

ANNUAL REPORT

2020–2021

PART 1 OF 2
OVERVIEW AND ACHIEVEMENTS



New South Wales
Aboriginal Land Council



Acknowledgement of Country

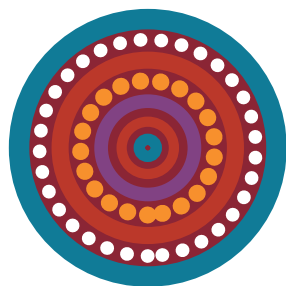
The NSW Aboriginal Land Council acknowledge and pay respect to the Traditional Owners of the lands on which we work, and the lands we travel through. We also acknowledge our Elders – past, present and emerging.

All material in this publication is provided under a Creative Commons Attribution 4.0 international licence with the exception of any images, photographs or branding including New South Wales Aboriginal Land Council logos. In some cases a third party may hold copyright on material in this publication and their permission may be required to use the material.

See creativecommons.org/licenses/by/4.0. Material obtained from this publication is to be attributed as:
© New South Wales Aboriginal Land Council 2021.

Design, layout and editing by Andrew Pegler Media Pty Ltd.

Icons sourced from Vecteezy. Additional stock images from UnSplash.



Contents

Part 1 – Overview and achievements

Letter to the Minister.....	2
-----------------------------	---

INTRODUCTION

About us.....	3
Message from the Chair	4
Acting CEO's foreword	5

OUR COUNCIL

Council's role and function	7
Councillor profiles	8
CEO profiles	11
Our organisation.....	11
Our network	11

THE YEAR IN REVIEW

Highlights	13
News from across the network.....	14

OUR STRATEGIC PLAN

Strategic Plan overview	22
1. Secure our Land and Water Rights.....	23
2. Protect our Culture and Heritage.....	25
3. Pursue Economic Independence and Prosperity for our People.....	27
4. Support our People.....	31
5. Secure our Future	35
Meeting the goals of our 2019–2021 Strategic Plan Supplement.....	44

Part 2 – Statutory information

Governance.....	55
Workforce data	57
Financial statements	62
Consolidated Financial Statements for the year ended 30 June 2021	62
– Independent Auditor's Report	62
– Statement by Councillors.....	64
– Consolidated Statement of Comprehensive Income.....	65
– Consolidated Statement of Financial Position	66
– Consolidated Statement of Changes in Equity	67
– Consolidated Statement of Cash Flows	68
– Notes to and forming part of the Financial Statements.....	69
Appendix.....	116

Parts 1 and 2 together constitute the full annual reporting requirements of the NSW Aboriginal Land Council.

Letter to the Minister



New South Wales
Aboriginal Land Council

ABN: 82 726 507 500
www.alc.org.au

29 October 2021

The Hon. Don Harwin, MLC
Minister for Aboriginal Affairs
52 Martin Place
SYDNEY NSW 2000

Dear Minister,

In accordance with the provisions of the *NSW Aboriginal Land Rights Act 1983*, the *Annual Reports (Statutory Bodies) Act 1984* and the *Public Finance and Audit Act 1983*, we are pleased to submit the 2020–21 New South Wales Aboriginal Land Council (NSWALC) Annual Report.

Council is proud of the achievements and progress made this year towards fulfilling the goals of our Strategic Plan. As we enter the third wave of the modern Aboriginal Land Rights movement in NSW, we build on the strong foundations laid for NSWALC, the Aboriginal Land Rights network and the broader Aboriginal community of NSW.

Following the report's presentation in Parliament, it will be available for public access on NSWALC's website at alc.org.au

We commend this report to you.

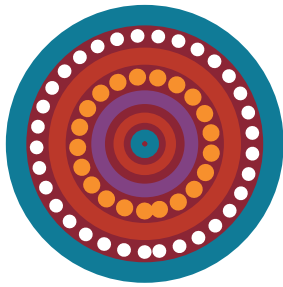
Yours sincerely,

Anne Dennis
Chairperson

Charles Lynch
Deputy Chairperson

ALWAYS WAS ALWAYS WILL BE ABORIGINAL LAND

Head office	Western Zone	Northern Zone	Northern Zone (Tamworth)	Eastern Zone	Southern Zone	Far Western Zone
Level 5, 33 Argyle Street Parramatta NSW 2150 PO Box 1125 Parramatta NSW 2124 Ph: 02 9689 4444 Fax: 02 9687 1234	2/36 Darling Street Dubbo NSW 2830 PO Box 1196 Dubbo NSW 2830 Ph: 02 6885 7000 Fax: 02 6881 6268	Suite 5, Level 1 66-90 Harbour Drive Coffs Harbour NSW 2450 PO Box 1912 Coffs Harbour NSW 2450 Ph: 02 6659 1200 Fax: 02 6650 0420	2/158 Marius Street Tamworth NSW 2340 PO Box 890 Tamworth NSW 2340 Ph: 02 6766 4468 Fax: 02 6766 4469	Suite 23, 207 Albany Street North Gosford NSW 2250 PO Box 670 Gosford NSW 2250 Ph: 02 4337 4700 Fax: 02 4337 4710	Unit 22, 2 Yallourn Street Fyshwick ACT 2609 PO Box 619 Queanbeyan NSW 2620 Ph: 02 6124 3555 Fax: 02 6280 5650	Ground Floor Suite 49 Oxide Street Broken Hill NSW 2880 Ph: 08 8087 7909 Fax: 08 8087 3851



Introduction

About us

The New South Wales Aboriginal Land Council (NSWALC) was formally constituted as a statutory corporation with the passage of the *NSW Aboriginal Land Rights Act 1983* (the ALRA).

The ALRA was passed following a Parliamentary Inquiry into Land Rights by the Legislative Assembly Select Committee on Aborigines, and the release of a government Green Paper proposing a scheme for land claims.

The ALRA provides a mechanism to make claims on limited classes of Crown Land. It also provides a fund for economic development, the purchase of land on the open market, and self-determination through a network of representative Land Councils.

The Statutory Investment Fund (the SIF) was established as part of the ALRA, and resourced for 15 years with an annual amount equal to 7.5 per cent of NSW land tax on non-residential land. All government contributions to the SIF ceased in 1998. Since then, NSWALC has managed the SIF on behalf of the Aboriginal people of NSW.

Over the past 22 years, capital growth has enabled NSWALC to cover its own operational costs, as well as a network of 120 Local Aboriginal Land Councils (LALCs), from a proportion of the Fund's earnings.

“

Over the past 22 years, capital growth of the SIF has enabled NSWALC to cover its own operational costs, as well as a network of 120 local Aboriginal Land Councils.

”

The specific functions of NSWALC, as set out in section 106 of the ALRA are:

- land acquisition
- overseeing the administration of LALCs
- policy and advice
- administration of statutory accounts
- Aboriginal culture and heritage
- financial stewardship.



Message from the Chair

I would like to pay my respect to the Traditional Owners of the lands where we work, live and travel through. I also acknowledge with respect our Elders past, present and emerging.

Late October 2020 marked a historic week for the NSW Land Rights network, with Councillors from NSWALC sitting its 400th meeting.

Our nine elected Councillors travelled from across NSW to attend the meeting in the Western Region in Broken Hill.

We reflected on the decades of work undertaken by our Elders and our predecessors in the fight for Land Rights, and on embarking on an ambitious new era to help Aboriginal peoples in areas such as culture and heritage, employment and housing.

The backdrop to these discussions was our ongoing work supporting Aboriginal communities through the more recent challenges of the Black Summer bushfires and the COVID-19 pandemic.

The pandemic was already well underway and highlighted issues Aboriginal people have been dealing with for many decades – around resources, housing, communication with governments and medical care.

The findings of the **2020 Overcoming Indigenous Disadvantage Report** in December confirmed the important work of the Aboriginal community-controlled sector and organisations like NSWALC.

It is a vital area that governments have now committed to in the National Agreement on Closing the Gap. NSWALC supports the implementation of the National Agreement and the NSW Implementation Plan (NSWIP) as a member of the NSW Coalition of Aboriginal Peak Organisations (NSW CAPO). The National Agreement is not just words. It must signal a turning point in relationships.

Relationships and partnerships are essential to pursuing and implementing meaningful outcomes for Aboriginal peoples across the five Priority Reform areas. For too long, policy failed because governments focused on doing things to or for Aboriginal people, rather than with us.

The NSW Government must use relationships established with the Aboriginal community-controlled sector via Closing the Gap for advice on the best actions to support and protect Aboriginal communities. As Aboriginal people we know that, to achieve better outcomes, Aboriginal service providers are the best to design and deliver programs and services at a local level. Services must facilitate the aspirations, priorities and self-determination of Aboriginal peoples.

NSWALC participated in multiple community consultations on the Closing the Gap for input into the NSWIP.

During the year we continued our support for LALCs impacted by the Black Summer bushfires, helping with the recovery and rebuild. We also lodged more than 1900 land claims and advocated for LALCs as key organisations in their communities.

Our peoples' strength and resilience was very obvious as the COVID-19 pandemic continued across 2021 and turned a sombre corner mid-year with the arrival of the deadly Delta variant in Australia.

We played a major role in co-ordinating support for LALCs with bulk supplies of face masks, sanitiser and dispensing stations and a continuation of our food relief boxes. The commitment of LALC CEOs, Boards and community members to support, educate and empower each other during COVID restrictions is a strong example of the importance of Aboriginal community control and partnerships as equals.

This year, NSWALC also saw the departure of our former CEO James Christian, and we welcomed our Acting CEO Yuseph Deen. During James' time as CEO, NSWALC made strong progress on the return of lands, our economic development strategy, Aboriginal culture and heritage protection, relationships with governments and engagement with our network. On behalf of my fellow Councillors, I thank James for his contribution to improving the lives, aspirations and opportunities of Aboriginal people in NSW.

I also thank our members, the Land Council network, my fellow Councillors, as well as our hard-working CEO and staff for their ongoing commitment to increasing the Aboriginal estate, reforming Aboriginal culture and heritage law, and continuing our advocacy for government to meet its responsibilities under the ALRA.

The Land Rights network is the backbone of our communities and continues the determination, tenacity and foresight of the Land Rights Legends who fought for Land Rights in the 1970s and '80s. I am proud that NSWALC continues to build on their legacy through commitment to cultural, social and economic independence for our people.

Anne Dennis
Chairperson

Acting CEO's foreword

The 400th meeting of the NSWALC Council in October 2020 was an extraordinary achievement that highlighted the resilience of the Land Rights network and Aboriginal community control.

Fittingly, the meeting took place at Broken Hill, a short distance from the site of one of the network's greatest achievements, the hand back of Mutawintji National Park to the Malyangapa, Wilyakali, Wanyuparlku and Pantjikali people.

The return of Mutawintji to Aboriginal people in 1998 came after many years of struggle, including a blockade by Traditional Owners of the Park in 1983 to protect heritage sites from desecration.

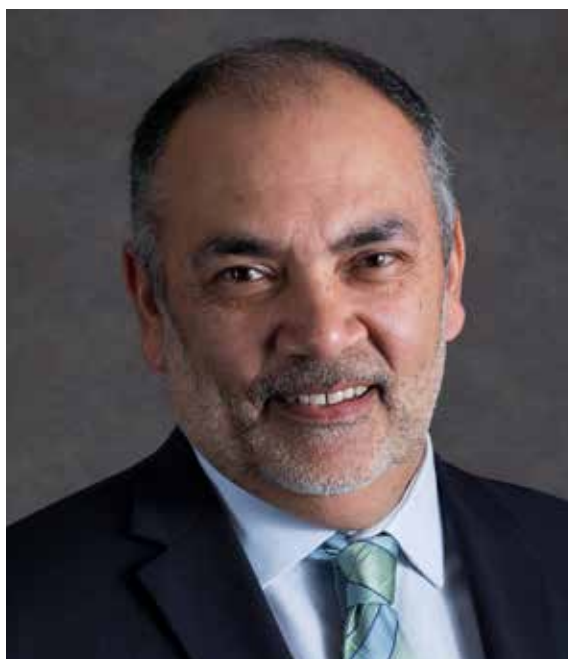
The 400th meeting and NSWALC Council's visit to Mutawintji was a time to reflect on how far we've come, and the distance we still need to travel to fully realise the potential of Land Rights for Aboriginal people in NSW.

NSWALC's SIF is crucial to our ongoing work, with successive Councils of NSWALC managing the SIF on behalf of the Aboriginal people of NSW. It has grown continuously since government contributions ceased 20 years ago, and resources the operations of NSWALC and its network of 120 LALCs.

The SIF was valued at \$676 million at 30 June 2021, compared with \$619 million at 30 June 2020. This represented an increase of \$57.2 million for the 2020–21 financial year. The investment portfolio also provided a return of positive 16.8 per cent against a benchmark 8.0 per cent for the 12 months to 30 June 2021, as you will see in the investment section of this report.

Council actively manages the fund, supported by the Investment Committee. The Committee held four meetings during the reporting period and remained the primary source of investment recommendations to the Council. Mr Joshua Bloom was the Independent Chairperson of the Investment Committee in 2021–21 and Mr Mark Levinson was the other independent member of the Committee. Council representatives during the period were Councillors Charles Lynch and Abie Wright and I thank all Committee members and the NSWALC Council for their contributions to ensuring the SIF remains a long-term, beneficial resource for Aboriginal people in NSW.

We continued our advocacy to government to meet its responsibilities under the ALRA. NSWALC lodged 1932 new land claims during the year, with 432 determinations declared. Of these, 90 claims were granted, 85 were part granted and 249 were refused. We commenced 13 appeals against the refusals.



NSWALC Acting CEO Yuseph Deen.

The rate of granted claims as a percentage of overall determinations was 41 per cent in 2020–21, compared to a historical average of 26 per cent.

While the administration of land claims remains our core business, NSWALC also supported a number of LALCs to participate in Aboriginal Land Agreements (ALAs) within their LALC boundaries and utilise opportunities to unlock the economic potential of their land assets. We also continued a redesign of the NSW Government's Land Negotiation Program (LNP) in a partnership with the Department of Planning, Industry and the Environment (DPIE) to address key findings arising from the program review by Chris Ronalds SC. The redesign is on track to be completed by the end of 2021 and rolled out to the network in 2022.

A focus across the year was greater Aboriginal control over the protection and management of Aboriginal culture and heritage. We lodged various submissions to the Australian and NSW governments, advocating for greater Aboriginal land management practices in natural resource and landscape management. This included a submission to and appearance at the Commonwealth Parliamentary Inquiry into the destruction of caves at Juukan Gorge in Western Australia.

NSWALC's Aboriginal Culture and Heritage Program (ACH Program) embarked on several strategic projects to build the capacity of the Land Rights network. They included the establishment of NSWALC's first Aboriginal Repatriation Program to facilitate the unconditional repatriation of Aboriginal artefacts and cultural items owned by NSWALC to the relevant LALC(s).

NSWALC continued to participate in and support the work of the NSW CAPO, as Co-Chair and Secretariat, and actively contributed to ongoing activities to implement the Closing the Gap Agreement, Priority Reforms and targets.

The Yarpa Business and Employment Hub increased its growth with over 1500 members across five membership types, and formalised Memorandum of Understanding (MoU) relationships with seven major industry leaders.

NSWALC's subsidiary entities NSWALC Housing Limited (NHL) and NSWALC Employment and Training (NET) continued their work to provide stable, sustainable and affordable housing and employment opportunities to Aboriginal people.

NHL gained approval in 2020–21 to become a Housing Pathways Provider and was successful in securing over \$3.5 million from the Aboriginal Community Housing Investment Fund (ACHIF) for improvements to the Moree LALC housing portfolio.

NET adopted a new trading name, Yilabara Solutions (Yilabara). Yilabara won a new Training Services NSW contract to deliver the Barranggirra Project and is establishing co-location sites in Broken Hill, Dubbo and Orange to assist project delivery.

Late 2020 saw us recover from the first wave of the COVID-19 health crisis, as staff began to return to the office, and our SIF regain its value.

However, the end of the reporting period saw new public health orders take effect and NSW return to lockdown conditions. NSWALC staff rapidly returned to working from home using the technology effectively introduced the previous year by our IT unit.

We renewed our food and hygiene relief program to vulnerable Aboriginal peoples and communities, which we established in the first half of 2020 as part of our COVID response. NSWALC also supplied face masks and sanitising stations to LALCs to assist safe operations.

Due to the risks associated with COVID-19, NSWALC in conjunction with the Registrar, advised LALCs to delay Members' Meetings until further advised. Day-to-day operations continued to be managed by LALC CEOs, with oversight and direction from their respective LALC Boards. NSWALC's Zone offices supported the network in good governance during these unprecedented times.

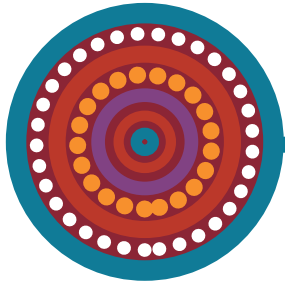
Many of our achievements were carried out under the leadership of our former CEO, James Christian, who left NSWALC in June 2021.

James' time with NSWALC helped give us a reach and influence unmatched in our organisation's history, and I thank him for his contribution to NSWALC and the broader Land Rights movement.

I would also like to thank the Chairperson Cr Anne Dennis, Deputy Chairperson Cr Charles Lynch, and the NSWALC Council for entrusting me with the position of Acting CEO.

And I commend the NSWALC staff across the state for your ongoing professionalism and dedication to Land Rights during continued challenging times.

Yuseph Deen
Acting CEO



Our Council

Council's role and function

Council consists of nine democratically-elected Councillors, who are elected by registered voting members of each LALC for a four-year term.

One Councillor is elected to represent each of the nine regions in NSW. The elected Council then appoints a Chairperson and Deputy Chairperson for a two-year term, after which, they are eligible for re-election.

The statutory positions of Councillor are established under the ALRA.

The role of each Councillor is to:

- direct and control the affairs of the Council in accordance with the ALRA
- participate in the allocation of the Council's resources for the benefit of Aboriginal people

- participate in the creation and review of the Council's policies and procedures
- review the performance of Council in the exercise of its functions and the achievement of its objectives
- represent the interests of LALC members and respond to concerns
- facilitate communication between LALC members and NSWALC.

NSWALC Council



Councillor profiles

CR ANNE DENNIS (CHAIRPERSON): NORTH WEST REGION



Anne Dennis is a Gamilaraay woman from Walgett. She served as a Board member of Walgett LALC for more than 10 years, and was appointed its Chief Executive Officer (CEO) for three years. Cr Dennis is passionate about LALCs progressing towards independence and self-sufficiency through employment, better educational outcomes and social justice for Aboriginal people.

Cr Dennis holds the International Engagement Portfolio and Economic Development Portfolio. Cr Dennis is Co-Chair of the First Nations Heritage Protection Alliance Committee Board, is a Board member for NSWALC Resources and is the alternate representative on the NSWALC Economic Development Advisory Committee.

CR CHARLES LYNCH (DEPUTY CHAIRPERSON): NORTHERN REGION



Charles Lynch is a Gomerioi man from Tamworth who has lived between Tamworth, Barraba and Quirindi all his life. He has been involved in the Land Rights network for more than 25 years in various capacities, and is also a member of both Nungaroo LALC and Tamworth LALC, and a Board member of the Tamworth Aboriginal Medical Service. He was elected to Council in 2015 and is now serving his second term. Cr Lynch is a Fellow of the Institute of Public Accountants and a graduate of the Australian Institute of Company Directors. He has a strong focus on empowering LALCs to build capacity and determine their own direction through economic development and sustainable delivery of services for the betterment of members and communities as a whole. Most of all he is a very proud father of five children and five grandchildren, and an avid 'Sea Eagles' supporter.

Cr Lynch is Co-Chair of the NSW CAPO Committee, and sits on the NSWALC Audit and Risk Committee and Investment Committee.

CR ABIE WRIGHT: SYDNEY–NEWCASTLE REGION



Abie Wright is a descendant of Gommeroi, Anaiwan, Dunghutti and Wanaruah people from Newcastle. He is a musician and songwriter, and was a member of the award-winning hip-hop groups 'Local Knowledge' and 'Street Warriors'. Cr Wright was a joint founder of the Miromaa Aboriginal Language and Technology Centre and is a Board member of Awabakal AMS and Awabakal Limited, a service providing primary health care, aged care, child and family services to Aboriginal people living throughout the Newcastle, Lake Macquarie, Port Stephens and Hunter Valley regions. Cr Wright's late father Jimmy Wright was a respected leader and former Aboriginal and Torres Strait Islander Commission (ATSIC) Commissioner.

Cr Wright holds the Economic Development Portfolio, and sits on the NSWALC Investment Committee and Economic Development Advisory Committee.

CR LEANNE HAMPTON: WIRADJURI REGION



Leanne Hampton is a Wiradjuri–Ngiyampaa woman from West Wyalong, and was the first female Deputy Mayor of the Bland Shire Council. Cr Hampton also served for 13 years as CEO of the West Wyalong LALC and, prior to that, ran her own hairdressing business. A member of the NSW Government’s Aboriginal Culture and Heritage Advisory Committee, Cr Hampton is passionate about culture and heritage, and helping instill pride in young Aboriginal people.

Cr Hampton holds the Aboriginal Culture and Heritage Portfolio, and sits on the NSWALC Finance Committee and Governance Committee.

CR GRACE TOOMEY: CENTRAL REGION



Grace Toomey is a Wiradjuri woman from Dubbo. Prior to being elected to NSWALC, she worked in local government for 24 years, most recently as the Aboriginal Liaison Officer for the Dubbo Regional Council. She was a Board member of the Dubbo LALC for 10 years, and Secretary of the Dubbo Aboriginal Community Working Party.

Cr Toomey holds the Social Services Portfolio, and sits on the NSWALC Finance Committee and Insurance Committee.

CR DANNY CHAPMAN: SOUTH COAST REGION



Elected in 2015, Danny Chapman is a Walbunga man from the Yuin nation, with experience and knowledge of Native Title and Aboriginal fishing rights. A major part of Cr Chapman’s education was learning how to fish and gather food from the sea and estuaries, and, as Chair of the NSW Aboriginal Fishing Advisory Council, he has advised government on Aboriginal fishing rights and practices. He has been involved in Aboriginal affairs at state government level for the past five years. Cr Chapman has worked in the network for many years, commencing as CEO of the Far South Coast Regional Aboriginal Land Council. He also represented the Far South Coast Council at NSWALC level, becoming the Treasurer. He has worked as the CEO of a number of LALCs in his region, and also worked in the private sector in health and employment.

Cr Chapman holds the Land and Water Portfolio and is the representative on the Fishing Fund Advisory Committee.

CR PETER SMITH: MID NORTH COAST REGION



Peter Smith is a Dunghutti man, originally from Kempsey, who has worked in the Taree region for three decades, spending 12 years in the police service and 12.5 years at regional health services. He has worked in his local community in a number of different capacities, and is passionate about Land Rights, health equality, housing, and culture and heritage. A Councillor since 2011, Cr Smith is a member of the Purfleet–Taree LALC, where he served as Chair for 10 years.

Cr Smith holds the Land and Water Portfolio, and sits on the Aboriginal Fisheries Advisory Council and the Police Aboriginal Strategic Advisory Council. He is the alternate member of the NSWALC Audit and Risk Committee and the alternate representative on the Fishing Fund Advisory Committee.

CR ROSS HAMPTON: WESTERN REGION



A Ngiyampaa–Wiradjuri man, Ross was born in Lake Cargelligo, grew up in West Wyalong, and now lives in Irymple where he is a member of Dareton LALC. He was formally the Executive Director Operations and Family Services at Mallee District Aboriginal Services, and NSWALC's Far Western Zone Director. Prior to joining NSWALC, Ross worked for Aboriginal Hostels Limited for 21 years, was an Executive Director with Aboriginal Affairs NSW, a Director of the Aboriginal Housing Office (AHO), and the Chief Executive Officer of the Murdi Paaki Regional Housing Corporation.

Cr Hampton holds the Council Ethics and Professional Standards Portfolio and the Social Services Portfolio. Cr Hampton sits on the Western Lands Advisory Committee, and on the NSWALC Governance Committee and Insurance Committee.

CR DALLAS DONNELLY: NORTH COAST REGION



Dallas Donnelly is a Bundjalung and Gumbaynggirr man from Grafton. He has previously served as the NSWALC North Coast Regional Councillor, and as the CEO of the Grafton–Ngerrie, Baryulgil Square and Ngulingah LALCs, and as an ATSIC Regional Councillor.

Cr Donnelly holds the Aboriginal Culture and Heritage Portfolio and sits on the Aboriginal Culture and Heritage Advisory Committee, Geographical Names Board and Karst Management Advisory Committee.

CEO profiles

MR JAMES CHRISTIAN

James Christian is a Wiradjuri man from the Riverina area. He was appointed CEO of NSWALC in May 2017.

Mr Christian has extensive experience in the public sector at federal and state level. Before joining NSWALC, he served as National Group Manager, Disability, Employment and Carers at the Australian Government Department of Social Services. In NSW, he led Aboriginal Affairs, was Deputy-General of the Department of Ageing, Disability and Home Care, and CEO of the AHO.

In 2011, Mr Christian received a Public Service Medal for outstanding service in improving opportunities for economic participation and employment of Aboriginal people.

Mr Christian resigned and departed from NSWALC on 25 June 2021.

MR YUSEPH DEEN

Mr Yuseph Deen accepted the role of Acting CEO on 28 June 2021.

Mr Deen is a descendant of the Wuthathi peoples of Cape York with ancestral connections to the lower Western Islands of the Torres Strait.

Mr Deen is currently Acting CEO at NSWALC, taking on the role in June 2021. With a background in economics, Mr Deen has worked in a wide range of sectors including Land Rights, Native Title, cultural and natural resource management, social justice, economic development and community development.

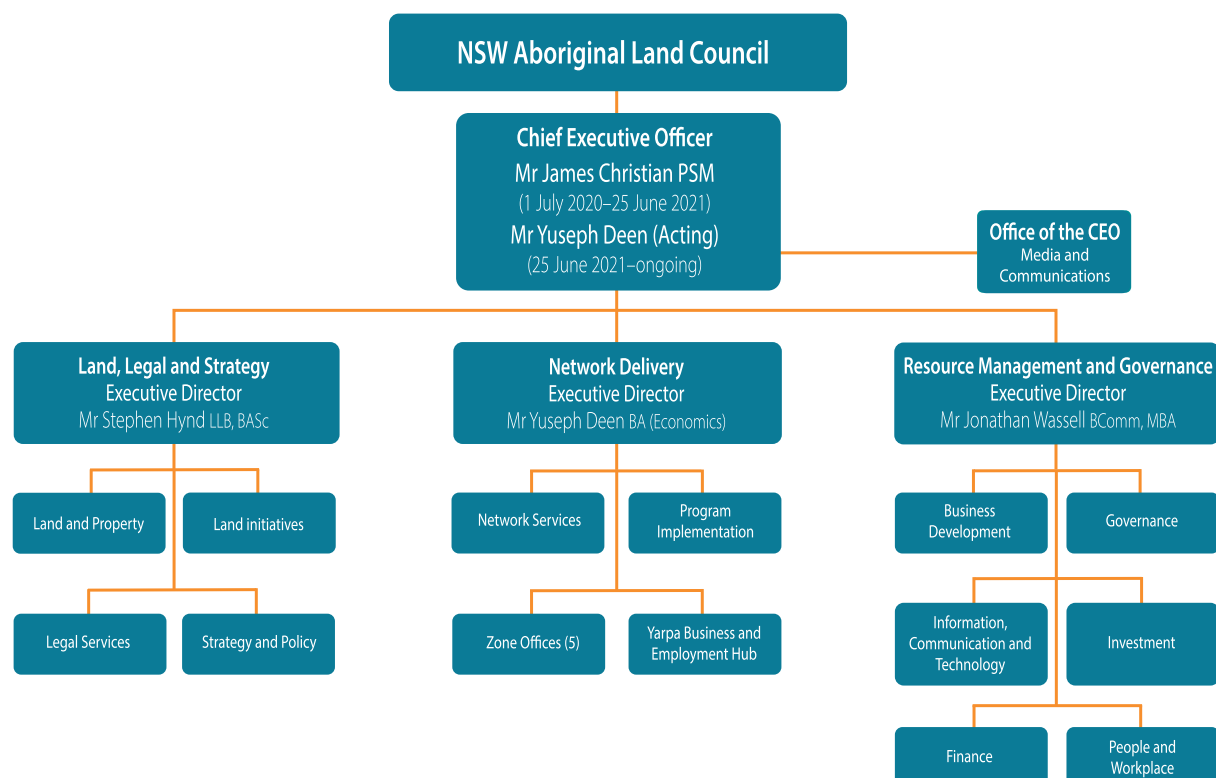
Our network

NSWALC's network comprises the 120 LALCs, and the 25,000 Aboriginal people who are their members. LALCs manage and deliver a range of support services to their communities at the local level including housing, employment, training, culture and heritage, property acquisition and management.

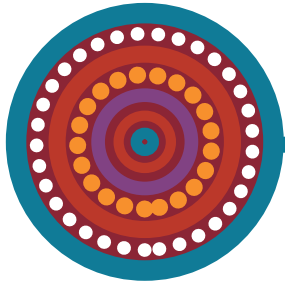
The aim of the LALC structure is to achieve a high degree of participation and involvement by every Aboriginal person in the affairs of their local community.

Each LALC elects its own Board and appoints staff, with members able to access advice, information and support from NSWALC in relation to all aspects of Land Rights. LALCs are supported financially, and through relevant training and development, to build capacity for strategic planning and management of community affairs.

Our organisation







Year in review

Highlights

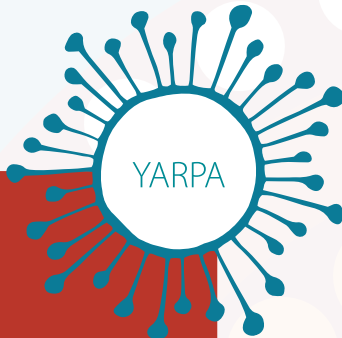


53,439

lodged since
commencement
of the ALRA

1932

lodged in 2020–21



>1500

memberships

16

Aboriginal businesses
graduated from the
inaugural Yarpa Grow
Program, delivered in
partnership with KPMG

7

MoU relationships
formalised with major
industry leaders



145,457

disbursed to two
successful applicants

News from across the network

CLOSING THE GAP CONVERSATIONS AROUND NSW

Aboriginal community representatives gathered together throughout April 2021 in a series of nine Closing the Gap engagements on the NSWIP.

Representatives discussed what was needed to drive the priority reforms, and support Aboriginal people, communities and organisations in NSW.

NSWALC Deputy Chair Charles Lynch is Co-Chair of the NSW CAPO, and NSWALC is responsible for the CAPO Secretariat.

