised by the Auditor-General of New South Wales under section 41C (1A) of the Act)
Sydney February 1996

STATEMENT BY MEMBERS OF THE COUNCIL
for the year ended 30 September 1995

Pursuant to Section 41C 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 September 1995 and transactions for the 12-month period 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.

Dated this 17th day of January 1996



Manul Ritchie
Director



Daniel Chapman
Director

STATEMENT OF FINANCIAL POSITION

for the year ended 30 September 1995

	Note	1995 \$'000	1994 \$'000
Current Assets			
Cash	2	3,834	5,193
Receivables	3	3,925	1,585
Inventories	4	304	391
Investments	5	278,393	196,896
Total Current Assets		286,456	204,065
Non-Current Assets			
Property, Plant, Equipment	6	28,954	30,623
Artifacts	7	64	64
Investments	5	41,413	76,194
Receivables	3	1,249	165
Total Non-Current Assets		71,680	107,046
Total Assets		358,136	311,111
Current Liabilities			
Creditors	8	2,153	1,320
Provisions	9	418	752
Total Current Liabilities		2,571	2,072
Non-Current Liabilities			
Provisions	9	98	1,219
Total Non-Current Liabilities		98	1,219
Total Liabilities		2,669	3,291
Net Assets		355,467	307,820
Retained Earnings			
Accumulated Funds		352,284	307,820
Reserves	10	3,183	-
Total Retained Earnings		355,467	307,820

The above balance sheet should be read in conjunction with the accompanying notes.

OPERATING STATEMENT

for the year ended 30 September 1993

	Note	1993 \$'000	1994 \$'000
Income			
Recurrent Allocations - NSW Government	13	39,043	36,452
Interest and Investment Income	14	22,990	15,719
Rent	15	1,412	1,397
Other Income	16	1,873	3,342
Gross Income		65,318	56,910
Expenditure			
Audit Fees	17	200	309
Bad and Doubtful Debts		129	13
Consultants' Fees		119	223
Depreciation & Amortisation	6	1,576	1,141
Employee Expenses	18	3,768	5,061
Funding of Regional & Local Land Councils	19	11,495	14,595
Grants		11	320
Members' Expenses & Remuneration		758	717
Legal Expenses		664	301
Motor Vehicle Expenses		771	958
Repairs & Maintenance		306	243
Other Expenses		2,275	4,415
Loss on Revaluation of Assets		-	2,360
Unrealised Losses on Investments		-	938
Realised Losses on Investments		-	15,299
Total Expenditure		22,074	46,893
Operating Surplus		43,244	10,017
Abnormal Items		1,220	-
Operating Surplus after Abnormal Items		44,464	10,017
Opening Accumulated Funds		307,820	297,803
Closing Accumulated Funds		352,284	307,820

The above income and expenditure statement should be read in conjunction with the accompanying notes.

STATEMENT OF CASH FLOWS

For the year ended 30 September 1995

	Note	1995 \$'000	1994 \$'000
Cash flows from operating activities			
Interest and Investment Income		22,990	15,719
Rent and Outgoings		1,412	1,397
Other receipts in course of operations		827	3,142
Payments in course of operations		(20,904)	(26,639)
Net cash provided by operating activities	21	4,325	(6,381)
Cash flows from investing activities			
(Purchase of)/ Proceeds from Investments		(43,533)	(15,812)
Purchases of Property, Plant and Equipment		(1,686)	(2,488)
Sale Proceeds of Property, Plant and Equipment		2,335	1,363
Realised Losses on Investments		-	(18,222)
Net cash provided by/(used in) investing activities		(42,884)	(35,159)
Cash flow from Government			
Recurrent Allocations		36,472	36,065
Other		728	666
Net Cash provided by Government		37,200	36,731
Net increase (decrease) in cash held		(1,359)	(4,809)
Cash at the beginning of the year		5,193	10,002
Cash at end of year		3,834	5,193

The above statement of cash flows should be read in conjunction with the accompanying notes.

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

for the year ended 30 September 1995

NOTE 1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Accounting

- ☐ The Council's Financial Statements have been prepared in accordance with applicable Australian Accounting Standards, the Public Finance and Audit Act 1983, the Regulations and Treasurer's Directions, and the New South Wales Aboriginal Land Rights Act of 1983.
- ☐ The Operating Statement and Statement of Financial Position are prepared on an accrual basis.
- ☐ The Statement of Cash Flow is prepared on a cash basis using the "direct method".
- ☐ Except for certain investments and property, plant and equipment which are recorded at valuation, the Financial Statements are prepared in accordance with the historical cost convention. The accounting policies adopted are consistent with those of the previous year.
- ☐ The Treasurer's exemption has been received in relation to Section 41 B(3) of the Public Finance and Audit Act to exempt Yrimbirra Pty Ltd and the New South Wales Aboriginal Land Council Investment Fund from being consolidated into the accounts of the New South Wales Aboriginal Land Council.
- ☐ All amounts are rounded to the nearest one thousand dollars and are expressed in Australian currency.

(a) Receivables

- ☐ Receivables are recorded at the amounts expected to be collected net of any provision for bad and doubtful debts.

(b) Inventories

- ☐ Inventories are valued at the lower of cost or net realisable value. Livestock natural increases included in stock on hand are valued using average cost method.

(c) Investments

- ☐ All investments are recognised at market value. Where necessary, provision is made for likely investment losses. All realised and unrealised gains and losses in respect of current investments are recognised in the Operating Statement. All realised gains on non-current investments are recognised in the operating statement. Unrealised gains on non-current investments are credited to an asset revaluation reserve. Unrealised losses on non-current investments are recognised in the operating statements, unless reversing an unrealised gain previously recognised in the asset revaluation reserve.

