



South West Aboriginal
Land & Sea Council

2020 Annual Report

SOUTH WEST ABORIGINAL LAND AND SEA COUNCIL



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The South West Aboriginal Land and Sea Council Aboriginal Corporation is a Deductible Gift Recipient under Division 30 of the Income Tax Assessment Act 1997
Australian Business Number (ABN) 42 485 265 673
Indigenous Corporation Number (ICN) 3832

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South West Aboriginal
Land & Sea Council

South West Aboriginal Land and Sea Council

18 October 2020

The Hon Ken Wyatt AM MP
Minister for Indigenous Affairs
Parliament House
GPO Box 1566
Canberra ACT 2600

Dear Minister

Annual Report - South West Aboriginal Land and Sea Council

In accordance with clause 42 of the Native Title Funding Agreement, I have pleasure in presenting the Annual Report for the South West Aboriginal Land and Sea Council Aboriginal Corporation together with the audited financial statements for the financial year ended 30 June 2020.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jeanice Krakouer'.

Jeanice Krakouer

Chairperson
South West Aboriginal Land and Sea Council

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CHAIRPERSON'S REPORT



Jeanice Krakouer
CHAIRPERSON

On behalf of the Board of Directors, I present the Annual Report and detailed financial statements for the 2019/2020 financial year. This will be the last Annual Report that I present to the SWALSC Membership as my term as a member-elected Director and Chairperson of SWALSC comes to an end following the 2020 Annual General Meeting. It has been an honour and a privilege for me to serve our community in this role.

I would like to take this opportunity to give my personal thanks to all of the people I have served alongside during my time as a member-elected Director and Chairperson of the SWALSC Board. The Board has worked tirelessly under challenging circumstances and have maintained a high level of professionalism and integrity for the betterment of the organisation and our community.

I would also like to wish the incoming member-elected Directors and the Chair all the very best as they work together to transition SWALSC into the new Central Services Corporation; lead the creation of the six Regional Corporations; and implement the South West Native Title Settlement for the benefit of all Noongar people.

In particular, I would like to thank everyone in our Noongar community. The Directors and staff of SWALSC

could not do our work on behalf of the Noongar people without your support and encouragement. It is with some disappointment that I leave this role before the conclusive registration of the six Indigenous Land Use Agreements (ILUAs) that were approved by the Noongar people at the Authorisation Meetings in 2015. While we must accept the legal right people have to appeal the decision made at the Authorisation Meetings all the way to the High Court, we can also mourn the lost opportunities these appeals have caused for our people.

The appeals and delays that have occurred in the five years since we voted on the Settlement have delayed our ability to begin the nation-building task we have ahead of us.

On behalf of the current Board, we wish the incoming Board and Chair every success in fulfilling the decision our Noongar people made.

On the 19th of December 2019, the three judges of the Full Court of the Federal Court of Australia handed down their joint decision to dismiss the applications to overturn the Registrar's decision to register the six ILUAs in October 2018.

In making their decision, the three judges of the Full Court of the Federal Court were satisfied that the Registrar made the right decision to register the six ILUAs. They also decided that the six Authorisation Meetings were held in accordance with the requirements of the Native Title Act 1993.

All decisions of the Full Court of the Federal Court can be appealed to the High Court of Australia. In January 2020, a number of people filed applications for special leave to appeal to the High Court to challenge the decision of the Federal Court.

The High Court can decide to either accept the special leave applications and

hear an appeal or reject the special leave applications. If the High Court decides to accept one or more of the special leave applications, then the High Court will hear the appeal at a future date.

This decision will result in further delays as we will have to wait for the High Court to hear the case, and then wait for the judges to hand down their written decision.

However, if the High Court decides instead to reject the special leave applications, then this will be the end of the legal process and we can begin implementing the Agreement that was negotiated between the State of Western Australia and the Noongar People.

SWALSC has been advised that the High Court will hear oral submissions on the special leave applications on the 26th of November 2020 after which time the Court will make their decision about whether they will hear the appeal.

As the outgoing Chair, I encourage our new Board and our community to come together in healing so we can use the Settlement to build a solid future to generations to come. A future with better employment, education, health, housing and social services outcomes for our people.

The path to date has brought many challenges, but we remain focused on honouring the vision of our ancestors, our elders and our communities, whose guidance and dignity inspire us to be strong and proud.

Warm regards,

Jeanice Krakouer
Chairperson

SETTLEMENT TIMELINE

September 2006: In the case of *Bennell v State of Western Australia*, Justice Wilcox determined that Noongar people had maintained a continuous connection with the land, customs, traditions and laws of our ancestors. While this was a major precedent for the Noongar people, it was not a final Native Title Determination.

April 2008: An appeal by Western Australian Government against parts of the Wilcox decision was upheld in the Federal Court, creating uncertainty.

December 2009: SWALSC entered into 'Heads of Agreement' with the Western Australian Government to start negotiations for an alternative settlement of Noongar native title claims.

December 2011: Western Australian Government made an 'in-principle' offer to SWALSC. Negotiations continued.

July 2013: Western Australian Government made 'full and final' offer to SWALSC.

January - March 2015: SWALSC conducted six Authorisation Meetings to provide Noongar people in each of the six native title claim areas with the opportunity to decide whether to accept or reject the negotiated settlement. A majority of Noongar people in all six Authorisation Meetings voted to accept the offer.

June 2015: Western Australian Government signed the six Indigenous Land Use Agreements (ILUAs) that make up the negotiated Settlement.

September 2015: ILUA Registration process began.

December 2015: High Court applications made against the Registrar, WA Government and SWALSC to prevent Native Title Registrar from considering four of the six ILUAs on the grounds that not all the registered native title claimants had signed the ILUAs.

February 2016: High Court applications remitted to the Full Federal Court.

July 2016: Full Federal Court hearings for *McGlade v Native Title Registrar*.

February 2017: Judgment handed down in *McGlade v Native Title Registrar* which overturns the Bygrave decision and identifies problems with the registration process in the Native Title Act.

June 2017: The Commonwealth Parliament amended Native Title Act to fix problems with the registration process.

August 2017: The six ILUAs resubmitted to the Native Title Registrar for registration.

October 2018: All six ILUAs successfully registered by the National Native Title Tribunal (NNTT).

December 2018: Applications for Judicial Review of the NNTT Registrar's decision lodged in Federal Court.

May 2019: Two days of Court hearings on four grounds of review challenging Registrar's decision.

November 2019: Final day of hearings before Federal Court were held on fifth ground of review.

December 2019: The Full Federal Court handed down its decision on judicial review, upholding the Registrar's

decision to register the six ILUAs.

January 2020: Applications for special leave to appeal lodged with the High Court.

July 2020: Papers closed on the applications for special leave to appeal to the High Court.

Where to from here?

26 November 2020: The High Court will hear oral submissions on the special leave applications and decide whether they will hear an appeal.

If the High Court decides to not hear the appeal, then that will be the end of the legal process and we will move to Conclusive Registration of the South West Native Title Settlement.

If the High Court decides to hear the appeal, then we will have wait for the High Court to hear the appeal, and then wait for the judges to hand down their written decision.

SWALSC DIRECTORS' PROFILES



Jeanice Krakouer
DIRECTOR AND CHAIRPERSON

Wagyl Kaip / Southern
Noongar Ward

e: director@noongar.org.au

Jeanice was first elected as Director by the Wagyl Kaip members to the SWALSC Board in 2015. Jeanice understands the importance of good governance and procedures and has extensive experience serving on boards at a State, Regional and Local Community level. As a community member, Jeanice

understands the needs, aspirations and struggles faced by the Noongar community.

As SWALSC Chairperson, Jeanice is keen to promote new opportunities for a brighter future for our Noongar community.



Kevin Fitzgerald
DIRECTOR

Ballardong Ward

Kevin was elected as Director by the Ballardong Ward members in 2018. Kevin strongly supports good governance, accountability and leadership. He is keen to build the Noongar nation by supporting the

South West Aboriginal Land and Sea Council through the Settlement. Kevin works and gives strong support to the Ballardong elders meeting and mentors young Noongar workers.



Phillip Matera
DIRECTOR

Gnaala Karla Booja Ward

Phillip was elected to the position of Gnaala Karla Booja Ward Director in 2017. Following his playing career in AFL football, Phillip has become a successful businessman, starting his own company in 2003.

Phillip brings his expertise and specialist knowledge of business strategy to the work of the Board and is keen to ensure a prosperous future for Noongar people.



Noelene McCormick
DIRECTOR
South West Boojarah Ward

Noelene was elected to the position of South West Boojarah Ward Director in 2017. Noelene has extensive experience working within Government Agencies in the Northern Territory. Her career began in Education as a teacher, then Principal and Director Schools. She was seconded to work for the Australian Government based

in Central Queensland, then returning to the NT Department of Education and Families as the Director Audit and Ethical Standards. Noelene has previous Board experience and has completed the Australian Company Directors Course. Noelene brings a wealth of experience to the work of the SWALSC Board.



Charmaine Walley
DIRECTOR
Yued Ward

Charmaine was re-elected to the position of Yued Ward Director in 2017, after having previously served on the Board. With over 18 years' experience in dealing with native title issues, along with valuable communication and negotiation skills, Charmaine is focused

on delivering effective outcomes for all Noongar people, with special emphasis on Yued people. Charmaine is very passionate about her people, country, culture and heritage.



Anthony Bennell
DIRECTOR
Whadjuk Ward

Anthony was elected to the position of Whadjuk Ward Director in 2017. Anthony brings a deep sense of conviction to improving the health and wellbeing of Noongar people, both the body and mind, through a strong connection to country.

Anthony respects the role of elders in maintaining language and culture and is keen to see young Noongar people develop skills and gain employment.