Consultations were held in Western Sydney, Lismore, Newcastle, Kempsey, Tamworth, Batemans Bay, Cobar, Wagga Wagga and Dubbo and were hosted by NSW CAPO.

Conversations were very positive and have been collated in the Closing the Gap NSW Community Engagement Report, which you can find [here](#).



Cr Charles Lynch (Deputy Chair) and Cr Anne Dennis (Chair) presenting at the Closing the Gap conversations in April 2021.



Elders get into the spirit of competition at the Elders Olympics held on Gumbaynggirr Country in April 2021.

ELDERS OLYMPICS

One of the most beloved events on the calendar is the annual Elders Olympics. The event is supported by the NSWALC Statewide Grants program. This year, it was held in April on Gumbaynggirr Country.

Three hundred Elders travelled to Nambucca Heads for a spirited event, hosted by the reigning champions, Ngambaga Bindarry Girrwa Community Services.

A total of 25 teams flexed their competitive muscles in beanbag throws, softball toss, shooting hoops, pass the football, hockey, walking relays and more!

38TH ANNIVERSARY OF THE ALRA

June 10 2021 marked the 38th anniversary of the proclamation of the ALRA in NSW.

The ALRA created a process to return land to Aboriginal people, and established NSWALC as a statutory corporation with a system of independent LALCs around the state.

The proclamation followed many years of work by thousands of community members, who fought for this critical legislation in the 1970s and '80s.



Aboriginal Land Rights activism in the 1970s and '80s resulted in a Parliamentary Inquiry, and the passage of the ALRA in 1983.



Karuah LALC celebrate the historic partnership with the NSW Government to deliver social, cultural and economic outcomes for the entire Dungog community.

KARUAH LALC PARTNERSHIP

The Karuah LALC entered into a historic partnership with the NSW Government to deliver social, cultural and economic outcomes for the Aboriginal and non-Aboriginal community in Dungog.

The agreement, signed by Karuah LALC Chairperson Michelle Perry and the Minister for Lands Melinda Pavey, will see ownership of lands transferred to the community, with allowance for continued public access and use.

HOUSING ROUNDTABLE

NSWALC continued connecting with communities on their housing needs, with a Housing Roundtable on Wiradjuri Country in Dubbo in February.

The workshop was attended by over 30 LALCs that have been in head-lease arrangements.

Discussions included sector reform, future partnerships, and how we can work towards affordable housing for Aboriginal people.



Councillors and NSWALC staff at the Housing Roundtable, held in February on Wiradjuri Country, enjoy a well-earned break and catch-up.



NSWALC Scholarship recipient Kyle Plant is studying construction management, and plans to take his knowledge and skills back to his community.

NSWALC SCHOLARSHIP RECIPIENT – KYLE PLANT

The 2021 NSWALC Educational Scholarship recipient was Wailwan Yuin Gamilaroi man, Kyle Plant.

Kyle is studying a Bachelor of Construction Management at Western Sydney University and says his overarching goal is to take his knowledge and skills back to his community.

"Building quality housing, schools, hospitals and roads is crucial for all communities, and in particular, Aboriginal communities in regional and remote areas of NSW.

"I'm committed to planning, communicating and managing projects for the community's benefit, while also protecting the community's interests and aspirations regarding what is built on their land, and how it is maintained", he said.

The NSWALC Scholarship also includes a six-week paid internship, but due to ongoing uncertainty regarding COVID-19 restrictions in NSW, this component was placed on hold by the Council.



Dyiramaalang Dancers perform at the handover of the former Orange Police Station to Orange LALC in a landmark day for Aboriginal Land Rights.

ORANGE LALC HANDED OWNERSHIP OF FORMER POLICE STATION

It was a big day for Land Rights on May 18 2021, with the handover of ownership of the former Orange police station to Orange LALC.

The Byng Street site has been vacant since 2009, following the opening of the new station, and has fallen into disrepair in the years since.

Under the ALRA, vacant Crown land may be claimed by Aboriginal Land Councils if it is not being lawfully used or occupied.

A land claim was lodged by NSWALC on behalf of Orange LALC in 2011.

Orange LALC Chair Jamie Newman says the handback heralds the start of an exciting and productive future for the Byng Street site.

"We know the old police station has long needed a facelift and a useful purpose, and I'm happy to say that Orange LALC is going to give it one.

"The site is now owned by Orange LALC as a freehold title, which gives us the opportunity to develop relationships, drive our economy, and continue to provide for the cultural and social needs of our members and the wider Aboriginal community, as well as the whole community in Orange", he said.

NSWALC Chairperson Anne Dennis says she's pleased the claim has finally been granted.

"Land Rights and the land claims process is something generations of Aboriginal people have fought long and hard for, to help realise the economic, cultural and social aspirations of our communities.

"The Aboriginal Land Rights Act was designed to help compensate for intergenerational dispossession and displacement, and I look forward to the continuing resolution of outstanding claims into the future", she said.

"Land Rights and the land claims process is something generations of Aboriginal people have fought long and hard for, to help realise the economic, cultural and social aspirations of our communities."

NSWALC COUNCIL SITS 400TH MEETING

It was an historic week for the NSW Land Rights network with NSWALC sitting its 400th meeting in October 2020.

Councillors travelled from across the state to attend the meeting in the Western Region in Broken Hill.

They were joined by the NSW Minister for Aboriginal Affairs the Hon. Don Harwin MLC to mark the significant occasion.

The week began with a Welcome to Country ceremony, and highlights included a meeting with the Boards of the Western Region LALCs, and a cultural site visit to Mutawintji National Park.



NSWALC Council came together in Western Region in October 2020 to celebrate the 400th meeting.



Mutawintji National Park tour guide, Keanu Garni Bates, led a cultural tour through the park for NSWALC Councillors as part of the 400th meeting celebrations.

NSWALC COUNCILLORS VISIT MUTAWINTJI NATIONAL PARK

Mutawintji National Park has very special significance for the Land Rights network.

Located 130 kilometres northeast of Broken Hill, Mutawintji National Park belongs to the Malyangapa, Wilyakali, Wanyuparlku and Pantjikali people.

In 1998 Mutawintji became the first National Park to be handed back to Traditional Owners under the ALRA.

Fifteen years earlier, in 1983, Traditional Owners blockaded the park to protect it from vandalism and to preserve heritage sites.

The NSWALC Councillors visited the Park as part of its 400th Council meeting, held in Broken Hill.

The enriching cultural tour was conducted by Mutawintji National Park tour guide, Keanu Garni Bates.

COVID-19 AND ABORIGINAL COMMUNITIES

The COVID-19 pandemic continued to impact the Land Rights network throughout 2020–21, following the Australia-wide lockdown in the first half of the year.

LALCs were unable to hold members' meetings for a number of months due to public health orders and the transmission risks associated with COVID-19. Day-to-day LALC operations continued to be managed by CEOs, with oversight and direction from their Boards.

NSWALC, the Registrar and Zone offices continued their work with LALCs, preparing appropriate safety management plans, and ensuring continued good governance during this unprecedented time.

NSWALC secured a supply of 99,000 single-use face masks via a donation from tech giant Apple in late 2020, as communities continued to negotiate the pandemic's ongoing challenges. Bulk supplies of hand sanitiser and dispensing stations were also sent to LALCs to assist them to operate safely, and we encouraged COVID-19 safe



Deputy Chair Charles Lynch gets his COVID-19 'jab' at Tamworth Aboriginal Medical Service.

practices and testing via our social media channels and network communications.

We also continued to make sure that vulnerable community members were looked after with groceries and essentials assistance following new public health orders and restrictions from late June 2021 onwards.

BUILDING CAPACITY WITHIN THE LALC NETWORK

NSWALC continued developing and delivering successful training opportunities for the LALC network across 2020–21.

Three LALC capacity development resources were designed for LALCs:

- an introductory to Financial Planning and Reporting for LALC Board members
- a LALC CEO information and induction resource
- a Chairperson and Deputy Chairperson resource on roles and responsibilities.

Partnerships were developed with NSW TAFE and the Community Housing Industry Association (CHIA) to design and deliver tailored courses for LALCs.

CHIA delivered a LALC Housing Management non-accredited training course to 15 LALC representatives in Dubbo, which incorporated units from the Certificate IV in Social Housing.

NSW TAFE also started the delivery of a LALC CEO Skillset Course to help build CEOs' core skills relevant to their roles and responsibilities. The first block of training was delivered in June 2021 in Bathurst and Tamworth with 22 LALC CEOs attending. NSWALC was successful in utilising funding through the NSW Smart and Skilled and Away from Base programs to cover participants' attendance costs.

NSWALC has now received more than 30 expressions of interest from LALCs to attend future courses.

Further blocks will commence towards the end of 2021, subject to COVID-19 restrictions.

Participants at the Housing Management Course in Dubbo.





EMERGING INDIGENOUS EXECUTIVE LEADERS PROGRAM

One of the most transformative gifts a community can give itself is to nurture and develop its future leaders. It's how Aboriginal and Torres Strait Islander communities have operated for tens of thousands of years, by teaching and supporting those who will take on senior leadership roles in the future.

In a modern context, developing an organisation's high-performing Aboriginal staff can have a profound impact on the individuals themselves, as well as building the organisation's cultural excellence, innovation and community outcomes.

In 2020, NSWALC decided to participate in the Emerging Indigenous Executive Leaders Program (EIELP), delivered by the Australian Graduate School of Management (AGSM) at UNSW.

The EIELP was developed by Professor Mark Rose and AGSM to cultivate the next generation of senior Indigenous business leaders. The program covers five modules over nine months, with participants earning credit points that equate to two subjects in the AGSM Executive MBA.

NSWALC's Northern Zone Director Wes Fernando, Eastern Zone Director Erica Smits, and Culture and Heritage Manager Jonathon Captain-Webb were offered places in the program and readily accepted the opportunity.

The 2020–21 EIELP kicked off during the height of the COVID-19 pandemic, which meant facilitators and participants had to connect virtually. But once COVID-19 restrictions eased between states, participants were finally able to link-up for the first time in Cairns.

Erica learned a lot about making the transition from operations to leadership.

"It's a big jump to go from an operational background to a strategic level but it's one I'm taking, to propel my leadership skills and personal journey", she said.

“

It's a big jump to go from an operational background to a strategic level but it's one I'm taking, to propel my leadership skills and personal journey.

”

Wes was happy to share the learning experience as part of the group of emerging Aboriginal leaders.

"Building Aboriginal leadership is a critical area in all Aboriginal organisations, and I certainly welcomed the opportunity to connect with very interesting people, and establish relationships to carry us into the future", said Wes.

Jon welcomed the opportunity to reflect.

"I've learned a lot about how to conceptualise Aboriginal cultural capability as a leadership quality and interface with Aboriginal and non-Aboriginal communities and how to better empathise with the people I serve", he said.

Erica has now been accepted into an MBA at UNSW with a partial scholarship; Wes is moving forward with his PhD, which focuses on traditional versus western governance; and Jon is already well on the way in his MBA journey.

As confirmation of the importance of the program, the EIELP was awarded the European Federation of Management Development's 2020 Silver 'Excellence in Practice' award in the Talent Development category

NAIDOC WEEK NOVEMBER 2020

COVID-19 lockdowns across Australia saw NAIDOC Week 2020 postponed and rescheduled for November.

The theme for 2020: *Always Was Always Will Be* recognises that First Nations people have occupied and cared for this continent for over 65,000 years.

And while the date of NAIDOC changed, the theme remained a reminder of our strong links to Country. *Always Was Always Will Be* has particular relevance for the Land Rights network, originating in the Land Rights movement of the 1980s, in far-western NSW.

Barkandji people were fighting for their rights as sovereign owners of their homelands. William Bates led the 1983 Mutawintji blockade, which resulted in the NSW Government closing off sacred sites to the public. Fifteen long years later, Mutawintji National Park was eventually returned to its Traditional Owners.

Always Was Always Will Be, Aboriginal Land continues to be chanted at gatherings and rallies. It reminds us of those who fought so tirelessly for our land, and it is reinforcement for all of us today of our ongoing work in addressing health, social, employment, housing and education issues in our communities.





Discrete community programs

ROADS TO HOME

In March 2019, the NSW Government announced that \$54.8 million would be spent on a new program called Roads to Home (R2H) to upgrade road reserves and associated infrastructure in discrete Aboriginal communities in LALC areas. The R2H Program is administered by the R2H team at DPIE.

The R2H Program also provides the opportunity to address issues relating to the single-title nature of the communities by proposing long-term planning and subdivision solutions. This enables the transfer of road reserve infrastructure to local authorities, and the subdivision of land into multiple lots.

Dedicating the road reserve to the Local Government Authority (LGA) is not mandatory under the R2H Program, and an alternative option for LALCs is to establish a care/control and management arrangement with the LGA, where the LGA maintains the road infrastructure.

The program's works include upgrades to:

- stormwater and other drainage
- kerb, guttering and footpaths
- street and public space lighting
- upgraded road surfaces
- telecommunications
- power.

Ten discrete Aboriginal communities (nine LALCs) were chosen to participate in the initial program, to take place over four to five years.

In November 2020, another 11 communities were added to the R2H Program, following \$20 million in Stimulus Funding from the NSW Government.

In June 2021, a further \$34.1 million was committed in support of an additional 12 communities, raising the total number of communities on the R2H Program to 33.

R2H Maintenance Program

In November 2020, as part of the NSW Government Stimulus Funding, an additional component was added to the R2H Program to provide funding for housing repairs and maintenance in the initial 10 R2H communities.

The R2H Maintenance Program (R2HMP) will be administered and funded via the AHO, rather than DPIE's R2H team, and is separate from the original DPIE R2H program.

Under the R2HMP, the AHO received \$16.8 million to provide funding support to the 10 communities. Funds will be used to address maintenance issues within the communities housing portfolios, and to provide coaching and mentoring support.

NSWALC continues to support both the R2H Program and R2HMP and works closely with the NSW Government to help ensure that the Programs continue to be implemented effectively.

R2H at Gulargambone Top

The Gulargambone Top community celebrated the completion of the Roads to Home (R2H) Program with a special event in May 2021, showcasing significant upgrades to roads, drainage, kerbs, guttering, lighting and power.

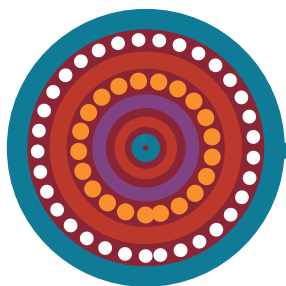
Thanks to a partnership between the Weilwan LALC and DPIE, the community was deeply involved in the project from the very beginning.

The R2H Program aims to provide communities with the facilities, services and infrastructure that they deserve.

NSWALC has been involved with R2H since its inception in 2008.

Gulargambone Top community members check-out the upgrades at the R2H Program event in May 2021.





Our Strategic Plan

Strategic Plan overview

The NSWALC Strategic Plan 2018–2022 (the Strategic Plan) reflects the purposes of the ALRA to:

- provide for Aboriginal Land Rights and representative LALCs
- invest land in those Councils through claim and acquisition
- provide for community benefits.

The Strategic Plan provides the foundation on which to make the visions and aspirations of NSWALC a reality.

It also reflects the objectives of NSWALC to improve, protect and foster the best interests of Aboriginal peoples in NSW.

Successive Councils of NSWALC have nurtured the SIF over the past 35 years. Since government contributions ceased 20 years ago it has grown continuously, and has resourced the operations of NSWALC and its network of 120 LALCs. The current Council and its successors have a responsibility to continue that stewardship.

Effective stewardship of the SIF alone cannot deliver our long-term vision for Aboriginal people. The Council of NSWALC has needed to make decisions, recognising that:

- diversification of our economic activities with new enterprises is needed to deliver integration with, and a fair share of the NSW economy
- the SIF needs to be an exemplar of our self-determination – it is Aboriginal money, managed by Aboriginal people for the benefit of future generations of Aboriginal people
- the SIF can be a driver for NSWALC and LALC initiatives but its overwhelming purpose must be as a long-term, beneficial resource for all Aboriginal people in NSW, and it must continue to grow as an inheritance for future generations.

Annual Supplement 2020–21

With our fourth annual Strategic Plan Supplement, the Council of NSWALC is building and further shaping our strategic agenda. We continue to sharpen our business-as-usual operations and refine and add to our emerging business activities.

It is a necessarily big strategic agenda, to seize the opportunities we have to improve the lives of our people.

The Strategic Plan Supplement, in conjunction with our Strategic Plan 2018–2022, is our required Community, Land and Business Plan. It identifies our strategies for the financial year to achieve the five long-term objectives and goals of our Strategic Plan 2018–2022, which is available [here](#).

The Strategic Plan Supplement has again been prepared as part of our integrated annual planning and reporting processes. This financial year we have placed a stronger emphasis on regular reporting to LALCs by committing to quarterly reports in addition to our annual report.

Our stretch targets remain deliberately high. We are determined to see our people and our efforts driven by high expectations.

“

It is a necessarily big strategic agenda, to seize the opportunities we have to improve the lives of our people.

”

Our goals



SECURE OUR LAND AND WATER RIGHTS

Securing the return of land to Aboriginal people and ensuring access to their lands and waters is the core business of NSWALC. As Aboriginal people, our lands and waters are central to our being. Land and water are essential to the spiritual, social, cultural and economic survival of our communities. We must ensure that lands and waters are well managed so as to protect the vital importance they have to Aboriginal people.

NSWALC continues to advocate for the return of Aboriginal land. In 2020–21:

- 1932 land claims were lodged
- 424 determinations were declared
 - 90 land claims granted
 - 85 part granted/part refused
 - 249 land claims refused
- 13 appeals commenced against the Minister's refusals.

The rate of granted claims (including part grants) as a percentage of overall determinations is a considerable improvement on previous years, with 41 per cent in 2020–21 compared to a historical average of 26 per cent.

Aboriginal Land Agreements

The introduction of ALAs in section 36AA of the ALRA, and the NSW government-initiated LNP enable LALCs to participate in negotiated settlements of Aboriginal Land Claims (ALCs) within their LALC boundary.

ALAs give LALCs the opportunity to unlock the economic potential of their land assets and, most importantly, return land to Aboriginal people.

Ronald's review of the LNP in 2019 identified deficiencies and inconsistencies with LNP delivery. NSWALC, in partnership with DPIE, have been redesigning the LNP to address the Review's key findings.

Seven LALCs participated in the initial LNP. One LALC reached the final agreement stage, and negotiations and discussions continued to progress with the remaining six LALCs. The remaining negotiations are expected to be finalised by the end of 2021.

Two LALCs entered ALA negotiations outside of the LNP, and these negotiations are ongoing.

NSWALC received \$2.5 million from DPIE towards capability building for LALCs. NSWALC is in the process of finalising an acquisition and activation strategy to support the return of land to LALCs.

NSWALC also continued to provide advice and support to LALCs' participation in ALA negotiations to maximise the return of land to Aboriginal peoples.

ALAs delivering social, cultural, and economic benefits to LALCs

NSWALC supported the Orange LALC's participation in the LNP, which provided for the settlement of multiple ALCs. Key outcomes of the agreement were the transfer of ownership of numerous parcels of land to Orange LALC, including significant assets such as an agricultural research station, a golf course and a racecourse, and a Cooperation Agreement with Orange City Council to consider, peruse and implement a wide range of benefits to the community, including the Aboriginal community.

NSWALC assisted the Karuah LALC in the negotiated settlement of undetermined ALCs on the Dungog Common. Key outcomes of the agreement included transfer of ownership of the Common land to Karuah LALC, employment opportunities for Aboriginal community members, and the protection of Aboriginal Cultural Heritage on the Common.

NSWALC supported Kempsey LALC in the negotiated settlement of ALCs to facilitate the acquisition of Crown Land for the Stuarts Point sewage treatment plant. Key outcomes of the agreement included an economic benefit to Kempsey LALC, and employment opportunities for Aboriginal community members at Stuarts Point.

NSWALC also assisted Brewarrina and Grafton Ngerrie LALCs in the negotiated settlement of ALCs over decommissioned correctional facilities within their boundaries.

The settlements, still being finalised, will see both LALCs receive significant portions of the sites. The remaining portions will be used for public services that benefit the community.

NSWALC will continue work with the abovementioned LALCs on activating their returned lands.

GIS Mapping Tool

The GIS Mapping Tool continues to be improved with more reliable data and additional data sources. The tool will greatly assist in land claim and land management processes.

Water Rights

Water is central to our culture, and crucial to our social and economic well-being.

The past year saw significant activity in the development of, and amendment to new and existing water polices and strategies that impact Aboriginal people. NSWALC attended various online national and state meetings to advocate for Aboriginal peoples' water rights. We also continued to advocate for opportunities for LALCs to discuss water directly with various government representatives and decision makers.

NSWALC continues to implement the NSWALC Water Strategy.

As part of our advocacy work NSWALC lodged various submissions including:

- Commonwealth
 - Productivity Commission National Water Reform Issues Paper 2020
- NSW
 - Independent Pricing and Regulatory Tribunal (IPART), Review of NSW Water Pricing
 - Draft NSW Water Strategy 2021
 - Coastal Harvestable Rights Review Discussion Paper 2020
 - Draft Regional Water Strategies
 - Water Sharing Plans (WSPs) for North Western Unregulated and Fractured Rock Water Sources 2011; Castlereagh Unregulated River Water Sources 2011 and the 2021 WSP Review; NSW Border Rivers Unregulated River Water Sources 2012.



As Aboriginal people we are the inheritors of the oldest living cultures in the world. Our culture and heritage are essential to our survival as distinct, self-determining peoples. We cannot create a secure future for our descendants unless our culture and heritage is protected.

NSWALC continued to advocate for legislative protections for Aboriginal culture and heritage that provide proper protection and give control and decision-making to Aboriginal peoples.

During 2020–21 we engaged with the Land Rights network, Aboriginal Owners, NTSCORP and, through NSWALC's representative, the Aboriginal Cultural Heritage Advisory Committee, on what new laws in NSW should look like.

We lodged various submissions to the Commonwealth and NSW Governments, highlighting ongoing destruction of our culture and heritage and advocating for greater Aboriginal land management practices in natural resource and landscape management. This included a submission to and appearance at the Commonwealth Parliamentary Inquiry into the destruction of caves at Juukan Gorge in Western Australia.

NSWALC continued to Co-Chair the First Nations Heritage Protection Alliance to advocate for nationwide reforms. The Alliance is made up of Land Councils and Native Title groups from around the country.

We also continued to support the Network on culture and heritage matters, including presenting at regional forums and providing advice to LALCs.

ABORIGINAL CULTURE AND HERITAGE PROGRAM

The ACH Program was developed to ensure our culture and heritage is managed consistently and effectively across the Land Rights network, and that NSWALC executes its statutory responsibility to promote and protect Aboriginal culture and heritage under section 106(7) of the ALRA.

The ACH Program supported numerous LALCs and developed several strategic projects to build the capacity of the Land Rights network:

- advocated for LALCs' statutory responsibility to protect and manage Aboriginal culture and heritage within LALC boundaries through engaging with local Shire councils and state government agencies across NSW
- developed a resource to assist LALCs define Aboriginal culture and heritage, and understand their statutory requirements under the ALRA to list Aboriginal culture and heritage goals and objectives in their Community, Land and Business Plans (CLBPs)
- supported LALCs to develop proactive goals and objectives to manage and protect Aboriginal culture and heritage in their CLBP





“

The Aboriginal Culture and Heritage Program was developed to ensure our culture and heritage is managed consistently and effectively across the Land Rights network

”

- supported 14 LALCS to build relationships with key stakeholders via the NSW Government's Registered Aboriginal Parties Policy, engaging in culture and heritage planning and assessments, and brokering partnerships with NSW Government agencies and local/Shire councils, including National Parks and Wildlife Service, State Forests, Local Land Services, and development proponents
- supported the Tharawal LALC to document and participate in an investigation into the unlawful destruction of two sites of Aboriginal culture and heritage significance as part of the Menagle Park Residential Housing Development
- supported eight LALCs to engage with the assessment and protection of Aboriginal culture and heritage as part of several significant residential developments and public infrastructure projects across NSW, including the Moonba to Wilton Gas Compressor Pipeline, the Appin Residential Development, and Centennial Newstan Coal Mine expansion
- supported five LALCs to identify, assess, map, and register 21 sites of Aboriginal culture and heritage significance on the NSW Government's Aboriginal Heritage Information Management System database
- established NSWALC's first Aboriginal Repatriation Program to facilitate the unconditional repatriation of Aboriginal artefacts and cultural items owned by NSWALC to the relevant LALC(s), with the ACH Program identifying Tamworth LALC for the first unconditional repatriation of 81 Aboriginal artefacts and cultural items
- engaged with the NSW and Australian Governments' response to the 2019–2020 Black Summer bushfires and advocated for the inclusion of Aboriginal cultural burning and natural resource management practices, which included lodging submissions to the Royal Commission and the NSW Government Inquiries into the fires
- consulted with the Land Rights network and identified five consistent themes, including the need for capacity building and knowledge sharing, and the need for an Aboriginal Culture and Heritage Manual to be published and distributed to the network.

Restoring economic independence and prosperity to our communities is essential to our survival as a distinct and self-determining people. Economic independence is also necessary if we are to unlock the full potential of Aboriginal Land Rights and ensure the effective management of land that has been returned.

Commercial Development Plan

NSWALC continued to develop an approach that gives LALCs the opportunity to engage resources within NSWALC for land acquisition, activation and management.

We work with LALCs to increase their property portfolios through targeted acquisitions, and activate their portfolios through the creation of income-generating activity, including property development, while we focus on the ongoing management, at scale, of property portfolios across the state.

These resources are being incrementally increased across NSWALC's property-related business units, and in consultation with LALCs that need these services.

LALC Business Enterprise Program

NSWALC continued to support LALCs in their economic development aspirations through the LALC Business Enterprise Program (LBEP). The LBEP supports LALCs and LALC-related business enterprises to develop local economic and business opportunities through the provision of tailored business support and funding.

In 2020–21 eight Business Development Grant applications and two Early-Stage Investment Loan applications were received. Table 1 details the number of applications by region.

Table 1: Number of applications received, by region.

Region	Number
Central	0
Mid North Coast	0
North Coast	0
North Western	1
Northern	4
South Coast	1
Sydney / Newcastle	1
Western	1
Wiradjuri	2

In addition, ongoing support has been more broadly provided to LALCs through stakeholder engagement and referrals, grant applications and capacity development.

Key achievements of the LBEP during 2020–21 include:

- approved six Business Development Grant applications totalling \$185,000
- secured \$11,750 in co-funding from the Indigenous Land & Sea Corporation (ILSC)
- assisted Mogo LALC to secure \$2.079 million in Bushfire Local Economic Recovery Funding to rebuild their LALC office, and add a gallery and café (with the support of NSWALC's Community and Economic Development Officer)
- received Early-Stage Investment Loan repayments from Wilcannia, West Wyalong, and Amaroo LALCs
- received a \$50,000 Early-Stage Investment Loan in Q4 2020–21 from Wagga Wagga LALC
- Council's conditional approval of \$1 million under the Equity Investment function to prioritise a Wilcannia store opportunity.

Through the LBEP, NSWALC continued to support a range of different business initiatives.

These include:

- the feasibility of re-opening a grocery store
- the highest and best use of a former police station
- a feasibility study into a campground.

Where possible, NSWALC looks for co-funding partners to obtain the best commercial outcome for each LALC.

The impact on business and employment from the COVID-19 pandemic will see an increasing need for the LBEP across communities, especially as restrictions ease, when we anticipate there will be increased interest in the program.

Land development and construction capability

NSWALC continued to establish a land development capability, which aims to partner with LALCs to activate their land holdings for social, cultural, and economic purposes through property development.

During the 2020–21 financial year, NSWALC:

- employed the services of a specialist Development and Construction Advisor to identify, plan, and manage development projects
- completed hundreds of initial land assessments with a view to locating feasible property development projects on LALC land
- engaged with several LALCs in the early investigation phase of potentially feasible projects
- commenced partnerships with three LALCs to lodge development applications and proceed with four development projects in various regions of NSW
- signed an agreement with the ILSC to acquire 160 George Street, Redfern, which is to be redeveloped as a major social infrastructure property project
- continued to work with government and the private sector to encourage participation in, and funding of the development program
- further developed IT systems to assist NSWALC and LALCs in identifying income-generating options for their land holdings.

In the 2021–22 financial year, NSWALC Development Pty Ltd (NSWALC Development) will be established to oversee the continued expansion of our development capability.

NSWALC Development will bring relevant property development experts onboard to assess and approve projects in the best interests of LALCs and NSWALC.

Pursue divestment of 160 George Street, Redfern

NSWALC entered an agreement with the ILSC to acquire 160 George Street, Redfern. Our vision is to work with community and business leaders to deliver much-needed Aboriginal social infrastructure via a significant redevelopment of the site. NSWALC is preparing a planning proposal to amend planning controls on the site so the redevelopment can proceed.

Support NHL to establish its initial housing services footprint

NHL has 129 tenancies under management in western and northern Sydney, following completion of a tranche of management transfers from the AHO. NHL is seeking further tranches of properties under the management transfer program, as an approved AHO Growth Provider with Tier 2 registration under the National Registration System for Community Housing. NHL also gained approval in 2020–21 to become a Housing Pathways Provider – a function that no Aboriginal community housing provider has previously offered.

NHL secured over \$3.5 million from the ACHIF for improvements to the Moree LALC housing portfolio. It was also named as a member of the NSW Government's preferred consortium to develop a full business case for redevelopment of the Tolland estate in Wagga Wagga.

Support NET to build its employment services business to support more Aboriginal people into sustainable jobs

During 2020–21, NET adopted a new trading name, Yilabara Solutions. Yilabara is a Dharug and Iyora word for 'Now', which is a call to action, a commitment and a goal.

Yilabara continued to deliver its VTEC (Vocational Employment and Training Centre) contract in Sydney, the Blue Mountains and the Illawarra. In addition, Yilabara won a new Training Services NSW contract to deliver the Barranggirra Project, which is aimed at improving retention rates for Aboriginal apprentices and trainees in central west and western NSW. To deliver on this project, Yilabara is establishing co-location sites in Broken Hill, Dubbo and Orange.

Yilabara was also sub-contracted by Apprenticeships Career Australia to deliver the More Jobs More Care contract to 250 Aboriginal people across NSW. The training will provide them with the appropriate accreditation to find employment in the care sector.

Yilabara commenced preparations to tender for further contracts in 2021–22, including the New Employment Services Model and the Commonwealth Government's Transition to Work.

Establish a NSWALC enterprises group office

The enterprises group office:

- supported the Council in strong governance and strategic direction of its subsidiary entities
- coordinated data, analysis and reporting to Council
- continued developing enterprise opportunities for NSWALC.