(d) Property, Plant and Equipment

- ☐ Land and building are revalued at three-yearly intervals. Revaluation represents independent assessment of the fair market value of land and buildings based on existing use. Valuations adopted in the financial statements do not exceed these independent assessment. Revaluation increment are credited directly to an asset revaluation reserve. All properties were valued by the Valuer General of New South Wales as at 30 June 1994. Plant and equipment are carried at cost less accumulated depreciation. The net book value represents a fair market value as at the balance date. Council policy is to dispose of vehicles after the earlier of two years or 40,000 kilometres.

(e) Depreciation

☐ Depreciation has provided on a straight line basis so as to write off the depreciable amount of each asset as it consumed over its anticipated useful life. Assets at valuation are depreciated on a straight line basis over the remaining anticipated life of each asset at valuation.

(f) Creditors

☐ Liabilities (other than for employee entitlements) incurred by the Council and liabilities claimed under the Aboriginal Land Rights Act are recognised as creditors.

(g) Employee Entitlements

☐ The amounts expected to be paid to employees for their pro-rata entitlements to annual leave are accrued annually at current wages rates. Liabilities for other employee entitlements which are not expected to be paid or settled within 12 months of balance date are accrued so as to be materially consistent with the provisions of AAS30.

(h) Funeral Fund Liability

☐ The Council collected fees from persons of Aboriginal descent with the intention of establishing a Funeral Fund. A provision for Funeral Fund Liability was created last year based on fund not expecting to recover all funeral costs from members' fees. Since the Fund has not been approved by the Department of Consumer Affairs, all fees collected have been disclosed under creditors and the provision for Funeral Fund Liability was reversed as abnormal income for the year.

(i) Government Allocation

☐ The Aboriginal Land Rights Act 1983 provides for annual State Funding up to and including 1998. The amount payable for each year is equivalent to 7.5% of those land tax collections (received in that year and the previous year) which relates to the previous year. All funds allocated are recognised as revenue. fifty per cent of that allocation was invested as Statutory Investment. All income and expenses of the Statutory Fund and its assets and liabilities are reported in Note 19 of the Financial Statements. All income and expenses from Statutory Fund established under the New South Wales Aboriginal Land Council is consolidated with income and expenses of administrative funds for reporting purposes.

	1995	1994
	\$'000	\$'000

NOTE 2. CASH

Administrative Funds	2,344	3,252
Statutory Funds	1,339	1,802
Funeral Funds	151	139
	<u>3,834</u>	<u>5,193</u>

NOTE 3. RECEIVABLES

Current		
Council Members	17	14
Local Aboriginal Land Council	674	684
Other Debtors	437	544
Treasury Allocation Receivable	2,958	387
Prepayments	14	2
	<u>4,100</u>	<u>1,631</u>
Provision for Doubtful Debts	175	46
	<u>3,925</u>	<u>1,585</u>
Non-Current		
Loans and Advances to Local Aboriginal Land Councils	1,249	165
	<u>1,249</u>	<u>165</u>
Statutory Fund	1,479	193
Administration Fund	3,695	1,557
	<u>5,174</u>	<u>1,750</u>

NOTE 4. INVENTORIES

Livestock	193	289
Grain and Other Rural Stock	112	102
	<u>305</u>	<u>391</u>

NOTE 5. INVESTMENTS

Current		
Commercial Bills / Promissory Notes	210,126	186,848
Floating Rate Notes	24,184	10,006
Money Market Funds	44,083	43
	<u>278,393</u>	<u>196,897</u>
Non-Current		
Government Bonds	14,891	53,415
Units in Managed Fixed Interest Pool Fund	25,761	21,617
Australian Association of Co-Operative Limited (In Liquidation)	1,714	2,016
Provision for Loss on Investment	(1,638)	(1,638)
Shares, Settlement and Investment Fund Yrimbirra Pty Limited	685	784
	<u>41,413</u>	<u>76,194</u>

	Property	Plant and Equipment	Motor Vehicles	Total
	\$'000	\$'000	\$'000	\$'000

NOTE 6. PROPERTY, PLANT & EQUIPMENT

Cost	-	-	-	-
Opening Balance	27,691	3,716	2,189	33,596
Additions	110	143	1,433	1,686
Write-Offs	-	(10)	-	(10)
Disposals	(705)	(30)	(1,567)	(2,302)
	27,096	3,819	2,055	32,970
Depreciation				
Opening Balance	(111)	(1,949)	(914)	(2,974)
Charge for the Year	(418)	(579)	(579)	(1,576)
Disposals	3	29	502	534
	(526)	(2,499)	(991)	(4,016)
Written Down Value				
1995	26,570	1,320	1,064	28,954
1994	27,581	1,767	1,275	30,623

	1995 \$'000	1994 \$'000
Statutory Fund	15,569	15,900
Administration Fund	13,385	14,723
	28,954	30,623

NOTE 7. ARTIFACTS

Cost at 1 October	64	63
Additions	-	1
Book Value at 30 September	64	64

No depreciation is charged as these assets are considered to maintain their value.