David Ashton
EXPERT DIRECTOR

David has held senior commercial, operational and general management positions across a range of industry sectors including construction, asset and facilities management, government and not-for-profit. He also has experience in the areas of governance, risk and compliance, procurement, business and

strategic planning and health, safety, environment and quality management systems. David is a former elected member and Deputy Mayor of the Town of Victoria Park and is currently the Principal Consultant of a business management consultancy firm.



LILA D'SOUZA
EXPERT DIRECTOR

Lila D'Souza is a senior executive and legal practitioner with 20 years experience in private practice, government and not for profit organisations. Lila has significant experience in managing large Aboriginal organisations and has extensive expertise in the areas of property law, native title and land rights. Lila is passionate about Aboriginal social justice and was appointed as Expert Director of SWALSC in 2017. Lila was most recently the Executive Director

of Corporate Services for the NSW Aboriginal Land Council, occupying the roles of General Counsel and Director of Policy. Lila is now the Managing Director of The Purpose Group Australia, a legal practice and professional services consultancy. Lila is excited to be part of the groundbreaking work being carried out by SWALSC for the benefit of the Noongar Nation and to empower Noongar people. Lila D'Souza resigned from the SWALSC board 4 May 2020.

LEGAL SERVICES UNIT REPORT

General

During the 2019/2020 reporting period legal operations experienced significant disruption with the advent of the Corona Virus pandemic (Covid-19). In the main, occupational health and safety measures for SWALSC staff members and, more particularly, health and safety measures that would safeguard SWALSC members against the threat posed by Covid-19, had to be adopted. Immediate consequences of these

measures were the suspension of Claim Group working party meetings and the conducting of Aboriginal heritage surveys. With the staged easing of government restrictions on movement, operations were assessed and adjusted on a continual basis, such that Claim Group working party meetings and heritage surveys recommenced in the latter part of the reporting period. These activities continue to be conducted under strict safety measures that meets government requirements.

While the imposition of these measure

directly impacted on working party meetings and heritage surveys, all legal services ordinarily required to be performed, i.e. processing and advancement of Future Acts under the Native Title Act, including the negotiation and conclusion of Noongar Standard Heritage Agreements (NSHAs)/Noongar Alternative Heritage Agreements (NAHAs) continued unabatedly. These matters are more fully being dealt with below.

Equally, the Legal Unit's pursuit to achieve conclusive registration of

the six *Settlement Indigenous Land Use Agreements* (ILUAs) forged ahead without any serious impact from Covid-19. Developments on this front are more fully detailed below.

In conclusion, and notwithstanding adversity faced as a result of Covid-19, the Legal Services Unit discharged its duties in a diligent, professional and timely manner throughout the current reporting period.

Litigation – South West Settlement

Following the Registrar of the National Native Title Tribunal's decision on 17 October 2018 to place the six ILUAs on the Register, 13 applications were filed with the Federal Court for judicial review of the Registrar's decision.

The Court ordered that **eleven applications** be combined into two lead applications:

1. WAD525/2018 - *Mingli Wanjurri McGlade & Ors v SWALSC* (the **McGlade Applicants**) comprising of six applications.
2. WAD519/2018 - *Sheldon Prior v Native Title Registrar & Ors.* with 5 applicants.

During April 2019 legal counsel (Stephen Walker and Gregory McIntyre) was appointed to act on behalf of all but one of the applicants in the original *Sheldon Prior v Native Title Registrar* group. WAD546/2018 with three other applicants became the lead application in place of WAD519/2018 – *Sheldon Prior v Native Title Registrar & Ors.* (hereafter referred to as the **Mackay Applicants**).

WAD519/2018 (*Sheldon Prior*) was

adjourned pending delivery of judgements in the McGlade and Mackay matters.

On 1 May 2019, Joanne Hayward filed for discontinuance of application WAD520/2018 – *Joanne Hayward v Native Title Registrar & Ors.* On 28 January 2020, the Registrar closed the file with no order made as to cost or at all.

On 30 May 2019, 31 May 2019 and 25 November 2019 the applications of the McGlade Applicants and Mackay Applicants were heard in the Federal Court of Australia Full Court (FCAFC).

On 10 December 2019, the FCAFC handed down its decision. All applications were dismissed with costs. Legal costs incurred are being quantified following which payment of costs will be sought from the respective applicants.

Following the decision in the FCAFC, Sheldon Prior's application was listed in the Federal Court.

On 10 June 2020 the Federal Court (per McKerracher J) summarily dismissed WAD 519/2018 - *Sheldon Prior v Native Title Registrar & Ors.* with costs. Payment of costs will be sought once quantified.

Since the handing down of the FCAFC decision, the McGlade Applicants and Mackay Applicants have filed applications for special leave to appeal the decision of the FCAFC in the High Court of Australia (HCA). A date, 26 November 2020, has now been set for these applications to be heard by 2 High Court Judges with their decision to be handed down shortly after. If the applicants fail in their applications to be granted special leave to appeal the

FCAFC decision, it would be the end of the litigation process and Conclusive Registration of the ILUAs will occur 40 business days after the legal process has been exhausted. At this time the South West Native Title Settlement will become effective.

Working Party Revitalisation and Family meetings

In light of the pending Judges' decision whether to grant the McGlade Applicants and Mackay Applicants leave to appeal the decision of the FCAFA to the High Court of Australia, convening of further family meetings have been temporarily suspended. The Court's decision will be directional on the need to recommence the Revitalisation Program.

Noongar Standard Heritage Agreements (NSHA)

The Noongar Standard Heritage Agreement is a key element of the South West Settlement (**SWS**). All State Government Departments, certain Government agencies and instrumentalities are required to enter into a NSHA with SWALSC for purposes of conducting Aboriginal heritage surveys in the six Agreement areas.

Applicants for mining tenements are also required to enter into either a NSHA or a NAHA before their program of works are approved by the Department of Mining, Industry and Resources (**DMIRS**).

Additionally, whilst Local Governments are not parties to the SWS Agreements, and therefore not bound to follow the NSHA, SWALSC can report that a heritage protocol, in the form of a standard Noongar Heritage Agreement for Local Government (**NHALG**), which

aligns with the heritage protocol prescribed by the NSHA and NAHA, has recently been agreed between SWALSC and Local Government. This is a significant stride towards establishing a uniform heritage protocol with all stakeholders/proponents across the six ILUA regions.

As of 1 January 2020, a SWALSC Interim Heritage Selection Panel (**HSP**) was constituted which convenes on a regular 2-weekly basis to select Aboriginal heritage consultants to serve on various Aboriginal heritage surveys across the six claim regions. As was the case with regional working party meetings, operations were temporarily suspended from March 2020 till May 2020 as a result of the impact of Covid-19. With the easing of Government restrictions, and with necessary health and safety measures having been implemented, the HSP recommenced its functions on 19 May 2020. At the time of writing this report the HSP have had 16 meetings and selected 75 heritage consultant teams.

As a result of SWALSC staff members' ongoing commitment to preserve Aboriginal heritage and Aboriginal sites, a significant number of heritage surveys are being undertaken annually in accordance with the NSHA/NAHA relating to major infrastructure projects, roads and bridge maintenance, forest harvests, mining activity and local projects.

As at September 2020, there were **52** government NSHAs, **255** mining proponent/other proponent NSHAs and **62** NAHAs/hybrid heritage agreements in place.

Across Country

Whadjuk

During the reporting period Whadjuk received an unfavorable outcome from the *Commonwealth Minister for*

the Environment who decided not to make a declaration under *section 10* of the *Aboriginal & Torres Strait Islander Heritage Protection Act 1984* (ATSIHP) to preserve and protect *Munday Swamp and Munday Swamp Poison Gully* (Specified Area). The Specified Area will be impacted by the construction of the New Perth Airport Runway. In her reasons the Minister found that the Specified Area is significant to Aboriginal people and there is a threat of injury and desecration to the Specified Area for the purposes of section 10(1)(b)(ii) of the ATSIHP. As instructed by the Working Party, SWALSC is currently considering a claim for reparations for injury and harm to the Specified Area.

The implications of COVID-19 have resulted in an excessively busy period in relation to heritage processes under the NSHA for major infrastructure projects implemented by government to stimulate the WA economy. Projects include MRWA major road infrastructure, major bridges, namely the replacement of the Fremantle Traffic Bridge and Rail Bridge, development of a New State Football Centre in Queens Park, rail line improvements and bridge maintenance programs.

The Working Party and Named Applicants finalised a new mining agreement with *Wisecat Pty Ltd* for mining of high-grade silica near Chittering. Benefits under the agreement will continue to flow post-settlement.

Negotiations are progressing towards an agreed outcome under the *Native Title Act* over the Ocean Reef Marina development.

Yued

During the past year a number of mining agreements were finalised which will see benefits flow to the Yued Trust in the forthcoming year. Some difficulties are being experienced with the signing of some mining agreements and SWALSC

is in the process of resolving same. One such agreement is the Native Title compensation agreement with *Image Resources Limited* for Mining Lease 70/1305 which relates to a mineral sands mining project located in the Shire of Dandaragan. Parties are currently working towards resolving the issue.

Implementation/relationship committee meetings with *Tronox Management Pty Ltd* and *Iluka Resources Limited* have recommenced after cessation due to COVID.

Negotiations are underway with *Westdeen Holdings Pty Ltd* for a mining access agreement for Mining Lease 70/1394.

Future acts and heritage matters continue to be addressed by the Yued Working Party on a timely basis. Matters of particular historic and cultural importance including the Mogumber settlement precinct continue to be the subject of ongoing discussions between Yued representatives and stakeholders with a view to achieve viable outcomes that will preserve Noongar culture and heritage through appropriate management arrangement.

The Yued Native Title Charitable Trust continue to function in accordance with the trust deed notwithstanding the negative effects of the global pandemic.

Gnaala Karla Booja (GKB)

Community Partnership Agreements (CPAs) and associated Implementation Committees with *Newmont Gold Pty Ltd* and *Griffin Coal Mining Company Pty Limited* provide a forum for ongoing implementation, review and compliance of the terms of the respective agreements. Conversations for potential Community Partnership Agreements with companies mining in areas where State Agreements apply have commenced.