The enterprises group office function has been established, and governance documentation and processes developed and applied in relation to NSWALC's subsidiary entities. Quarterly reports from NHL and Yilabara were received by Council for all quarters of 2020–21, and the group office assisted in a review of the entities' budget development for 2021–22. During 2020–21 NSWALC also established formal Service Level Agreements with both NHL and Yilabara.

Continue to advocate for the interests of LALCs as housing owners

NSWALC will work with the AHO and the ACHIA to develop a financially viable sector that offers quality housing management services

NSWALC participated in the tri-partite Aboriginal Housing Sector Reform Steering Committee with the AHO and ACHIA.

Outcomes from the Steering Committee and direct negotiations with the AHO included:

- the extension of housing subsidies to June 2022
- a model for future High-Cost Community Support payments under development
- agreed head-lease exit protocols
- commencement of a property inspection pilot.

In February 2021 NSWALC convened a Roundtable in Dubbo for head leasing LALCs to work through options for future management, and support for LALC housing. Following the Roundtable, the NSWALC Chair, CEO, and Councillors with portfolio responsibility for housing held a series of high-level, one-on-one meetings with managing providers to advocate for robust new direct management arrangements on behalf of LALCs.

NSWALC also coordinated a bid process for LALCs interested in partnering with us to seek funds from the ACHIF. This process secured \$9.95 million in partnerships with 17 LALCs for repairs, maintenance and improvements to their housing.

Yarpa – the Western Sydney Indigenous Business and Employment Hub

The Yarpa Indigenous Business and Employment Hub (Yarpa) was launched by NSWALC in 2018. Faced with COVID-19 restrictions, Yarpa seamlessly pivoted service delivery of the ongoing activities that contribute to building the strength and versatility of the Indigenous business sector, and also formed partnerships with key industry players to support procurement opportunities for Indigenous businesses and people. Yarpa has a growing member base, with 1575 members across five membership types as at 30 June 2021 (Figure 1), from locations across NSW (Figure 2). The largest member category is Indigenous job seekers, followed by Indigenous businesses.

Figure 1: Membership types (%) at 30 June 2021.

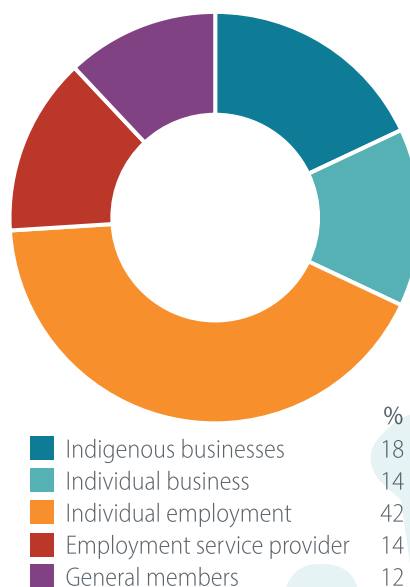
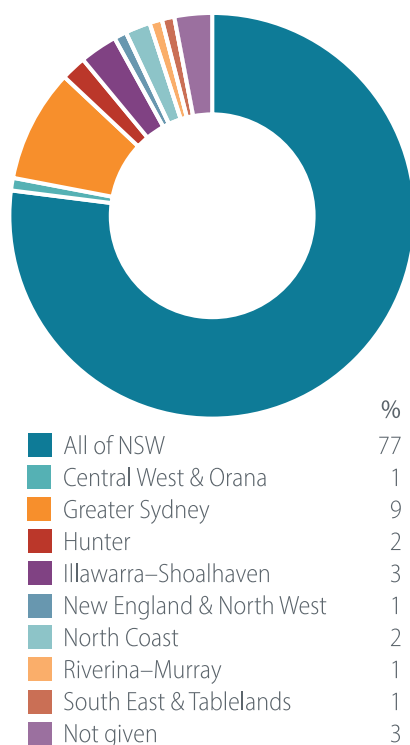


Figure 2: Regions covered by Indigenous business members' operations in NSW (%).



Yarpa highlights in 2020–21

Highlights for Yarpa during the year include:

- formalising MoU relationships with seven major industry leaders (CBP Contractors, Fulton Hogan, Lendlease, Besix Watpac, Inland Rail, Hutchinson's Builders and Crown Resorts)
- connecting over 40 per cent of Yarpa Indigenous business members to other businesses, industry, corporates or government, with 50 per cent of these connections resulting in a potential outcome or opportunity
- graduation of 16 Indigenous businesses from the inaugural Yarpa Grow Program, delivered in partnership with KPMG
- continued successful engagement with Aboriginal people – providing one-on-one business advice to over 120 Indigenous individuals and businesses, as well as facilitating 22 training and networking events
- coordination and delivery of eight Yarpa Pop Ups, providing business support and training to over 40 Indigenous businesses located in 13 regional towns across NSW
- promoting over 660 employment opportunities on the Yarpa jobs board.

NSWALC Fishing Fund

In September 2018, the NSWALC Council executed a Heads of Agreement with the National Indigenous Australian's Agency (NIAA) to deliver the NSWALC Fishing Fund (NFF). This opened for applications in September 2019.

In 2020–21 the NFF:

- continued marketing of the Fund through website, social media and direct contact
- approved two grants totalling \$145,457
- partnered with the Yarpa Indigenous Business and Employment Hub to assist applicants to complete their business plans, and provide ongoing support to applicants as they continue to manage and grow their businesses
- continued to build relationships with DPIE, Indigenous Business Australia, the ILSC, private enterprise and other possible partners in developing the Aboriginal fishing and aquaculture sector.

The NFF continues to support Aboriginal individuals, organisations and LALCs to enter or grow their established business in the commercial fishing sector. NSWALC also continues to explore ways to build better participation in the sector.



© AIATSIS

Ensuring the social wellbeing of Aboriginal people must accompany the achievement of Aboriginal Land Rights and economic independence. Without the growth of social wellbeing, security and employment for our people, re-acquiring our land will be hollow and securing our economic independence will be impossible. We must also ensure that securing access to our lands and waters, and compensation for past wrongdoings does not absolve governments of providing services to Aboriginal people that are our rights as citizens.

Continue to represent and advocate for the interests and rights of Aboriginal people in NSW

NSWALC continues to participate in and support the work of the NSW CAPO, as Co-Chair and Secretariat. We also continue to contribute to the National Coalition of Aboriginal and Torres Strait Islander Peak Organisations on the National Agreement on Closing the Gap.

In April 2021, NSW CAPO undertook nine community engagements on Closing the Gap across NSW, and an online survey. These contributed to the development of the inaugural Closing the Gap NSWIP. A total of 344 people participated in the consultations, which ran from 23–30 April 2021. An additional 162 people completed the online survey.

Closing the Gap in NSW is transitioning to the implementation phase of the NSWIP, including establishment of Officer Level Working Groups.

NSWALC actively contributes to ongoing activities to implement the Closing the Gap Agreement, Priority Reforms and targets. This includes taking a lead role in the working groups for land and water, strengthening the Aboriginal community-controlled sector, transforming government, economic development and housing. NSWALC also contributes to working groups on data and reporting, partnerships, language and culture, and digital transformation.

Social Impact Evaluation Framework

A Social Impact Evaluation Framework has been developed and is currently being implemented.

NSWALC Education Scholarship

The NSWALC Educational Scholarship (the NES), previously known as the Freddy Fricke Scholarship (the Scholarship), was launched in 2002. In 2018, with the cost of managing the Scholarship externally exceeding the amount available for scholarships, NSWALC undertook the return of monies held in trust and re-set the program.

The NES endeavours to support Aboriginal tertiary students by:

- targeting Aboriginal students in their
- penultimate year of an undergraduate/graduate degree at a tertiary institution in NSW, in disciplines that benefit the Land Rights network
- providing \$10,000 for one male and one female student
- supporting ongoing development of Aboriginal professionals into the Land Rights network with a six-week internship in a NSWALC Business Unit of the NES holder's discipline.

In 2020–21, 12 applications were received with one approved by Council. Kyle Plant, from Walgett was the successful candidate and is studying a Bachelor of Construction Management at Western Sydney University. Due to ongoing uncertainty regarding COVID-19 restrictions in NSW, the internship component was placed on hold by Council until further notice.

NSWALC Community Fund

The 2009 amendment of the ALRA established the NSWALC Community Fund (NCF) and the Community Development Levy that funds it. The NCF was devised as a wealth re-distribution mechanism to redistribute wealth from LALCs with more valuable land holdings to those with less valuable land and development opportunities.

At the close of the 2018 funding round, an extensive review of NCF policy and procedures, and consultation with LALCs regarding proposed amendments, was undertaken. As a result, the 2019–20 NCF program was placed on hold.

The NCF program re-opened for 2020–21 with the following significant amendments to NCF policy and procedures:

- Scope of Eligible Activities broadened from Land Management and Land Acquisition to include projects that demonstrate clear community development outcomes

- Quantum of Funding Available per eligible LALC project per financial year increased from \$50,000 to \$150,000
- Year-Round applications to enable LALCs to submit an EOI at any time during the year, which supports LALC CEOs to undertake the process when needed
- Proposal Development Support provided by the Programs Implementation Unit to assist LALC CEOs to develop their project proposals for assessment.

Since 2015, NSWALC has administered five NCF funding rounds with a total of almost \$4.2 million in funding committed in support of 81 LALCs.

For 2020–21, 11 applications were received, with a total of over \$1.1 million in funding committed to 10 LALC community projects. Table 2 details the recipients, projects and funding amounts.

Table 2: NCF recipients, projects and funding amounts in 2020–21.

LALC	Project type	Project name	Funding committed (ex-GST) \$
Ashford	Land Management	Ashford LALC Building Restoration	76,458.90
Bahtabah	Land Management	Office Complex Community Facilities Upgrade	64,149.75
Brewarrina	Land Acquisition	Acquisition of 105 Bathurst Street for LALC Office	150,000.00
Hay	Land Management	Hay LALC Community Space Upgrade	122,185.15
Jerrinja	Land Acquisition	Acquisition of Lot 102 Edward Wollstonecraft Lane, Coolangatta	150,000.00
Moama	Land Management & Other	Land Management Vehicles and Equipment	62,415.83
Murrin Bridge	Land Management	Barooga Karrai Waterline Renewal	88,725.00
Tamworth	Land Management	Infrastructure Maintenance – Trelawney Station	150,000.00
Wamba Wamba	Land Management	LALC Office and Community Facilities Upgrade	131,995.05
Wilcannia	Land Acquisition & Other	Conditional approval for a Wilcannia Community Store	150,000.00
Total			1,145,929.68

NSWALC Funeral Fund

NSWALC has been providing funeral assistance grants to support bereaved Aboriginal families for over a decade. The scheme is uncapped and responds to demand for funeral assistance from year-to-year.

For 2020–21 a total of 443 grants were made at a cost of \$628,034.40.

Of these, 45 grants (\$228,427.90) relate to former NSWALC Funeral Fund members, and 398 grants (\$399,606.50) relate to non-members.

Throughout the year, Council has also been exploring other ways for NSWALC to support Aboriginal families with Sorry Business.



NSWALC Regional Grants

Council approves the provision of Small Regional Grants up to a total of \$90,000 (\$10,000 for each of the nine NSWALC regions) as a recurring Community Benefits Scheme (CBS).

Through the scheme, NSWALC can issue small grants of up to \$1000 for community members/ organisations pursuing participation in:

- arts and crafts
- sporting activities
- contemporary and traditional cultural life
- promoting understanding and respect for Aboriginal culture
- personal development opportunities
- health and wellbeing (Figure 3).

In 2020–21, there were 141 NSWALC Small Regional Grants approved, totalling \$82,000. Grants disbursed ranged from \$200 to \$1000, with an average disbursed of \$569.

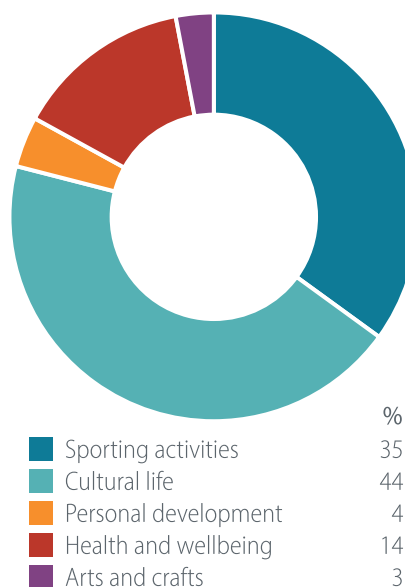
NSWALC Statewide Grants

The NSWALC Statewide Grants program provides grants for organisations and events that have statewide Aboriginal participation and are of statewide significance for Aboriginal people in NSW. The events chosen must support and promote Aboriginal culture, and/or sporting achievement.

In 2020–21, Council supported four events and committed \$120,000:

- 2020 NAIDOC Week School Initiatives (\$5000)
- 2020 NSW Aboriginal Rugby League Knockout* (\$80,000)

Figure 3: NSWALC Small Regional Grants breakdown by category (%).



- 2020 NSW Aboriginal Golf Championship* (\$10,000)
- 2021 Aboriginal Cultural Showcase* (\$25,000).

As a result of the COVID-19 pandemic, the CEO also approved a rollover of Statewide Grant funding that was committed to event organisers in 2020–21.

* These events were postponed due to the COVID-19 pandemic. NSWALC looks forward to supporting these events when they are rescheduled, and it is safe to do so.

Aboriginal Communities Waste Management Program

NSWALC has been working collaboratively on a program led by the NSW Environment Protection Authority – the Aboriginal Communities Waste Management Program (ACWMP). The program is delivered in three stages:

1. Stage 1: Expressions of Interest (EOIs)
2. Stage 2: Development of Community Rubbish Management plans (6–12 months)
3. Stage 3: Implementation of plans, which is likely to include improved waste-related infrastructure, delivery of improved waste management services, and a rubbish clean-up.

There are currently 30 Aboriginal communities participating in the ACWMP. By the end of 2020–21, 22 of the 30 projects were in the third and final stage of the program.

LALCs also implemented Community Waste Management plans that were developed in Stage 2 of the Program, in conjunction with their communities.

Aboriginal Communities Waste Management Program

In December 2008, NSWALC and the NSW Government entered into an agreement to fund a program for the operation, maintenance and monitoring of water supply and sewerage services in Aboriginal communities.

Since the beginning of the Aboriginal Communities Water and Sewerage Program (ACWSP) in 2008, capital works, backlog maintenance and emergency repairs have been approved in 53 communities.

Infrastructure (capital) works to provide upgraded water and sewerage assets have also been completed at 30 communities, including four projects successfully completed in 2020–21.

Of the 63 eligible communities, 35 long-term water and sewerage service agreements are now in place, 24 communities have no agreement as they are considered ‘fully serviced’ by local water utilities, and one community has on-site sewerage contracts.

Three communities are not fully serviced and not suitable for service agreements as they are too small and/or housing is temporary in nature. However, the program is providing maintenance of water and sewerage services on an ‘as requested’ basis.

Cumulative program expenditure up to 30 June 2021, including operation and maintenance works and capital infrastructure work, totalled approximately \$75.8 million, of which NSWALC contributed over \$17 million.

Council determined that no budget would be allocated by NSWALC for ACWSP funding in 2020–21. Discussions between NSWALC and the NSW Government regarding NSWALC’s program funding are ongoing and may reflect a staged withdrawal. On this basis, NSWALC accrued \$973,000 in anticipation of the government’s request for NSWALC to continue its funding contribution for the program.





SECURE OUR FUTURE

We have stewardship responsibilities to ensure that a stronger Aboriginal Land Rights system is handed to the next generation.

Continue to provide support for the effective and efficient operation of LALCs

During 2020–21 NSWALC offered funding agreements for operational costs to eligible LALCs, to the value of \$152,848 for each LALC.

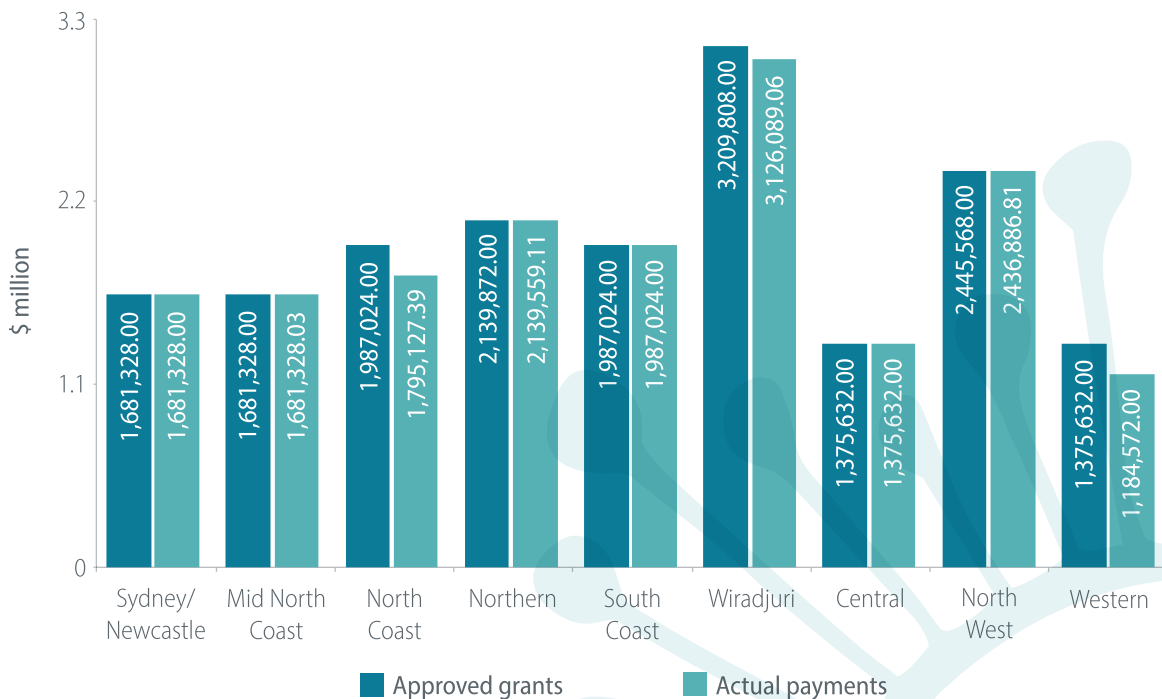
The column graph (Figure 4) measures the actual direct, indirect and essential payments against the council approved grants for the LALCs in each region.

A total of 94.8 per cent of the grant was paid directly to the LALCs, while 5.2 per cent was paid by NSWALC, indirectly, for the operation of essential services or protection of assets of unfunded LALCs.

Council-approved grants are remitted to LALCs in direct payments under a funding agreement unless funding to a LALC has ceased due to regulatory or funding agreement compliance failure. If this is the case, NSWALC makes indirect payments to the LALC's creditors for operating costs and expenses under an Assistance Agreement. NSWALC may also make indirect Essential Payments for noncomplying LALCs to protect or to preserve LALC assets or to avoid incurring significant liabilities.

Support and assistance were provided to relevant unfunded LALCs via Assistance Agreements and Essential Payments, and in accordance with the NSWALC LALC Funding Policy.

Figure 4: Approved LALC grant amounts and actual payments.



Discussions were held with LALCs on updating CLBPs.

Throughout 2020–21 NSWALC provided advice and assistance to LALCs including:

- conducted Board elections and casual vacancies
- conducted mandatory governance training (and other training as required)
- mediation and facilitation
- conducted Risk Assessment System (RAS) meetings (notably with LALCs in a high-risk category during the year)
- accepted and reviewed periodic financial reports for LALCs in medium- and high-risk categories
- dealt with complaints regarding LALCs. NSWALC provided reports to the Minister for Aboriginal Affairs on funding and compliance of the LALC network, actively managed complaints and reporting, and is currently developing a LALC Assurance System.

As at 30 June 2021:

- 58 LALCs (almost 50 per cent) were categorised as low risk in the current assessment
- 39 of 58 LALCs in the low-risk level achieved the full RAS score (100 per cent) in the current assessment, compared with 45 LALCs in the previous assessment
- 20 LALCs were assigned a high-risk level in the current assessment, compared with 11 in the previous assessment
- one LALC failed to meet the minimum required RAS score of at least 50 per cent (Gugin Gudubba) with a current RAS score of 40.25 per cent, compared with a previous score of 45.55 per cent
- eight LALCs, including four non-operating LALCs (Stuart Island, Ivanhoe, Wanaaring and Winbar), did not have a current RAS score (Jubullum, Muli Muli, Condobolin and Cowra)
- statewide, 106 LALCs were in compliance and in the funded category
- 14 LALCs, including two currently under administration (Condobolin and Muli Muli) and the four non-operating, were not in compliance and were unfunded.

A breakdown of LALC funding categories is shown in Figure 5, and LALC risk levels in Figure 6.

Figure 5: Funding categories and the number of LALCs in each category.

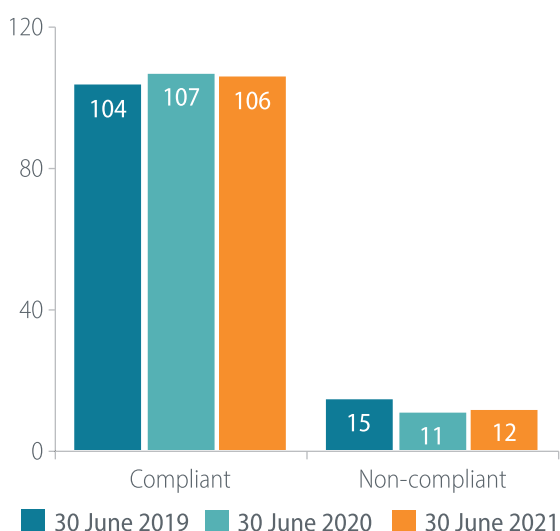
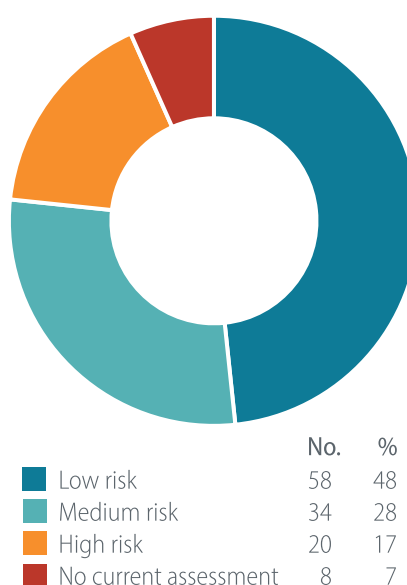


Figure 6: Risk levels, and the number and percentage of LALCs at each level.



Nine LALCs (Bahtabah, Thungutti, Jubullum, Ngulingah, Red Chief, Merrimans, Wamba Wamba, Moree and Mungindi) had Advisors to assist with their Performance Improvement Order. Advisors' terms of appointment for five LALCs were completed during 2020–21, while four LALCs (Jubullum, Merrimans, Ngulingah and Moree) are continuing with Advisor assistance.

Five LALCs were under administration during the reporting period. The administration terms for three LALCs (Deniliquin, Cowra and Tweed Byron) ended during 2020–21 but two (Condobolin and Muli Muli) remained under administration as at 30 June 2021.

Quality assurance for LALC Grant Allocation releases, the CBS and CBS (residential accommodation) was provided by NSWALC.

Advocate for and consult on establishing a Treaty/ies process in NSW

NSWALC continues to advocate for a Treaty/ies process in NSW, and for adoption of the Uluru Statement from the Heart by governments. We provided a comprehensive submission to the Voice proposals.

Continue to grow and exercise responsible stewardship of the NSWALC Statutory Investment Fund

The NSWALC SIF was established under the ALRA. For 15 years (1984–1998) the ALRA provided guaranteed funding, equivalent to 7.5 per cent of NSW land tax on non-residential land. Payments were made to NSWALC as compensation for land lost by the Aboriginal peoples of NSW. During this period, half of the funds were available for land acquisition and administration. The remainder was held in a statutory account to build a capital fund that would provide future and ongoing resources.

The total funds allocated were \$537 million. Of this amount \$268.5 million was deposited in the SIF. Over the first 15 years of the Council's existence the capital accumulated and, in December 1998 when the land tax payments stopped, it was valued at \$281 million. Since then, NSWALC and the LALC network have been self-funded.

Current management and value

The SIF was valued at \$676 million at 30 June 2021, compared with \$619 million at 30 June 2020. This represented an increase of \$57.2 million in the value of the SIF for this financial year. This was the effect of a \$99.05 million investment gain and expenditure of \$41.85 million from the fund.

Where our money goes

A major proportion of NSWALC's annual budget is directed to funding LALCs. This funding is delivered in grant allocations of \$152,848 to each funded LALC, for assistance with administrative costs.

The direct funding to the Land Rights network accounted for a considerable amount of the balance. A drawdown of \$41.85 million was made during the year to fund the operational expenditure of the network, including the administrative costs of NSWALC and LALCs. The required drawdown for 2021–22 is expected to be \$59.76 million.

Investment and growth of the Fund

The SIF provides compensation for future generations, and prudent financial management is essential to maintain its growth. While NSWALC has substantial sums invested, the current provisions of the ALRA limit spending to the realised income and interest from investment, less the allowance for inflation.

The Investment Mission for the SIF is to:

- at least maintain the purchasing power of the SIF over the long term, having regard to the specific nature of the underlying funding responsibilities of NSWALC
- provide a stable and growing level of distributions for funding NSWALC's ongoing activities
- at least preserve the indexed book value of the assets.

The Council has defined this Investment Mission as a set of measurable real return and downside risk objectives (Table 3).

Table 3: Risk objectives of the Investment Mission.

Real return objective

Invest so as to have a greater than 66 per cent probability of achieving a return objective of the Consumer Price Index plus 4 per cent over 10-year rolling periods.

Downside risk objective

Limit the probability of a negative return in any given year to less than 20 per cent.

These objectives sit alongside the investment beliefs of the Council (Table 4).

Table 4: Council's investment beliefs for the SIF.

Mission	Implication
1. Investing	The SIF's assets should be invested according to the Fund's Statement of Investment Objectives Policy (SIOP).
2. The SIF is a perpetual means of providing for future Aboriginal generations	The SIF's investment strategy should seek to maximise returns over the long term, subject to risk objectives outlined in the SIOP. Expenditure should be set to a sustainable level (formalised in expenditure policy).
3. The principal time horizon of the SIF is relatively long term	The SIF is willing to accept short-term losses for longer-term gains. The primary performance assessment criteria should be long-term focused (5+ years).
4. Investing in a mixture of things will minimise the risk impact if one of them goes wrong	The SIF should be well diversified in a variety of different asset classes (i.e., not have all its eggs in one basket).
5. The Council is supported by the Investment Committee and Executive team in its decision-making process	The Executive should drive the investment agenda in conjunction with the Investment Committee.
6. Beta is the principal driver of risk and return (rather than alpha)	More time should be spent on strategies (including fund structure and strategic asset allocation) than manager selecting and monitoring.
7. Diversification into different risk premiums can increase the investment efficiency of the portfolio	Consideration will be given to introducing appropriate diversity to the SIF, including liquidity and insurance premiums.
8. Alpha exists, but the challenge is to find and successfully employ it	The SIF should only utilise alpha in markets where it has great confidence in both the alpha opportunity, and its skill to successfully hire and fire managers.
9. Environmental, social and governance (ESG) factors can impact investment risk and return, as well as the long-term sustainability of Aboriginal land, culture and communities	We require investment managers to identify and manage ESG risks and opportunities and will incorporate this into manager selections and monitoring.
10. Active ownership is important to creating sustainable investment returns and providing for current and future generations of Aboriginal people	The Council is the ultimate owner of its invested assets. We require investment managers to exercise good stewardship voting our shares, and engaging with investee companies to drive sustainable value creation.
11. The impact of the Council's investments on Aboriginal people is important, and the Council will balance expected risk adjusted return against the positive or negative impacts on Aboriginal people	The Council's investment strategy is primarily focused on maximising risk-adjusted investment returns over the long term. It may, on occasion, allocate capital to investments with a lesser expected financial return, where there is strong evidence of substantial benefits for Aboriginal people. It may also exclude investments where there is strong evidence of substantial negative impacts on Aboriginal people, provided the overall investment objective is not compromised.
12. Transparency is important to sustainable investing and is a pillar of good governance	The Council is committed to acting transparently ourselves and expects transparency on EGS issues from the managers we invest with and the companies we invest in. We will request regular ESG reporting from our investment managers and encourage them to request such reporting from underlying companies.

These beliefs are used in evaluating all investment decisions. As a result, NSWALC has divested itself of holdings in alcohol and tobacco.

The technical aspects of investment decisions are provided through the combined advice of the external asset consultant, NSWALC's Executive, and the Investment Committee. In addition, the drawdown rule adopted by Council provides a formal process for managing NSWALC's liabilities.

In calculating the projected drawdown, the drawdown rule factors in the previous drawdown, average asset value and long-term spending rate. The annual future drawdown is equal to 70 per cent of the drawdown in the previous year and 30 per cent of the average asset value in the previous year, multiplied by the long-term spending rate. Therefore, the projected maximum drawdown for expenditure in 2021–2022 is 8.94 per cent of the investment balance. This constraint on the drawdown from NSWALC's investments will ensure that it is able to fund its activities in perpetuity.

Investment Committee

The Investment Committee remains the primary source of all investment recommendations to the Council. In 2020–21, Mr Joshua Bloom was the Independent Chairperson of the Investment Committee. Mr Mark Levinson was the other independent member of the Committee. Both have provided their services on a pro bono basis. Council representatives on the committee during the period were Councillors Charles Lynch and Abie Wright.

The Investment Committee held four meetings during the reporting period:

- 20 August 2020
- 3 December 2020
- 9 March 2021
- 19 May 2021.

Investment decisions

Significant investment decisions during the year included the appointment of Fund Managers Lazard Neuberger Berman and Robeco and the removal of managers Jamison Coote and Copper Rock.



Table 5: Position of the SAA and DAA as at 30 June 2021.

Asset class	SAA 30 June 2021 %	DAA 30 June 2021 %	SAA after DAA positioning 30 June 2021 %
Australian shares	14.0	–	14.0
Overseas shares (large cap)	24.2	–	24.2
Overseas shares (small cap)	2.8	+1	3.8
Emerging markets	5.0	+1	6.0
Unlisted property	10.0	–	10.0
Unlisted infrastructure	10.0	–	10.0
Australian Inflation Linked Bonds	5.0	–	5.0
Diversified Fund of Hedge Funds	10.0	–	10.0
Absolute Return (Fixed Income- Global)	6.0	-1	5.0
Global Credit	3.0		3.0
Australian Fixed Interest	3.0	–	3.0
Cash	3.0	-1	2.0
Emerging Market Debt	4.0		4.0
Total	100.0	Nil	100.0

Modelling outcomes

NSWALC commissioned testing of the current SAA against the return and risk tolerance statements, using our asset consultants' capital market assumptions as at December 2020 (Table 6).