NOTE 8. CREDITORS

Sundry Creditors and Accruals	1,601	1,320
Local Aboriginal Land Councils - Funding	552	-
	2,153	1,320
Statutory Fund	220	102
Administration Fund	1,933	1,218
	2,153	1,320

	1995	1994
	\$'000	\$'000

NOTE 9. PROVISIONS

Current Provisions		
Provision for Annual Leave	418	387
Provision for Redundancy Payments	-	272
Provision for Funeral Fund Liability	-	93
	<u>418</u>	<u>752</u>
Non - Current Provisions		
Provision for Long Service Leave	98	92
Provision for Funeral Fund Liability	-	1,127
	<u>98</u>	<u>1,219</u>

NOTE 10. RESERVES

Opening Balance	-	2,923
Increment on Revaluation of Investments	3,183	-
Decrement on Devaluation of Investments	-	(2,923)
Closing Balance	<u>3,183</u>	<u>-</u>

NOTE 11. COMMITMENTS

Financing Commitments		
Operating Commitments		
Local Aboriginal Land Councils - Funding	-	793
North West Region Office Expenditure	-	489
Purchase Commitment	-	42
	<u>-</u>	<u>1,324</u>

NOTE 12. CONTINGENT LIABILITIES

Institutions deemed to be for a benevolent purpose may be exempted from fringe benefits tax. On 9 February 1995, Council's solicitors requested that the Australian Taxation Office determine whether Council is a benevolent organisation. No response has yet been received. The Australian Taxation Office has determined that a similar entity to Council operating in the Northern Territory, is "benevolent". As a result, the entity is not liable to pay fringe benefits tax. Council is confident of obtaining "benevolent" status. Accordingly, no liability for fringe benefits tax has been recognised in the financial statements. If Council was not granted "benevolent" status, the fringe benefits tax liability payable would be significant. No attempt has been made to calculate liability, as the obtaining of "benevolent" status is considered likely.

	1993	1994
	\$'000	\$'000

NOTE 13. RECURRENT ALLOCATIONS - NSW GOVERNMENT

Administration Fund Allocations	19,521	18,226
Statutory Investment Fund Allocations	19,522	18,226
	<u>39,043</u>	<u>36,452</u>

NOTE 14. INTEREST AND INVESTMENT INCOME

Administration Fund	157	197
Statutory Investment Fund	22,858	15,522
	<u>23,015</u>	<u>15,719</u>
Less Elimination of Inter-Fund Transactions	25	-
	<u>22,990</u>	<u>15,719</u>

NOTE 15. RENT

Rent State Office	-	30
Rent Regional Offices	41	55
Rent Enterprises	-	3
Administration Fund	41	88
Statutory Investment Fund	1,927	1,859
	<u>1,968</u>	<u>1,947</u>
Less Elimination of Inter-Fund Transactions	556	550
	<u>1,412</u>	<u>1,397</u>

NOTE 16. OTHER INCOME

Profit on Sale of Non-Current Assets	405	497
Grants and Subsidies	728	666
Mining Royalties Income	-	11
Enterprise Gross Income	686	1,094
Forfeited Allocations	-	868
Other	54	206
	<u>1,873</u>	<u>3,342</u>

NOTE 17. AUDIT FEES

Audit fees payable by the Council to the Audit Office of NSW for the period ended 30 September were:

	200	309
	<u>200</u>	<u>309</u>

The auditors received no other benefit

	1995	1994
	\$'000	\$'000

NOTE 18. EMPLOYEE EXPENSES

Salaries, Wages	3,306	4,513
Superannuation	158	217
Leave Expenses	6	265
Workers Compensation Insurance	42	66
Redundancy Payments	256	-
	<u>3,768</u>	<u>5,061</u>

NOTE 19. FUNDING OF REGIONAL AND LOCAL ABORIGINAL LAND COUNCILS

Regional Aboriginal Land Councils	342	195
Local Aboriginal Land Councils	10,397	14,218
Council Approved Projects	758	182
	<u>11,497</u>	<u>14,595</u>

NOTE 20. STATUTORY INVESTMENT FUND

The Aboriginal Land Rights Act requires that 50% of all allocations equal to 7.5% of the amount certified from time to time by the Treasurer as having been paid as land tax in respect of the previous year be invested. Interest and income earned on investments must also remain invested. Interest and income earned on the total investment after 31 December 1998 may be distributed by the New South Wales Aboriginal Land Council.

		1995	1994
	Note	\$'000	\$'000
Statutory Fund Opening Balance		290,883	279,299
Add Income			
Treasury Allocation	13	19,521	18,226
Interest and Income	14	22,858	15,522
Rent	15	1,927	1,859
Expenses (Including Investment Losses)		[399]	[21,100]
Operating Surplus for the Year		<u>43,907</u>	<u>14,507</u>
Reserves Transfer		3,183	(2,923)
Statutory Fund Closing Balance		<u>337,973</u>	<u>290,883</u>
Represented by -			
Cash	2	1,339	1,801
Investments Current	5	278,393	196,897
Investments Non-Current	5	41,413	76,194
Property, Plant & Equipment	6	15,569	15,900
Receivables	3	1,479	193
		<u>338,193</u>	<u>290,985</u>
Creditors	8	220	102
Net Statutory Fund		<u>337,973</u>	<u>290,883</u>

	1995	1994
	\$'000	\$'000

NOTE 21. NOTE TO STATEMENT OF CASH FLOWS

a. For the purpose of the Statement of Cash Flows, the Council considers cash to include cash on hand and at banks. Cash at the end of the reporting period as shown in the Financial Statements is as follows:

	3,834	5,193
--	-------	-------

b. Reconciliation of net cash flows from operating activities to operating surplus.

Operating Surplus	43,244	10,017
Depreciation & Amortisation	1,576	1,141
Loss on Revaluation of Assets	-	2,360
Employee Entitlements	37	277
Profit on disposal non-current assets	(405)	(497)
Adjustment 1993 Creditors - Prior Period	10	107
Transfer of Land & Buildings to LALCs	-	2,665
Cash flow from Government - Recurrent Allocations	(36,472)	(36,065)
Cash flow from Government - Other	(728)	(666)
Unrealised Losses on Investments	-	938
Realised Losses on Investments	-	15,299

Other Changes in assets and liabilities in respect of operating activities.