The GKB Working Party continue to develop and maintain strong relationships with the State, Local Government agencies and mining companies in the region.

Heritage surveys are being conducted by the WA Public Transport Authority in preparation for the Byford Rail Extension.

The *GKB Native Title Charitable Trust* continues to be well-managed. SWALSC is working with the GKB Trustee to complete the transfer of three reserves within the Shotts Industrial Park to the Trust.

Ballardong

Future acts associated with mineral exploration and resource extraction have been ongoing during the reporting period with several mining lease applications currently in the "right to negotiate" stream. Discussion on mining access agreements with *Classic Minerals Limited* and Regan Scott Grant that will allow mining operations within the claim area are being progressed with the Ballardong WP.

A mining agreement with *Great Southern Gypsum Limited* for Mining Lease 70/1384 has been finalised which will allow for the mining of gypsum in the Lake Grace North area. The parties have applied to the National Native Title Tribunal for a section s 35 consent determination and are currently awaiting the outcome.

A number of NSHAs and NAHAs have been concluded with proponents in respect of the Ballardong region during the reporting period and a number of heritage surveys have been undertaken with Ballardong heritage consultants pursuant to these agreements.

Wagyl Kaip and Southern Noongar

A significant and major repatriation of Ancestors occurred in late 2019 with the return of six Ancestors previously held in Saxony Germany following the removal from King George Sound prior to 1888. The *Department of Communications and the Arts* (Cth) worked with SWALSC and WA Museum in consultation with the Working Party to make all arrangements. Two Working Party representatives travelled to Germany to receive and accompany the Ancestors back for repatriation to Menang country. Representatives gathered at the Perth Airport to receive the Ancestors and were then temporarily placed in the custody of the WA Museum. Discussions are ongoing with the WA Museum to repatriate the Ancestors to Albany.

During the reporting period *First Quantum Minerals Limited (FQM) Ravensthorpe Nickel Operations* commenced commercial production. SWALSC and the Working Party are in active discussion with *FQM* regarding the implementation of the Ravensthorpe Operations Agreement, including flow of benefits,

re-establishment of the Relationship Committee and management of heritage.

Equity Trustees continue to manage the investments and distribution of funds for the Wagyl Kaip and Southern Noongar community.

South West Boojarah

The reporting period is highlighted by the emerging need for protocols in the SWB region to guide a range of activities undertaken by government, local government and industry. The increasing impact of tourism requiring protocols for how information about Aboriginal culture, traditions and history are presented by tourist operators and protocols to limit access and protect heritage sites in popular tourist areas are under consideration. This will be an ongoing focus in a post-settlement environment.

Emerging is the development of protocols for protection of heritage sites, registered and unregistered, during prescribed burns and access and movement of visitors within conservation parks.

The WA Museum and the Working Party continue to liaise and discuss the repatriation of ancestors.

The Working Party continues to maintain strong relationships with State and Local Government agencies in the Region supporting mutually beneficial outcomes, including key stakeholder representation on the City of Busselton Arts and Creative Hub initiative.

SWALSC continues to monitor progress of mining agreements in the region, including new mining lease applications.

The SWB Charitable Trust continues to grow at a steady rate providing benefits and support to SWB people.

Ettienne van Tonder, Principal Legal Officer

Legal Services Statistics

Service Provided	Number
Active claims managed	9
Agreements reached	101
Future Act Notices responded to	177
Heritage Activity Notices responded to	148
Working Party Meetings convened	16

CORPORATE SERVICES REPORT

Chief Financial Officer Report

Financial Position and Funding

Our principal funding body is the Commonwealth Government, which continues to support us through the current period while we wait for the “Conclusive Registration” of the ILUA’s. When the Settlement occurs, our main funding will move from the Commonwealth to the Noongar Boodja Trustee. The Commonwealth will continue support by way of Implementation funding.

Our financial position remains sound and we have assurances as to ongoing Commonwealth support.

Establishment of Regional Corporations

This work has had to be delayed, but planning work continues. Our intention is to have all of the Regional Corporations established

by June 2021. Endorsement of the Regional Corporations by the Trustee should be achieved by December 2021. Endorsement will enable the Corporations to receive funding, and hence, commence operations.

Apart from establishing their governance processes, the main work of the Regional Corporations initially will be in relation to the acceptance of land made available through the Settlement.

CSC Planning

SWALSC will seek to become the Central Services Corporation (CSC), and as such, we will need to deliver “Core Services”, being services on behalf of the whole Noongar community, and “Regional Services”, which are services provided to the Regional Corporations.

The main task for SWALSC over the next year will be:

- To continue with Native Title work until the Settlement becomes “effective”, and then to

methodically “wind down” the Native Title processes.

- To support the Regions in the establishment of Regional Corporations
- To prepare for and to deliver the Core and Regional Services, as is required under the Noongar Boodja Trust Deed.
- To facilitate the establishment and operation of the Noongar Corporations Committee (being a body that comprises the Chair and CEO of each Regional Corporation and the CSC).

Planning for Trust Establishment

We continue to work with the State and the “Trustee in Waiting” (Perpetual) in relation to ensuring that Trustee activities can get off to a good start.

Malcolm Firth, Corporate Services Manager

Membership

There has been an increase in the number of members, no doubt influenced by interest in the Settlement process. Membership statistics are as follows:

New members accepted last year (between 1 July 2018 and June 30 2019)	318
New members accepted this year (between 1 July 2019 and June 30 2020)	120
TOTAL MEMBERS AT 30 JUNE 2020	6,611

Staff Profile

	Noongar		Non Noongar		TOTAL	
	2020	2019	2020	2019	2020	2019
Male	2	3	5	5	7	8
Female	6	8	12	13	18	21
TOTAL	8	11	17	18	25	29

Note: The above profile represents all staff employed during 2019-2020.

Description of SWALSC

The South West Aboriginal Land and Sea Council Aboriginal Corporation (SWALSC) is the Native Title Service Provider (NTSP) for the south west of Western Australia. SWALSC was first recognised as a Native Title Representative Body (NTRB) by the then Minister for Immigration and Multicultural and Indigenous Affairs, Hon. Philip Ruddock, in December 2001.

SWALSC transitioned to becoming an NTSP on 1 July 2016. Our transition to an NTSP enables a more flexible appointment process, reflective of our expectation that we will cease native title functions upon the conclusion of the settlement process.

SWALSC's boundaries generally correspond with those of the former Perth Noongar Regional Council and the Noongar Country Regional Council (Aboriginal and Torres Strait Islander Commission Regional Councils). It is estimated that between 30,000-40,000 Noongar people live in the region.

SWALSC's funding comes from The National Indigenous Australian Agency (NIAA). The Board of Directors has six elected members and two expert members who provide policy guidance to the organisation. The day-to-day management of SWALSC is the responsibility of the Chief Executive Officer, who is a salaried officer.

In July 2007, along with all similar organisations, SWALSC was required to incorporate under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI) and developed a new constitution in compliance with CATSI. A new Rule Book has since been endorsed by the Registrar on 24 December 2014.

Legislative Functions

As an NTSP, SWALSC has specific functions under Part 11, Division 3 of the *Native Title Act 1993* (NTA).

These functions are:

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

Corporate Governance Policies

Vision

SWALSC's corporate vision is to inspire, enable and lead the Noongar People to build a strong, sustainable and united Noongar Nation.

Core Values

"We value and acknowledge our past, and will empower future generations by respecting our Elders, our Noongar People and other cultures"

We will at all times embrace and promote our Noongar Nation's business through:

Respect: to recognise and build on our strengths, history and traditions within our communities.

Inclusivity: to enable and encourage diversity among and within our Noongar Nation and other cultures.

Trust: to lead and support a culture which values and applies honesty, openness and accountability.

Economic sustainability: identify and build on our human, natural and physical assets through a planned, managed and monitored business approach to governance and operations.

Partnerships: to build positive relationships with all of our members, communities, stakeholders and employees.

Our Guiding Principles

- Do justice to the past – and serve the future.
- Support Noongar People and Culture.
- Focus on effective and long-term meaningful outcomes for the Noongar community.
- Deliver the highest possible level of governance and service.

Policies and Procedures

SWALSC staff and officers are guided by the Rule Book of the corporation and the policies approved by the Board of Directors.

Priorities

SWALSC has established a set of priorities that reflect the statutory and financial framework under which NTSPs are required to operate. At all times, the organisation's priorities are designed to reflect the needs and the aspirations of the Noongar people.

Organisational Structure

Membership

SWALSC membership is open to all Noongar people aged 18 years and over (see Glossary and Definitions).

Governing Committee (the Directors)

The Governing Committee (the Directors) is currently comprised of six elected members and two expert members.

The role of the Directors is to ensure that the objectives of the organisation are carried out and that it performs the statutory functions of an NTSP. The Directors provide general policy direction for the organisation and input to the development of state and national policy as it relates to Aboriginal and Torres Strait Islander people in the region.

The Directors do not involve themselves

in the day-to-day financial management of the organisation, but review financial reports and meet to discuss SWALSC's controls and processes.

Senior Office Holders

Chairperson

Jeanice Krakouer was elected as Chairperson of SWALSC in August 2015.

Public Officer

Wayne Nannup is the SWALSC Public Officer and operates in accordance with Section 56 of the Native Title Act.

Management: Administration

The senior management (administrative) committee includes:

- Chief Executive Officer, Wayne Nannup;
- Chief Finance Officer, Malcolm Firth;
- Principal Legal Officer, Ettienne Van Tonder

Chief Executive Officer

Wayne is a proud Aboriginal man with family connections to the South West, Pilbara, Goldfields and Kimberly regions of Western Australia. Wayne has over ten years experience in the construction industry having worked as a building contractor before deciding to study law. After completing a Bachelor of Law Degree in 2009 at Murdoch University in WA, Wayne completed his legal training at the Aboriginal Legal Service WA and was

admitted to practice in 2010.