Table 6: Strategic objectives and portfolio expected outcomes.

Strategic objective	Current strategy (%)
Invest so as to have a greater than 66 per cent probability of achieving a return of the Consumer Price Index plus 4 per cent over 10-year rolling periods.	68.8
Limit the probability of a negative return in any given year to less than 20 per cent.	17.1
Portfolio expected outcomes	20 years p.a. (%)
Return	7.6
Risk	8.8

Investment performance

Performance against benchmark

The investment portfolio provided a return of positive 16.8 per cent against a benchmark 8.0 per cent for the 12 months to 30 June 2021, and 8.3 per cent against a benchmark of 5.9 per cent for the 10 years ended 30 June 2021 (Table 7, Figure 7).

Performance against peers

NSWALC's investment rationale is to promote diversity across asset classes and fund managers, which is contrary to the belief that the funds should be invested solely with NSW Treasury Corporation. To ensure NSWALC's investment rationale is sound, the performance of its portfolio is compared to similar investment portfolios with comparable investment objectives.

When compared with two TCorp investment portfolios held by NSW Treasury Corporation (Table 8, Figure 8) and two Mercer median portfolios held by other institutions (Table 9, Figure 9), NSWALC's investment position is validated by its portfolio's strong performance relative to that of its peers. The comparison clearly shows the NSWALC portfolio's performance to be less volatile, and better performing over the different market cycles than either the TCorp or Mercer investments.

Table 7: Performance summary (% returns net of fees).

	1 mo	3 mo	1 yr	3 yrs	5 yrs	10 yrs
NSWALC Total Fund	2.3	4.9	16.8	6.8	7.6	8.3
CPI +4%	0.6	1.8	8.0	5.7	5.9	5.9
Excess return	1.7	3.1	8.8	1.1	1.7	1.8

Figure 7: Rolling five-year annualised returns (%).

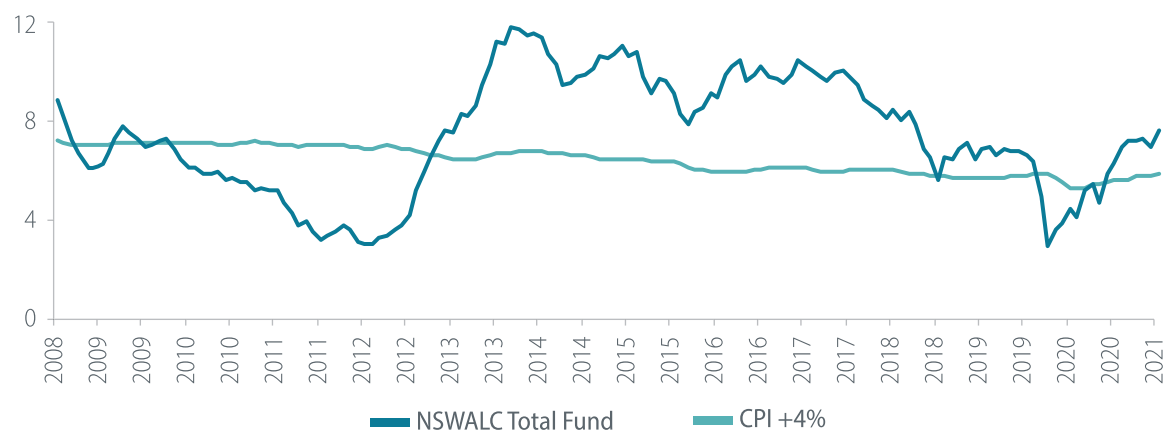


Table 8: Performance to TCorp summary (% returns net of fees).

	1 mo	3 mo	1 yr	3 yrs	5 yrs	10 yrs
NSWALC Total Fund	2.3	4.9	16.8	6.8	7.6	8.3
TCorp Long Term Growth (pre-tax)	3.4	7.4	18.2	9.2	9.8	9.5
TCorp Medium Term Growth (pre-tax)	1.4	3.7	8.8	5.1	5.3	5.9

Figure 8: Performance of the NSWALC portfolio compared with TCorp investment portfolios, 30 November 2003 to 30 June 2021, based on growth of a dollar.

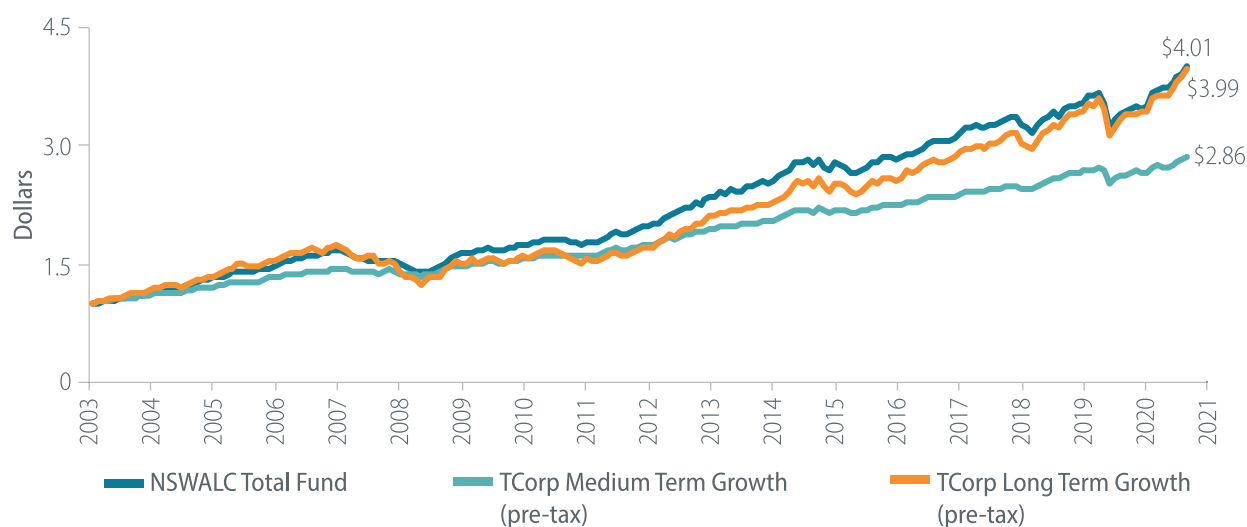
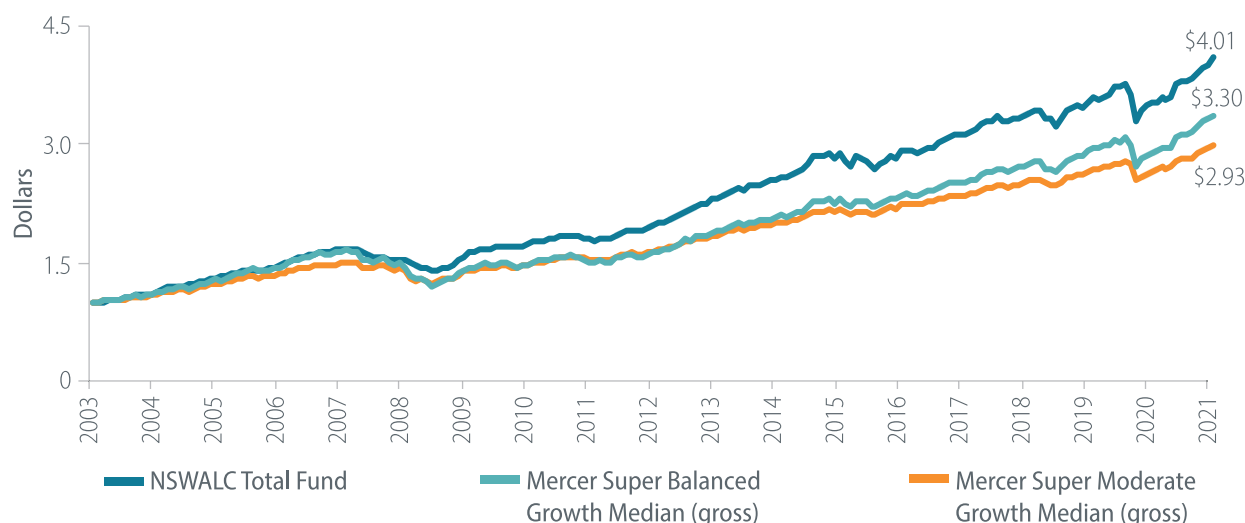


Table 9: Performance to Mercer summary (% returns net of fees).

	1 mo	3 mo	1 yr	3 yrs	5 yrs	10 yrs
NSWALC Total Fund	2.3	4.9	16.8	6.8	7.6	8.3
Mercer Super Balanced Growth Median (gross)	1.7	5.0	16.7	7.3	7.9	7.8
Mercer Super Balanced Growth Upper Quartile (gross)	2.0	5.7	20.9	12.1	12.1	11.7
Mercer Super Moderate Growth Median (gross)	1.3	3.9	12.7	6.0	6.3	6.6
Mercer Super Moderate Growth Upper Quartile (gross)	1.6	4.4	16.2	9.2	9.2	9.5

Figure 9: Performance of the NSWALC portfolio compared with Mercer investment portfolios, 30 November 2003 to 30 June 2021, based on growth of a dollar.



Develop and implement a Members Engagement Strategy to improve membership

NSWALC utilises a range of avenues to engage LALCs and Members and circulate information. These include media releases, network messages, its website and social media platforms.

The communication objective is to educate, showcase excellence, and build on the reputation of NSWALC and LALCs by promoting the objectives and success of the Aboriginal Land Rights network. This is being done through consistent, reliable, and targeted communications.

Regular communications from NSWALC have resulted in the steady growth of our social media following. NSWALC's Facebook account reached over 262,000 people during 2020–21. Audiences for our Facebook and Instagram accounts are primarily in the 25–34 years and 35–44 years age brackets, with each group averaging 28 per cent of our followers.

Continue to publicly position its brand through effective communication and marketing of its works and activities, including launching a new website

NSWALC brand awareness and the positive work of the Land Rights network continues to be built through regular and targeted communications about matters of significance to Aboriginal peoples in NSW and nationally.

During 2020–21, communications included information on the COVID-19 response, NSWALC Enterprises, Closing the Gap, and NSWALC's various grant and funding programs.

A strong social media presence continued with the promotion of LALCs, dates, events, campaigns and opportunities of importance relevant for metropolitan, regional, remote and discrete Aboriginal communities. NSWALC also provided ongoing support and guidance to the LALC network with media releases and media enquiries.

NSWALC's new website at alc.org.au was launched in July 2020. The site is a central portal for NSWALC information, news, stories, and resources for the LALC network. It continues to be developed and updated regularly with timely and relevant content.

Youth Engagement Strategy

The NSWALC Youth Advisory Committee continued to meet during 2020–21, however, face-to-face engagement was impacted by COVID-19. The Youth Advisory Committee developed and implemented its Youth Engagement Strategy.

Implement Capacity Development Plans

Council

Following development of a training plan for Council, the first round of training (self-governance) took place in February 2021. NSWALC was unable to proceed further with Council training due to COVID-19 restrictions. Alternative plans for Council training are being developed.

NSWALC staff

NSWALC managers participated in a Prosci Change Management Program during the year. Five mental health workshops also took place during 2020–21, with two specific to Aboriginal staff and three open to all staff. In addition, three staff completed the EIELP.

LALC Board and Staff Development

The NSWALC LALC Capacity Development Plan is being operationalised and was rolled out to new LALC Board members by Zone offices. To support the roll-out, the following resources were developed during the year:

- LALC CEO Resources Guide
- Introduction to Financial Management package for Board members
- LALC Chairperson and Deputy Chairperson Guide.

Additional LALC training strategies were developed and implemented. These included:

- **LALC CEO Skillset course**
The course is made up of approximately eight units from a range of accredited business services modules. It is aimed at increasing the capacity of LALC CEOs to undertake their core functions.
In a partnership between NSW TAFE and NSWALC, Block 1 was delivered to 21 LALC CEOs in Tamworth and Bathurst, with delivery of Block 2 delayed due to COVID-19 restrictions.
- **Housing Management Skillset course**
This course consists of approximately seven units from Certificate IV in Social Housing. It targets LALCs that are intending to exit their current head leases. As a partnership between the CHIA and NSWALC, the first course was successfully delivered in Dubbo to 14 LALC delegates. Delivery of the second course was delayed due to COVID-19 restrictions.

Review the LALC compliance and regulatory framework

NSWALC invited several LALC CEOs to participate in a committee to review the LALC regulatory framework. A co-designed Terms of Reference has been created, and an initial review has been conducted.

Develop a compliance and regulatory framework to monitor and respond to NSWALC performance

A compliance policy, procedure and framework were developed and approved. Compliance requirements will be integrated into the Project Management Framework.

Meeting the goals of our 2020–21 Strategic Plan Supplement



Being achieved / On track



Significant progress



Needs attention (low risk)



On hold / Not being achieved

Table 10: Outcomes against the goals of our 2020–21 Strategic Plan Supplement.

GOAL 1: SECURE OUR LAND AND WATER RIGHTS		
Strategy	Status	Explanatory note
NSWALC will continue to maximise the return of land to Aboriginal peoples through the lodgement of land claims.		
NSWALC will continue to maximise the return of land to Aboriginal peoples through the negotiation of ALAs.		DPIE's review into the LNP and the delays caused by the impact of COVID-19 have had a significant impact on the finalisation of ALAs. However, there is currently 1 ALA in final draft agreement, with an additional 2 expected to be finalised by the end of 2021.
NSWALC will assist LALCs to develop and implement regional land claim strategies for the prioritisation and management claims.		Joint programs with DPIE, such as LALC20 and LNP, continue LALC engagement in the land claims process.
NSWALC will continue to review land claim refusals and pursue appeals where appropriate.		
NSWALC will continue to prioritise ongoing development of the GIS Mapping Tool to ensure its relevance and usefulness to the network.		
NSWALC will continue to advocate for water rights, including: <ul style="list-style-type: none"> • sufficient and safe water for domestic use • a greater role for Aboriginal people in the management of water • increasing Aboriginal-controlled water allocations • developing and implementing a network water asset management strategy, to support access to cultural access licences, community development licences and economic opportunities stemming from water. 		

GOAL 2: PURSUE OUR CULTURE AND HERITAGE

Strategy

NSWALC will continue to advocate for legislative protections for Aboriginal culture and heritage that:

- builds on Aboriginal Land Rights
- provides proper protection for Aboriginal culture and heritage
- gives control and decision making to Aboriginal peoples
- protects Aboriginal knowledges and incorporates data sovereignty principles.



Status

Implement the proactive Culture and Heritage Program.



Explanatory note



GOAL 3: PURSUE ECONOMIC INDEPENDENCE AND PROSPERITY FOR OUR PEOPLE

Strategy	Status	Explanatory note
<p>NSWALC will establish a land development capability, which includes:</p> <ul style="list-style-type: none"> identifying and development property activation opportunities for the Network development a pathway for a land asset management strategy which includes NSWALC and LALC land commencing multiple pilot projects throughout NSW with a focus on emerging industries and stimulus opportunities. 		
NSWALC will pursue divestment of 160 George Street, Redfern to NSWALC.		
NSWALC will continue to implement the NSWALC Economic Development Policy to support LALCs to pursue economic development opportunities.		
NSWALC will support NHL to establish its initial housing services footprint.		
NSWALC will support NET to build its employment services business to support more Aboriginal people into sustainable jobs.		
<p>NSWALC will establish a NSWALC enterprises group office to:</p> <ul style="list-style-type: none"> support the Council in strong governance and strategic direction of its subsidiary entities; coordinate data, analysis and reporting to Council continue developing enterprise opportunities for NSWALC. 		
NSWALC will continue to advocate for the interest of LALCs as housing owners, and will work with the AHO and ACHP sector on developing financially viable sector able to offer quality housing management services.		
<p>Yarpa Growth Service Package (Yarpa Grow) will provide a comprehensive and healthy pathway for Indigenous business growth.</p> <p>Yarpa will develop an Indigenous Career Advancement Support Framework for Aboriginal workers and job seekers.</p>		
NSWALC will administer the NSWALC Fishing Fund, to assist Aboriginal people to take part in the fishing industry.		Negotiating an extension to the Funding Agreement with the NIAA due to the impacts of COVID-19.






GOAL 4: SUPPORT OUR PEOPLE

Strategy	Status	Explanatory note
<p>NSWALC will continue to represent and advocate for the interests and rights of Aboriginal people in NSW including:</p> <ul style="list-style-type: none"> continue to participate in and support the work of the NSW CAPO and the National Coalition of Aboriginal and Torres Strait Islander Peak Organisations develop and implement a NSWALC Human Rights strategy to capitalise and coordinate the Council's domestic and international advocacy. 		
Develop a social impact evaluation framework to measure the community impact from all NSWALC strategies and initiatives.		
NSWALC Educational Scholarship – NSWALC will make available two \$10,000 scholarships (male and female student), and a paid 6-week internship in a NSWALC Business Unit of the Scholarship holder's discipline.		
NSWALC Community Fund – NSWALC will implement a revised community fund program.		
NSWALC Funeral Fund – NSWALC will continue to provide funeral assistance grants to support bereaved Aboriginal families.		
NSWALC Regional Grants – NSWALC will continue to make available small discretionary grants in each NSWALC region in accordance with the Community Benefits Scheme and approved budget.		
<p>NSWALC Statewide Grants – NSWALC will make available Statewide grants for organisations and events that:</p> <ul style="list-style-type: none"> have statewide Aboriginal participation are of statewide significance for Aboriginal people support and promote Aboriginal culture and sporting achievement. 		Many NSWALC Statewide Grant-supported events were postponed due to the impact of lockdown and COVID-19.

GOAL 5: SECURE OUR FUTURE

Strategy	Status	Explanatory note
<p>NSWALC will continue to provide support for the effective and efficient operation of LALCs, including by:</p> <ul style="list-style-type: none"> ● providing funding support to assist with operational costs ● assisting with community development processes and CLBP development and implementation ● linking LALCs with information, opportunities and solutions through Regional Forums, stakeholder management, network brokerage, Network Messages and communications ● supporting performance in relation to regulatory obligations, budgeting and reporting, governance, complaints and risk assessment processes. 		
NSWALC will advocate for and consult on establishing a Treaty/ies process in NSW.		
NSWALC will continue to grow and exercise responsible stewardship of the NSWALC SIF.		
NSWALC will consult on and advocate for a reform agenda, including Aboriginal culture and heritage protections, improved land acquisition and land activation mechanisms, Aboriginal inclusion in natural resource management, and operational improvements in the 2020–21 ALRA Review.		
NSWALC will continue to publicly position its brand through effective communication and marketing of its work and activities.		
<p>NSWALC will develop and implement a Members Engagement Strategy to improve membership participation including:</p> <ul style="list-style-type: none"> ● a Youth Engagement Strategy to increase youth participation in the Aboriginal Land Council network, including the development of a Youth Advisory Committee to provide advice to NSWALC on issues affecting youth ● embedding a Youth Advisory Committee into the Council's governance framework. 	 	

GOAL 5: SECURE OUR FUTURE (continued)

Strategy	Status	Explanatory note
NSWALC will continue to develop the capacity of: <ul style="list-style-type: none">● NSWALC Councillors		NSWALC held four workshops focusing on governance, organisation principles and NSWALC internal processes. COVID-19 limited Council's ability to engage in a formalised training program.
● NSWALC staff		
● LALC Board and staff.		
Review the LALC compliance regulatory framework.		
Develop and maintain an appropriate framework to monitor NSWALC performance.		

CONTACT US

Level 5, 33 Argyle Street Parramatta NSW 2150

PO Box 1125 PARRAMATTA NSW 2124

T: 61 2 9689 4444

F: 61 2 9687 1234

E: media@alc.org

W: www.alc.org.au

VISIT US ONLINE

For information on what we do, publications and events visit www.alc.org.au

JOIN US ON SOCIAL MEDIA



www.facebook.com/nswalc

[nswalc](https://www.linkedin.com/company/nswalc)

[@nswalc](https://twitter.com/nswalc)

ZONE OFFICES

Eastern Zone

Suite 23,
207 Albany Street North
GOSFORD NSW 2250

Far Western Zone

Level 3, NSW State Government Building
32 Sulphide Street
BROKEN HILL NSW 2880

Northern Zone

Suite 5, Level 1
66-90 City Square
COFFS HARBOUR NSW 2451

Southern Zone

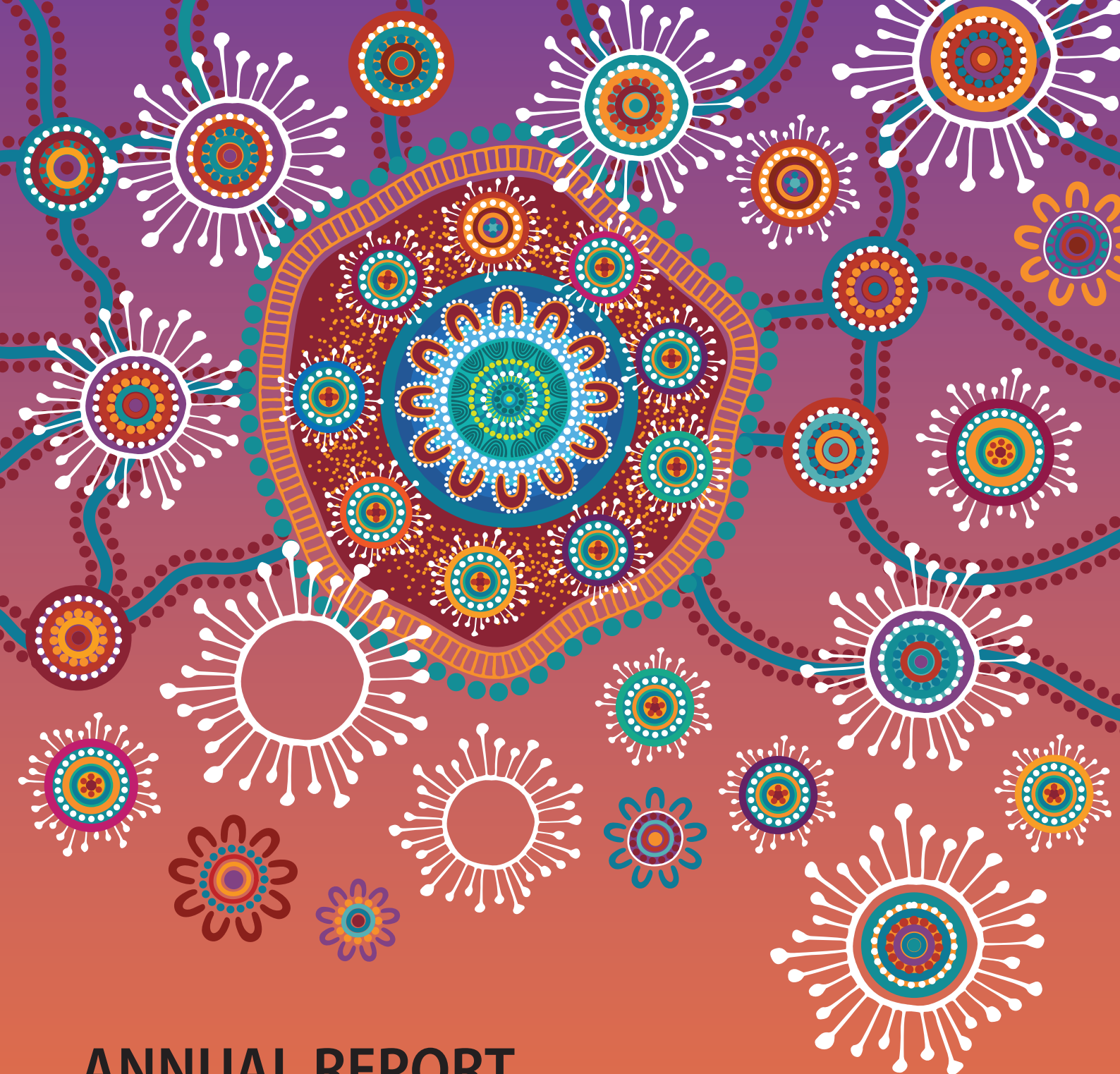
Unit 22,
2 Yallourn Street
FYSHWICK ACT 2609

Western Zone

2/36 Darling Street
DUBBO NSW 2830



**New South Wales
Aboriginal Land Council**



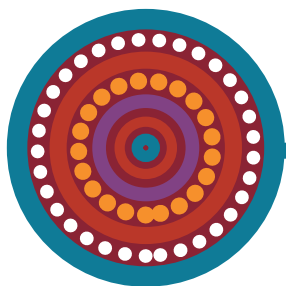
ANNUAL REPORT

2020–2021

PART 2 OF 2
STATUTORY INFORMATION



New South Wales
Aboriginal Land Council



Contents

Part 2 – Statutory information

Governance.....	55
Workforce data	57
Financial statements	62
Consolidated Financial Statements for the year ended 30 June 2021	62
– Independent Auditor’s Report	62
– Statement by Councillors	64
– Consolidated Statement of Comprehensive Income	65
– Consolidated Statement of Financial Position	66
– Consolidated Statement of Changes in Equity	67
– Consolidated Statement of Cash Flows	68
– Notes to and forming part of the Financial Statements	69
Appendix.....	116

Governance

COUNCIL MEETINGS IN 2020–21

Table 11: Number and type of Council meetings held during 2020–21.

Type of meeting	Number
Council meetings	14
Council workshops	10
Audit and Risk Committee	5
Finance Committee	6
Governance Committee	5
Investment Committee	4
Insurance Committee	1
Economic Development Advisory Committee	0

Table 12: Summary of Councillors' attendance at Council meetings in 2020–21.

Councillor	Meetings attended
Cr Dennis	14
Cr Lynch	14
Cr Chapman	9
Cr Smith	14
Cr R Hampton	13
Cr L Hampton	14
Cr Toomey	13
Cr Donnelly	14
Cr Wright	14

WORKSHOPS/TRAINING IN 2020–21

Table 13: Summary of Councillors' attendance at workshops/training in 2020–21.

Councillor	Workshops/Training attended
Cr Lynch	10
Cr Dennis	10
Cr Chapman	9
Cr Smith	10
Cr R Hampton	10
Cr L Hampton	10
Cr Toomey	10
Cr Donnelly	10
Cr Wright	10

LEGISLATIVE OBLIGATIONS

Obligations under the *Government Information (Public Access) Act 2009*

During the reporting period, NSWALC did not receive any applications under the *Government Information (Public Access) Act 2009*.

Obligations under the *Public Interest Disclosure Act 1994*

During the reporting period, NSWALC received no complaints under the *Public Interest Disclosure Act 1994*.



Risk management

In 2020–21 NSWALC has focused on improving governance. Part of this process involved engaging Risk Frontiers to redesign the risk culture at NSWALC and implement an enterprise-wide risk management framework. The project was split into four phases:

- Phase 1: CEO messaging and development of draft policy, procedure, risk appetite and risk principles.
- Phase 2: train the trainer for senior managers, focusing on:
 - purpose of risk management
 - roles and responsibilities
 - NSWALC risk principles and examples of their application
 - application of risk policy and procedure.

This phase focused on changing the risk culture of NSWALC.

- Phase 3: completion of risk registers for each Division and a strategic integrated risk register at Council level.
- Phase 4: ongoing communication and implementation.

A new risk management policy and procedure consistent with ISO 31000 *Risk Management – Principles and Guidelines* has been developed. With these and the divisional risk registers as a basis, a draft enterprise-wide risk register has been developed and will be reviewed and endorsed by management and Council early in the new financial year.

Privacy and personal information protection

NSWALC has a number of practices in place to comply with the *Privacy and Personal Information Protection Act 1998* (PPIPA). The People and Workplace Unit (PWU) keeps all confidential personal information on a separate drive that is only accessible to staff members from the unit. Similarly, personal information with a heightened level of confidentiality is kept on a drive only accessible by the manager. Physical files are kept in a locked cupboard, and payroll information is kept securely and regularly audited. Any information requested by a third party is only disclosed with the consent of the person to which the information relates.

NSWALC has completed a draft Privacy Management Plan, as required by section 33 of the PPIPA. The draft plan sets out NSWALC's practices to comply with the Information Protection Principles in the PPIPA and Health Privacy Principles in the *Health Records and Information Privacy Act 2002*.

Workforce data

WORKERS COMPENSATION AND REHABILITATION 2020–21

Work-related injury and illness

Table 14: Work-related injury and illness reports in 2020–21.

Nature of accidents	Number
Slips, trips and falls	1
Head knock	1
Mental health (anxiety, stress)	0
Cuts/scratches	0
Motor vehicle accident	0
Ergonomics/overuse	0
Sprain/strain	1
Manual handling	0
Bites	0
Sickness	0
Total	3

Table 15: Where reported work-related injuries/illnesses occurred in 2020–21.

Location of incidents/accidents	Number
At the workplace	2
On the journey to/from work	0
At work away from the normal workplace	1
Total	3

Workers compensation claims

Table 16: Type, status and number of workers compensation claims in 2020–21.

Claim type/status	Number
Claim type	
– Claims brought forward from 2019–20	2
– New claims this period	2
Total	3
Status of claims at 30 June 2021	
– Claims finalised	2
– Claims declined/under investigation	0
– Liability accepted and claim continuing	2
– Provisional liability	0
Total	4
Open claims carried forward to 2020–21	2

Table 17: Type, status and number of rehabilitation cases in 2020–21.

Claim type/status	Number
Case type	
– Cases brought forward from 2019–20	0
– New cases this period	0
Total	0
Status of cases at 30 June 2021	
– Cases completed	0
– Cases continuing and carrying forward to 2020–21	0
Total	0

EXECUTIVES AND STAFF

Staff categories

Table 18: Five-year trend in category of staff and percentage of total staff, 2017–2021.

Category	% of total staff				
	2016–17	2017–18	2018–19	2019–20	2020–21
Senior Managers Framework	25.2	22.0	23.0	23.4	25.0
Salary Group 8 Year 1 to Group 13 Year 3	53.0	57.0	61.0	62.4	61.0
Salary Group 1 Year 1 to Group 7 Year 3	14.3	13.0	10.0	7.8	8.3
Councillors	7.5	8.0	6.0	6.4	6.2

EEO Target Group representation

Table 19: Trends in the representation of EEO Target Groups as a percentage of total staff.

EEO group	Benchmark or target	% of total staff ¹				
		2016–17	2017–18	2018–19	2019–20	2020–21
Women	50	50.0	48.0	53.0	53.9	54.5
Aboriginal people and Torres Strait Islanders	26	48.0	48.0	46.7	50.4	52.4
People whose first language was not English	19	23.5	20.0	16.8	12.8	12.4
People with a disability	N/A	12.0	12.0	11.0	9.9	9.6
People with a disability requiring work-related adjustment	(2011) 1.1 (2012) 1.3 (2013)+ 1.5	2.5	2.6	5.8	5.0	4.1

Table 20: Trends in the distribution of EEO Target Groups.