Receivables Increase	(655)	(163)
Accruals and Prepayments Decrease (Increase)	(2,584)	334
Decrease in Inventories	87	302
Long Term Debts (Increase) Decrease	(346)	-
Creditors and Borrowings (Decrease) Increase	833	(2,195)
Fundal Fund Liability Increase (Decrease)	-	1,220
Forward Commitments Decrease	-	(1,455)
Redundancy Provision Decrease	(272)	-
Net cash inflows from operating activities	4,325	(6,381)

c. Credit standby arrangements and unused loan facilities. The Council had no credit standby arrangements or unused loan facilities.

INDEPENDENT AUDIT REPORT
NSW ABORIGINAL LAND COUNCIL
INVESTMENT FUND

To Members of the New South Wales Parliament and the New South Wales Aboriginal Land Council, being sole member of the New South Wales Aboriginal Land Council Investment Fund Trustee - Yimbirra Pty Limited

Scope

- ☐ I have audited the accounts of the New South Wales Aboriginal Land Council Investment Fund for the year ended 30 September 1995. The preparation and presentation of the financial statements, consisting of the accompanying balance sheet, income and expenditure statement and statement of cash flows, together with notes thereto, and the information contained therein is the responsibility of the Directors of the Corporate Trustee. My responsibility is to express an opinion on these statements to members of the New South Wales Parliament and the Corporate Trustee's sole member based on my audit as required by sections 34 and 41C(1) of the Public Finance and Audit Act 1983.
- ☐ My audit has been conducted in accordance with the provisions of the Act and Australian Auditing Standards to provide reasonable assurance as to whether the financial statements are free of material misstatement. My procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial statements, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial statements are presented fairly in accordance with the requirements of the Public Finance and Audit Act 1983, Accounting Standards and other mandatory professional reporting requirements (Urgent Issues Group Consensus Views) so as to present a view which is consistent with my understanding of the Fund's financial position, the results of its operations and its cash flows.
- ☐ The audit opinion expressed in this report has been formed on the above basis.

Audit Opinion

- ☐ In my opinion, the financial statements of the New South Wales Aboriginal Land Council Investment Fund comply with section 41B of the Act and present fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements the financial position of the Fund as at 30 September 1995 and the results of its operations and its cash flows for the year then ended.



P.G. Thomas, ACA

Assistant Auditor-General

[duly authorised by the Auditor-General of New South Wales under section 41C(1A) of the Act]
Sydney 17 January 1996

**STATEMENT BY DIRECTORS OF THE
TRUSTEE COMPANY**

for the year ended 30 September 1995

☐ In the opinion of the Directors of Yrimbirra Pty Limited, the Trustee Company:

1 (a) The Profit and Loss Account gives a true and fair view of the Fund's profit for the year ended 30 September 1995.

(b) The Balance Sheet gives a true and fair view of the Fund's state of affairs as at the end of the financial year.

2 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.

☐ This statement is made out in accordance with a resolution of the Board of Directors and is signed for and on behalf of the Directors.

Dated this 17th day of January 1996



Manul Ritchie
Director



Daniel Chapman
Director

**INVESTMENT FUND
BALANCE SHEET**

for the year ended 30 September 1995

	Note	1995 \$	1994 \$
Trust Funds	9	10	10
Represented by:		10	10
Current Assets			
Cash		8,120	5,477
Investments	5	641,000	761,000
Other	6	37,298	18,373
Total Current Assets		686,418	784,850
Total Assets		686,418	784,850
Current Liabilities			
Borrowings	7	685,186	784,240
Other	8	1,222	600
Total Current Liabilities		686,408	784,840
Total Liabilities		686,408	784,840
Net Assets		10	10

The accompanying notes form part of these accounts.

I N V E S T M E N T F U N D
P R O F I T A N D L O S S A C C O U N T

for the year ended 30 September 1995

	Note	1995 \$	1994 \$
Operating Profit	4	106,629	171,310
Retained earnings at beginning of the financial year		-	-
Total available for appropriation		106,629	171,310
Distribution to beneficiary		106,629	171,310
Retained earnings at end of the financial year		-	-

The accompanying notes form part of these accounts.

INVESTMENT FUND
STATEMENT OF CASH FLOWS

For the year ended 30 September 1995

	Note	1995 \$	1994 \$
Cash Flows from Operating Activities			
Interest Received		91,244	185,779
Bank Charges		(20)	305
Payments for Management Fees		(2,898)	(6,376)
Net Cash Provided by Operating Activities	3a	88,326	179,708
Cash Flows from Investing Activities			
Proceeds from Investments		120,000	663,000
Net Cash Provided by Investing Activities		120,000	663,000
Cash Used in Financing Activities			
Repayment of Borrowings		(120,000)	(663,000)
Cash Distribution of Income		(85,683)	(183,867)
Net Cash Used in Financing Activities		(205,683)	(8,867)
Net increase (decrease) in cash held		2,643	(4,159)
Cash at the beginning of the financial year		5,477	9,636
Cash at the end of the financial year		8120	5,477

Reconciliation of cash

For the purpose of the statement of cash flows, cash includes cash on hand and at banks.

The accompanying notes form part of these accounts.

INVESTMENT FUND

NOTES TO AND FORMING PART OF THE ACCOUNTS

NOTE 1. STATEMENT OF ACCOUNTING POLICIES

The accounts have been prepared in accordance with applicable Accounting Standards.