Wayne considers it a privilege to work for the South West Aboriginal Land and Sea Council and for Noongars to achieve the desired result of implementing the Indigenous Land Use Agreements.

Chief Finance Officer

Malcolm Firth commenced with SWALSC in April 2007. Malcolm is a Chartered Accountant, holds a Bachelor of Commerce, an MBA and is a graduate of the Australian Institute of Company Directors. He has extensive experience in both the mining and community services sectors. Malcolm is responsible for all administrative functions, including financial management, information systems, human resources and the coordination of strategic and operational planning.

Principal Legal Officer

Ettienne Van Tonder, has more than 20 years' experience in the legal and corporate field. His expertise includes the negotiation, drafting, implementation and ongoing management of Indigenous Mining Agreements. Ettienne's responsibilities are to oversee the day-to-day operations of the Legal Unit. The Legal Unit provides legal advice, guidance and assistance to the CEO and the SWALSC Board in all corporate and native title matters.

Separation of Powers

It is the responsibility of the Directors to ensure that the objectives of the organisation are carried out and that it satisfactorily performs all of the functions of a Native Title Service Provider in accordance with the *Native Title Act 1993*.

The Board of Directors can authorise the use of the common seal, make and rescind policies, constitute committees

and make by-laws. Clause 11.1(d) of the Rules states that the Directors shall not concern themselves with the day to day management of the offices of the corporation, this being the sole province of the Chief Executive Officer.

Board Meeting Directors' attendance

	Meetings attended	Possible attendance
Jeanice Krakouer	5	5
Anthony Bennell	3	5
Phillip Matera	4	5
Noelene McCormick	5	5
Charmaine Walley	2	5
Kevin Fitzgerald	5	5
David Ashton	4	5
Lila D'Souza (resigned 4 May 2020)	4	5

Meeting Dates:

5 August 2019

23 September 2019

19 November 2019

24 February 2020

18 May 2020

SOUTH WEST ABORIGINAL LAND AND SEA COUNCIL ABORIGINAL CORPORATION

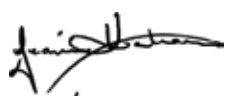
Indigenous Corporation Number (ICN) 3832
Australian Business Number (ABN) 42 485 265 673
ANNUAL FINANCIAL REPORT TO MEMBERS
YEAR ENDED 30 JUNE 2020

Directors' Report

The Directors submit the financial report of the South West Aboriginal Land and Sea Council Aboriginal Corporation for the financial year ended 30 June 2020 in accordance with Regulation 333-10.02 of the Corporations (Aboriginal and Torres Strait Islander) Regulations 2007.

- a. Details of operations are contained in the Annual Report on pages 16 to 51.
The Corporation returned a surplus of \$138,699 for the financial year.
- b. No significant change in the Corporation's state of affairs occurred during the year.
- c. As the Native Title Service Provider of the Noongar people of the south west region of Western Australia the principal activities of the organisation during the financial year were to provide services and advocacy directed towards:
 - securing land;
 - protecting the spiritual and physical connection to land of members and their extended families in accordance with their traditions, laws and customs;
 - supporting the maintenance, development and advancement of Noongar culture, language and society; and
 - promoting Aboriginal reconciliation as a basic tenet of Australian society.
- d. There was nothing arising since the end of the financial year to significantly affect the Corporation's operations, results of operations, or state of affairs in future financial years.
- e. There were no developments in the Corporation's operations that are likely or expected to significantly affect the operations in future years.
- f. SWALSC was not subject to any particular or significant environmental regulation under Commonwealth, State, or Territory law during the last year.
- g. There was no distribution of payments to members during the year.
- h. No distributions of payments to members were recommended or declared during the year.

The above statements are made in accordance with a resolution of the Directors dated 21 September 2020.



Jeanice Krakouer
Chairperson

Statement by the Directors

In the opinion of the Directors, the financial report, as set out on pages 16 to 51:

- 1) Presents a true and fair view of the financial position of South West Aboriginal Land and Sea Council Aboriginal Corporation as at 30 June 2020 and its performance for the year ended on that date in accordance with Australian Accounting Standards (including Australian Accounting Interpretations) and with the Corporations (Aboriginal and Torres Strait Islander) Act 2006.
- 2) At the date of this statement, there are reasonable grounds to believe that South West Aboriginal Land and Sea Council Aboriginal Corporation will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the Board of Directors and is signed for and on behalf of the Directors by:



Jeanice Krakouer
Chairperson

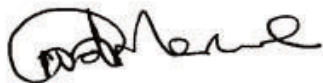
Dated this 21st day of September 2020.

AUDITOR'S INDEPENDENCE DECLARATION

As lead auditor for the audit of South West Aboriginal Land & Sea Council Aboriginal Corporation for the year ended 30 June 2020, I declare that, to the best of my knowledge and belief, there have been:

- a) No contraventions of the auditor independence requirements of the Corporations (Aboriginal and Torres Strait Islander) Act 2006 in relation to the audit; and
- b) No contraventions of any applicable code of professional conduct in relation to the audit.

BUTLER SETTINERI (AUDIT) PTY LTD



MARIUS VAN DER MERWE CA
Director

Perth

Date: 21 September 2020

**INDEPENDENT AUDITOR'S REPORT
TO THE MEMBERS OF SOUTH WEST ABORIGINAL LAND AND SEA COUNCIL
ABORIGINAL CORPORATION**

Report on the Financial Report

We have audited the accompanying financial report of South West Aboriginal Land & Sea Council Aboriginal Corporation, which comprises the statement of financial position as at 30 June 2020, and the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date, a summary of significant accounting policies, other explanatory notes and the director's report.

In our opinion the financial report of South West Aboriginal Land & Sea Council Aboriginal Corporation,

- (a) gives a true and fair view of the corporation's financial position as at 30 June 2020 and of its performance for the year ended on that date; and
- (b) complies with Australian Accounting Standards (including the Australian Accounting Interpretations)

Basis for Opinion

We have conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those Standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report.

We are independent of the Corporation in accordance with the auditor independence requirements of the Corporations (Aboriginal and Torres Strait Islander) Act 2006 and the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 Code of Ethics for Professional Accountants (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our ethical requirements in accordance with the Code.

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

Directors' Responsibility for the Financial Report

The directors of the corporation are responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations) and the Corporations (Aboriginal and Torres Strait Islander) Act 2006. This responsibility includes establishing and maintaining internal controls relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial report.

As part of an audit in accordance with the Australia Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Corporation's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the directors.
- Conclude on the appropriateness of the directors' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Corporation's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Corporation to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the directors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

We also provide the directors with a statement that we have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on our independence, and where applicable, related safeguards.

Report on Other Legal and Regulatory Requirements

Compliance with Commonwealth Grant Conditions for Native Title Grants

In accordance with clause 41.7 of the Terms and Conditions- Native Title Agreement: For Agreements commencing on or after 1 July 2013, I certify that:

1. The financial statements are based on proper accounts and records;
2. The financial statements are in agreement with those accounts and records;
3. The receipt, expenditure and the investment of money, and the acquisition and disposal of assets during the year have been in accordance with the provisions of the Native Title Act 1993 and the Terms and Conditions- Native Title Agreement: For Agreements commencing on or after 1 July 2013.
4. There are no other matters requiring reporting.

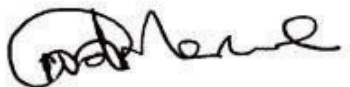
Corporations (Aboriginal and Torres Strait Islander) Act 2006

Section 339-30 of the Corporations (Aboriginal and Torres Strait Islander) Act 2006 requires the auditor to form an opinion on various matters.

In relation to these requirements, we are of the opinion:

- a)
 - i) The financial report has been prepared in accordance with the Act,
 - ii) The financial report and the audit has been prepared and completed in accordance with any applicable regulations made for the purposes of sections 333-10 and 333-15.
 - iii) There isn't any additional applicable determinations made by the Registrar under section 336-1 or 336-5
- b) We have been given all information, explanations and assistance necessary for the conduct of the audit.
- c) The Corporation kept its records sufficient to enable the financial reports to be prepared and audited.
- d) The Corporation has kept all of the other records and registers as required by this Act.

BUTLER SETTINERI (AUDIT) PTY LTD



MARIUS VAN DER MERWE CA
Director
Perth

Date: 21 September 2020

STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDED 30 JUNE 2020

	Note	2020	2019
		\$	\$
Revenue			
Commonwealth NT Services Grant		3,995,556	3,788,799
Other grants and income		535,214	484,437
Interest		38,378	62,152
Total Revenue	2	<u>4,569,148</u>	<u>4,335,388</u>
Expenses			
Employee benefits	3	2,752,376	2,549,272
Depreciation and amortisation expense	11	178,844	11,246
Training and seminars		12,056	16,604
Other supplies	4	1,459,329	1,741,813
Finance costs	5	7,818	7,862
Auditor's remuneration	6	9,876	11,127
Bad debts written off		10,150	-
Total expenses		<u>4,430,449</u>	<u>4,337,924</u>
Profit before income tax		<u>138,699</u>	<u>(2,536)</u>
Income tax	7	-	-
Surplus/(Deficit) before income tax expense		<u>138,699</u>	<u>(2,536)</u>
Other comprehensive income		<u>-</u>	<u>-</u>
Total Comprehensive Income		<u><u>138,699</u></u>	<u><u>(2,536)</u></u>