EEO group	Benchmark or target	Distribution index ²				
		2016–17	2017–18	2018–19	2019–20	2020–21
Women	100	78	80	85	88	89
Aboriginal people and Torres Strait Islanders	100	78.9	82	82	87	89
People whose first language was not English	100	78.5	74	85	94	94
People with a disability	100	86	86	72	71	77
People with a disability requiring work-related adjustment	100	100	100	33	71	83

1. Excludes casual staff.

2. A Distribution Index of 100 indicates that the centre of the distribution of the EEO groups across salary levels is equivalent to that of other staff. Values less than 100 mean that the EEO group tends to be more concentrated at lower salary levels than is the case for other staff. The more pronounced this tendency is, the lower the index will be. In some cases the index may be more than 100, indicating that the EEO group is less concentrated at lower salary levels. A distribution index based on an EEO based survey response rate of less than 80 per cent may not be completely accurate.

Executive officers and senior staff

Table 21: Performance and number of senior staff and executive officers.

Executive position	Number	Current year		Previous year		
		Male	Female	Number	Male	Female
SES 5	1	1		1	1	
SES 5 equivalent						
SES 4						
SES 4 equivalent						
SES 3						
SES 3 equivalent	1	1		1	1	
SES 2						
SES 2 equivalent						
SES 1						
SES 1 equivalent	3	3		3	3	

Table 22: Senior staff and executive remuneration.

Executive position	2016–17 \$	2017–18 \$	2018–19 \$	2019–20 \$	2020–21 \$
SES 5 or equivalent	320,075	328,077	340,647	355,000	355,000
SES 4 or equivalent					
SES 3 or equivalent	248,749	248,637	257,691	260,262	262,675
SES 2 or equivalent	213,377				
SES 1 or equivalent		191,509	196,314	210,965	216,645

Table 23: Percentage of total employee-related expenditure on senior staff and executives.

	2016–17 %	2017–18 %	2018–19 %	2019–20 %	2020–21 %
Percentage of expenditure	7.1	7.2	6.7	7.2	8.7

Workforce profiles

Table 24: NSWALC workforce profile as at 30 June 2021, employment status by cultural background and gender.

Gender	Full time all	Aboriginal	Part time all	Aboriginal	Total
Female	66	39	13	5	79
Male	64	31	2	1	66

Table 25: NSWALC workforce profile as at 30 June 2021 by age and gender.

Gender	<30 all	Aboriginal	30–50 all	Aboriginal	50+ all	Aboriginal	Total
Female	7	6	52	30	20	8	79
Male	5	2	32	17	29	13	66

Remuneration of Councillors

Under section 161 of the ALRA, NSWALC is obliged to publish the total remuneration (including travel expenses) paid to each Councillor during the year. Councillor salaries are determined by the Statutory and Other Offices Remuneration Tribunal as part of its Public Office Holders Group. Travel allowances are determined by the Minister for Aboriginal Affairs.

Under section 13 of the *Statutory and Other Offices Remuneration Act 1975* the Tribunal must make a determination on remuneration of office holders on 1 July each year. In 2019–20 the annual base salary of a NSWALC Councillor was \$155,880, with loadings of 10 per cent for the Chairperson and 5 per cent for the Deputy Chairperson as a result of the additional responsibilities inherent in both positions. The Tribunal made a further determination on 1 April 2020 to increase the base salary to \$161,000, with loadings remaining unchanged.

The Tribunal determination on 1 July 2020 meant there would be no further increase for this year.

Salary packaging benefits

NSWALC continues to engage Maxxia as the outsource salary packaging provider, with 86.1 per cent of staff members participating in some form of salary packaging.

Of NSWALC staff taking-up the benefit, approximately 43.1 per cent are Aboriginal (62), with a total of 124 staff using Maxxia.

Major policy and program outcomes in 2020–21 against planned outcomes

NSWALC continued to operate its business within the restrictions of COVID-19 and provided staff with continued flexibility to work from home as required under the health orders.

The key initiatives within the PWU this year were:

- enterprise agreement development and negotiation
- process improvement initiatives including a focus on workplace operational procedures
- knowledge management
- review of the motor vehicle fleet
- review of the health and wellbeing of staff.

Through the use of technology, recruitment activity continued to support the changes within the business, and the campaign to hire staff for the CAPO Unit.

The PWU continued to collaborate with and work alongside managers to implement our people policies and ensure understanding of their applications and consistency across NSWALC, in particular the Grievance and Dispute Resolution Policy and Guidelines and the Performance Counselling and Disciplinary Action Policy and Guidelines.

Throughout 2020–21 NSWALC has encouraged employees to take advantage of learning and development opportunities to strengthen the skills base and talent pipeline. A total of 21 employees attended external training courses relevant to their role. The training courses for 17 staff were covered under enterprise agreements, and four under management contracts. In addition, 24 employees, managers and key support staff attended the Prosci Change Management Program conducted by an external company.

With the implementation of the new employee assistance program, NSWALC was able to support staff with culturally-appropriate counselling and wellbeing programs through this challenging period. Approximately 70 staff attended the five workshops conducted on managing stress and building resilience, and mental health awareness and practising self care.

Workforce diversity strategies

Twenty-five new employees were recruited into the organisation during the reporting period:

- 18 (72 per cent) identified as Aboriginal and
- 15 are female
- 17 of the new employees are female
- 11 people are over the age of 45 years old.

Aboriginal Employment Strategy

NSWALC has continued to make progress on the Aboriginal Employment Plan, which is designed to increase the participation of Aboriginal and Torres Strait Islander people in NSWALC.

Throughout 2020–21 the Aboriginal Employment Strategy committee continued its work consulting with staff on the draft strategy, which was refined and submitted to the CEO for consideration in June 2021.

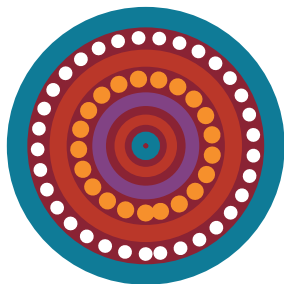
As part of the strategy, the PWU sought an exemption for NSWALC under section 126 of the *Anti-Discrimination Act 1977* (NSW) to designate 80 per cent of positions in the organisation for Aboriginal and/or Torres Strait Islander people.

This is across all employment categories including professional (executive, senior manager, manager) and non-professional (senior officer and officer, administration). The exemption request was still being considered at the end of the reporting period.

The proportion of Aboriginal staff at NSWALC continued to increase over 2020–21. Of 25 new recruits to NSWALC, 18 are Aboriginal. This is a 3 per cent increase over the previous year.

NSWALC continued its engagement with the AGSM, with one female senior manager commencing study towards a Masters degree. A scholarship was offered as a result of her successful participation in the EIELP.

NSWALC also continued its relationship with CareerTrackers, with one Aboriginal student continuing an internship placement that provided practical work experience aligned to her fields of study. She has now completed her degree.



Financial statements

Consolidated Financial Statements for the year ended 30 June 2021

INDEPENDENT AUDITOR'S REPORT



INDEPENDENT AUDITOR'S REPORT

New South Wales Aboriginal Land Council

To Members of the New South Wales Parliament

Opinion

I have audited the accompanying financial statements of the New South Wales Aboriginal Land Council (the Council), which comprise the Statement by the Councillors, the Consolidated Statement of Comprehensive Income for the year ended 30 June 2021, the Consolidated Statement of Financial Position as at 30 June 2021, the Consolidated Statement of Changes in Equity and the Consolidated Statement of Cash Flows for the year then ended, notes comprising a Statement of Significant Accounting Policies and other explanatory information of the Council and the consolidated entity. The consolidated entity comprises the Council and the entities it controlled at the year's end or from time to time during the financial year.

In my opinion, the financial statements:

- have been prepared in accordance with Australian Accounting Standards and the applicable financial reporting requirements of the *Government Sector Finance Act 2018* (GSF Act), the Government Sector Finance Regulation 2018 (GSF Regulation) and the Treasurer's Directions
- presents fairly the financial position, financial performance and cash flows of the Council and the consolidated entity

My opinion should be read in conjunction with the rest of this report.

Basis for Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under the standards are described in the 'Auditor's Responsibilities for the Audit of the Financial Statements' section of my report.

I am independent of the Council and the consolidated entity in accordance with the requirements of the:

- Australian Auditing Standards
- Accounting Professional and Ethical Standards Board's APES 110 'Code of Ethics for Professional Accountants (including Independence Standards)' (APES 110).

I have fulfilled my other ethical responsibilities in accordance with APES 110.

Parliament promotes independence by ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of public sector agencies
- precluding the Auditor-General from providing non-audit services.

I believe the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

The Councillors' Responsibilities for the Financial Statements

The Councillors are responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards and the GSF Act, GSF Regulations and Treasurer's Directions. The Councillors' responsibility also includes such internal control as the Councillors determine is necessary to enable the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Councillors are responsible for assessing the ability of the Council and the consolidated entity to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting.

Auditor's Responsibilities for the Audit of the Financial Statements

My objectives are to:

- obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error
- issue an Independent Auditor's Report including my opinion.

Reasonable assurance is a high level of assurance, but does not guarantee an audit conducted in accordance with Australian Auditing Standards will always detect material misstatements. Misstatements can arise from fraud or error. Misstatements are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions users take based on the financial statements.

A description of my responsibilities for the audit of the financial statements is located at the Auditing and Assurance Standards Board website at: www.auasb.gov.au/auditors_responsibilities/ar3.pdf. The description forms part of my auditor's report.

The scope of my audit does not include, nor provide assurance:

- that the Council or the consolidated entity carried out their activities effectively, efficiently and economically
- about the security and controls over the electronic publication of the audited financial statements on any website where they may be presented
- about any other information which may have been hyperlinked to/from the financial statements.



Michael Kharzoo
Director, Financial Audit

Delegate of the Auditor-General for New South Wales

21 October 2021
SYDNEY

STATEMENT BY COUNCILLORS

Pursuant to section 7.6(4) of the *Government Sector Finance Act 2018* (GSF Act), we state that these financial statements:

1. have been prepared in accordance with the Australian Accounting Standards (AAS) and the applicable requirements of the GSF Act, the Government Sector Finance Regulation 2018 and the Treasurer's directions; and
2. present fairly the Council's financial position, financial performance and cash flows.



Anne Dennis
Chairperson

21 October 2021



Charles Lynch
Deputy Chairperson

CONSOLIDATED STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDED 30 JUNE 2021

		Consolidated		Parent	
	Note	2021 \$000	2020 \$000	2021 \$000	2020 \$000
REVENUE					
Investment Revenue	7	42,817	16,680	42,811	16,680
Grants and Contributions	8	8,393	4,922	8,010	4,910
Other Revenue	9	1,870	4,778	1,710	4,763
Total Revenue		53,080	26,380	52,531	26,353
EXPENSES EXCLUDING LOSSES					
Employee Related Expenses	12	21,647	20,407	20,154	20,236
Depreciation	24	2,000	1,741	1,147	928
Amortisation	25	59	12	59	12
Doubtful Debts and Debt Write Off	3c (iii)	987	557	987	557
Funding to Local Aboriginal Land Councils	13	17,625	17,239	17,625	17,239
Grants	14	2,537	2,114	5,912	4,086
Legal Expenses		877	974	877	974
Election Costs		–	947	–	947
Interest Expense on Lease Assets		572	643	176	165
Other Operating Expenses	15	7,925	6,515	6,935	6,411
Program Expenses	16	885	682	885	682
Total Expenses Excluding Losses		55,115	51,831	54,757	52,238
Gain/(Loss) on Disposal of Property, Plant and Equipment	10	(414)	(9)	(414)	(9)
Other Gains / (Losses)	11	55,908	(23,101)	55,908	(23,101)
NET RESULT		53,460	(48,561)	53,268	(48,995)
OTHER COMPREHENSIVE INCOME					
Items that will not be reclassified to Net Result					
Actuarial Gain/(Loss) on Defined Benefit Superannuation		221	5	221	5
Net Increment on Revaluation	24	2,878	–	2,878	–
Total Other Comprehensive Income		3,099	5	3,099	5
TOTAL COMPREHENSIVE INCOME/ (EXPENSES) FOR THE YEAR		56,559	(48,556)	56,368	(48,990)

The above Consolidated Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

CONSOLIDATED STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2021

	Note	2021 \$000	2020 \$000	2021 \$000	2020 \$000
ASSETS					
Current Assets					
Cash and Cash Equivalents	17&18	38,072	36,322	35,300	34,428
Receivables	19 (a)	2,475	2,762	2,989	3,370
Financial Assets at Fair Value	20	668,419	608,916	668,419	608,916
Other Assets	22	28	24	28	24
Assets Held for Sale		–	593	–	593
Total Current Assets		708,994	648,617	706,736	647,330
Non-Current Assets					
Receivables	19 (b)	128	42	128	42
Other Financial Assets	23	121	–	121	–
Property, Plant and Equipment	24	13,263	9,957	13,222	9,957
Right-of-Use Assets	24	9,640	10,958	2,787	3,366
Intangible Assets	25	210	184	210	184
Artefacts	26	–	445	–	445
Total Non-Current Assets		23,362	21,586	16,468	13,994
TOTAL ASSETS		732,356	670,203	723,204	661,324
LIABILITIES					
Current Liabilities					
Payables	28	4,891	3,271	4,460	3,136
Unspent Grant/Donation	29	17,779	14,734	17,246	14,381
Borrowings	30	1,172	1,125	550	616
Derivatives	21	2,037	92	2,037	92
Provisions	31	3,885	4,076	3,846	4,076
Total Current Liabilities		29,764	23,298	28,139	22,301
Non-Current Liabilities					
Borrowings	30	9,462	10,399	2,559	2,949
Provisions	31	593	528	593	528
Total Non-Current Liabilities		10,055	10,927	3,152	3,477
TOTAL LIABILITIES		39,819	34,225	31,292	25,778
NET ASSETS		692,537	635,978	691,913	635,546
EQUITY					
Reserves		16,856	14,507	16,856	14,507
Accumulated Funds		675,681	621,471	675,057	621,039
TOTAL EQUITY		692,537	635,978	691,913	635,546

CONSOLIDATED STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 30 JUNE 2021

	Accumulated Funds \$000	Revaluation Reserve \$000	Total \$000
CONSOLIDATED			
Balance at 1 July 2020	621,471	14,507	635,978
Net Result for the year	53,460	–	53,460
Other Comprehensive Income			
Actuarial Gain/(Loss) on Defined Benefit Superannuation	221	–	221
Net Increment on Revaluation of Properties (Note 24)	–	2,878	2,878
Reserve Transfers – Artefacts	213	(213)	–
Reserve Transfers – Properties	316	(316)	–
Total Comprehensive Income for the year	54,210	2,349	56,559
Balance at 30 June 2021	675,681	16,856	692,537
Balance at 1 July 2019	686,287	15,358	701,645
Changes in Accounting Policy – Initial Application of AASB 1058	(17,111)	–	(17,111)
Restated Balance at 1 July 2019	669,176	15,358	684,534
Net Result for the Year	(48,561)	–	(48,561)
Other Comprehensive Income			
Actuarial Gain/(Loss) on Defined Benefit Superannuation	5	–	5
Reserve Transfers	851	(851)	–
Total Comprehensive Income for the year	(64,816)	(851)	(65,667)
Balance at 30 June 2020	621,471	14,507	635,978
PARENT			
Balance at 1 July 2020	621,039	14,507	635,546
Net Result for the Year	53,268	–	53,268
Other Comprehensive Income			
Actuarial Gain/(Loss) on Defined Benefit Superannuation	221	–	221
Net Increment on Revaluation of Properties (Note 24)	–	2,878	2,878
Reserve Transfers – Artefacts	213	(213)	–
Reserve Transfers – Properties	316	(316)	–
Total Comprehensive Income for the Year	54,018	2,349	56,367
Balance at 30 June 2021	675,057	16,856	691,913
Balance at 1 July 2019	686,289	15,358	701,647
Changes in Accounting Policy – Initial Application of AASB 1058	(17,111)	–	(17,111)
Restated Balance at 1 July 2019	669,178	15,358	684,536
Net Result for the year	(48,995)	–	(48,995)
Other Comprehensive Income			
Actuarial Gain/(Loss) on Defined Benefit Superannuation	5	–	5
Reserve Transfers	851	(851)	–
Total Comprehensive Income for the Year	(65,250)	(851)	(66,101)
Balance at 30 June 2020	621,039	14,507	635,546

The above Consolidated Statement of Changes in Equity should be read in conjunction with the accompanying notes.

CONSOLIDATED STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2021

		Consolidated		Parent	
	Note	2021 \$000	2020 \$000	2021 \$000	2020 \$000
CASH FLOWS FROM OPERATING ACTIVITIES					
Receipts					
Sales and Rental Income		14	24	–	2
Interest and Investment Income		30	81	24	74
Community Development Levy Received		311	2,619	311	2,619
Grants and Contributions		5,769	2,421	5,191	2,033
Recovery of Debts		–	760	–	760
GST Received from ATO		2,801	2,905	2,731	2,830
Other		132	–	–	–
Total Receipts		9,057	8,810	8,257	8,318
Payments					
Employee Related Expenses		(21,564)	(19,762)	(20,109)	(19,662)
Net Debts Movement (including GST)		(1,376)	–	(1,376)	
Community Development Levy Grants Paid		(684)	(254)	(684)	(254)
Grants and Subsidies		(2,207)	(2,105)	(5,228)	(3,150)
Funding to LALCs		(17,625)	(17,239)	(17,625)	(17,239)
Expenses Paid on behalf of LALCs		(1,006)	(434)	(1,006)	(434)
Payment for Goods and Services		(2,629)	(10,182)	(2,090)	(11,053)
Payment of Interest Portion of Lease Liability		(634)	(719)	(238)	(240)
Total Payments		(47,725)	(50,695)	(48,356)	(52,032)
NET CASH FLOWS FROM OPERATING ACTIVITIES	33	(38,668)	(41,885)	(40,099)	(43,714)
CASH FLOWS FROM FINANCING ACTIVITIES					
Payment of Principal Portion of Lease Liability		(1,136)	(1,035)	(626)	(589)
NET CASH FLOWS FROM FINANCING ACTIVITIES		(1,136)	(1,035)	(626)	(589)
CASH FLOWS FROM INVESTING ACTIVITIES					
Proceeds from Sale of Land and Buildings, Plant and Equipment	10	194	125	194	125
Proceeds from Sale of Financial Assets		41,852	44,293	41,852	44,293
Purchases of Property, Plant, Equipment and Intangible Assets		(493)	(1,757)	(450)	(1,757)
NET CASH FLOWS FROM INVESTING ACTIVITIES		41,553	42,661	41,596	42,661
NET INCREASE/(DECREASE) IN CASH		1,750	(259)	872	(1,642)
Opening Cash and Cash Equivalents		36,322	36,581	34,428	36,070
CLOSING CASH AND CASH EQUIVALENTS	17&18	38,072	36,322	35,300	34,428

The above Consolidated Statement of Cash Flows should be read in conjunction with the accompanying notes.

NOTES TO AND FORMING PART OF THE CONSOLIDATED FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2021

1. Reporting entity

New South Wales Aboriginal Land Council (the Council) is a Statutory Body constituted by the NSW *Aboriginal Land Rights Act 1983* (ALRA). The Council is a not-for-profit entity (as profit is not its principal objective).

The Council, as a reporting entity, comprises the following wholly-owned subsidiaries:

Subsidiary name	ACN	Incorporation date
NSWALC Resources Pty Ltd	602 043 274	26 September 2014
NSWALC Properties Pty Ltd	629 594 985	24 October 2018
NSWALC Housing Ltd	631 178 848	23 January 2019
NSWALC Employment and Training Ltd	634 467 244	28 June 2019

NSWALC Resources Pty Ltd (Resources P/L) started to invest in the joint venture company Paradigm Resources Pty Ltd (Paradigm) for mining exploration in 2014–15 financial year. The exploration and development of resources such as natural gas is a speculative activity that involves a degree of financial risk.

NSWALC Properties Pty Ltd (Properties P/L) was established to facilitate the sale and lease back of 33 Argyle Street, Parramatta. As part of the sale of 33 Argyle St, the Council agreed with the purchaser to leaseback our office premises within the building. Accordingly, NSWALC Properties Pty Ltd was established to be the tenant in the required leaseback.

In accordance with NSWALC Strategic Plan 2018–2022, the Council is committed to pursuing economic independence and prosperity for our people. To achieve this, we are working to create opportunities for Aboriginal people and Local Aboriginal Land Councils (LALCs) to undertake business ventures and are also diversifying the Council's own business activities in order to provide greater prosperity to future generations. Establishment of NSWALC Housing Ltd (NHL) and NSWALC Employment and Training Ltd (NET) are two of the Council's economic development initiatives. The purpose of NHL is to increase the housing options including the supply of social and affordable housing for Aboriginal people, while NET is designed to mobilise the Aboriginal workforce and support them to obtain the necessary training to obtain employment in the infrastructure construction and aged care and disability services sectors.

The final consolidated financial statements for the year ended 30 June 2021 have been authorised for issue by the Council on 21 October 2021.

2. Basis of preparation

(a) Basis of preparation of accounts

The consolidated financial statements of the Council are general purpose financial statements which have been prepared on an accrual basis in accordance with:

- applicable AAS (which include Australian Accounting Interpretations);
- the requirements of the GSF Act and Treasurer's Directions issued under the GSF Act;
- the ALRA and its Regulations.

The consolidated financial statements incorporate the financial information of the Council and its subsidiaries.

(b) Statement of compliance

The Council complied with the legislative requirements and other authoritative pronouncements stated under the 'Basis of preparation of accounts' (Note 2(a)) throughout the year in the preparation and the final presentation of the Consolidated Financial Statements.

In accordance with the interpretation of the Crown Solicitor regarding section 150 of the ALRA, the Council has maintained the minimum required capital value of \$485,340,000 throughout the year.

2. Basis of preparation (cont)

(c) Profit status of the Council

The Council has assessed and formally noted its profit status for the financial year ended 30 June 2021 and determined its status as not-for-profit for financial reporting purposes, which is consistent with the prior year.

(d) Basis of measurement

The consolidated financial statements have been prepared on the historical cost basis except for the following material items:

- financial instruments that are classified as 'at fair value through profit and loss'
- property, plant and equipment are measured at fair value
- assets held for sale or transfer are measured at the lower of its carrying amount and fair value less costs of disposal
- the defined benefit asset is measured at the lower of:
 - (i) the surplus in the defined benefit plan; and
 - (ii) the asset ceiling, determined and discounted by using market yields on government bonds.

Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date.

(e) Functional and presentation currency

These consolidated financial statements are presented in Australian dollars, which is the Council's functional currency.

All amounts are rounded to the nearest one thousand dollars unless otherwise stated.

(f) Critical estimates

The preparation of consolidated financial statements requires management to make judgements, estimates and assumptions that effect the application of accounting policies and reported amounts of assets, liabilities, income and expenses.

Estimates and underlying assumptions are reviewed on an ongoing basis. Revision of accounting estimates are recognised in the period in which the estimates are revised and in any future periods affected.

Information about critical judgements, key assumptions and estimations that the Council has made are disclosed in the relevant notes to the financial statements.

(g) Changes in accounting policy

In the current year, the Council has reviewed all the new and revised Accounting Standards and Interpretations that are relevant to its operations and effective for the annual reporting period beginning on 1 July 2020. More information on the adoption of these standard is included in Note 3 (j).

(h) Principles of consolidation

(i) Controlled entities

The Council is controlling four wholly owned subsidiaries as listed in Note 1 and they were fully consolidated from the date of incorporation. Accounting policies of these companies are consistent with that of the Council. Consolidated financial statements were prepared after eliminating all inter entity transactions. The financial year of these companies is the same as the Council's.

(ii) Joint venture

NSWALC Resources Pty Ltd has a joint venture in Paradigm Resources Pty Ltd with Indigenous Energy Resources Pty Ltd each having equal shareholding. The investment in Paradigm Resources Pty Ltd is accounted for in the NSWALC Resources Pty Ltd using the equity method of accounting, which is then consolidated with the financial statements of the Council.

(iii) Equity method

Equity method of accounting is one where the investment is initially recognised at cost and adjusted thereafter for the post-acquisition change in the investor's share of the investee's net assets. The investor's profit or loss includes its share of the investee's profit or loss and the investor's other comprehensive income includes its share of the investee's other comprehensive income. After application of equity method accounting, the Council determines the fair value of the investment by applying the principles stated in AASB 13 *Fair Value Measurement*. Any reduction in values is recognised as impairment loss in the consolidated financial statements of the Council.

3. Significant accounting policies

The accounting policies set out below have been applied consistently by the Council to all periods presented in these consolidated financial statements unless there has been changed in the accounting standards.

(a) Revenue recognition

Revenue is recognised in accordance with the requirements of AASB 15 *Revenue from Contracts with Customers* or AASB 1058 *Income of Not-for-Profit Entities*, dependent on whether there is a contract with a customer defined by AASB 15 *Revenue from Contracts with Customers*.

(i) Grants and other contributions

Income from grants to acquire/construct a recognisable non-financial asset to be controlled by the Council is recognised when the Council satisfies its obligations under the transfer. The Council satisfies the performance obligations under the transfer to construct assets over time as the non-financial assets are being constructed. The actual cost incurred is used to recognise income, because this most closely reflects the progress to completion.

Revenue from grants with sufficiently specific performance obligations is recognised as when the Council satisfies a performance obligation by transferring the promised goods.

Revenue from these grants is recognised based on the grant amount specified in the funding agreement/funding approval, and revenue is only recognised to the extent that it is highly probable that a significant reversal will not occur. No element of financing is deemed present as funding payments are usually received in advance or shortly after the relevant obligation is satisfied.

Refer Note 29 for transaction price allocated to the performance obligations that have not been satisfied at the end of the year and when it is expected to be recognised as revenue.

Income from grants without sufficiently specific performance obligations is recognised when the Council obtains control over the granted assets (e.g., cash).

Receipt of volunteer services is recognised when and only when the fair value of those services can be reliably determined and the services would have been purchased if not donated. Volunteer services measured at fair value.

(ii) Sale of goods and services

Sale of goods

Revenue from sale of goods is recognised as when the Council satisfies a performance obligation by transferring the promised goods.

Revenue from these sales is recognised based on the price specified in the contract, and revenue is only recognised to the extent that it is highly probable that a significant reversal will not occur. No element of financing is deemed present as the sales are made with a short credit term. No volume discount or warranty is provided on the sale.

Rendering of services

Revenue from rendering of services is recognised when the Council satisfies the performance obligation by transferring the promised services. The revenue is measured at the transaction price agreed under the contract

No element of financing is deemed present as payments are due when service is provided.

3. Significant accounting policies (cont)

(a) Revenue recognition (cont)

(iii) Investment revenue

Investment revenue comprises of:

- interest income on funds invested
- dividend income
- changes in the fair value of financial assets at fair value through the profit and loss account.

Interest income is recognised using the effective interest method as set out in AASB 9 *Financial Instruments*.

Dividend revenue is recognised in accordance with AASB 9 *Financial Instruments* when the Council's right to receive payment is established. Changes in the fair value of financial assets at fair value through the profit and loss account are disclosed in Note 3 (c) (iv).

(iv) Foreign currency gain and losses

During the year the Council held investments denominated in foreign currencies and transitional funds held in foreign currency as a result of moving funds between fund managers. Transactions in foreign currencies are translated to Australian dollar at exchange rates at the dates of the transactions. Monetary assets denominated in foreign currencies at the reporting date are converted to the functional currency at the exchange rate at balance date. Foreign currency differences arising on conversion are recognised in the Consolidated Statement of Comprehensive Income. Foreign currency gains and losses are reported on a net basis.

(v) Rental income

Rental income is included in other income in the Consolidated Statement of Comprehensive Income. Rental income is recognised in accordance with AASB 16 *Leases*.

(vi) Land claims

The Council claims land under the ALRA. Land claimed from the state or Commonwealth government is valued at fair value, recognised as income and capitalised as land asset.

(vii) Other revenue

Other revenue is recognised in the Consolidated Statement of Comprehensive Income when the right to receive the revenue has been established.

(b) Expenses

All expenses incurred on an accrual basis are recognised as expenditure for the year to the extent that the Council has benefited by receiving goods or services and the expenditure can be reliably measured.

(i) Employee expenses

Employee expenses include salaries and wages for the year, workers compensation insurance premium for the year, 9.50% defined contribution incurred for employees under defined contribution scheme and amounts nominated by the fund managers in respect of defined benefit schemes. Annual leave and long service leave expenses are charged as stated in Note 3 (d) (ii).

(ii) Depreciation expenses

Depreciation expenses are charged as stated in Note 3 (c) (vii)

(iii) Maintenance expenses

Maintenance expenses are charged as stated in Note 3 (c) (vii)

(iv) Insurance expenses

The Council holds insurance policies covering property, public liability, workers compensation, Councillors' liability and other contingencies. After analysing the insurable risks, the Council has taken necessary insurance cover against these risks. The premium is determined by the Insurer.

(v) Funding for LALCs

Funding for LALCs is charged to the Consolidated Statement of Comprehensive Income as per the agreed amount of allocation for the year in accordance with the funding agreement. If a LALC is in breach of the statutory requirements, only essential payments are made under an assistance agreement. Essential payments are also paid to protect LALC assets or to avoid increasing higher liabilities.

(vi) Expenditure for community benefits

Pursuant to section 108 of the ALRA, the Council incurs expenses for the benefits of the Aboriginal community. These expenses may be incurred in the form of assets such as shares or loans. In 2012, the Council purchased one million shares in Social Enterprise Finance Australia Ltd (SEFA).

The Council does not have significant influence on SEFA. Hence, the Equity Accounting was not adopted and shares are impaired as at 30 June 2021.

(c) Assets

(i) Cash and cash equivalents

Cash and cash equivalents include cash on hand, deposits held at call with financial institutions and other short-term, highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash which are subject to an insignificant risk of changes in value. The Council has no bank overdrafts.

(ii) Restricted assets

Restricted assets include cash and cash equivalents and property held by the Council for special projects or as a trustee. These assets cannot be used for operating purposes (Refer to Note 18).

(iii) Receivables

Receivables include other receivables and statutory debts (Refer to Note 5 (a) (ii)). Other receivables (including loans) are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market.

Recognition and measurement

All 'regular way' purchases or sales of financial asset are recognised and derecognised on a trade date basis. Regular way purchases or sales are purchases or sales of financial assets that require delivery of assets within the time frame established by regulation or convention in the marketplace.