The accounts have been prepared on the basis of historical costs and do not take into account changing money values.

NOTE 2. LIKELY TERMINATION OF TRUST

The State Council resolved in 1989 that the Trust be wound up and is in the process of collecting all mortgages outstanding. Recoveries from mortgagors from 1989 to 1995 have been returned to the New South Wales Aboriginal Land Council. The solicitors of Yrimbirra Pty Limited have been instructed to retrieve all other funds outstanding.

	1995	1994
	\$	\$

NOTE 3. NOTE TO STATEMENT OF CASH FLOWS

a. Reconciliation of net cash flows from operating activities to operating profit

Operating profit	106,629	171,310
(Increase)/Decrease in Receivables	(18,925)	8,679
Increase/(Decrease) in Creditors	622	(281)
Net cash inflows from operating activities	88,326	1,708

b. Non-cash financing and investment activities

The Investment Fund has no non-cash financing and investment activities.

c. Credit standby arrangements and unused loan facilities

The Investment Fund has no credit standby arrangements and unused loan facilities.

NOTE 4. OPERATING PROFIT

Operating Revenue		
Interest	110,169	177,101
Bank Charges	(20)	305
Total Income	110,149	177,406
Operating Expenses		
Management Fees	3,520	6,096
Total Expenditure	3,520	6,096
Operating Profit	106,629	171,310

	1995	1994
	\$	\$

NOTE 5. INVESTMENTS

Mortgage Loans secured by first mortgage on real property	641,000	761,000
	641,000	761,000

NOTE 6. OTHER ASSETS

Accrued Interest	37,298	18,373
	37,298	18,373

NOTE 7. BORROWINGS

In accordance with mortgage agreements, interest is collected monthly. Principal repayments are made at the mortgagor's discretion.

Liability as at 1 October	784,240	1,459,797
Distribution of Income	106,629	171,310
	890,869	1,631,107
Payment to New South Wales Aboriginal Land Council	205,683	846,867
Liability as at 30 September	685,186	784,240

NOTE 8. OTHER CURRENT LIABILITIES

Sundry Creditors	1,222	600
	1,222	600

NOTE 9. TRUST FUND

Settlement Sum	10	10
Retained Earnings	0	0
	10	10

Y R I M B I R R A
D I R E C T O R S ' R E P O R T

☐ The Directors present their report together with the accounts of Yrimbirra Pty Limited for the year ended 30 September 1995 and the auditor's report thereon.

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

Manul Ritchie	David Clark
Daniel Chapman	Neville Kim
Neita Scott	William Murray
Brian Allen	Thomas M. Winters
David Brown	

P R I N C I P A L A C T I V I T I E S

☐ The Company acts solely as Trustee for the New South Wales Aboriginal Land Council Investment Fund.

☐ There was no change in the activity during the year.

☐ The State Council resolved in 1989 to wind up the New South Wales Aboriginal Land Council Investment Fund. Recoveries from mortgagors from 1989 to 1995 have been returned to New South Wales Aboriginal Land Council. The Company's solicitors have been instructed to retrieve all other outstanding funds.

R E S U L T S O F O P E R A T I O N S

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

☐ The Company had no income or expenditure for the year ended 30 September 1995.

D I R E C T O R S ' B E N E F I T S

☐ No Director received or became entitled to receive a benefit, other than a benefit included in the aggregate amount of emoluments received or due 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 a contract made by the Company or a related Corporation with the Director or with a firm of which a Director or with a firm of which he or she is a member or with a Company in which he or she has a substantial financial interest.

D I V I D E N D S

☐ No amounts have been paid or declared by way of dividends since the beginning of the financial year.

STATE OF AFFAIRS

☐ In the opinion of the Directors there were no significant changes in the state of affairs of the Company or the Fund that occurred during the financial year under review.

OFFICE AND AUDITORS' INDEMNITIES AND INSURANCE

☐ No amounts have been paid or are payable on behalf of officers and/or auditors for indemnity or insurance cover in respect of third party liabilities.

AUDITOR

☐ The Auditor General continues in office in accordance with section 41c(1) of the Public Finance and Audit Act and the Corporations Law.

Signed in accordance with a resolution of Directors

Dated at Sydney this 16th day of January 1996



Manul Ritchie
Director



Daniel Chapman
Director

Y R I M B I R R A

**STATEMENT PURSUANT TO THE PUBLIC
FINANCE AND AUDIT ACT 1983**

for the year ended 30 September 1995

☐ Pursuant to the requirements of the Public Finance and Audit Act 1983 and in accordance with a resolution of the Board, we declare on behalf of the Board that in our opinion:

(a) the accompanying accounts have been prepared in accordance with the provisions of the Public Finance and Audit Act, 1983, and the Treasurer's Directions;

(b) the statements exhibit a true and fair view of the financial position and transactions of the Company; and

(c) there are no circumstances which would render any particulars included in the accounts to be misleading or inaccurate.

Signed at Sydney this 16th day of January 1996.



Manul Ritchie
Director



Daniel Chapman
Director

STATEMENT BY DIRECTORS

For the year ended 30 September 1995

☐ In accordance with a resolution of Directors, in our opinion:

(a) the accounts exhibit a true and fair view of the results for the financial year ended 30 September 1995, and the state of affairs of the Company as at 30 September, 1995; and

(b) as at the date of this statement, there are reasonable grounds to believe that the Company and the Fund will be able to pay their debts as and when they fall due.

☐ The Company's accounts have been made out in accordance with applicable Accounting Standards.

Signed at Sydney this 16th day of January 1996.