The accompanying notes form part of these financial statements

STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2020

	Note	2020 \$	2019 \$
ASSETS			
CURRENT ASSETS			
Cash and cash equivalents	8	2,792,188	3,422,528
Trade and other receivables	9	34,311	37,800
Other current assets	10	22,799	16,988
TOTAL CURRENT ASSETS		<u>2,849,298</u>	<u>3,477,316</u>
NON-CURRENT ASSETS			
Property, plant and equipment	11	274,997	112,297
TOTAL NON-CURRENT ASSETS		<u>274,997</u>	<u>112,297</u>
TOTAL ASSETS		<u>3,124,295</u>	<u>3,589,613</u>
LIABILITIES			
CURRENT LIABILITIES			
Employee provisions	12	410,216	304,988
Trade and other payables	13	231,607	308,036
Grant income in advance	14	1,870,300	2,433,290
Lease liability	15	133,916	-
Borrowings	16	-	68,002
Net GST Payable	17	20,507	140,527
TOTAL CURRENT LIABILITIES		<u>2,666,546</u>	<u>3,254,843</u>
NON-CURRENT LIABILITIES			
Lease liability	15	11,310	-
Borrowings	16	-	5,978
Employee provisions	12	17,967	39,019
TOTAL NON-CURRENT LIABILITIES		<u>29,277</u>	<u>44,997</u>
TOTAL LIABILITIES		<u>2,695,824</u>	<u>3,299,841</u>
NET ASSETS		<u>428,471</u>	<u>289,772</u>
EQUITY			
Retained earnings		289,772	292,308
Current year earnings		138,699	(2,536)
TOTAL EQUITY	18	<u>428,471</u>	<u>289,772</u>

The accompanying notes form part of these financial statements

STATEMENT OF CASH FLOW FOR THE YEAR ENDED 30 JUNE 2020

	Note	2020 \$	2019 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Commonwealth NT Services Grant receipts		3,995,556	3,788,799
Receipts from customers		538,702	508,740
Interest received		38,378	62,152
Payments to employees		(2,668,200)	(2,553,186)
Payments to suppliers		(1,565,141)	(1,612,404)
Interest paid		(7,818)	(7,862)
Grant income in advance		(562,990)	764,243
Net GST paid		(120,020)	165,500
Net cash provided by operating activities	21	(351,533)	1,115,982
CASH FLOWS FROM INVESTING ACTIVITIES			
Net Proceeds from sale of property, plant and equipment		-	-
Purchase of property, plant and equipment		(350,054)	27,740
Net cash provided by (used in) investing activities		(350,054)	27,740
CASH FLOWS FROM FINANCING ACTIVITIES			
Proceeds from borrowings		145,226	73,980
Principal repayments of lease liabilities		(73,980)	(111,004)
Net cash provided by (used in) financing activities		71,246	(37,024)
Net increase in cash held		(630,340)	1,106,698
Cash and cash equivalents at beginning of financial year		3,422,528	2,315,830
Cash and cash equivalents at end of financial year	8	2,792,188	3,422,528

The accompanying notes form part of these financial statements

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2020

The financial statements cover South West Aboriginal Land and Sea Council Aboriginal Corporation as an individual entity. South West Aboriginal Land and Sea Council Aboriginal Corporation is a corporation incorporated under the Corporations (Aboriginal and Torres Strait Islander) Act 2006.

Note 1: Summary of Significant Accounting Policies

Principal Activities

As the Native Title Service Provider for the Noongar People of the South-West region of Western Australia the principal activities of the corporation during the financial year were to provide native title services and advocacy directed towards:

- securing land;
- protecting the spiritual and physical connection to land of members and their extended families in accordance with their traditions, laws and customs;
- supporting the maintenance, development and advancement of Noongar culture, language and society; and
- promoting Aboriginal reconciliation as a basic tenet of Australian society.

No significant change in the nature of these activities occurred during the year.

Directors

The names of directors throughout the year or at the date of this report are:

Jeanice Krakouer - Chair
David Ashton
Anthony Bennell
Lila D'Souza – resigned in May 2020
Kevin Fitzgerald
Phillip Matera
Noelene McCormick
Charmaine Walley

Basis of Preparation

The financial statements are general purpose financial statements that have been prepared in accordance with Australian Accounting Standards, Australian Accounting Interpretations, and other authoritative pronouncements of the Australian Accounting Standards Board and the Corporations (Aboriginal and Torres Strait Islander) Act 2006.

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

The financial statements are prepared on the basis that the corporation is a going concern. This is dependent on continued financial support from government funding.

The financial statements have been prepared on an accruals basis and are based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets, and financial liabilities.

The financial report is presented in Australian Dollars and rounded to the nearest dollar.

Accounting Policies

a. Income Tax

The Corporation is a Public Benevolent Institution and is endorsed to access the following tax concessions: Goods and Services Tax (GST) Concession, Fringe Benefit Tax (FBT) and Income Tax Exemption. The Corporation is also endorsed as a Deductible Gift Recipient (DGR) from 1 October 2001 and is covered by Item 1 of the table in section 30-15 of the Income Tax Assessment Act 1997.

b. Inventories

The corporation does not carry inventory.

c. Property, Plant and Equipment

Each class of property, plant and equipment is carried at cost or fair value as indicated, less - where applicable -, any accumulated depreciation and impairment losses. Purchases costing less than \$1,000 are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total, or where specific purpose grants have approved the items).

Plant and equipment

Plant and equipment are measured on the cost basis less depreciation and impairment losses.

The carrying amount of plant and equipment is reviewed annually to ensure it is not in excess of the recoverable amount from these assets. The recoverable amount is assessed on the basis of the expected net cash flows that will be received from the assets' employment and subsequent disposal. The expected net cash flows have been discounted to their present values in determining recoverable amounts.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow and the cost of the item can be measured reliably. All repairs and maintenance are charged to the statement of comprehensive income during the financial period in which they are incurred.

Depreciation

The depreciable amount of fixed assets purchased outright is depreciated using diminishing value method. Leased fixed assets including building and capitalised lease assets are depreciated straight line over the shorter of either the unexpired period of the lease or the estimated useful lives of the assets.

The following depreciation rates/period apply:

Motor Vehicles – 20%
Office Equipment – 20%

Right of use assets:
Office leases – 1,5 years
Motor Vehicles – 2 years
Office Equipment – 2 – 3 years

The assets' residual values and useful lives are reviewed and adjusted, if necessary, at each reporting date.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in the income statement. When revalued assets are sold, amounts included in the revaluation relating to that asset are transferred to retained earnings.

d. Leases

The Corporation has adopted – as new accounting standard - AASB 16, accounting for Leases as of 1 July 2019. This new standard requires a lessee to recognise assets and liabilities for all leases with a term of more than 12 months unless the underlying asset is of low value. A lessee is required to recognise a right-of-use asset representing its right to use the underlying leased asset and a lease liability representing its obligations to make lease payments.

A lessee measures right-of-use assets similarly to other non-financial assets (such as property, plant and equipment) and lease liabilities similarly to other financial liabilities. As a consequence, a lessee recognises depreciation of the right-of-use asset and interest on the lease liability, and also classifies cash repayments of the lease liability into a principal portion and an interest portion and presents them in the statement of cash flows applying AASB 107 Statement of Cash Flows.

Assets and liabilities arising from a lease are initially measured on a present value basis. The measurement includes non-cancellable lease payments (including inflation-linked payments), and also includes payments to be made in optional periods if the lessee is reasonably certain to exercise an option to extend the lease, or not to exercise an option to terminate the lease.

e. Impairment of Assets

At the end of each reporting period, the corporation reviews the carrying values of its tangible and intangible assets to determine whether there is any indication that those assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value-in-use, is compared to the asset's carrying value. Any excess of the asset's carrying value over its recoverable amount is expensed to the statement of comprehensive income.

Where it is not possible to estimate the recoverable amount of an individual asset, the corporation estimates the recoverable amount of the cash-generating unit to which the asset belongs.

f. Employee Benefits

Provision is made for the Corporation's liability for employee benefits arising from services rendered by employees to the end of the reporting period. Employee benefits have been measured at the amounts expected to be paid when the liability is settled.

g. Cash and Cash Equivalents

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

h. Revenue and Other Income

In line with AASB 15 Revenue from Contracts with Customers – the Corporation recognises revenue to depict the transfer of promised goods or services to customers in an amount that reflects the consideration to which the entity expects to be entitled in exchange for those goods or services; equivalent to the stage of completion.

The stage of completion is determined according to the proportion that costs incurred to date bear to the estimated total costs of the transaction.

Revenue from disposal of non-current assets is recognised when control of the asset has passed to the buyer.

Revenues, expenses, and assets are recognised net of goods and services tax (GST)

- except for receivables and payables; and
- except where the amount of GST incurred is not recoverable from the Australian Taxation Office

i. Borrowing Costs

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

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

j. Goods and Services Tax

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

Cash flows are presented in the statement of cash flows on a gross basis, except for the GST components of investing and financing activities, which are disclosed as operating cash flows.

k. Comparative Figures

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

l. Trade and Other Payables

Trade and other payables represent the liability outstanding at the end of the reporting period for goods and services received by the corporation during the reporting period, which remain unpaid. The balance is recognised as a current liability with the amounts normally paid within 30 days of recognition of the liability.

m. Provisions

Provisions are recognised when the corporation has a legal or constructive obligation, because of past events, for which it is probable that an outflow of economic benefits will result, and that outflow can be reliably measured. Provisions recognised represent the best estimate of the amounts required to settle the obligation at the end of the reporting period.

n. Economic Dependency

The Corporation is recognised as a Native Title Service Provider under the Native Title Act 1933 and as such is entitled to be funded by the Commonwealth of Australia through the National Indigenous Australians Agency to carry out its statutory functions. The Corporation is dependent on continued funding for its ability to carry out these activities.

o. Financial Instruments

Recognition, initial measurement and derecognition

Financial assets and financial liabilities are recognised when the Corporation becomes a party to the contractual provisions of the financial instrument and are measured initially at fair value adjusted by transactions costs, except for those carried at fair value through profit or loss, which are measured initially at fair value. Subsequent measurement of financial assets and financial liabilities are described below.

Financial assets are derecognised when the contractual rights to the cash flows from the financial asset expire, or when the financial asset and all substantial risks and rewards are transferred. A financial liability is derecognised when it is extinguished, discharged, cancelled, or expires.