Receivables are initially recognised at fair value plus any directly attributable transaction costs. Trade receivables that do not contain a significant financing component are measured at the transaction price, being the original invoice amount, as the effect of discounting is immaterial.

Subsequent measurement

The Council holds receivables with the objective to collect the contractual cash flows and therefore measures them at amortised cost using the effective interest method, less any impairment. Changes are recognised in the net result for the year when impaired, derecognised or through the amortisation process.

Impairment

The Council recognises an allowance for expected credit losses (ECLs) for all debt financial assets not held at fair value through profit or loss. ECLs are based on the difference between the contractual cash flows and the cash flows that the Council expects to receive, discounted at the original effective interest rate.

For trade receivables, the Council applies a simplified approach in calculating ECLs. The Council recognises a loss allowance based on lifetime ECLs at each reporting date.

Debts that are known to be uncollectable are written off. These are considered to be impaired when there is objective evidence that the estimated future cash flows have been affected.

The Council first assesses whether impairment exists individually for receivables that are individually significant, or collectively for those that are not individually significant. Further, receivables are assessed for impairment on a collective basis if they were assessed not to be impaired individually.

The amount of the allowance is the difference between the asset's carrying amount and the present value of estimated future cash flows, discounted at the original effective interest rate. The amount of the impairment loss is recognised in the net result for the year.

3. Significant accounting policies (cont)

(c) Assets (cont)

(iii) Receivables (cont)

Impairment (cont)

Any reversals of impairment losses are reversed through the net result for the year, if objectively related to an event occurring after the impairment was recognised. Reversals of impairment losses cannot result in a carrying amount that exceeds what the carrying amount would have been had there not been an impairment loss.

The Council has a debtor management policy and guidelines to manage and recover statutory debts incurred by the Council on behalf of LALCs. The policy and guidelines established how to assess the recoverability of debts and the amounts to be written-off or waived. The policy has been implemented since the financial year 2010–11.

In 2020–21, the Council provided \$979k additional bad debts provision and wrote off \$8k in accounts receivables. The movement in the allowance for impairment with the outstanding debt is disclosed in Note 19.

(iv) Investments

Classification and measurement

The Council's financial assets at fair value are classified, at initial recognition, and subsequently measured at either fair value through other comprehensive income or fair value through profit or loss.

Transaction costs of financial assets carried at fair value through profit or loss are expensed in net results. Transaction costs of financial assets carried at other comprehensive income are included as part of their fair value and amortised to net results using the effective interest method.

Financial assets at fair value through profit or loss

Financial assets at fair value through profit or loss include financial assets held for trading and financial assets mandatorily required to be measured at fair value under AASB 9.

Financial assets are held for trading if acquired for the purpose of selling or repurchasing in the near term. Derivatives, including separated embedded derivatives, are also classified as held for trading unless they are designated as effective hedging instruments.

The Council holds all its investments in units in pooled investment funds, which are in substance equity instruments. As these are held for trading, they are mandatorily required to be measured at fair value through profit or loss.

Notwithstanding the criteria to be classified at amortised cost or at fair value through other comprehensive income, financial assets may be designated at fair value through profit or loss on initial recognition if doing so eliminates, or significantly reduces, an accounting mismatch.

A gain or loss on a financial asset that is subsequently measured at fair value through profit or loss is recognised in net results and presented net within other gains/(losses), except for gains and losses on the investments in the managed funds, that are presented in 'investment revenue' in the period in which they arise.

– Derivative financial instruments

The Council faces foreign currency exposure from investing in international equities. The Council enters into derivatives to mitigate this exposure. Derivatives are initially recognised at fair value on the date a derivative contract is entered into and are subsequently remeasured to their fair value at the end of each reporting period. Any changes in the fair value are recognised in the Consolidated Statement of Comprehensive Income.

The financial assets and liabilities resulting from the hedging arrangement of the Council are offset with the net amount being reported in the Consolidated Statement of Financial Position. The Council has a current enforceable legal obligation to offset the recognised amounts with the counterparty and settle on a net basis realising the assets and the liabilities simultaneously (Refer to Note 21 for values).

– Impairment of financial assets

All financial assets, except those measured at fair value through the profit and loss, are subject to an annual review for impairment. An allowance for impairment is established when there is objective evidence that the entity will not be able to collect all amounts due.

– De-recognition of financial assets and financial liabilities

A financial asset is derecognised when the contractual rights to the cash flows from the financial assets expire; or if the Council transfers the financial asset:

- where substantially all the risks and rewards have been transferred; or
- where the Council has not transferred substantially all the risks and rewards, if the entity has not retained control.

Where the Council has neither transferred nor retained substantially all the risks and rewards or transferred control, the asset is recognised to the extent of the Council's continuing involvement in the asset.

A financial liability is derecognised when the obligation specified in the contract is discharged or cancelled or expires.

(v) Trust funds

The Council received money in a trustee capacity for the Gumbaynggir Tribal Aboriginal Elders Corporation as set out in Note 34. The Council has no control of the funds and the funds cannot be used for the achievement of the Council's own objectives. The Council performs a custodial role in respect of these funds. Therefore, these funds are not recognised in the Consolidated Statement of Comprehensive Income.

(vi) Other assets

Other assets include superannuation assets and prepayments. Other assets are recognised on a cost basis.

If a surplus exists in the employer's interest in the defined benefit fund, the Council recognises this amount as superannuation asset and takes advantage of it in the form of a reduction in the required contribution rate on the advice of the fund's actuary. Where a deficiency exists, the employer is responsible for any difference between the employer's share of fund assets and the defined benefit obligation. The Council recognises this amount as a liability.

(vii) Property, plant and equipment

Acquisitions of assets

The cost method of accounting is used for the initial recording of all acquisitions of assets controlled by the Council. Cost is the amount of cash or cash equivalents paid or the fair value of the other consideration given to acquire the asset at the time of its acquisition or construction or, where applicable, the amount attributed to that asset when initially recognised in accordance with the requirements of other AAS.

Assets acquired at no cost, or for nominal consideration, are initially recognised at their fair value at the date of acquisition.

Where payment for an asset is deferred beyond normal credit terms, its cost is the cash price equivalent, i.e., deferred payment amount is effectively discounted at an asset-specific rate.

Capitalisation thresholds

Property, plant and equipment and intangible assets costing \$1,000 (\$1,000 in 2019–20) and above individually (or forming part of a network costing more than \$1,000) are capitalised.

Revaluation of property, plant and equipment

Physical non-current assets are valued in accordance with AASB 13 *Fair Value Measurement* and AASB 116 *Property, Plant and Equipment*.

Property, plant and equipment is measured at the highest and best use by market participants that is physically possible, legally permissible and financially feasible. The highest and best use must be available at a period that is not remote and take into account the characteristics of the asset being measured, including any social-political restrictions imposed by government. In most cases after taking into account these considerations, the highest and best use is the existing use. In limited circumstances, the highest and best use may be a feasible alternative use, where there are no restrictions on use or where there is a feasible higher restricted alternative use.

Fair value of property, plant and equipment is based on a market participants' perspective, using valuation techniques (market approach, cost approach) that maximise relevant observable inputs and minimise unobservable inputs. Also refer Note 27 for further information regarding fair value.

3. Significant accounting policies (cont)

(c) Assets (cont)

(vii) Property, plant and equipment (cont)

Revaluation of property, plant and equipment (cont)

Non-specialised assets with short useful lives are measured at depreciated historical cost, as a surrogate for the fair value. The Council reviews the estimated useful lives for major plant and equipment at the end of each annual reporting period. Property is revalued at least every five years or with sufficient regularity to ensure that the carrying amount does not differ materially from its fair value at reporting date. The full revaluation of properties was completed on 30 June 2021 by independent registered valuers who are experienced in the respective regions of properties located. The majority of properties are rural land holdings that are zoned as Environmental Conservation or Environmental Management and these properties have low financial value.

When revaluing non-current assets by reference to current prices for assets newer than those being revalued, adjusted to reflect the present condition of the assets, the gross amount and the related accumulated depreciation are separately restated.

For other assets, any balances of accumulated depreciation at the revaluation date in respect of those assets are credited to the asset accounts to which they relate. The net asset accounts are then increased or decreased by the revaluation increments or decrements.

Revaluation increments are credited directly to the asset revaluation reserve, except to the extent that it reverses a revaluation decrement for the same asset class previously recognised as an expense in the Statement of Profit or Loss and Other Comprehensive Income, in which case the increment is credited to the Statement of Profit or Loss and Other Comprehensive Income to the extent of the decrement previously charged. A decrement in carrying amount arising on the revaluation of property, plant and equipment is charged as an expense in profit or loss to the extent that it exceeds the balance, if any, held in the revaluation reserve relating to a previous revaluation of that asset.

As a not-for-profit entity, the Council's revaluation increments and decrements are offset against one another within a class of non-current assets, but not otherwise.

Where an asset that has previously been revalued is disposed of, any balance remaining in the asset revaluation reserve in respect of that asset is transferred to accumulated funds.

Impairment of property, plant and equipment

As property, plant and equipment is carried at fair value, impairment can only arise in the rare circumstances where the costs of disposal are material. Specifically, impairment is unlikely for not-for-profit entities given that AASB 136 modifies the recoverable amount test for non-cash generating assets of not-for-profit entities to the higher of fair value less costs of disposal and depreciated replacement cost, where depreciated replacement cost is also fair value.

Depreciation of property, plant and equipment

Depreciation is provided on a straight-line basis for all depreciable assets so as to write off the depreciable amount of each asset as it is consumed over its useful life to the Council.

All material separately identifiable components of assets are depreciated over their respective useful lives.

Land is not a depreciable asset. Certain original artwork and collections have a long useful life. In these cases, depreciation is not recognised. The decision not to recognise depreciation for these assets is reviewed annually.

The depreciation rates used for each class of depreciable assets for the estimated useful lives are:

Class of fixed assets	Depreciation rate (%)	Useful life (yrs)
Buildings*	3.33–5.00	20–30
Motor vehicles	20.00	5
Computer equipment	33.33	3
Other equipment, furniture and fittings	20.00	5

Useful lives and residual values are reviewed at each financial year-end and adjusted if appropriate.

* Fittings classified as buildings may have varying depreciation rates and useful lives (i.e., 20% depreciation rate and five years useful life).

Maintenance

Day-to-day servicing costs or maintenance are charged as expenses incurred, except where they relate to the replacement of a part or component of an asset, in which case the costs are capitalised and depreciated.

(viii) Artefacts

Artefacts include aboriginal artwork, sculptures, carvings and painted rocks. These assets are not depreciated but are revalued on a regular basis by an independent expert valuer. The valuation of these assets was completed on 30 June 2016. Any change in value is accounted for as explained in Note 26.

(ix) Leases

The Council leases various properties, equipment and motor vehicles. Lease contracts are typically made for fixed periods but may have extension options. Lease terms are negotiated on an individual basis and contain a wide range of different terms and conditions. The lease agreements do not impose any covenants, but leased assets may not be used as security for borrowing purposes. The Council does not provide residual value guarantees in relation to leases.

Extension and termination options are included in a number of property and equipment leases. These terms are used to maximise operational flexibility in terms of managing contracts. The majority of extension and termination options held are exercisable only by the Council and not by the respective lessor. In determining the lease term, management considers all facts and circumstances that create an economic incentive to exercise an extension option, or not exercise a termination option. Extension options (or periods after termination options) are only included in the lease term if the lease is reasonably certain to be extended (or not terminated). Potential future cash outflows of lease payments have not been included in the lease liability because it is not reasonably certain that the leases will be extended (or not terminated). The assessment is reviewed if a significant event or a significant change in circumstances occurs which affects this assessment and that is within the control of the lessee.

AASB 16 *Leases* requires a lessee to recognise a right-of-use asset and a corresponding lease liability for most leases. The Council assesses at contract inception whether a contract is, or contains, a lease. That is, if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration.

The Council recognises lease liabilities to make lease payments and right-of-use assets representing the right to use the underlying assets, except for short-term leases and leases of low-value assets.

(i) Right-of-use assets

The Council recognises right-of-use assets at the commencement date of the lease (i.e., the date the underlying asset is available for use). Right-of-use assets are initially measured at the amount of initial measurement of the lease liability adjusted by any lease payments made at or before the commencement date and lease incentives, any initial direct costs incurred, and estimated costs of dismantling and removing the asset or restoring the site.

The right-of-use assets are subsequently measured at cost. They are depreciated on a straight-line basis over the shorter of the lease term and the estimated useful lives of the assets, as follows:

- land and buildings 2 to 10 years
- motor vehicles 2 to 4 years.

3. Significant accounting policies (cont)

(c) Assets (cont)

(ix) Leases (cont)

(i) Right-of-use assets (cont)

If ownership of the leased asset transfers to the Council at the end of the lease term or the cost reflects the exercise of a purchase option, depreciation is calculated using the estimated useful life of the asset.

The right-of-use assets are also subject to impairment. The Council assesses at each reporting date, whether there is an indication that an asset may be impaired. If any indication exists, or when annual impairment testing for an asset is required, Refer to Note 24 for more details.

(ii) Lease liabilities

At the commencement date of the lease, the Council recognises lease liabilities measured at the present value of lease payments to be made over the lease term.

Lease payments include:

- fixed payments (including in substance fixed payments) less any lease incentives receivable
- variable lease payments that depend on an index or a rate
- amounts expected to be paid under residual value guarantees
- exercise price of a purchase options reasonably certain to be exercised by the Council
- payments of penalties for terminating the lease, if the lease term reflects the Council exercising the option to terminate.

Variable lease payments that do not depend on an index or a rate are recognised as expenses (unless they are incurred to produce inventories) in the period in which the event or condition that triggers the payment occurs.

The lease payments are discounted using the interest rate implicit in the lease. If that rate cannot be readily determined, which is generally the case for the Council's leases, the lessee's incremental borrowing rate is used, being the rate that the Council would have to pay to borrow the funds necessary to obtain an asset of similar value to the right-of-use asset in a similar economic environment with similar terms, security and conditions.

After the commencement date, the amount of lease liabilities is increased to reflect the accretion of interest and reduced for the lease payments made. In addition, the carrying amount of lease liabilities is remeasured if there is a modification, a change in the lease term, a change in the lease payments (e.g., changes to future payments resulting from a change in an index or rate used to determine such lease payments) or a change in the assessment of an option to purchase the underlying asset.

The Council's lease liabilities are included in borrowings. Refer to Note 30 for more details.

The Council has elected to recognise payments for short-term leases and low value leases as expenses on a straight-line basis, instead of recognising a right-of-use asset and lease liability. Short-term leases are leases with a lease term of 12 months or less. Low value assets are assets with a fair value of \$10,000 or less when new and comprise mainly printers.

(x) Intangible assets

The Council recognises intangible assets only if it is probable that future economic benefits will flow to the Council and the cost of the asset can be measured reliably. Intangible assets are measured initially at cost. Where an asset is acquired at no or nominal cost, the fair value as at the date of acquisition is capitalised in the fixed asset register.

All research costs are expensed. Development costs are only capitalised when certain criteria are met.

The useful lives of intangible assets are assessed to be finite. Intangible assets are subsequently measured at fair value only if there is an active market. As there is no active market for the Council's intangible assets, the assets are carried at cost less any accumulated amortisation.

The Council's intangible assets are amortised using the straight-line method over a period of three years.

In general, intangible assets are tested for impairment where an indicator of impairment exists.

(d) Liabilities

(i) Payables

These amounts represent liabilities for goods and services provided to the Council. Payables are recognised initially at fair value, usually based on the transaction cost or face value. Subsequent measurement is at amortised cost using the effective interest method. Short-term payables with no stated interest rate are measured at the original invoice amount where the effect of discounting is immaterial.

(ii) Employee benefits and other provisions

Salaries and wages, annual leave and on-costs

Liabilities for salaries and wages (including non-monetary benefits) and annual leave that are expected to be due wholly within twelve months of the reporting date are recognised and measured in respect of employees' services up to the reporting date at nominal amount based on the amounts expected to be paid when the liabilities are settled.

Annual leave is not wholly expected to be settled within twelve months and is measured at present value in accordance with NSWTC 21-03 Accounting for Long Service Leave and Annual Leave.

The outstanding amounts of workers' compensation insurance premiums and fringe benefits tax, which are consequential to employment, are recognised as liabilities and expenses where the employee benefits to which they relate have been recognised.

Long service leave and superannuation

Long service leave is measured at present value in accordance with AASB 119 *Employee Benefits*. This is based on the application of certain factors (specified in NSWTC 18-10 Accounting for Superannuation and NSWTC 21-03 Accounting for Long Service Leave and Annual Leave) to all employees using current rates of pay. These factors were determined based on approximate present value.

In respect of defined contribution schemes (i.e., Basic Benefit and First State Super), expense is calculated as percentage of the employees' salary. For the defined benefit schemes (i.e., State Superannuation Scheme and State Authorities Superannuation Scheme), the expense is calculated as a multiple of the employees' superannuation contributions.

Other provisions

Other provisions exist when the Council has a present legal or constructive obligation as a result of a past event, it is probable that an outflow of resources will be required to settle the obligation, and a reliable estimate can be made of the amount of the obligation.

A make good provision for the lease of the Zone and Councillor Offices is discounted at 0.06%, 0.20% and 0.77% (2, 3 and 5 year Government Bond Rates), which reflects the current market assessment of the time value of money and the risk specific to the liability.

(e) Incorporation of LALCs

There were no new LALCs incorporated during the financial year (none in 2019–20).

(f) Transfer of property to LALCs

During the year ended 30 June 2021, nil Properties were transferred by NSWALC to LALCs (\$680k in 2019–20).

Expected sale and transfer of properties within the next 12 months are classified as Assets Held for Sale under current assets.

(g) Accounting for the Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except when:

- the amount of GST incurred by the Council as a purchaser which is not recoverable from the Australian Taxation Office (ATO) is recognised as part of the cost of acquisition of an asset or as part of an item of expense
- receivables and payables are stated with the amount of GST included.

3. Significant accounting policies (cont)

(g) Accounting for the Goods and Services Tax (GST) (cont)

The net amount of GST recoverable from, or payable to, the ATO is included as a current asset or liability in the Consolidated Statement of Financial Position.

Cash flows are included in the Consolidated Statement of Cash Flows on a gross basis. However, the GST components of cash flows arising from investing and financing activities which is recoverable from or payable to the ATO are classified as operating cash flows.

(h) Tax exemptions

The Council is a Public Benevolent Institution (PBI) under the *Income Tax Assessment Act 1997*. Therefore, the Council is exempt from income tax from 1 July 2000. The Council is also exempt from the payroll tax under the *Payroll Tax Act 2007*.

(i) Comparative information

Except when an AAS permits or requires otherwise, comparative balances were restated to improve clarity and effective presentation of financial statements.

(j) New AAS effective for the first time in the current financial year

The Council has adopted all of the new or amended Accounting Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that are mandatory for the current reporting period. Any new or amended Accounting Standards or Interpretations that are not yet mandatory have not been early adopted.

AASB 1059 Service Concession Arrangements: Grantors

AASB 1059 is effective for the entity from 1 July 2020. At the same time NSW Treasury Policy and Guideline Paper TPP 06-8: Accounting for Privately Financed Projects (TPP 06-8) was withdrawn effective from 1 July 2020.

Service Concession Arrangements are contracts between an operator and a grantor, where the operator provides public services related to a service concession asset on behalf of the grantor for a specified period of time and manages at least some of those services.

Where AASB 1059 applies, the grantor recognises the service concession asset when the grantor obtains control of the asset and measures the service concession asset at current replacement cost. At the same time the grantor recognises a corresponding financial liability or unearned revenue liability or a combination of both.

Where AASB 1059 applies, the entity should adopt the modified retrospective approach permitted under AASB 1059 by recognising and measuring service concession assets and related liabilities at the date of initial application of 1 July 2019, with any net adjustments to the amounts of assets and liabilities recognised in accumulated funds at that date.

AASB 1059 is not applicable to the Council for 30 June 2021 reporting period.

(k) New AAS issued but not yet effective

At the date of authorisation of the consolidated financial statements, the AAS and Interpretations listed in Note 39 were issued but not yet effective. NSW Treasury has mandated not to early adopt any of the new Standards / Interpretations through Treasury Circular.

(l) Impact of COVID-19 on financial reporting for 2020–21

In 2020–21, COVID-19 has had positive financial impacts on the Council's investment funds. The financial markets have provided significant returns that are far in excess of those budgeted for.

Due to the reduced operational activity and new more efficient methods of working, the expenditure for the period is significantly less than that budgeted for.

Additionally, there has been minimal impact on our portfolio with exception to the Council's properties in Evans Head and Louth.

COVID-19 has seen an increase in working from home/remotely and there has been a large demographic of people who have relocated from inner city CBDs to coastal and regional areas. This has increased the demand for residential properties on NSW's north coast and as a result the values of our Evans Head properties have increased by 60% or more.

Similarly, for Louth, there has been an increase in demand for pastoral land as rural landowners seek to expand their operations. Over the past 12 months land values have increased by close to 20% and there has been a significant increase in the number of transactions resulting in more accurate market comparisons. This has resulted in Winbar Station increasing in value by 120% and Pope St by 178%.

The Council's other properties in the Lake Macquarie, Ivanhoe, Quambone and Nymagee areas have all experienced relatively normal fluctuations over the past three years from 2018 to 2021. Some of the properties have experienced market movement with high percentage values, but the dollar amount is still low. As expected, the remote locations or restrictive zonings (i.e., Environmental Conservation) limit the values and market movement for these properties.

4. Determination of fair values

A number of accounting policies and disclosures require the determination of fair value, for both financial and non-financial assets and liabilities. When measuring fair value, the valuation technique used maximises the use of relevant observable inputs and minimises the use of unobservable inputs. The Council categorises, for disclosure purposes, the valuation techniques based on the inputs grouped into three levels of fair value hierarchy as follows:

- Level 1 – quoted prices in active markets for identical assets/liabilities that the Council can access at the measurement date.
- Level 2 – inputs other than quoted prices included within Level 1 that are observable, either directly or indirectly.
- Level 3 – inputs that are not based on observable market data (unobservable inputs).

The Council recognises transfers between levels of the fair value hierarchy at the end of the reporting period during which the change has occurred.

Refer Note 20 and Note 27 for financial assets and non-financial assets at fair value.

(i) Property, plant and equipment

The fair value of property, plant and equipment is based on a market participants' perspective, using valuation techniques (market approach, cost approach) that maximise relevant observable inputs and minimise unobservable inputs.

(ii) Other receivables

The fair value of other receivables is based on the net realisable value. All other receivables are expected to be received within a short period of time and considered as fair values.

(iii) Trade and other payables

Trade and other payables are expected to be paid within a short period of time and considered as fair values.

When applicable, further information about the assumptions made in determining fair values are disclosed in the notes specific to the asset or liability.

5. Financial risk management

The Council has exposure to the following risks from the use of financial instruments:

- credit risk
- liquidity risk
- market risk
- operational risk

This note presents information about the Council's exposure to each of the above risks, their objectives, policies, and processes for measuring and managing risk and their management of capital. Further quantitative disclosures are included through these financial statements.

5. Financial risk management (cont)

Risk management framework

The Council's principal financial instruments comprise cash, short term deposits and portfolio of investments. The main purpose of these financial instruments is to fund the Council's operations and its future sustainability. The Council has various other financial instruments such as debtors and trade creditors, which arise directly from its operations. The main risks arising from the Council's financial instruments are credit risk, liquidity risk and interest rate risk. The Council reviews and agrees policies for managing each of these risks and they are summarised below.

(a) Credit risk

Credit risk is the risk of financial loss to the Council if a Council's debtor or counterparty to a financial instrument fails to meet its contractual obligations. Credit risk arises from the financial assets of the Council, including cash, receivables, term deposits and investment in unit trust deposits. In regards to investments in unit trusts, this credit risk is reflected in the unit prices when the underlying securities are marked to market. The maximum exposure to credit risk is generally represented by the carrying amount of the financial assets (net of any allowance for impairment).

The Council has provided a Bank Guarantee for the Southern Zone leased office since May 2015.

(i) Cash

Cash comprises cash on hand and bank balances. Interest is earned on daily bank balances at the monthly average cash rate. It is the Council's practice to deal with banks with the highest ratings. The Council monitors the financial stability of the banks that hold its funds, by reviewing the credit rating of the banks and compliance with the Council's policies.

(ii) Receivables

The Council's exposure to credit risks is influenced mainly by the individual characteristics of each debtor. The Council has statutory debts and other debts.

Statutory debts

The Council incurred significant expenses as a result of the application of legislation, which are recoverable from LALCs. The Council assess the collectability of such debts on a case-by-case basis in accordance with the Debtor Management Policy.

Other debts

The Council is exposed to various concentrations of credit risk through other debts receivable from LALCs. These debts were incurred as a result of the payment of minor loans and advances repayable within a short period of time. Credit risk exposure is reported in the monthly aged analysis report. The Finance Manager, in conjunction with Zone Directors, is responsible for the collection of debts due from LALCs. The counter party risk that arises from mortgage loans is considered to be not significant. The amounts due were reviewed on an individual basis and provision made for any impairment.

(iii) Investments

The Council limits its exposure to credit risks by investing in banks by direct deposits, equities and in unit trusts with fund managers whose portfolio of investments are within the risk limits disclosed by the fund managers in the offer documents of their trusts. This risk is monitored by the Council's investment consultant. The selection of asset classes into which the Council invests is researched and recommended by the investment consultant. The investment consultant provides a periodic review of all credit risks relating to different asset classes of investment and monitors the value of investments held as per the benchmark stated in the Investment Policy. This research takes into account such matters as counterparty and credit risk. The Council's investments, as disclosed in Note 20, are managed by the Council in conjunction with the investment consultant and are not guaranteed from credit risk.

The Council has placed funds on deposit with a commercial bank with the highest rate for a fixed term. It monitors the financial stability of the bank to determine any credit risk that might affect the Council by reviewing its Annual Reports and other financial publications. For fixed term deposits, the interest rate payable by the bank is negotiated initially and is fixed for the term of the deposit.

(b) Liquidity risk

Liquidity risk is the risk that the Council will be unable to meet its payment obligations when they fall due. The Council continuously manages the risk through monitoring and planning future cash flows and (maturities planning) to ensure adequate holding of liquid assets. The objective is to maintain a balance between continuity of funding and flexibility through the use of appropriate investment strategies.

The liquidity risk that might arise from various classes of financial assets held by the Council and its management is explained under the credit risk of each class of financial asset.

The only line of credit the Council has is a corporate card facility of \$500,000 with the National Australia Bank.

During current and prior years, there were no defaults or breaches on any amounts payable to creditors. No assets have been pledged as collateral. The Council's exposure to liquidity risk is deemed insignificant based on prior periods' data and a current assessment of risk.

Liabilities are recognised for amounts due to be paid in the future for goods or services received, whether or not invoiced. Amounts owing to suppliers (which are unsecured) are settled in accordance with the policy set out in NSW Treasury Circular (NSWTC11-12 Payment of Accounts). If trade terms are not specified, payment is made no later than the end of the month following the month in which an invoice or a statement is received. NSWTC11-12 allows the Minister to award interest for late payment. No interest was paid during the year.

(c) Market risk

Market risk is the risk that changes in market prices, such as foreign exchange rates, interest rates and equity prices will affect the income or value of the holdings of financial instruments. The objective of market risk management is to manage and control market risk exposures within acceptable parameters, while optimising the return.

The Council's exposures to market risk are as follows:

- growth: the depth and length of the global economic status, and its impact on the investments held by the Council
- systematic risk: liquidity and counterparty risks in financial markets
- lack of corporate governance: universal lack of corporate governance leads to fraud and bankruptcies.

The Council manages its market risk exposure by construction of a risk framework that quantifies the risks in the portfolio and the probable outcomes from the portfolio given different events.

(i) Currency risk

The Council has direct exposure to foreign currency risk by investing into funds denominated in foreign currencies. In addition, the Council is also exposed to indirect foreign currency risk by the depositing of its funds in international investments by its fund managers. It also has some foreign currency exposure when foreign currency funds are held by the transitional custodian. Investment in foreign currency and foreign currency funds held by the transitional custodian are comprehensively monitored.

The Council has adopted a policy to hedge the risk on currency exposures for its international equity investments by entering into foreign exchange contracts. The Council's Banker, the National Australia Bank, reviews the funds where the Council has international equity investments. They are then benchmarked against the MSCI World ex Australia weightings to determine the currency composition. A decision was endorsed by the Council's Investment Consultant along with the Chief Investment Officer. The Council tracks its exposure on a daily basis, making the hedge results more transparent.

(ii) Interest rate risk

Exposure to interest rate risk arises primarily through the Council's term deposits and fixed income unit trust investment that have marked to market exposure. The Council accounts for any fixed rate financial instruments at fair value through profit or loss. Therefore, for these financial instruments, a change in interest rates would affect the profit and loss and equity. A reasonable possible change of rate provided by investment advisors is used, consistent with current trends in interest rates. This is reviewed quarterly and amended where there is a structural change in the level of interest rate volatility.

The interest rate risk in respect of corporate card facility is considered to be negligible.

5. Financial risk management (cont)

(c) Market risk (cont)

(iii) Other price risk

Exposure to 'other price risk' primarily arises through investments with fund managers that are held for strategic rather than trading purposes. Investments within the portfolio are managed on an individual basis and all buy and sell decisions are recommended by the Investment Committee for the approval of the Council. The primary goal of the Council's investment strategy is to maximise investment returns within the investment framework approved by the Council in order to meet Council's operating expenses and preserve the funds. Management is assisted by external advisors in this regard. In accordance with this strategy, investments are designated at fair value through the profit and loss because their performance is actively monitored and they are managed on a fair value basis.

(d) Operational risk

The Council manages its operational risk which mainly affects the Aboriginal community as part of the risk management strategy which includes political, culture and heritage, social, environmental and economic risks. Operational risk is the direct and indirect losses arising from a wide variety of causes associated with the Council's processes, personnel, technology, legal and regulatory requirements and generally accepted standards of corporate behaviour. Operational risk arises from all of the Council's operations.

The Council's objective is to manage operational risk so as to balance the avoidance of financial losses and damages to the Council's reputation with overall cost effectiveness and to implement control procedures so as to comply with legislative requirements.

The primary responsibility for the development and implementation of controls to address operational risk is assigned to senior management and managers within each business unit. The responsibility is supported by the development of standards, policies and procedures in the following areas:

- requirements for appropriate segregation of duties, including the independent authorisation of transactions
- requirements for the reconciliation and monitoring of transactions
- compliance with regulatory and legal requirements
- documentation of controls and procedures
- requirements for the periodic reporting to senior management, relevant committees and the Council
- training and professional development
- risk mitigation, including insurance where this is effective.