Manul Ritchie
Director



Daniel Chapman
Director

Y R I M B I R R A
B A L A N C E S H E E T

for the year ended 30 September 1995

	Note	1995 \$'000	1994 \$'000
Current Assets			
Receivables	2	2	2
Total Assets		2	2
Current Liabilities		0	0
Total Liabilities		0	0
Net Assets		2	2
Shareholders Equity			
Share Capital	3	2	2
Total Shareholders Equity		2	2

The accompanying notes form part of these accounts.

YRIMBIRRA

PROFIT & LOSS ACCOUNT

For the year ended 30 September 1995

Note	1995 \$'000	1994 \$'000
Retained profits at beginning of the financial year	0	0
Retained profits at the end of the financial year	0	0

The accompanying notes form part of these accounts.

NOTE 1. STATEMENT OF ACCOUNTING POLICIES

☐ The accounts have been prepared in accordance with applicable Accounting Standards and the Corporations Law, including the disclosure requirements of Schedule 5 to the Corporations Regulations, the Public Finance and Audit Act 1983, the Regulations and the Treasurer's Directions. The accounts have been prepared on the basis of historical costs under accrual accounting and do not take into account changing money values.

☐ The Company has been exempt from payment of income tax under Section 23(e) of the Income Tax Assessment Act.

	1995	1994
	\$	\$

NOTE 2. RECEIVABLES

Sundry Debtors	2	2
	<u>2</u>	<u>2</u>

NOTE 3. SHARE CAPITAL

Authorised Capital		
100,000 Shares of \$1.00 each	100,000	100,000
Issued and Paid-Up Capital		
2 Ordinary Shares of \$1.00 each fully paid	<u>2</u>	<u>2</u>

NOTE 4. CONTINGENT LIABILITIES

☐ A contingent liability exists relative to any future claims which may be made against the Company arising from trusteeship dealings.

NOTE 5. STATEMENT OF CASH FLOWS

☐ The Company has no financial transactions in its own right and consequently the accounts do not include a Statement of Cash Flows.

NOTE 6. LIABILITY AS TRUSTEE

☐ The Company acts solely as trustee of the New South Wales Aboriginal Land Council Investment Fund. The assets of the Fund which lie behind the right of indemnity are not directly available to meet any liabilities of the Company acting in its own right. The assets of Fund were sufficient to discharge all the liabilities of the Fund at 30 September 1994 and 30 September 1995.

☐ The position of the New South Wales Aboriginal Land Council Investment Fund (the Trust) is stated in Note 7.

NOTE 7. POSITION OF NEW SOUTH WALES ABORIGINAL LAND COUNCIL INVESTMENT FUND (THE TRUST)

	1995 \$	1994 \$
Trust Funds	10	10
	10	10
Represented by:		
Current Assets		
Cash	8,120	5,477
Investments (secured by first mortgage)	641,000	761,000
Other	37,298	18,373
Total Current Assets	686,418	784,850
Total Assets	686,418	784,850
Current Liabilities		
Borrowings	685,186	784,240
Other	1,222	600
Total Current Liabilities	686,408	184,840
Total Liabilities	686,408	784,840
Net Assets	10	10

The Company's relationship with the Trust is described in Note 6

NOTE 8. RELATED PARTY TRANSACTIONS

(a) The Directors who held office during the financial year are:

Manul Ritchie	Brian Allen	Neville Kim
Daniel Chapman	David Brown	William Murray
Neita Scott	David Clark	Thomas M. Winters

(b) The above nine Directors are State Councillors of the New South Wales Aboriginal Land Council, which is the sole shareholder of the Company and ultimate beneficiary of the New South Wales Aboriginal Land Council Investment Fund (the Trust).

☐ Each of the above Directors received remuneration in the range of \$50,000 to \$59,000 per annum in each of the 1994 and 1995 financial years from the New South Wales Aboriginal Land Council for acting in the capacity of State Councillor. The total paid to the above Directors for acting in their capacity as State Councillors was \$505,000 (1994 \$486,000).

☐ No income was paid to Directors by the Company, or on behalf of the Company.

(c) No amount was paid to any director on retirement from office. No amount was paid to prescribed superannuation funds for the provision of retirement benefits.

(d) There were no other related party transactions.

9. SUBSEQUENT EVENTS

In 1989 State Council resolved that the New South Wales Aboriginal Land Council Investment Fund (the Trust) be wound up. Proceeds from 1989 to 1995 from such winding up have been returned to the New South Wales Aboriginal Land Council.

The Company's solicitors have been instructed to retrieve all other funds outstanding. In the future the Company may either be made dormant or wound up.

APPE NDIX

APPENDIX 1

ADMINISTRATORS APPOINTED TO LOCAL ABORIGINAL LAND COUNCILS

	Name of Administrator	Date of Appointment	Status
Amaroo	Terry Cohen	30. 9. 1994	Ongoing
Anaiwan	Thomas Steiber	13. 4. 1994	Ongoing
Armidale	Mark Geach	13. 4. 1994	Ongoing
Bowraville	Edward Orrego	4. 3. 1996	Ongoing
Bunyah	Deanna Willmot	15. 4. 1994	Ongoing
Deniliquin	David Clark	10. 6. 1994	Ongoing
Dubbo	Andrew Williams	7. 7. 1994	Ongoing
Jana Ngalee	Anthony Marks	30. 9. 1994	Ongoing
Jubullum	Paul Rippon	30. 9. 1994	Ongoing
La Perouse	Donald Williams	30. 4. 1994	Ongoing
Moree	Ron Hegarty	9. 7. 1994	Ongoing
Nambucca	Louise Statz	6. 1. 1995	Ongoing
Wellington	Andrew Williams	8. 9. 1993	Ongoing