Classification and subsequent measurement of financial assets

Except for those trade receivables that do not contain a significant financing component and are measured at the transaction price, all financial assets are initially measured at fair value adjusted for transaction costs (where applicable).

For subsequent measurement, financial assets - other than those designated and effective as hedging instruments - are classified into the following categories:

- Amortised cost
- Fair value through profit or loss (FVTPL)
- Fair value through other comprehensive income (FVOCI)

The Corporation does not have any financial assets categorised as FVOCI and FVTPL.

Classifications are determined by both:

- The entities business model for managing the financial asset
- The contractual cash flow characteristics of the financial assets

Subsequent measurement financial assets

Financial assets at amortised cost

Financial assets are measured at amortised cost if the assets meet the following conditions (and are not designated as FVTPL):

- they are held within a business model whose objective is to hold the financial assets and collect its contractual cash flows
- the contractual terms of the financial assets give rise to cash flows that are solely payments of principal and interest on the principal amount outstanding

After initial recognition, these are measured at amortised cost using the effective interest method. Discounting is omitted where the effect of discounting is immaterial. The Corporation's cash and cash equivalents, trade and other receivables fall into this category of financial instruments.

Impairment of Financial assets

AASB 9's impairment requirements use more forward-looking information to recognise expected credit losses - the 'expected credit losses (ECL) model'. Instruments within the scope of the new requirements included loans and other debt-type financial assets measured at amortised cost and FVOCI, trade receivables, contract assets recognised and measured under AASB 15 and loan commitments and some financial guarantee contracts (for the issuer) that are not measured at fair value through profit or loss.

The Corporation considers a broader range of information when assessing credit risk and measuring expected credit losses, including past events, current conditions, reasonable and supportable forecasts that affect the expected collectability of the future cash flows of the instrument.

In applying this forward-looking approach, a distinction is made between:

- financial instruments that have not deteriorated significantly in credit quality since initial recognition or that have low credit risk ('Stage 1') and
- financial instruments that have deteriorated significantly in credit quality since initial recognition and whose credit risk is not low ('Stage 2').

'Stage 3' would cover financial assets that have objective evidence of impairment at the reporting date.

'12-month expected credit losses' are recognised for the first category while 'lifetime expected credit losses' are recognised for the second category.

Measurement of the expected credit losses is determined by a probability-weighted estimate of credit losses over the expected life of the financial instrument.

Trade and other receivables and contract assets

The Corporation makes use of a simplified approach in accounting for trade and other receivables as well as contract assets and records the loss allowance at the amount equal to the expected lifetime credit losses. In using this practical expedient, the Corporation uses its historical experience to calculate the expected credit losses.

Classification and measurement of financial liabilities

The Corporation's financial liabilities include trade and other payables. Financial liabilities are initially measured at fair value, and, where applicable, adjusted for transaction costs unless the Corporation designated a financial liability at fair value through profit or loss.

Subsequently, financial liabilities are measured at amortised cost using the effective interest method except for derivatives and financial liabilities designated at FVTPL, which are carried subsequently at fair value with gains or losses recognised in profit or loss (other than derivative financial instruments that are designated and effective as hedging instruments).

All interest-related charges and, if applicable, changes in an instrument's fair value that are reported in profit or loss are included within finance costs or finance income.

p. Critical Accounting Estimates and Judgments

Estimates and judgments incorporated into the financial report are based on historical knowledge and best available current information. Estimates assume a reasonable expectation of future events and are based on current trends and economic data, obtained both externally and within the Corporation.

Key Estimates — Impairment

The corporation assesses impairment at the end of each reporting period by evaluating conditions that may lead to impairment of assets. Where an impairment trigger exists, the recoverable amount of the asset is determined. Value-in-use calculations performed in assessing recoverable amounts incorporate a number of key estimates.

Impairment of non-financial assets other than goodwill and other indefinite life intangible assets

The Corporation assesses impairment of non-financial assets other than goodwill and other indefinite life intangible assets at each reporting date by evaluating conditions specific to the Corporation and to the particular asset that may lead to impairment. If an impairment trigger exists, the recoverable amount of the asset is determined. This involves fair value less costs of disposal or value-in-use calculations, which incorporate a number of key estimates and assumptions.

Employee benefits provision

The liability for employee benefits expected to be settled more than 12 months from the reporting date are recognised and measured at the present value of the estimated future cash flows to be made in respect of all employees at the reporting date. In determining the present value of the liability, estimates of attrition rates and pay increases through promotion and inflation have been considered.

Key Judgments — Expected Credit Losses

Expected credit losses have been assessed as nil.

Adoption of New and Revised Accounting Standards

During the current year, the Corporation adopted all of the new and revised Australian Accounting Standards and Interpretations which were compiled, became mandatory and which were applicable to its operations.

AASB 15: Revenue from Contracts with Customers

The Corporation adopted AASB 15 Revenue from Contracts with Customers (issued December 2014) on 1 July 2019 resulting in changes in accounting policies. The change in accounting policy had no impact on existing balances at the date of initial application (1 July 2019).

In accordance with the transition provisions AASB 15, the Corporation adopted the new rules retrospectively with the cumulative effect of initially applying these rules recognised on 1 July 2019.

AASB 1058: Income for Not-For-Profit Entities

The Corporation adopted AASB 1058 Income for Not-for-Profit Entities (issued December 2016) on 1 July 2019 which will result in changes in accounting policies. In accordance with the transition provisions AASB 1058, the Corporation adopted the new rules retrospectively with the cumulative effect of initially applying AASB 1058 recognised at 1 July 2019. The change in accounting policy had no impact on existing balances at the date of initial application (1 July 2019).

AASB 16: Leases

The Corporation adopted AASB 16 retrospectively from 1 July 2019 which resulted in changes in accounting policies. In accordance with the transition provisions of AASB 16, the Corporation has applied this Standard to its leases retrospectively, with the cumulative effect of initially applying AASB16 recognised on 1 July 2019. In applying AASB 16, under the specific transition provisions chosen, the Corporation will not restate comparatives for prior reporting periods.

	Note	2020 \$
Operating lease commitments on 30 June 2019 applying AAS 117		322,417
Lease liability recognised as 1 July 2019 discounted using the incremental borrowing rate of 3.1%		
Lease liability		301,877
Right-of-use assets recognised as at 1 July 2019	11	301,877

In applying AASB 16 for the first time, the Corporation used the following practical expedient permitted by the standard.

The exclusion of initial direct costs from the measurement of the right-of-use asset at the date of initial application.

Accounting standards issued but not yet effective or adopted yet by the Association

The AASB has issued new and amended Accounting Standards and Interpretations that have mandatory application dates for future reporting periods.

Appendix 3 summarises those future requirements, and their impact on the Corporation where the standard is relevant. (Appendix 3.)

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2020**Note 2: Revenue**

	2020	2019
	\$	\$
Operating revenue		
Commonwealth Native Title (NT) Services Grant	3,995,556	3,788,799
Sale of services and other revenue	535,214	484,437
Interest received	38,378	62,152
Total Revenue	4,569,148	4,335,388

Note 3: Employee Benefits

	2020	2019
	\$	\$
Wages and Salaries	2,116,273	2,012,337
Superannuation	217,686	199,271
Leave and other entitlements	390,580	314,967
Workers compensation premiums	27,837	22,697
Total employee benefits	2,752,376	2,549,272

SWALSC's Superannuation Guarantee Contributions are contributed to superannuation funds chosen by employees. SG Contributions are made at the statutory rate.

Note 4: Other Suppliers

	2020	2019
	\$	\$
Goods and services from external entities	1,459,329	1,592,129
Operating lease rentals	-	149,683
Total suppliers' expenses	1,459,329	1,741,813

Note 5: Finance costs

	2020	2019
	\$	\$
Finance Lease costs	7,818	7,862
Total Finance costs expense	7,818	7,862

Note 6: Auditors' Remuneration

	2020	2019
	\$	\$
Remuneration of the auditor of the Corporation for:		
auditing or reviewing the financial report	9,876	11,127
- taxation services	-	-
- due diligence services	-	-
- taxation services provided by related practice of auditor	-	-
Total auditor's remuneration	9,876	11,127

Note 7: Income Tax Expense

South West Aboriginal Land and Sea Council is a Public Benevolent Institution, and therefore, is exempt from income tax.

Note 8: Cash and Cash Equivalents

	2020	2019
		\$
Cash at bank and in hand	992,188	1,422,528
Short-term bank deposits	1,800,000	2,000,000
	<u>2,792,188</u>	<u>3,422,528</u>

Reconciliation of cash

Cash at the end of the financial year as shown in the statement of cash flows is reconciled to items in the statement of financial position as above.

Note 9: Trade and Other Receivables

	2020	2019
	\$	\$
CURRENT		
Trade Debtors	21,790	34,624
Other receivables	12,521	3,175
	<u>34,311</u>	<u>37,799</u>

Current trade receivables are non-interest-bearing loans and are generally receivable within 30 days. A provision for impairment is recognised against subscriptions where there is objective evidence that an individual trade receivable is impaired. No impairment was required at 30 June 2020 (2019: Nil).

Credit risk

The Corporation has no significant concentration of credit risk with respect to any single counterparty or group of counterparties. The main source of credit risk to the Corporation is considered to relate to the class of assets described as reimbursement for monitoring and site survey fees paid in advance on behalf of the proponents.

The following table details the Corporation's receivables exposed to credit risk with ageing analysis and impairment provided for thereon. Amounts are considered as 'past due' when the debt has not been settled within the terms and conditions agreed between the Corporation and the member or counterparty to the transaction. Receivables that are past due are assessed for impairment by ascertaining their willingness to pay and are provided for where there are specific circumstances indicating that the debt may not be fully repaid to the Corporation.

The balances of receivables that remain within initial terms (as detailed in the table) are of high credit quality.