Compliance with established standards, policies and procedures is supported by a program of periodic review undertaken by Internal Audit. The results of the internal audit reviews are discussed with management of the business unit to which they relate, with reports submitted to Senior Management, the Audit and Risk Committee and the Council.

6. Capital management

As per the legislative requirement, the Council has to maintain its capital value to a minimum of \$485,340,000. The Council monitors its return on investments and operating expenditure to maintain its capital value.

It has developed two key strategies for its capital management:

1. strategic asset allocation (SAA) – to generate revenue and mitigate risks relating to investments
2. drawdown rule – as a guide to control operating expenditure.

SAA has been implemented and is closely monitored by the Investment Committee and the Council. The drawdown rule is based on the following key elements:

- previous drawdown
- average asset value
- long-term spending rate.

This rule was adopted on advice from the Council's former investment advisor, Towers Watson Australia Pty Ltd. The annual expected future drawdown is equal to 70% drawdown in previous year and 30% of the average asset value in previous year times the long-term spending rate. Therefore, drawdown for expenditure was 8.94% of the investment balance in 2020–21 (8.30% of the investment balance in 2019–20). The annual spending rate per the drawdown rule is 4%.

7. Investment revenue

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Interest	16	42	10	42
Dividends	20,948	18,142	20,948	18,142
Realised Gains/(Losses)	21,854	(1,504)	21,854	(1,504)
	42,817	16,680	42,811	16,680

8. Grants and contributions

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Grants from Government and Non-Government Agencies	7,973	4,922	7,590	4,910
Donations	420	–	420	–
	8,393	4,922	8,010	4,910

9. Other revenue

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Investment Managers Fees Rebates	661	971	661	971
Movement in Impairment	108	124	108	124
Levy Received from Government	311	2,619	311	2,619
Assets Received at Nil Consideration	–	121	–	121
Other	790	943	630	928
	1,870	4,778	1,710	4,763

10. Gain/(loss) on disposal/write off of property, plant and equipment

	Land and building \$000	Total \$000
CONSOLIDATED		
2021		
Proceeds from Disposal	194	194
Written Down Value of Assets Disposed	(607)	(607)
Net Gain/(Loss) on Disposal and Write Off	(414)	(414)
2020	\$'000	\$'000
Proceeds from Disposal	125	125
Written Down Value of Assets Disposed	(134)	(134)
Net Gain/(Loss) on Disposal and Write Off	(9)	(9)
PARENT		
2021		
Proceeds from Disposal	194	194
Written Down Value of Assets Disposed	(607)	(607)
Net Gain/(Loss) on Disposal and Write Off	(414)	(414)
2020		
Proceeds from Disposal	125	125
Written Down Value of Assets Disposed	(134)	(134)
Net Gain/(Loss) on Disposal and Write Off	(9)	(9)

11. Other gains/(losses)

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Changes in fair value of investments				
Net Change in Fair Value of Hedge Instrument	(2,037)	(92)	(2,037)	(92)
Net Change in Fair Value of Financial Assets Classified as Held for Trading	57,945	(23,009)	57,945	(23,009)
	55,908	(23,101)	55,908	(23,101)

12. Employee-related expenses

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Salaries and Wages (Including Recreation Leave)	18,292	16,982	16,925	16,829
Superannuation Expenses	1,738	1,564	1,645	1,552
Leave Expenses	1,402	1,684	1,375	1,679
Workers' Compensation Insurance	215	177	209	177
	21,647	20,407	20,154	20,236

13. Funding to LALCs

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Fully Funded	15,744	15,915	15,744	15,915
Partly Funded	758	257	758	257
Essential Expenses Paid for LALCs	917	872	917	872
Investigator Expenses Paid	–	39	–	39
LALC's Advisor Expenses	206	156	206	156
	17,625	17,239	17,625	17,239

14. Grants

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Funeral Assistance	628	705	628	705
Community Development Levy	683	254	683	254
Properties Transferred to LALCs	–	680	–	680
Fishing Fund Grants	145	126	145	126
Grants to NET	–	–	1,010	539
Grants to NHL	–	–	1,459	506
Grants to NSWALC Properties for Head Office Lease	–	–	905	928
Sold Property Proceeds Distributed to LALCs	313	5	313	5
Others	768	344	768	344
	2,537	2,114	5,912	4,086

15. Other operating expenses

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Audit Fees – The Audit Office of NSW	277	197	209	176
Internal Audit and Investigation	32	39	32	39
Consultants' Fees	1,113	1,140	951	1,106
Motor Vehicle Expenses	282	208	282	208
Maintenance Expenses*	3	138	3	138
Travel Expenses and Meal Allowances	424	560	407	560
Insurance	380	379	380	379
Rent and Outgoings	61	199	61	199
Postage, Printing and Stationery	20	34	20	34
Contractor Fees	183	399	183	399
Electricity, Gas and Power	61	64	61	64
Telephone and Communications	622	592	600	586
IT Related Expenses	540	259	263	259
Photocopying Expenses	37	47	37	47
Staff Training, Development and Recruitment	282	195	140	195
Public Relations	76	30	76	30
Workshop and Conference Costs	3	206	3	206
Rates	13	22	13	22
Meeting Costs	75	59	75	59
Community Consultations	72	41	72	41
Relocation Expenses	6	27	6	27
Committee Member Fees	86	41	86	41
Storage Rental	53	48	53	48
Cleaning, Gardening and Waste Removal	54	45	54	45
Valuer's Fee	37	1	37	1
Advertising	36	14	36	14
Office Supplies	12	11	12	11
Other Program Expenses	627	369	564	369
Business Development Grants	147	19	147	19
Yapar Hub Expenses	726	490	726	490
CAPO	664	–	664	–
Miscellaneous Expenses	920	641	684	599
	7,925	6,515	6,935	6,411

* All maintenance work is carried out by the external contractors and there are no employee-related expenses included.

16. Program expenses

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Share of Contribution to Water and Sewerage Infrastructure Program*	885	682	885	682
	885	682	885	682

* The Council paid its contribution (50% of the program) in relation to operation, maintenance and monitoring of water and sewerage services for Aboriginal communities. The payment was made to the Department of Primary Industry and Environment (Water Group), which manages the project as per the agreement between the NSW Government and the Council.

17. Cash and cash equivalents

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Cash at Bank and in Hand	8,156	4,008	5,384	2,114
	8,156	4,008	5,384	2,114

For the purposes of the statement of cash flows, cash and cash equivalents include cash at bank, cash on hand and short-term deposits. Also, include cash and cash equivalents under Restricted Assets (Refer to Note 18).

Cash and cash equivalent assets recognised in the statement of financial position are reconciled at the end of the financial year to the statement of cash flows.

Details regarding credit risk, liquidity risk and market risk arising from financial instruments and financial assets that are either past due or impaired are disclosed in Note 35.

18. Restricted assets

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Community Development Levy – Cash at Bank	17,843	17,793	17,843	17,793
Funeral Fund – Cash at Bank	354	353	354	353
Indigenous Business and Employment Hub – Cash at Bank*	7,054	9,252	7,054	9,252
NSW Aboriginal Controlled Fishing Fund – Cash at Bank**	4,665	4,916	4,665	4,916
Total Restricted Assets	29,915	32,314	29,915	32,314

* NSWALC is partnering with the Australian Government, under the Indigenous Business Sector Strategy (IBSS), to design and deliver the Western Sydney Indigenous Business and Employment Hub. As part of this partnership, in 2017–18 financial year, the Australian Government provided \$12.5 million (excluding GST) in funding to support the establishment and ongoing operation of the Hub until 30 June 2022.

** In the 2017–18 financial year, the Australian Government provided \$5.0 million (excluding GST) fishing fund to support NSW Aboriginal people to enter the commercial fishing sector and to achieve long term economic outcomes for coastal and riverine communities, through employment and business development opportunities until 30 November 2022. The potential functions of the fund could include:

- purchase of shares in the NSW fishing industry, to be held by the NSWALC Entity
- business grants and loans to support Aboriginal fishing businesses
- support for the mentoring and training of young Aboriginal fishers
- development of a seafood brand to market and promote Aboriginal caught and processed fish.

There is a difference between the restricted cash balance for the 'Indigenous Business and Employment Hub' and 'NSW Aboriginal Controlled Fishing Fund' with the unexpected grant amount in Note 29, because funds expended have not been transferred to/from between the trust account in Note 18 and the operational bank account classified as cash and cash equivalents in Note 17.

19. Receivables

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
(a) Current				
Debtors	634	1,077	1,173	1,701
GST Receivable from ATO	24	347	–	331
Statutory Debts from LALCs	50	31	50	31
Prepayments	869	370	869	370
Franking Credit Rebates	898	937	898	937
	2,475	2,762	2,989	3,370
(b) Non-current				
Statutory Debts from LALCs	3,480	2,523	3,480	2,523
Less: Allowance for Impairment	(3,352)	(2,481)	(3,352)	(2,481)
	128	42	128	42
(c) Movement in the allowance for impairment				
Balance at 1 July	2,481	2,171	2,481	2,171
Amounts Written off During the Year	–	(103)	–	(103)
Increase/(Decrease) of Provision during the Year	979	537	979	537
Decrease in Allowance due to Repayment of Debt	(108)	(124)	(108)	(124)
Balance at 30 June	3,352	2,481	3,352	2,481
Represented by:				
Non-Current	3,352	2,481	3,352	2,481
	3,352	2,481	3,352	2,481

20. Financial assets at fair value

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Australian Fixed Income	19,302	41,115	19,302	41,115
Australian Equities	107,780	92,374	107,780	92,374
International Equities	209,376	171,630	209,376	171,630
Emerging Markets	43,144	40,618	43,144	40,618
Hedge Fund	61,637	72,713	61,637	72,713
Absolute Return Fixed Income	35,381	79,183	35,381	79,183
Unlisted Infrastructure	44,064	1,758	44,064	1,758
Inflation-Linked Bond	31,831	27,075	31,831	27,075
Unlisted Property	64,930	60,389	64,930	60,389
Cash Fund	6,686	22,061	6,686	22,061
Emerging Market Debt	25,236	–	25,236	–
Global Credit	19,051	–	19,051	–
	668,419	608,916	668,419	608,916

Refer to Note 35 for further information regarding fair value measurements, credit risk, liquidity risk and market risk arising from financial instruments.

21. Derivatives

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Foreign Currency Forward Contracts – Financial Asset	87,850	75,732	87,850	75,732
Foreign Currency Forward Contracts – Financial Liability	(89,886)	(75,824)	(89,886)	(75,824)
	(2,037)	(92)	(2,037)	(92)

Refer to Note 3 (c)(iv) Investments and Note 35 Financial Instruments for further information regarding financial assets and liabilities offsetting, fair value measurements, credit risk, liquidity risk and market risk arising from financial instruments.

22. Other assets

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Superannuation Assets	28	24	28	24
	28	24	28	24

23. Other financial assets

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Security Deposit	92	–	92	–
Loan to LALC	29	–	29	–
	121	–	121	–

24. Property, plant and equipment

	Land and building \$000	Plant and equipment \$000	Work in progress \$000	Total \$000
CONSOLIDATED				
At 30 June 2021 – fair value				
Gross Carrying Amount	11,570	2,025	308	13,903
Accumulated Depreciation and Impairment	–	(640)	–	(640)
Net Carrying Amount	11,570	1,385	308	13,263
Reconciliation				
A reconciliation of the carrying amount of each class of property, plant and equipment at the beginning and end of the current reporting period is set out below:				
Year ended 30 June 2021				
Net Carrying Amount at 1 July 2020	8,278	1,240	439	9,957
Additions	–	545	–	545
Transfer to Property, Plant and Equipment (PP&E)	423	–	(131)	292
Net Increment on Revaluation of Properties	2,878	–	–	2,878
Disposal	–	(1,487)	–	(1,487)
Write-Back Depreciation for Disposed Assets	8	1,487	–	1,495
Depreciation Expense	(17)	(400)	–	(417)
Net Carrying Amount at 30 June 2021	11,570	1,385	308	13,263
At 30 June 2020 – fair value				
Gross Carrying Amount	8,320	2,968	439	11,727
Accumulated Depreciation and Impairment	(42)	(1,728)	–	(1,770)
Net Carrying Amount	8,278	1,240	439	9,957
Reconciliation				
A reconciliation of the carrying amount of each class of property, plant and equipment at the beginning and end of the current reporting period is set out below:				
Year ended 30 June 2020				
Net Carrying Amount at 1 July 2019	8,862	175	16	9,053
Additions/(Transfer to PP&E)	121	1,195	423	1,739
Disposal	–	(137)	–	(137)
Properties Held for Sale and Transfer to LALCs	(680)	–	–	(680)
Write-Back Depreciation for Disposed Assets	1	137	–	138
Depreciation Expense	(26)	(130)	–	(156)
Net Carrying Amount at 30 June 2020	8,278	1,240	439	9,957

	Land and building \$000	Plant and equipment \$000	Work in progress \$000	Total \$000
PARENT				
At 30 June 2021 – fair value				
Gross Carrying Amount	11,570	1,975	308	13,853
Accumulated Depreciation and Impairment	–	(631)	–	(631)
Net Carrying Amount	11,570	1,344	308	13,222
Reconciliation				
A reconciliation of the carrying amount of each class of property, plant and equipment at the beginning and end of the current reporting period is set out below:				
Year ended 30 June 2021				
Net Carrying Amount at 1 July 2020	8,278	1,240	439	9,957
Additions	–	495	–	495
Transfer to PP&E	423	–	(131)	292
Net Increment on Revaluation of Properties	2,878	–	–	2,878
Disposal	–	(1,487)	–	(1,487)
Write-Back Depreciation for Disposed Assets	8	1,487	–	1,495
Depreciation Expense	(17)	(391)	–	(408)
Net Carrying Amount at 30 June 2021	11,570	1,344	308	13,222
At 30 June 2020 – fair value				
Gross Carrying Amount	8,320	2,968	439	11,727
Accumulated Depreciation and Impairment	(42)	(1,728)	–	(1,770)
Net Carrying Amount	8,278	1,240	439	9,957
Reconciliation				
A reconciliation of the carrying amount of each class of property, plant and equipment at the beginning and end of the current reporting period is set out below:				
Year ended 30 June 2020				
Net Carrying Amount at 1 July 2019	8,862	175	16	9,053
Additions/(Transfer to PP&E)	121	1,195	423	1,739
Disposal	–	(137)	–	(137)
Properties Held for Sale and Transfer to LALCs	(680)	–	–	(680)
Write-Back Depreciation for Disposed Assets	1	137	–	138
Depreciation Expense	(26)	(130)	–	(156)
Net Carrying Amount at 30 June 2020	8,278	1,240	439	9,957

There were no properties, plant and equipment in subsidiaries 2019–20.

24. Property, plant and equipment (cont)

Right-of-use assets (ROU)

	Land and building \$000	Motor vehicle \$000	Total \$000
CONSOLIDATED			
Gross Carrying Amount 1 July 2020	11,984	554	12,538
Accumulated Depreciation	(1,290)	(290)	(1,580)
Net Carrying Amount	10,694	264	10,958
Gross Carrying Amount 30 June 2021	11,850	937	12,787
Accumulated Depreciation	(2,621)	(526)	(3,147)
Net Carrying Amount	9,229	411	9,640
Reconciliation			
A reconciliation of the carrying amount of each class of ROU assets at the beginning and end of the current reporting period is set out below:			
Year ended 30 June 2021			
Net Carrying Amount at 1 July 2020	10,694	264	10,958
Additions	105	382	487
Depreciation Expense	(1,348)	(235)	(1,583)
Write-Back Depreciation for Terminated ROU	17	–	17
Termination	(239)	–	(239)
Net Carrying Amount at 30 June 2021	9,229	411	9,640
Gross Carrying Amount 1 July 2019	11,296	520	11,816
Accumulated Depreciation	–	–	–
Net Carrying Amount	11,296	520	11,816
Gross Carrying Amount 30 June 2020	11,984	554	12,538
Accumulated Depreciation	(1,290)	(290)	(1,580)
Net Carrying Amount	10,694	264	10,958
Reconciliation			
A reconciliation of the carrying amount of each class of ROU assets at the beginning and end of the current reporting period is set out below:			
Year ended 30 June 2020			
Net Carrying Amount at 1 July 2019	11,296	520	11,816
Additions	892	34	926
Depreciation Expense	(1,290)	(290)	(1,580)
Termination	(204)	–	(204)
Net Carrying Amount at 30 June 2020	10,694	264	10,958

	Land and building \$000	Motor vehicle \$000	Total \$000
PARENT			
Gross Carrying Amount 1 July 2020	3,578	554	4,132
Accumulated Depreciation	(476)	(290)	(766)
Net Carrying Amount	3,102	264	3,366
Gross Carrying Amount 30 June 2021	3,339	937	4,276
Accumulated Depreciation	(963)	(526)	(1,489)
Net Carrying Amount	2,376	411	2,787
Reconciliation			
A reconciliation of the carrying amount of each class of ROU assets at the beginning and end of the current reporting period is set out below:			
Year ended 30 June 2021			
Net Carrying Amount at 1 July 2020	3,102	264	3,366
Additions	–	382	382
Depreciation Expense	(504)	(235)	(739)
Write-Back Depreciation for Terminated ROU	17	–	17
Termination	(239)	–	(239)
Net Carrying Amount at 30 June 2021	2,376	411	2,787
Gross Carrying Amount 1 July 2019	2,890	520	3,410
Accumulated Depreciation	–	–	–
Net Carrying Amount	2,890	520	3,410
Gross Carrying Amount 30 June 2020	3,578	554	4,132
Accumulated Depreciation	(476)	(290)	(766)
Net Carrying Amount	3,102	264	3,366
Reconciliation			
A reconciliation of the carrying amount of each class of ROU assets at the beginning and end of the current reporting period is set out below:			
Year ended 30 June 2020			
Net Carrying Amount at 1 July 2019	2,890	520	3,410
Additions	892	34	926
Depreciation Expense	(476)	(290)	(766)
Termination	(204)	–	(204)
Net Carrying Amount at 30 June 2020	3,102	264	3,366

25. Intangible assets

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Gross Carrying Amount	362	1,784	362	1,784
Accumulated Amortisation and Impairment	(152)	(1,600)	(152)	(1,600)
Carrying Amount	210	184	210	184
Reconciliation				
Net Carrying Amount at 1 July	184	57	184	57
Additions	85	139	85	139
Written-Off	(1,508)	–	(1,508)	–
Write-Back of Amortisation	1,508	–	1,508	–
Amortisation	(59)	(12)	(59)	(12)
Carrying amount at 30 June	210	184	210	184

26. Artefacts

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Carrying value at 1 July	445	445	445	445
Disposal	(445)	–	(445)	–
Carrying value at 30 June	–	445	–	445

The Council purchased the artefacts in 2005 in order to preserve them for the Aboriginal community. In previous reporting periods, the artefacts have had a carrying value of \$445k attributed on a revaluation market-based approach to the fair value in the 2015–16 financial year. In October 2020 the Council resolved, as a component of the Repatriation Strategy, to repatriate the artefacts to LALCs whose boundaries cover the areas relevant to the origin of the artefacts over the coming years.

Based on this decision of Council, the artefacts are being written down to a carrying value of nil by way of disposal to reflect that the assets will not be sold but instead will be repatriated, conditional on them being preserved for future generations. NSWALC believes that this disposal does not have a material impact on the financial statements.

27. Fair value measurement of non-financial assets

(a) Fair value hierarchy

	Level 1 \$000	Level 2 \$000	Level 3 \$000	Total Fair value \$000
2021				
Property, plant and equipment				
Land and Buildings (Note 24)	–	11,570	–	11,570
	–	11,570	–	11,570
2020				
Property, plant and equipment				
Land and Buildings (Note 24)	–	8,278	–	8,278
Artefacts (Note 26)	–	445	–	445
	–	8,723	–	8,723

There were no transfers between the three levels during the periods.

(b) Valuation techniques, inputs and processes

Land and buildings

The valuation technique used to value land and buildings is:

- market approach – this approach uses prices generated by market transactions involving identical or similar assets
- the majority of land and building assets are valued using market evidence with adjustment for condition, location, comparability, etc., and therefore are categorised as Level 2.

28. Payables

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Accrued Salaries, Wages and On-Costs	632	476	632	476
GST Payable to ATO	16	–	16	–
Creditors	3,887	2,442	3,457	2,307
Funeral Fund – Refundable Contributions	355	353	355	353
	4,891	3,271	4,460	3,136

Details regarding credit risk, liquidity risk and market risk including maturity analysis of the above payables are disclosed in Note 35.

29. Unexpended grant/donation

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Unexpended Grant – Yarpa Hub*	6,463	8,834	6,463	8,834
Unexpended Grant – Fishing Fund**	4,636	4,906	4,636	4,906
Unexpended Grant – AHO ACHIF Program***	2,776	–	2,776	–
Unexpended Grant – Capacity Building****	–	–	–	–
Unexpended Grant – CAPO*****	1,425	–	1,425	–
Unexpended Grant – Cumberland Plain Conservation*****	1,130	–	1,130	–
Unexpended Donation	–	420	–	420
Unexpended Grant – Asbestos Remediation	353	353	353	–
Unexpended Grants – Trauma Counselling and Food Security	257	–	257	–
Unexpended Grant – Koori Knockout	165	221	165	221
Unexpended Grant – Others	572	–	40	–
	17,779	14,734	17,246	14,381

* NSWALC is partnering with the Australian Government, under the Indigenous Business Sector Strategy (IBSS), to design and deliver the Western Sydney Indigenous Business and Employment Hub (Yarpa Hub). As part of this partnership, in 2017–18 financial year, the Australian Government provided \$12.5 million (excluding GST) in funding to support the establishment and ongoing operation of the Hub until 30 June 2022.

** In 2017–18 financial year, the Australian Government provided \$5.0 million (excluding GST) fishing fund to support NSW Aboriginal people to enter the commercial fishing sector and to achieve long term economic outcomes for coastal and riverine communities, through employment and business development opportunities until 30 November 2022. The potential functions of the fund could include:

- purchase of shares in the NSW fishing industry, to be held by the NSWALC Entity
- business grants and loans to support Aboriginal fishing businesses
- support for the mentoring and training of young Aboriginal fishers
- development of a seafood brand to market and promote Aboriginal caught and processed fish.

*** In December 2020 the NSW Government called for funding bids from the Aboriginal Community Housing Sector for access to \$50 million in grant funds – provided under Aboriginal Community Housing Investment Fund (ACHIF). NSWALC partnered with LALCs and was successful in securing close to \$10 million in ACHIF funding for 17 LALCs.

The aim of the ACHIF funding is to:

- grow new housing supply and carry out repairs and maintenance to community-owned housing
- deliver improved living conditions, help reduce homelessness and overcrowding
- support and stimulate the construction industry and associated trades with a focus on Aboriginal employment opportunities.

A condition of the ACHIF grant is that all projects funded must be completed by 30 June 2022 and all grant monies expended.

**** The NSW Government provided funding to NSWALC to increase organisational capacity of eligible LALCs through a range of activities, such as:

- increase capacity of LALCs to actively manage property and portfolios
- increase organisational knowledge of legislative frameworks
- increase skills and capacity in respect to LALC governance and performance
- increase financial management and accounting capacity to allow for better utilisation of funds.

***** In February 2021 the NSW Government and NSW CAPO entered into a grant funding agreement totalling \$3,614,820 (excluding GST) under the National Agreement on Closing the Gap. NSW Government and NSW CAPO are signatories to the National Partnership Agreement on Closing the Gap 2019–2029. The funding is to provide CAPO member organisations with resourcing to advance Aboriginal and Torres Strait Island involvement, engagement and autonomy through equitable participation. NSWALC is the auspice body for this funding and has funding sub-agreements in place with each CAPO organisation to disburse agreed funding to CAPO member organisations in instalments that reflects the head funding agreement in 2020–21, NSWALC received the first instalment of \$1.425 million.

***** In 2020–21, funding was secured from NSW Government to support the Cumberland Plain Conservation Plan, which will be delivered from 1 July 2021 to 30 June 2023, and will be a non-competitive process for Deerubbin, Tharawal and Gandangara LALCs with one third of grant funding available to each LALC to deliver cultural and conservation outcomes on their land or other areas important to them to assist with ongoing land management or future management for conservation.

30. Borrowings

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Balance at 1 July	11,524	11,816	3,565	3,410
Additions	249	744	173	744
Interest Expenses	634	719	238	240
Payments	(1,773)	(1,755)	(867)	(829)
Balance at 30 June	10,634	11,524	3,109	3,565
Represented by:				
Current	1,172	1,125	550	616
Non-Current	9,462	10,399	2,559	2,949
	10,634	11,524	3,109	3,565

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the reporting date. They represent the present value of the remaining lease payments for the leased offices and leased motor vehicles, discounted by using the appropriate incremental borrowing rate.

As at 30 June 2021, there were 11 offices and 28 motor vehicles under the finance lease held by the Council (as Parent).

31. Provisions

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Current				
Current Provisions Expected to Be Settled Within 12 Months				
<i>Employee benefits and related on-costs</i>				
Annual Leave	1,179	1,818	1,140	1,818
Long Service Leave	131	1,278	131	1,278
	1,310	3,879	1,271	3,879
Current Provisions Expected to Be Settled Beyond 12 Months				
<i>Employee benefits and related on-costs</i>				
Annual Leave	631	1,818	631	1,818
Long Service Leave	1,166	1,278	1,166	1,278
Unfunded Superannuation (refer to Note 31(a))	572	783	572	783
	2,369	3,879	2,369	3,879
Other Current Provisions				
Provision for Make-Good	36	27	36	27
Provision for Legal Costs	170	170	170	170
	206	197	206	197
	3,885	4,076	3,846	4,076
Non-Current Employee Benefits				
Provision for Long Service Leave	377	303	377	303
	377	303	377	303
Other Non-Current Provisions				
Provision for Make-Good	216	225	216	225
	216	225	216	225
	593	528	593	528
Aggregate Employee Benefits and Related On-Costs				
Provisions – Current	3,640	3,879	3,640	3,879
Provisions – Non-Current	377	303	377	303
Accrued Salaries and Wages (refer to Note 28)	632	476	632	476
	4,649	4,658	4,649	4,658
Movements in provisions (other than employee benefits)				
Movements in each class of provision during the financial year, other than employee benefits are set out below:				
Provision for Make-Good				
Carrying Amount at 1 July	252	149	252	149
Additional/(Reduced) Provisions	(36)	103	(36)	103
Make-good has been provided for the offices leased by the Council at the end of the lease terms.				
Carrying Amount at 30 June	216	252	216	252
Provision for Legal Appeal*				
Carrying Amount at 1 July	170	245	170	245
Additional/(Reduced) Provisions	–	(75)	–	(75)
Carrying amount at 30 June	170	170	170	170

* NSWALC has court orders against it in the Limbri Court of Appeal proceedings (\$75k) and the Berrima High Court of Appeal proceedings and the High Court costs (the estimated amount would be in the range of \$140k to \$170k). The Limbri case is now approximately 7 years old, it is safe to say that the Crown is not going to seek repayment of its costs and there is no longer any need to make the provisions of \$75k.

(a) Defined benefit superannuation

The Pooled Fund holds in trust the investments of the closed NSW public sector superannuation schemes:

- State Authorities Superannuation Scheme (SASS)
- State Superannuation Scheme (SSS)
- State Authorities Non-contributory Superannuation Scheme (SANCS).

These schemes are all defined benefit schemes – at least a component of the final benefit is derived from a multiple of member salary and years of membership. All the Schemes are closed to new members.

The disclosure on defined benefit superannuation is minimised as the number of employees is not significant.

All Pooled Fund assets are invested by SAS Trustee Corporation (STC) at arm's length through independent fund managers, assets are not separately invested for each entity and it is not possible or appropriate to disaggregate and attribute fund assets to individual entities. As such, the disclosures below relate to total assets of the Pooled Fund.

As at 30 June 2021		Quoted prices in active markets for identical assets	Significant observable inputs	Unobservable inputs
Asset category	Total A\$000	Level 1 A\$000	Level 2 A\$000	Level 3 A\$000
Short Term Securities	5,108,370	2,398,668	2,709,702	0
Australian Fixed Interest	903,816	0	903,816	0
International Fixed Interest	1,755,026	45,227	1,709,799	0
Australian Equities	8,310,657	8,308,316	2,341	0
International Equities	13,889,679	13,884,532	5,148	0
Property	3,287,730	626,961	0	2,660,769
Alternatives	8,529,710	759	2,709,828	5,819,124
Total	41,784,988	25,264,462	8,040,633	8,479,893

The percentage invested in each asset class at the reporting date is:

As at	30 June 2021 %
Short Term Securities	12.2
Australian Fixed Interest	2.2
International Fixed Interest	4.2
Australian Equities	19.9
International Equities	33.2
Property	7.9
Alternatives	20.4
Total	100.0

31. Provisions (cont)

(a) Defined benefit superannuation (cont)

Level 1 – quoted prices in active markets for identical assets or liabilities. The assets in this level are:

- listed shares
- listed unit trusts.

Level 2 – inputs other than quoted prices observable for the asset or liability either directly or indirectly. The assets in this level are:

- cash
- notes
- government, semi-government and corporate bonds
- unlisted trusts where quoted prices are available in active markets for identical assets or liabilities.

Level 3 – inputs for the asset or liability that are not based on observable market data. The assets in this level are:

- unlisted property
- unlisted shares
- unlisted infrastructure
- distressed debt
- hedge funds.

Derivatives, including futures and options, can be used by investment managers. However, each manager's investment mandate clearly states that derivatives may only be used to facilitate efficient cashflow management or to hedge the portfolio against market movements and cannot be used for speculative purposes or gearing of the investment portfolio. As such managers make limited use of derivatives.

The fair value of the Pooled Fund assets as at 30 June 2021 includes \$41.4 million (30 June 2020: \$36.9 million) in NSW government bonds.

Of the direct properties owned by the Pooled Fund:

- SAS Trustee Corporation occupies part of a property 100% owned by the Pooled Fund with a fair value of \$328 million (30 June 2020: \$340 million).
- Health Administration Corporation occupies part of a property 50% owned by the Pooled Fund with a fair value (100% interest) of \$443 million (30 June 2020: \$343 million).

Significant actuarial assumptions at the reporting date

As at 30 June 2021	
Discount Rate	1.50%
Salary Increase Rate (excluding promotional increases)	2.74% pa 21–22 to 25–26; 3.2% pa thereafter
Rate of CPI Increase	1.50% for 20–21; 1.75% for 21–22 and 22–23; 2.25% for 23–24, 24–25 and 25–26; 2.50% for 26–27; 2.75% for 27–28, 3.00% for 28–29; 2.75% for 29–30; 2.50% pa thereafter
Pensioner Mortality	The pensioner mortality assumptions are those to be used for the 2021 Actuarial Investigation of the Pooled Fund. These assumptions will be disclosed in the actuarial investigation report when available from the trustee's website. The report will show the pension mortality rates for each age.