APPENDIX 2

EQUAL OPPORTUNITY INFORMATION

Total Employees as at 30 June 1993	123
Aboriginal Men	36
Aboriginal Women	27
Australian Men	9
Australian Women	10
Non English-Speaking Background Men	7
Non English-Speaking Background Women	4
Physical Disability	0

COMMENTS ON THE EXECUTIVE SUMMARY OF THE ABORIGINAL CULTURAL HERITAGE
WORKING GROUP DISCUSSION PAPER

□ NSWALC's position on the future protection and management of Aboriginal cultural heritage is based on the following 14 principles and observations:

- The effective protection of the heritage of the indigenous peoples of the world benefits all humanity. Cultural diversity is essential to the adaptability and creativity of the human species as a whole.
- To be effective, the protection of indigenous peoples' heritage should be based broadly on the principles of self-determination, which includes the right and the duty of indigenous peoples to develop their own cultures, knowledge systems, and forms of social organisation.
- Indigenous peoples should be recognised as the primary guardians and interpreters of their cultures, arts and sciences, whether created in the past, or developed by them in the future.
- Indigenous peoples' ownership and custody of their heritage must continue to be collective, permanent and inalienable, as prescribed by the customs, rules and practices of each people.
- The heritage of indigenous peoples includes all moveable cultural property, all kinds of literary and artistic works such as music, dance, song, ceremonies, art, narratives and poetry; all kinds of scientific, agricultural, technical, and ecological knowledge, including medicines and the use of flora and fauna; human remains; immovable cultural property such as sacred sites, sites of historical significance and burials; and documentation of indigenous peoples' heritage on film, photographs, videotape, or audio tape.

□ In addition, NSWALC believes that the guiding principles of the United Nations Draft Declaration on the Rights of Indigenous Peoples are particularly relevant to discussions about Aboriginal rights in relation to cultural heritage issues. In its preamble, the draft Declaration recognises:

- The urgent need to respect and promote the inherent rights and characteristics of indigenous peoples, especially their rights to their lands, territories and resources, which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies;
- control by indigenous people over developments affecting them and their lands, territories and resources will enable them to maintain and strengthen their institutions, cultures and traditions, and to promote their development in accordance with their aspirations and needs; and
- respect for indigenous knowledge, cultures and traditional practices contributes to sustainable and equitable development and management of the environment.

□ NSWALC believes that the following principles contained in the Articles of the Draft Declaration further elaborate on the rights of Aboriginal peoples in relation to cultural heritage, and the relationship between these rights and Aboriginal self-determination:

- Aboriginal people have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development;
- Aboriginal peoples have the right to practice and revitalise their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artifacts and literature, as well as the right to the restitution of cultural, intellectual, and spiritual property taken without their free and informed consent or in violation of their laws and customs;
- Aboriginal peoples have the right to develop, practice and teach their spiritual and cultural traditions and ceremonies; the right to maintain, protect, and have access in privacy to their sacred and ceremonial sites; the right to use and control of ceremonial objects; and the right to the repatriation of human remains. States shall take effective measures, in conjunction with the Aboriginal peoples concerned, to ensure that sacred places, including burial sites, be observed, respected and protected.
- Aboriginal peoples have the right to participate fully, if they choose, at all levels of decision-making in matters which may affect their rights, lives and destinies through representatives chosen by themselves

in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions;

- Aboriginal peoples, in exercising their rights to self-determination, have the right to autonomy or self-government in matters relating to their local affairs, including culture, religion, education, information, media, health, housing, employment, social welfare, economic activities, land and resource management, environment and entry by non-members, as well as ways and means for financing these autonomous functions; and
- Aboriginal peoples have the right to promote, develop and maintain their institutional structures and their distinctive judicial customs and traditions, in accordance with internationally recognised human rights standards.

APPENDIX 4

LOCATION OF LAND COUNCIL OFFICES

NSW Aboriginal Land Council
Level 9/33 Argyle Street
PARRAMATTA NSW 2150
PO Box W125 Parramatta NSW 2150
email info@alc.org.au

NSWALC BRANCH OFFICES

Central Coast

Suite 7 John Street KEMPSEY NSW 2440
Ph 065 625 496 Fax 065 624 223

Central

Cnr Wingewarra and Darling Streets
DUBBO NSW 2830
Ph 068 845 276 Fax 068 843 441

Far North Coast

25 Orion Street LISMORE NSW 2480
Ph 066 221 010 Fax 066 221 931

Murray River

77 Echuca Street MOAMA NSW 2731
Ph 054 809 155 Fax 054 809 117

Northern

143 Loder Street QUIRINDI NSW 2343
Ph 067 461 668 Fax 067 462 525

Northern Tablelands

174A Marsh Street ARMIDALE NSW 2350
Phone 067 727 666 Fax 067 727 342

North West

38 Maule Street COONAMBLE NSW 2829
Phone 068 222 119 Fax 068 222 322

LOCATION OF LAND COUNCIL OFFICES

Sydney/Newcastle

66 Showground Road GOSFORD NSW 2250
Phone 043 250 205 Fax 043 233 082

South East Coast Branch

PO Box 388 BATEMANS BAY NSW 2536
Phone 044 729 956 Fax 044 729 950

Western

84 Oxide Street BROKEN HILL NSW 2880
Phone 080 873 444 Fax 080 877 708

Western Metropolitan

Suite 1
54 Moore Street LIVERPOOL NSW 2170
Phone 02 821 2899 Fax 02 601 4680

Wiradjuri

153 Docker Street
WAGGA WAGGA NSW 2650
Phone 069 216 339 Fax 217 903

REGIONAL AND
LOCAL LAND
COUNCILS

Central Region

Central RALC
Dubbo RALC
Gulgong RALC
Narramine RALC
Nymang RALC
Quambone RALC
Tangle RALC
Warren Macquarie RALC
Wellington RALC
Wollan RALC
(GULARGAMBONE)