	Within Trade Terms	Past Due but Not Impaired (Days Overdue)			Total
	< 30	31–60	61–90	> 90	
	\$	\$	\$	\$	\$
Trade and other receivables 2020	5,104	7,000	5,868	3,818	21,790

	Within Trade Terms	Past Due but Not Impaired (Days Overdue)			Total
	< 30	31–60	61–90	> 90	
	\$	\$	\$	\$	\$
Trade and other receivables 2019	10,054	11,563	4,345	8,662	34,624

The corporation does not hold any financial assets classified as loans and receivables.

Note 10: Other Current Assets	2020	2019
	\$	\$
Prepaid expenses	22,799	16,988

Note 11: Property, Plant and Equipment (PPE)	2020	2019
	\$	\$
Office Equipment and Furniture		
At cost	106,701	129,563
Accumulated depreciation	(38,757)	(89,338)
	67,944	40,225
Motor Vehicles		
At cost	74,636	74,636
Accumulated depreciation	(9,040)	(2,564)
	65,596	72,072
Right of Use Assets (ROU)		
At cost	301,877	-
Accumulated depreciation	(160,419)	-
	141,457	-
Total Property, Plant and Equipment	274,997	112,297

Movements in carrying amounts

Movement in the carrying amounts for each class of property; motor vehicle, office equipment and furniture between the beginning and the end of the current financial year.

PPE	Office Lease	Motor Vehicle	Office Equipment and Furniture	Total
	\$	\$	\$	\$
Balance at 1 July 2018	-	109,636	42,024	151,661
Additions	-	110,455	7,260	117,715
Disposals	-	(145,455)	(377)	(145,832)
Depreciation expense	-	(2,564)	(8,682)	(11,246)
Balance at 30 June 2019	-	72,072	40,225	112,298
Additions	-	74,636	48,177	122,813
Disposals	-	(72,072)	(11,073)	(83,145)
Depreciation expense	-	(9,040)	(9,384)	(18,425)
Balance as at 30 June 2020	-	65,596	67,945	133,541

ROU Assets	Office Lease	Motor Vehicle	Office Equipment and Furniture	Total
	\$	\$	\$	\$
Balance at 1 July 2019	244,165	34,754	22,957	301,877
Additions	-	-	-	-
Disposals	-	-	-	-
Depreciation expense	(146,499)	(7,691)	(6,229)	(160,419)
Balance as at 30 June 2020	97,666	27,063	16,728	141,456
Total PPE and ROU Assets	97,666	92,658	84,673	274,997

Note 12: Employee Provisions

	2020	2019
	\$	\$
CURRENT Leave Provisions		
Balance at 1 July 2019	304,988	294,724
Additions (Accruals)	170,661	161,541
Leave taken	(65,433)	(151,277)
Closing Balance at 30 June 2020	410,216	304,988

	2020	2019
	\$	\$
NON-CURRENT Leave Provisions		
Balance at 1 July 2019	39,019	53,196
Additions (Accruals)	9,277	12,767
Leave taken	(30,329)	(26,944)
Closing Balance at 30 June 2020	17,967	39,019

Non-current employee provisions represent Long Service Leave entitlements of 10 weeks after 10 years of service accessible after 7 years pro rata. Provision based on the probability of the length of employment:

Probability

0 to 2 Years	0.0%
More than 2yr less than 4 yrs	33.3%
More than 4yr less than 7 yrs	66.7%
More than 7 yrs	100.0%

Note 13: Trade and Other Payables

	2020	2019
	\$	\$
Trade payables	106,481	193,159
Accrued salaries	44,114	16,532
PAYG payable	43,208	43,426
SGC Payable	3,264	1,551
Accrued expenses	11,170	26,741
Other liabilities	7,459	26,627
	231,608	308,036

Note 14: Grants received in advance

	2020	2019
	\$	\$
Commonwealth NT Services Grant	1,291,656	2,287,212
NRM Phase 2 - Lotterywest	186,433	80,594
NRM Phase 2 - AET	-	15,000
NRM - SFF	16,674	24,779
DBCA Ranger Program	-	25,705
Emergency Relive - Lotterywest	375,537	-
	1,870,300	2,433,290

Grants received in advance represents un-recognised revenue from Contracts with Customers for remaining performance obligations as of 30 June 2020.

Note 15: Lease liability

	2020	2019
	\$	\$
CURRENT		
Lease liability - MV	28,978	-
Lease liability - Office Premises	99,132	-
Lease liability - Other Assets	5,806	-
Total current lease liability	<u>133,916</u>	<u>-</u>
NON-CURRENT		
Lease liability - MV	-	-
Lease liability - Other Assets	11,310	-
Total non-current lease liability	<u>11,310</u>	<u>-</u>

MV for CEO is financed by St George Finance over 24 months expiring in March 2021

Note 16: Borrowings

	2020	2019
	\$	\$
CURRENT		
Finance lease - MV	-	68,002
Total Finance lease	<u>-</u>	<u>68,002</u>
NON-CURRENT		
Finance lease - MV	-	5,978
Total non-current finance lease	<u>-</u>	<u>5,978</u>

Note 17: GST Assets/(Liability)

	2020	2019
	\$	\$
GST Paid	36,675	57,439
GST Collected	(57,181)	(197,966)
Net GST Receivable/(Payable)	<u>(20,507)</u>	<u>(140,527)</u>

Note 18: Retained earnings	2020	2019
	\$	\$
Retained earnings as of 1 July 2019	289,772	292,308
Adjustment to retained earnings	(0)	0
Surplus/(Deficit) for the year	138,699	(2,536)
Total Equity as of 30 June 2020	<u>428,471</u>	<u>289,772</u>

Note 19: Capital and Leasing Commitments

	2020	2019
Motor Vehicles	\$	\$
Payable — minimum lease payments		
- not later than 12 months	-	68,002
- between 12 months and 5 years	-	5,978
- greater than 5 years	-	-
Minimum lease payments	<u>-</u>	<u>73,980</u>
Less future finance charges	<u>-</u>	<u>(2,959)</u>
Present value of minimum lease payments	<u>-</u>	<u>71,021</u>

St George Finance holds a charge over the relevant motor vehicles of the Corporation for the finance lease.

Office Lease

	2020	2019
Payable — minimum property lease payments	\$	\$
- not later than 12 months	-	151,396
- between 12 months and 5 years	-	100,000
- greater than 5 years	-	-
Minimum lease payments	<u>-</u>	<u>251,396</u>
Less future finance charges	<u>-</u>	<u>-</u>
Present value of minimum lease payments	<u>-</u>	<u>251,396</u>

Perth office - current lease expires on 28 February 2021.

Note 20: Events after the Reporting Date

No event occurred after the reporting date which would have a material effect upon the financial statements as of 30 June 2020.

Note 21: Cash Flow Information**Reconciliation of Cash Flow from Operations**

	2020	2019
	\$	\$
Operating result	138,699	(2,536)
Prior year adjustment	-	-
Cash flows excluded from profit attributable to operating activities		
Non-cash flow in profit:		
- depreciation	178,844	11,246
- net gain on disposal of property, plant and equipment	8,510	377
Changes in assets and liabilities:		
- (Increase)/decrease in trade and term debtors	(2,323)	80,236
- Increase/(decrease) in employee benefits	84,176	(3,914)
- Increase/(decrease) in trade and other payables	(196,449)	266,330
- Increase/(decrease) in grant income in advance	(562,990)	764,243
Net cash provided by operating activities	<u>(351,533)</u>	<u>1,115,982</u>

Note 22: Financial Risk Management

The Corporation's financial instruments consist mainly of deposits with banks, accounts receivable, accounts payable and leases.

The totals for each category of financial instruments, measured in accordance with AASB 139 as detailed in the accounting policies to these financial statements, are as follows:

	Note	2020	2019
		\$	\$
Financial assets			
Cash and cash equivalents	8	2,792,188	3,422,528
Loans and receivables	9	34,311	15,339
Total financial assets		<u>2,826,499</u>	<u>3,437,867</u>

Financial liabilities	Note	2020 \$	2019 \$
Financial liabilities at amortised cost:			
- trade and other payables	13	185,135	240,599
- borrowings	15	145,226	73,980
Total financial liabilities		330,361	314,579

Financial Risk Management Policies

The Corporation's Finance, Audit and Risk Committee is responsible for, among other issues, monitoring and managing financial risk exposures of the Corporation. The Committee monitors the Corporation's transactions and reviews the effectiveness of controls relating to credit risk, financial risk and interest rate risk. Discussions on monitoring and managing financial risk exposures are frequently undertaken by the Committee.

The Committee's overall risk management strategy seeks to ensure that the Corporation meets its financial targets, while minimising potential adverse effects of cash flow shortfalls.

Specific Financial Risk Exposures and Management

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

a. Credit risk

Exposure to credit risk relating to financial assets arises from the potential non-performance by counterparties of contract obligations that could lead to a financial loss to the Corporation.

Credit risk is managed through maintaining procedures (such as the utilisation of systems for the approval, granting and removal of credit limits, regular monitoring of exposure against such limits and monitoring of the financial stability of significant customers and counterparties) ensuring, to the extent possible, that members and counterparties to transactions are of sound credit worthiness.

Risk is also minimised through investing surplus funds in financial institutions that maintain a high credit rating or in entities that the Committee has otherwise cleared as being financially sound.

Credit risk exposures

The maximum exposure to credit risk by class of recognised financial assets at the end of the reporting period is equivalent to the carrying value and classification of those financial assets (net of any provisions) as presented in the statement of financial position.

There is no collateral held by the Corporation securing trade and other receivables.

Trade and other receivables that are neither past due nor impaired are considered to be of high credit quality. Aggregates of such amounts are as detailed in Note 9.