	SANCS 30 June 2021 \$000	SSS 30 June 2021 \$000	Total \$000
Reconciliation of the present value of the defined benefit obligation – 2021			
Present Value of Defined Benefit Obligation at Beginning of the Year	(4)	1,660	1,656
Interest Cost	–	14	14
Actuarial (Gains)/Losses	–	(113)	(113)
Benefits Paid	–	(59)	(59)
Taxes, Premiums and Expenses Paid	–	11	11
Present Value of Partly Funded Defined Benefit Obligation at End of Year	(4)	1,513	1,509
Reconciliation of the fair value of fund assets – 2021			
Fair Value of Fund Assets at Beginning of the Year	23	878	901
Interest Income	–	7	7
Actual Return on Fund Assets Less Interest Income	3	104	107
Benefits Paid	–	(59)	(59)
Taxes, Premiums and Expenses Paid	–	11	11
Fair Value of Fund Assets at End of Year	26	941	967
Reconciliation of the assets and liabilities recognised in Statement of Financial Position – 2021			
Present Value of Defined Benefit Obligation at End of Year	(4)	1,513	1,509
Fair Value of Fund Assets at End of Year	(26)	(941)	(967)
Subtotal	(30)	572	542
Net Liability/(Asset) Recognised in Balance Sheet at End of Year	(30)	572	542
Expense recognised in Statement of Comprehensive Income – 2021			
Components recognised in income statement			
Net Interest	–	7	7
Defined Benefit Cost	–	7	7
Amounts recognised in other comprehensive income – 2021			
Actuarial (Gains)/Losses on Liabilities	(1)	(113)	(114)
Actual Return on Fund Assets Less Interest Income	(3)	(104)	(107)
	(4)	(217)	(221)

31. Provisions (cont)

(a) Defined benefit superannuation (cont)

	SANCS 30 June 2021 \$000	SSS 30 June 2021 \$000	Total \$000
Reconciliation of the present value of the defined benefit obligation – 2020			
Present Value of Defined Benefit Obligation at Beginning of the Year	(4)	1,691	1,687
Interest Cost	–	22	22
Actuarial (Gains)/Losses	–	3	3
Benefits Paid	–	(59)	(59)
Taxes, Premiums and Expenses Paid	–	3	3
Present Value of Partly Funded Defined Benefit Obligation at End of Year	(4)	1,660	1,656
Reconciliation of the fair value of fund assets – 2020			
Fair Value of Fund Assets at Beginning of the Year	23	913	936
Interest Income	–	12	12
Actual Return on Fund Assets Less Interest Income	–	9	9
Benefits Paid	–	(59)	(59)
Taxes, Premiums and Expenses Paid	–	3	3
Fair Value of Fund Assets at End of Year	23	878	901
Reconciliation of the assets and liabilities recognised in Statement of Financial Position – 2020			
Present Value of Defined Benefit Obligation at End of Year	(4)	1,660	1,656
Fair Value of Fund Assets at End of Year	(23)	(878)	(901)
Subtotal	(27)	783	755
Net Liability/(Asset) Recognised in Balance Sheet at End of Year	(27)	783	755
Expense recognised in Statement of Comprehensive Income – 2020			
Components recognised in income statement			
Net Interest	–	10	10
Defined Benefit Cost	–	10	10
Amounts recognised in other comprehensive income – 2020			
Actuarial (Gains)/Losses on Liabilities	–	3	3
Actual Return on Fund Assets Less Interest Income	–	(9)	(9)
	–	(5)	(5)

32. Contingent assets

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Legal Claims*	–	35	–	35
	–	35	–	35

* Bankruptcy Proceedings: A creditor's petition was filed for judgement debt in favour of NSWALC in the amount of \$35k in 2019–20. The bankrupt has failed to file a statement of affairs despite numerous requests from the Trustee. Therefore, NSWALC was not able to realise this asset in 2020–21, and it is considered unlikely that NSWALC will be able to realise the asset in future.

33. Reconciliation of cash flows from operating activities to net result

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Net result	53,460	(48,561)	53,268	(48,995)
Investment Earnings	(43,462)	(17,608)	(43,462)	(17,608)
Unrealised Loss/(Gains)	(55,908)	23,101	(55,908)	23,101
Depreciation and Amortisation	2,059	1,753	1,206	940
Prior Year Adjustment for AASB 1058	–	(3,099)	–	(3,099)
Allowance for Impairment	9	20	9	20
Land Claims at Fair Value	–	(121)	–	(121)
Superannuation Actuarial (Gain)/Loss Directly Charged to Accumulated Funds	7	10	7	10
Net Movement in CDL Account	(373)	2,365	(373)	2,365
Non-Cash Items Adjustment	(35)	(76)	(22)	(25)
Non-Cash Employee Entitlements Expenses	–	(1,679)	–	(1,679)
Reversal of Prior Year Impairment	(164)	(124)	(164)	(124)
Inter Company Transfer	905	1,045	768	–
(Gain)/ Loss on Sale of Non-Current Assets	414	9	414	9
Properties Transferred at Fair Value	–	680	–	680
Other Changes in Assets and Liabilities in Respect of Ordinary Activities				
Increase/ (Decrease) in Leave and Other Provisions	67	603	46	603
Increase/ (Decrease) in Provisions for Doubtful Debts	979	537	979	537
Decrease/ (Increase) in Receivables	(3,615)	(537)	(3,365)	(572)
Decrease/ (Increase) in Prepayment	(499)	(89)	(499)	(89)
Increase/ (Decrease) in Creditors	7,489	(114)	6,998	333
Net Cash Inflows from Ordinary Activities	(38,668)	(41,885)	(40,099)	(43,714)

34. Liability as Trustee

The Council acts as Trustee for the Gumbaynggir Tribal Aboriginal Elders Corporation.

The movement in the Trust bank account is:

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Opening Balance at 1 July	246	230	246	230
Add: Receipts	15	16	15	16
Closing Balance at 30 June	261	246	261	246

35. Financial instruments

The carrying amounts of the Council's principal financial instruments are outlined below. The Council does not enter into or trade financial instruments, including derivative financial instruments, for speculative purposes. During the year the Council invested through a number of fund managers as recommended by the Investment Consultant.

(a) Financial instrument categories

(i) As at 30 June 2021

			Consolidated carrying amount 2021 \$000	Parent carrying amount 2021 \$000
	Note	Category		
Financial assets				
Class				
Cash and Cash Equivalents	17	Amortised cost	8,156	5,384
Restricted Cash and Cash Equivalents	18	Amortised cost	29,915	29,915
Receivables ¹	19	Amortised cost	634	1,173
Financial Assets at Fair Value	20	Fair value through profit or loss	668,419	668,419
Foreign Currency Forward Contracts – Financial Asset	21	Fair value through profit or loss	87,850	87,850
Financial liabilities				
Class				
Payables ²	28	Financial liabilities measured at amortised cost	4,875	4,444
Foreign Currency Forward Contracts – Financial Liability	21	Fair value through profit or loss	89,886	89,886
Borrowings	30	Financial liabilities measured at amortised cost	10,634	3,109

(i) As at 30 June 2020 (comparative period)

			Consolidated carrying amount 2021 \$000	Parent carrying amount 2021 \$000
	Note	Category		
Financial assets				
Class				
Cash and Cash Equivalents	17	Amortised cost	4,008	2,114
Restricted Cash and Cash Equivalents	18	Amortised cost	32,314	32,314
Receivables ¹	19	Amortised cost	1,077	1,701
Financial Assets at Fair Value	20	Fair value through profit or loss	608,916	608,916
Foreign Currency Forward Contracts – Financial Asset	21	Fair value through profit or loss	75,732	75,732
Financial liabilities				
Class				
Payables ²	28	Financial liabilities measured at amortised cost	3,271	3,136
Foreign Currency Forward Contracts – Financial Liability	21	Fair value through profit or loss	75,824	75,824
Borrowings	30	Financial liabilities measured at amortised cost	11,524	3,565

1. Excludes statutory receivables and prepayments (i.e., not within the scope of AASB 7).

2. Excludes statutory payables and unearned revenue (i.e., not within the scope of AASB 7).

Fair value measurement

(a) Fair value compared to carrying amount

The financial instruments carrying amount in the Statement of Financial Position approximates fair value.

(b) Fair value recognised in the Statement of Financial Position

The Council uses the following hierarchy for disclosing the fair value of financial instruments:

- Level 1 – Derived from quoted prices in active markets for identical assets
- Level 2 – Derived from inputs other than quoted prices that are observable directly or indirectly
- Level 3 – Derived from valuation techniques that include inputs for the asset not based on observable market data (unobservable inputs).

35. Financial instruments (cont)

(a) Financial instrument categories (cont)

Fair value measurement (cont)

	Level 1 \$000	Level 2 \$000	Level 3 \$000	Total \$000
2021				
Financial assets at fair value				
Managed funds	449,391	219,027	–	668,418
Derivatives – Assets	–	87,850	–	87,850
	449,391	306,877	–	756,268
Financial liabilities at fair value				
Derivatives – Liabilities	–	89,886	–	89,886
	–	89,886	–	89,886
2020				
Financial assets at fair value				
Managed funds	447,342	161,575	–	608,917
Derivatives – Assets	–	75,732	–	75,732
	447,342	237,307	–	684,649
Financial liabilities at fair value				
Derivatives – Liabilities	–	75,824	–	75,824
	–	75,824	–	75,824

(b) Credit risk

The Council's maximum exposure to credit risk at the reporting date was:

(i) Cash

The Council has placed funds on deposit with commercial bank with the highest rating for a fixed term. For fixed term deposits, the interest rate payable by the bank is negotiated initially and is fixed for the term of the deposit. The deposits at balance date were earning an average interest rate of -0.18% (0.89% in 2019–20), while over the year the weighted average interest rate was 0.10% (0.72% in 2019–20) on a weighted average balance during the year of \$13.85 million (\$22.82 million in 2019–20). None of these assets are past due or impaired.

(ii) Receivables – Debtors

Accounting policy for impairment of trade debtors and other financial assets

Collectability of trade debtors is reviewed on an ongoing basis. Procedures were established to recover outstanding amounts, including letters of demand.

The Council applies the simplified approach to calculating expected credit losses which uses a lifetime expected loss allowance for all trade debtors.

To measure the expected credit losses, trade receivables (excluding statutory receivables and prepayments) have been grouped based on shared credit risk characteristics and the days past due. The expected loss rates are based on historical observed loss rates. The historical loss rates are adjusted to reflect current and forward-looking information on macroeconomic factors affecting the ability of the debtors to settle the receivables.

Trade debtors are written off when there is no reasonable expectation of recovery. Indicators that there is no reasonable expectation of recovery include, amongst others a failure to make contractual payments for a period of greater than 90 days past due.

The Council is not materially exposed to concentrations of credit risk to a single trade debtor or group of debtors as at 30 June 2021.

(c) Liquidity risk

The table below summarises the maturity profile of the Council's financial liabilities, together with the interest rate exposure.

Maturity analysis and interest rate exposure of financial liabilities

	Interest rate exposure			Maturity dates		
	Nominal amount \$000	Fixed interest rate \$000	Non-interest bearing \$000	<1 yr \$000	1–5 yrs \$000	>5 yrs \$000
CONSOLIDATED						
2021						
Payables	4,520		4,520	4,520	–	–
Funeral Fund						
– Contributions Refundable	355		355	–	–	355
Financial Liabilities at Fair Value	89,886		89,886	89,886	–	–
Borrowings	12,815	12,815	–	1,127	6,704	4,984
	107,575	12,815	94,760	95,532	6,704	5,339
2020						
Payables	2,918		2,918	2,918	–	–
Funeral Fund						
– Contributions Refundable	353		353	–	–	353
Financial Liabilities at Fair Value	75,824		75,824	75,824	–	–
Borrowings	14,225	14,225	–	1,125	6,458	6,642
	93,320	14,225	79,095	79,867	6,458	6,995
PARENT						
2021						
Payables	4,089	–	4,089	4,089	–	–
Funeral Fund						
– Contributions Refundable	355	–	355	–	–	355
Financial Liabilities at Fair Value	89,886	–	89,886	89,886	–	–
Borrowings	3,692	3,692	–	550	2,326	816
	98,023	3,692	94,331	94,526	2,326	1,171
2020						
Payables	2,783	–	2,783	2,783	–	–
Funeral Fund						
– Contributions Refundable	353	–	353	–	–	353
Financial Liabilities at Fair Value	75,824	–	75,824	75,824	–	–
Borrowings	4,172	4,172	–	616	2,238	1,318
	83,132	4,172	78,960	79,223	2,238	1,671

35. Financial instruments (cont)

(d) Market risk

(i) Currency risk

The Council has direct exposure to foreign currency by investing in International Equities. To mitigate this risk, the Council has entered into forward foreign exchange contracts with National Australia Bank. The carrying value of foreign currency exposure is \$128.22 million as at 30 June 2021. (\$117.73 million as at 30 June 2020).

(ii) Interest rate risk

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Exposure to interest rate risk arises primarily through the Council's interest-bearing liabilities and assets. This risk is minimised by undertaking mainly fixed rate borrowings.

The Council does not account for any fixed rate financial instruments at fair value through profit or loss or as at fair value through other comprehensive income. Therefore, for these financial instruments, a change in interest rates would not affect profit or loss or equity. A reasonably possible change of +/- 1% is used, consistent with current trends in interest rates (based on official RBA interest rate volatility over the last five years). The basis will be reviewed annually and amended where there is a structural change in the level of interest rate volatility.

The following table demonstrates the sensitivity to a reasonably possible change in interest rates:

	Carrying amount \$000	-1% profit \$000	Equity \$000	+1% profit \$000	Equity \$000
CONSOLIDATED					
2021					
Financial assets					
Cash and Cash Equivalents	8,156	(82)	8,075	82	8,238
Restricted Cash and Cash Equivalents	29,915	(299)	29,616	299	30,214
Financial Assets at Fair Value	668,419	(6,684)	661,735	6,684	675,103
2020					
Financial assets					
Cash and Cash Equivalents	4,361	(44)	4,317	44	4,405
Restricted Cash and Cash Equivalents	31,961	(320)	31,641	320	32,281
Financial Assets at Fair Value	608,916	(6,089)	602,827	6,089	615,005
PARENT					
2021					
Financial assets					
Cash and Cash Equivalents	5,384	(54)	5,331	54	5,438
Restricted Cash and Cash Equivalents	29,915	(299)	29,616	299	30,214
Financial Assets at Fair Value	668,419	(6,684)	661,735	6,684	675,103
2020					
Financial assets					
Cash and Cash Equivalents	2,467	(25)	2,442	25	2,492
Restricted Cash and Cash Equivalents	31,961	(320)	31,641	320	32,281
Financial Assets at Fair Value	608,916	(6,089)	602,827	6,089	615,005

(iii) Other price risk

Exposure to 'other price risk' primarily arises through the investment with fund managers which are held for strategic rather than trading purposes. The Council has the following investments:

Facility	Investment sectors	Investment horizon	2021 \$000	2021 \$000
CONSOLIDATED				
Short-Term Facility	Cash, money market instruments	Up to 1.5 years	96,006	80,092
Strategic Cash Facility	Cash, money market and other interest rate instruments	Up to 3 years	668,419	608,916
PARENT				
Short-Term Facility	Cash, money market instruments	Up to 1.5 years	93,234	78,199
Strategic Cash Facility	Cash, money market and other interest rate instruments	Up to 3 years	668,419	608,916

The selection of funds for investment is based on the research carried out on various critical success factors of each fund manager by the Council's investment consultant. The performance of investment fund managers is continually monitored by investment consultant who reports on a regular and exceptional basis to Chief Investment Officer, the Investment Committee and the Council.

The various types of investments held by the Council with the actual rate of return are provided in the following table:

Analysis of price risks	Carrying value as at 30/06/21 \$000	Percentage spread %	Actual rate as at 30/06/21 %	Carrying value as at 30/06/20 \$000	Percentage spread %	Actual rate as at 30/06/20 %
Australian Equities	108,678	16.29	26.46	93,311	15.30	(1.14)
International Equities	207,339	31.07	28.10	171,538	28.13	(2.51)
Australian Fixed Income	19,302	2.89	1.29	41,115	6.74	4.47
Absolute Return Fixed Income	35,381	5.30	2.03	79,183	12.99	1.21
Inflation-Linked Bond Fund	31,831	4.77	3.05	27,075	4.44	5.85
Hedge Fund	61,637	9.24	15.31	72,713	11.92	0.88
Emerging Markets	43,144	6.47	29.42	40,618	6.66	(7.81)
Unlisted Property	64,930	9.73	7.99	60,389	9.90	(3.09)
Unlisted Infrastructure	44,064	6.60	2.30	1,758	0.29	(100.00)
Emerging Market Debt	25,236	3.78	(0.60)	—	—	—
Global Credit	19,051	2.85	1.05	—	—	—
Cash Fund	6,686	1.00	(0.18)	22,061	3.62	0.89
	667,279	100	16.88	609,761	100	(0.91)

Funds other than direct deposits in banks do not have direct holdings in underlying assets. Hence, 'interest rate risk' or 'currency risk' are not applicable and are therefore not individually analysed other than 'other price risk'. The sensitivity analysis in relation to 'other price risk' is determined using standard deviation based on stochastic Global Asset Model provided by the investment consultants, and the percentage allocation of funds of the portfolio of investments held by the Council as at the year end. The following table provides the overall other price risk of the Council with sensitivity analysis.

35. Financial instruments (cont)

Analysis of price risks	Carrying value \$000	Estimated risk %	Profit impact \$000	Equity impact \$000	Profit impact \$000	Equity impact \$000
Total Portfolio of Investments as at 30 June 2021	667,279	(9.70)	42,251	709,530	(42,251)	625,029
Total Portfolio of Investments as at 30 June 2020	609,761	(10.61)	37,930	647,691	(37,930)	571,831

(a) Interest rate risk will only affect the short term deposits.

(b) Estimated risk is based on Mercer's Capital Market Assumptions as at 30 June 2021.

36. Commitments

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Operating leases commitments				
Future minimum rentals payable under non-cancellable operating lease as at 30 June are as follows:				
Not Later Than One Year	22	22	22	22
Later Than One Year and not Later Than Five Years	6	29	6	296
Total (inc. GST)	28	51	28	51
AASB 16 <i>Leases</i> requires a lessee to recognise a right-of-use asset and a corresponding lease liability for most leases. Operating leases commitments relate to printers which are low value leases as expenses on a straight-line basis. GST of 3K (\$5K in 2019–2020) has been included in the total above.				
Operating leases receivable*				
Future minimum rentals receivable under non-cancellable operating lease as at 30 June are as follows:				
Not Later Than One Year	10	10	10	10
Total (inc. GST)	10	10	10	10

* Operating leases receivable relate to rental properties. These are entered into at market rates and on commercial terms. Regular market valuations and tendering processes are carried out to ensure commercial arrangements are maintained. GST of \$1k (\$1k in 2019–20) has been included in the total above.

37. Subsidiaries and joint ventures

	Percentage of interest 2021 %	Percentage of interest 2020 %	Principal place of business	Relationship	Balance date
NSWALC Resources Pty Ltd	100.00	100.00	Australia	Subsidiary	30 June
NSWALC Properties Pty Ltd	100.00	100.00	Australia	Subsidiary	30 June
NSWALC Employment and Training Ltd	100.00	100.00	Australia	Subsidiary	30 June
NSWALC Housing Ltd	100.00	100.00	Australia	Subsidiary	30 June
Paradigm Resources Pty Ltd	50.00	50.00	Australia	Joint Venture	30 June

Subsidiaries	2021 \$000	2020 \$000
NSWALC Resources Pty Ltd		
Total Assets	–	–
Total Liabilities	–	(18)
Net Assets	–	(18)
Total Revenue	150	–
Total Expenses	(132)	(4)
Total Comprehensive Gain/(Loss)	18	(4)
NSWALC Properties Pty Ltd		
Total Assets	7,507	8,578
Total Liabilities	(8,158)	(8,940)
Net Assets	(651)	(362)
Total Revenue	926	935
Total Expenses	(1,215)	(1,299)
Total Comprehensive Gain/(Loss)	(289)	(364)
NSWALC Employment and Training Ltd		
Total Assets	1,183	501
Total Liabilities	(537)	(136)
Net Assets	646	365
Total Revenue	1,449	586
Total Expenses	(1,168)	(221)
Total Comprehensive Gain/(Loss)	281	365
NSWALC Housing Ltd		
Total Assets	1,335	545
Total Liabilities	(923)	(127)
Net Assets	412	418
Total Revenue	1,181	506
Total Expenses	(1,186)	(88)
Total Comprehensive Gain/(Loss)	(5)	418

37. Subsidiaries and joint ventures (cont)

In 2020–21, the Council paid Audit, ASIC fees, Consultant fees and Joint Venture creditors of \$132,152 (excl. GST) on behalf of Resources P/L (\$4,397 in 2019–20), paid Audit fees of \$4,700(excl. GST) on behalf of Properties P/L (\$4,600 in 2019–20). The Council, as a parent company, granted \$1.01 million and \$1.46 million to NET and NHL respectively. The intercompany transactions are eliminated in the consolidated financial statements of the Council.

Paradigm was established in November 2014 as a joint venture company between Resources P/L and Indigenous Energy Group Pty Ltd (ACN 167 002 404). There is no other business partner in Paradigm. The Council granted \$900,000 in the last five financial years to invest in Resources P/L so as to acquire 50% of share capital of Paradigm being 900,000 fully paid ordinary shares at \$1.00 each. There being 1,800,000 ordinary shares issued by Paradigm as at 30 June 2021 at \$1 each.

Due to the uncertainty of the revenue stream from Resources P/L investments in Paradigm and lack of marketability, the carrying value of the investment was impaired to one dollar which represents the fair value as at 30 June 2021 in both Resources P/L and the consolidated financial statements of the Council.

38. Related party disclosures

The Council's key management personnel (KMP) compensation is as follows:

	Consolidated		Parent	
	2021 \$000	2020 \$000	2021 \$000	2020 \$000
Short-term employee benefits:				
Salaries and Superannuation	3,179	2,708	2,798	2,708
Non-Monetary Benefits*	345	208	272	208
Total remuneration	3,524	2,916	3,070	2,916

* In 2020–21, NSWALC provided motor vehicles to KMPs and \$345k is the Total Reportable Car Fringe Benefits provided to KMPs (\$208k in 2019–20).

During the year, the Council did not enter into transactions on arm's length terms and conditions with KMP, their close family members and controlled or jointly controlled entities thereof.

During the year, the NET entered into transactions on arm's length terms and conditions with KMP, their close family members and controlled or jointly-controlled entities thereof. Cooper Consulting owned by the NET board director Karen Cooper was engaged to deliver consulting services to the value of up to \$52,400 excluding GST. The services provided were delivered on commercial terms with full knowledge of the NET board.

39. Changes to Accounting Standards

Certain new accounting standards and interpretations have been published that are not mandatory for 30 June 2021 reporting period. The Council did not early adopt these Accounting Standards and Interpretations that are not yet effective.

Standards/Interpretations	Issue date	Operative date
AASB 2020-1 Amendments to Australian Accounting Standards – Classification of Liabilities as Current or Non-Current	Mar 2020	01 Jan 2023
AASB 2020-3 Amendments to Australian Accounting Standards – Annual Improvements 2018–2020 and Other Amendments	Jun 2020	01 Jan 2022
AASB 2020-6 Amendments to Australian Accounting Standards – Classification of Liabilities as Current or Non-Current – Deferral of Effective Date	Aug 2020	01 Jan 2022
AASB 2020-8 Amendments to Australian Accounting Standards – Interest Rate Benchmark Reform – Phase 2	Sep 2020	01 Jan 2021

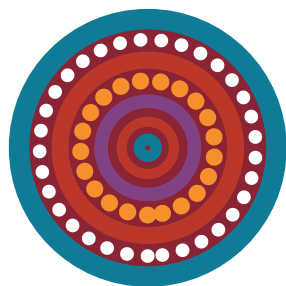
40. Event after balance date

In May 2021, the Council and the Indigenous Land & Sea Corporation (ILSC) agreed and executed a deed, which is intended to transfer the property at 160 George Street Redfern to the Council for redevelopment to increase the benefits delivered to the Aboriginal community from the property. Importantly, the transfer is conditional on NSWALC completing a range of milestones in the 12 months following execution of the deed. Those milestones include, but are not limited to, community consultation and the preparation of a planning proposal. Should NSWALC achieve the milestones, it is anticipated that the site will transfer to NSWALC in or around May–June 2022 – noting there are provisions within the deed for extensions of these timeframes.

NSWALC is taking action to purchase additional shares in SEFA in order to give NSWALC a majority shareholding in excess of 50%. This will result in a significant uplift in the value of the NSWALC shareholding and enable NSWALC to refocus the activities of the entity to reduce costs and to foster improved outcomes for the LALC network and Aboriginal people in NSW more generally.

The Council purchased \$270,000 \$1.00 fully paid ordinary shares in SEFA for \$1.20 per share on 19 August 2021. This purchase when combined with the one million shares that the Council already own means that the Council has 56.69% of the shares on issue.

End of Audited Financial Statements



Appendix

Expenses

COUNCILLOR TRAVEL EXPENSES

Table 26: Councillor travel expenses 2020–21.

Councillor	Direct travel expenses			Accommodation/meals			Total travel expenses
	Regional \$	For NSWALC \$	Total \$	Regional \$	For NSWALC \$	Total \$	
G Toomey	27	2727	2754	983	8,490	9473	12,227
P Smith	422	846	1268	9919	12408	22,327	23,595
A Dennis	52	1213	1265	982	18,430	19,412	20,677
C Lynch	160	429	589	1330	14,116	15,446	16,035
D Chapman	302	688	990	2284	9751	12,035	13,024
A Wright	969	1047	2016	1592	11,548	13,140	15,156
R Hampton	15	2731	2745	3501	11,010	14,511	17,257
L Hampton	201	2807	3009	3259	14,652	17,911	20,919
D Donnelly	236	537	773	441	11,059	11,501	12,273
Total	2383	13,025	15,408	24,291	111,464	135,756	151,163

CONSULTANT FEES 2020–21

Table 27: Consultant fees in 2020–21 – by consultant, service provided and cost for projects ≥\$50,000; and by type, number and total cost for projects <\$50,000.

Consultant	Service provided	\$
Projects ≥\$50,000		
Mercer Investments (Aust) Limited	Investment consulting services	343,040
Nous Group Pty Ltd	Milestones for Organisation Structure and Functional Review	100,850
APP Corporation Pty Ltd	Program management fee for 17 ACHIF LALC projects	92,134
Breaking New Ground Pty Ltd	NSWALC Capability Framework	64,160
Total projects ≥\$50,000		600,184
Type of project	Number of projects	\$
Projects <\$50,000		
Land and properties	9	
Resource development	7	
Management services	5	
Business development	3	
Yarpa Hub	3	
Recruitment services	3	
Total number/cost of projects (<\$50,000)	30	350,365
Total all consultant fees		950,549

GRANTS PAID 2020–21

Table 28: Major grants (>\$5000) paid in 2020–21.

Payee	Description	\$
NSWALC Community Fund Account	NSWALC share to ComFund account for levies received from Revenue NSW	683,448
NSWALC Employment and Training Ltd	Supporting NSWALC Employment and Training Ltd for 2020–21	1,009,760
NSWALC Housing Ltd	Supporting NSWALC Housing Ltd for 2020–21	1,459,295
Tamworth LALC	Supporting the 2021 Aboriginal Cultural Showcase – sponsorship	25,000
Diz Footprints Aboriginal Learning Centre	Supporting the rescheduled 2020 NSW Aboriginal Golf Championship	10,000
Discretionary – Anaiwan, Ashford, Glen Innes, Guyra, Moombahleen LALCs (\$62,510.55 for each LALC and a total of five payments)	Distribution of net proceeds of sale – 172B Marsh St Armidale – 3 Myrtle Drive Armidale	312,553
Birds Fresh Seafood	Supporting the growth and development of the NSW Aboriginal Fishing industry	23,457
DT Van der Neut and TC Van der Neut	Supporting the growth and development of the NSW Aboriginal Fishing industry	122,000
Total major grants		720,034

Table 29: Minor grants (≤\$5000) paid in 2020–21.

Payee	Description	\$
Funeral grants	Funeral payment for members and non-members	628,034
Koori Kids Pty Limited	Supporting the 2020 NAIDOC Week school initiatives	5000
Discretionary (Councillors)	Various – 140 grants	82,000
Discretionary (Scholarship)	NSWALC Education Scholarship Grant	5000
Total minor grants		720,034

Table 30: Summary of total grants paid in 2020–21.

Grant category	Number of individual units paid	\$
Funeral	443	628,034
NSWALC Employment and Training Ltd	2	1,009,760
NSWALC Housing Ltd	1	1,459,295
NSWALC Community Fund Account	10	683,448
NSWALC Fishing Fund Account	4	145,457
Discretionary grants	146	399,553
Statewide sponsorship grants	3	40,000
Total all grants	609	4,365,547

INSURANCE COVERAGE

Table 31: Summary of NSWALC's insurance and coverage.

Company	Policy	Sum insured \$
Allianz	Industrial special risks	7500
Allianz	Motor vehicle	Market value
Allianz	Public/Products liability	50,000
QBE	Umbrella liability	50,000
AIG & LAUW	Directors and officers	15,000
Accident and Health	Personal accident	1000
AFA	Journey accident	1000
Accident and Health	Corporate travel	2000
AFA	Voluntary workers	1000

CONTACT US

Level 5, 33 Argyle Street Parramatta NSW 2150

PO Box 1125 PARRAMATTA NSW 2124

T: 61 2 9689 4444

F: 61 2 9687 1234

E: media@alc.org

W: www.alc.org.au

VISIT US ONLINE

For information on what we do, publications and events visit www.alc.org.au

JOIN US ON SOCIAL MEDIA



www.facebook.com/nswalc

[nswalc](https://www.linkedin.com/company/nswalc)

[@nswalc](https://twitter.com/nswalc)

ZONE OFFICES

Eastern Zone

Suite 23,
207 Albany Street North
GOSFORD NSW 2250

Far Western Zone

Level 3, NSW State Government Building
32 Sulphide Street
BROKEN HILL NSW 2880

Northern Zone

Suite 5, Level 1
66-90 City Square
COFFS HARBOUR NSW 2451

Southern Zone

Unit 22,
2 Yallourn Street
FYSHWICK ACT 2609

Western Zone

2/36 Darling Street
DUBBO NSW 2830



**New South Wales
Aboriginal Land Council**