Central Coast
Region

Central Coast RALC
Birrpi RALC
(PT MACQUARIE)
Bowranville RALC
Buryah RALC
(WAUCHOPE)
Coffs Harbour RALC
Forster RALC
Koruah RALC
Kempsey RALC
Nambucca Heads RALC
Purfleet/Taree RALC
Thungah RALC
(BELLBROOK)
Unkya RALC
(WACKSVILLE)

Far North Coast
Region

Far North Region RALC
(Lismore)
Baryulgil RALC
Binigun Gargle RALC
(YAMBA)
Bogal RALC
(CORAKI)
Casino Boonah RALC
Grafton Ngarie RALC
Gulgong Gulgong RALC
(KYOGLE)
Jali RALC
(Wardell)
Jona Ngalee RALC
(GRAFTON)
Jubilee RALC
(TABULAM)
Mull Muli RALC

(WOODENBONG)
Ngulingah RALC
(Lismore)
Tweed Byron RALC
(Stn Tweed Heads)
Yogil RALC
MACLEAN

Far South Coast
Region

Far South Coast RALC
(NAROOMA)
Bega RALC
Cabowra RALC
(MOYUVA)
Batemans Bay RALC
Bodalla RALC
Eden RALC
Mogo RALC
Merrinong RALC
(Wailga Lake)
Ulladulla RALC
Wagonga RALC
(NAROOMA)
Ngunawal RALC
(QUEANBEYAN)

Murray River
Region

Murray River (MOAMA) RALC
MOAMA
Albury and District RALC
Deniliquin RALC
Moama RALC
Wamba Wamba RALC
SWAN HILL Victoria 3638
Yala Yala RALC
MOAMA

Northern Region

Northern RALC
Quirindi
Amaroo RALC
(WALCHA)
Coonabarabran RALC
Warrumbah RALC
MUSWELLBROOK
Nungah RALC
(QUIRINDI)
Red Chief RALC
GUNNEDAH
Tarnworth RALC
Wollahall RALC
CAROONA

Northern
Tablelands Region

Northern Tablelands RALC
(ARMIDALE)
Armidale RALC
(INVERELL)
Armidale RALC
Ashford RALC
Glen Innes RALC
Guyra RALC
Tenterfield RALC

North West
Region

North West RALC
(COONAMBLE)
Brewarrina RALC
Cobar RALC
Collarenebri RALC
Coonamble (RALC)
Goodooga RALC
Lightning Ridge RALC
Morea RALC
Mungindi RALC
Murrumbidgee RALC
(Enngonia)
Narrabri RALC
Nalla Nalla RALC
(BOLKE)
Pilliga RALC
(BARADINE)
Toomelah RALC
Waigat RALC
Wile Wile RALC
Welfaringle RALC

South Coast
Region

South Coast RALC
(NOWRA)
Ilwarrna RALC
Jerringa RALC
(ORIENT POINT)
Nowra RALC
Sydney/Newcastle Region
Sydney/Newcastle RALC
(GOSFORD)
Awabakal RALC
(SUNGTON)
Bathurst RALC
(BELMONT)
Darkinjung RALC
(WYONG)
Koompahtoo RALC
(TERALBA)
La Perouse RALC

Metropolitan RALC
(Maitland)

Worimi RALC
(TANILBA)
Western Region
Western RALC
(BROKEN HILL)
Bathurst RALC
Broken Hill RALC
Dandenong RALC
Ivanhoe RALC
Merindoo RALC
Tibooburn RALC
Wilcannia RALC
Warraginj RALC
Warraginj Region
Warraginj RALC
(WAGGA WAGGA)
Cows RALC
Griffith RALC
Condabolin RALC
Hay RALC
Leeton RALC
Murrumbidgee RALC
(LAKE CARGILLIGO)
Peak Hill RALC
Oxley RALC
(YASS)
Orange RALC
Narrandera RALC
Tumut/Brungle RALC
Wagga Wagga RALC
Windradyne RALC
(BATHURST)
West Wyalong RALC
Young RALC

Western
Metropolitan
Region

Western Metropolitan RALC
(LIVERPOOL)
Darebin RALC
(MT DRUITT)
Gandangara RALC
(LIVERPOOL)
Tharawal RALC
(MINTO)

APPENDIX 5

SUMMARY FOR PAYMENT FOR SERVICES RENDERED BY CONSULTING DURING 1994/95

Name	Amount
Andrez Lada	1,529.00
Australian Construction Services	20,069.00
Griffith Sallaway	1,466.00
Premiers Department	2,119.00
Michell Sillar	770.00
Colliers Jardine	10,684.30
Potter Warburg	4,301.67
T. Star	1,200.00
Office of Aboriginal Affairs	18,358.10
Madelin McGrady	177.10
York and Associates	1,315.00
Gaynor Macdonald Consultancy	20,030.00
Mary Lou Buck	600.00
Norsearch Ltd	17,300.00

APPENDIX 6

GRANTS TO ABORIGINES DURING 1994/95

Name	Amount
Aboriginal Post-Release Program	200.00
Nowra LALC	500.00
Nevil & Colleen Barker	500.00
Cliff and Lorraine Wilson	500.00
Macquarie University	2,400.00
Wanarua Tribal Council	1,000.00
Ngunnawal LALC	1,000.00