The corporation has no significant concentration of credit risk with any single counterparty or group of counterparties. Details with respect to credit risk of trade and other receivables are provided in Note 9.

b. Liquidity risk

Liquidity risk arises from the possibility that the Corporation might encounter difficulty in settling its debts or otherwise meeting its obligations related to financial liabilities. The Corporation manages this risk through the following mechanisms:

- preparing forward-looking cash flow analysis in relation to its operational, investing and financing activities;
- only investing surplus cash with major financial institutions; and
- proactively monitoring the recovery of receivables.

Appendix 1 reflects an undiscounted contractual maturity analysis for financial liabilities.

Cash flows realised from financial assets reflect management's expectation as to the timing of realisation. Actual timing may therefore differ from that disclosed. The timing of cash flows presented in Appendix 1 to settle financial liabilities reflects the earliest contractual settlement dates.

Financial assets pledged as collateral

No financial assets have been pledged as security for any financial liability.

c. Market risk

(i) Interest rate risk

Exposure to interest rate risk arises on financial assets and financial liabilities recognised at the end of the reporting period whereby a future change in interest rates will affect future cash flows.

On 30 June 2020 the corporation has no debt that is fixed.

(ii) Price risk

Price risk relates to the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices of securities held.

The Corporation does not have any investments available-for-sale therefore it is not exposed to securities price risk on available-for-sale investments.

Sensitivity analysis

No sensitivity analysis has been performed on interest rates, as the Corporation does not have debts on fixed terms or with variable interest rates.

Net Fair Values

Fair value estimation

The fair values of financial assets and financial liabilities are presented in the following table and can be compared to their carrying values as presented in the statement of financial position. Fair values are those amounts at which an asset could be exchanged, or a liability settled, between knowledgeable, willing parties in an arm's length transaction.

Fair values derived may be based on information that is estimated or subject to judgment, where changes in assumptions may have a material impact on the amounts estimated. Areas of judgment and the assumptions have been detailed below. Where possible, valuation information used to calculate fair value is extracted from the market, with more reliable information available from markets that are actively traded. In this regard, fair values for listed securities are obtained from quoted market bid prices.

Fair value estimation

		2020		2019	
		Net Carrying Value	Net Fair Value	Net Carrying Value	Net Fair Value
		\$	\$	\$	\$
Financial assets					
Cash and cash equivalents	(i)	2,792,188	2,792,188	3,422,528	3,422,528
Trade and other receivables	(ii)	34,311	34,311	15,339	15,339
Total financial assets		2,826,499	2,826,499	3,437,867	3,437,867
Financial liabilities					
Trade and other payables	(i)	185,135	185,135	240,599	240,599
Lease liability	(ii)	145,226	145,226	73,980	73,980
Total financial liabilities		330,361	330,361	314,579	314,579

The fair values disclosed in the above table have been determined based on the following methodologies:

(i) Cash and cash equivalents, trade and other receivables and trade and other payables are short-term instruments in nature whose carrying value are equivalent to fair value. Trade and other payables exclude amounts provided for annual leave provisions, which are not considered as financial instruments.

(ii) These liabilities are fixed interest leases with guaranteed "buy-back" on the carrying amount.

Note 23: Related party disclosures

(a) Key management personnel's remuneration

The aggregate compensation of the key management personnel of the Corporation is set out below:

	Board of Directors		Management	
	2020	2019	2020	2019
Short term				
Consultancy Fees	-	-	-	-
Short term employee benefits	-	-	506,214	564,719
Expense reimbursement	17,853	17,383	-	-
Superannuation	-	-	49,547	47,161

Post-employment benefits

ETP/Super	-	-	-	-
Fringe Benefit Tax	-	-	8,715	8,221

Key management includes Chief Executive Officer, Chief Financial Officer and Principal Legal Officer.

(b) Loan disclosures

During the year there were no loans made to a related party of the Corporation.

(c) Key management personnel equity holdings

The Corporation does not have a share-based payment plan, and as such none of the key management personnel holds any securities in the entity.

Note 24: Economic Dependence

The Corporation's activities are largely funded by the Commonwealth Government. At the date of this report, the Board of Directors had no reason to believe that the Commonwealth Government would not continue to provide financial support to the Corporation.

Note 25: Corporation Details

The registered office and principal place of business is:

South West Aboriginal Land and Sea Council Aboriginal Corporation
1490 Albany Highway
Cannington WA 6107

Appendix 1

Financial liability and financial asset maturity analysis

	Within 1 Year		1 to 5 Years		Over 5 Years		Total
	2020	2019	2020	2019	2020	2019	
	\$	\$	\$	\$	\$	\$	
Financial liabilities due for payment							
Trade and other payables (excluding annual leave and grants receivable in advance)	173,060	263,212	-	-	-	-	263,212
Financial lease liabilities	133,916	68,002	11,310	5,978	-	-	73,980
Total contractual outflows	306,976	331,214	11,310	5,978	-	-	337,192
Total expected outflows	306,976	331,214	11,310	5,978	-	-	337,192
Financial assets — cash flows realisable							
Cash and cash equivalents	2,792,188	3,422,529	-	-	-	-	3,422,529
Trade and other receivables	34,311	37,799	-	-	-	-	37,799
Available-for-sale investments	-	-	-	-	-	-	-
Total anticipated inflows	2,826,499	3,460,328	-	-	-	-	3,460,328
Net (outflow)/inflow on financial instruments	2,519,523	3,129,114	(11,310)	(5,978)	-	-	3,123,136

Appendix 2.

Costs of Native Title Services Functions

	2020 \$	2019 \$
Facilitation	1,802,809	1,859,367
Certification	-	-
Dispute resolution	-	-
Notification	-	-
Agreement	-	-
Internal review	-	-
ILUA	675,363	488,338
Contested Litigation	-	-
Other	-	-
Total NT Activities	2,478,172	2,347,705
Corporate	1,635,978	1,579,515
Total NT Activities	4,114,150	3,927,220

Sources of Funding

	2020 \$	2019 \$
Commonwealth NT Services Grant	3,995,556	3,788,799
Other Sources	573,592	546,589
Total Funding	4,569,148	4,335,388

Accounting standards issued but not been adopted by the Corporation Appendix 3.

The AASB has issued new and amended Accounting Standards and Interpretations that have mandatory application dates for future reporting periods. The Corporation has decided not to early adopt these Standards. The following table summarises those future requirements, and their impact on the Corporation where the standard is relevant:

Standard Name	Effective date for entity	Requirements	Impact
Conceptual Framework for Financial Reporting AASB 2019-1 Amendments to AASBs – References to the Conceptual Framework 2017-	30 June 2021	<p>The Conceptual Framework for Financial Reporting (Conceptual Framework) describes the objective of, and the concepts for, general purpose financial reporting. The purpose of the Conceptual Framework is to:</p> <ul style="list-style-type: none"> ▶ Assist in the development of accounting standards ▶ Help preparers develop consistent accounting policies where there is no applicable standard in place; and ▶ Assist all stakeholders to understand the standards better. <p>The Conceptual Framework is not a standard, and none of the concepts override those in any standard or any requirements in a standard.</p>	<p>We anticipate that the impact will be minimal.</p> <p>Any impacts may be identified as further analysis of the standard is undertaken.</p>
AASB 2018-6 Amendments to AASBs – Definition of a Business	30 June 2021	<p>The amendments to AASB 3:</p> <ul style="list-style-type: none"> ▶ Clarify the minimum requirements for a business to exist ▶ Remove the assessment of whether market participants are capable of replacing missing elements ▶ Provide guidance to help entities assess whether an acquired process is substantive 	<p>We anticipate that the impact will be minimal.</p> <p>Any impacts may be identified as further analysis of the standard is undertaken.</p>

<p>► Narrow the definitions of a business and of outputs</p> <p>► Introduce an optional fair value concentration test to identify a business.</p>		
<p>These amendments to AASB 7 Financial Instruments: Disclosures, AASB 9 and AASB 139 Financial Instruments: Recognition and Measurement were issued in response to the effects of Interbank Offered Rates reform on financial reporting. They provide mandatory temporary relief enabling hedge accounting to continue during the period of uncertainty before the replacement of an existing interest rate benchmark with an alternative “nearly risk-free” benchmark.</p>	<p>We anticipate that the impact will be minimal.</p> <p>Any impacts may be identified as further analysis of the standard is undertaken.</p>	
<p>To clarify the requirements for the definition of material</p>	<p>We anticipate that the impact will be minimal.</p>	
<p>AASB 1060 is the new simplified disclosure standard developed by the AASB based on IFRS for Small and Medium-sized Entities.</p>	<p>We anticipate that standard will not apply to the Corporation.</p>	
<p>The AASB recently issued amendments to AASB 101 to clarify the requirements for classifying liabilities as current or non-current. Specifically:</p> <p>► The amendments specify that the conditions which exist at the end of the reporting period are those which will be used to determine if a right to defer settlement of a liability exists.</p>	<p>We anticipate that the impact will be minimal.</p>	

AASB 2019-3 Amendments to AASBs – Interest Rate Benchmark Reform

30 June 2021

2018-7: Definition of Material (Principal amendments are to AASB 101)

AASB 1060 General Purpose Financial Statements – Simplified Disclosures for For-Profit and Not-for-Profit Tier 2 Entities

30 June 2021

30 June 2023

AASB 2020-1 Amendments to AASBs – Classification of Liabilities as Current or Non-current

30 June 2023

- ▶ Management intention or expectation does not affect classification of liabilities.
- ▶ In cases where an instrument with a conversion option is classified as a liability, the transfer of equity instruments would constitute settlement of the liability for the purpose of classifying it as current or non-current.



Over 100 dancers performed traditional Noongar dances as well as original, contemporary pieces at the 2019 Wardenji Festival. Dance groups including Middar, Wadumbah, Kwarbah Djookian, Kwobidak Yok Kenning, Mungart Yongah, Koolangkas Kreate, Djiripin Djindas and Bigirrda Dancers performed to a packed crowd at the Fremantle Arts Centre for an event that grows in size and strength each year.



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