



**SOUTH AUSTRALIAN
NATIVE TITLE SERVICES LTD**
ANNUAL REPORT 2018 - 2019

A report issued in accordance with clause 10 of the Project Schedule General Grants – Native Title Representative Bodies and Service Providers

During this reporting period, SANTS received funding from the Department of Prime Minister and Cabinet, Commonwealth Government

For more information contact:

South Australian Native Title Services (SANTS)

P (08) 8110 2800

F (08) 8110 2811

E info@nativetitlesa.org

W www.nativetitlesa.org

SANTS is located at:

Level 4, 345 King William Street, Adelaide SA 5000

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'My Country, My Home' ('Ngayalu Ngura') Artwork created by Aboriginal artist Elizabeth Close.



ANNUAL REPORT 2018 - 2019



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ABOUT US

OUR VISION

Sustainable Aboriginal Nations.

OUR MISSION

To work with Aboriginal nations to deliver services to realise their aspirations.

OUR VALUES

Across all our work, we uphold the following values:

Respect – for people, culture, country, difference and ideas.

Professionalism – being ethical, accountable and transparent and working with integrity and competence.

Inclusiveness – encouraging collaboration and participation and listening to and considering the views of others.

OUR GOALS:

1. Native title services

To deliver native title services that provide for the recognition and protection of native title rights and interests.

2. Influence change

To provide leadership in native title and the development of Aboriginal Nations.

3. Community and corporate development.

To provide services to Aboriginal Nations to enhance their capacity to achieve their aspirations.

4. Organisational capability

To improve SANTS' capability through processes, systems and culture that deliver effective business outcomes.

LEGISLATIVE STATUS, ROLES AND FUNCTIONS

SANTS is registered as a public company limited by guarantee pursuant to the Corporations Act (Cth) 2001. SANTS is the Native Title Service Provider (NTSP) for the greater South Australian area and receives funding from the Commonwealth Department of Prime Minister and Cabinet pursuant to section 203FE of the Native Title Act 1993 (Cth) (NTA) for the purpose of performing all the functions of a representative body.

These functions are:

Facilitation and assistance functions referred to in s.203BB

Certification functions referred to in s.203BE

Dispute resolution functions referred to in s.203BF

Notification functions referred to in s.203BG

Agreement-making functions referred to in s.203BH

Internal review functions referred to in s.203BI

The functions referred to in s.203BJ and such other functions as are conferred on representative bodies by the Act.

CHAIRPERSON'S REPORT



I am pleased to present South Australian Native Title services' (SANTS) 2018/2019 Annual Report.

25 years after the commencement of the Native Title Act, SANTS has had an extremely busy year in pursuing the resolution of outstanding claims and supporting Aboriginal nations who have achieved native title recognition.

In the Federal Court there are currently three claim matters listed for trial, with the timetable for other outstanding matters progressing rapidly. I have been impressed by the capacity and willingness of SANTS to meet these requirements in the best interests of Aboriginal communities in South Australia. To work to an accelerated schedule such as the organisation is currently experiencing requires considerable contributions from lawyers, legal support staff, anthropologists, logistics and support staff and managers. I thank and congratulate all for their work.

With over (60%) of the state now native title determined, many Aboriginal corporations now manage native title rights and interest over their traditional country. This presents many opportunities for communities, but also presents many challenges. SANTS continues to partner with Aboriginal nations on their terms as they explore and grow into these opportunities. SANTS is also growing into this new environment, exploring ways to develop and adjust our service offerings.

I congratulate the Ngadjuri, Adnyamathanha, Wilyakali and Nukunu peoples for their determinations achieved during this financial year. Determination day is an emotional day that often brings to mind the long journey and those community members who have fought so hard for the recognition, and to remember those who have since passed who have played their role in bringing about the successes. I sincerely wish all communities the best as they move forward to manage their new rights.

After a break from the role, I am honoured to have returned to the position of Chairperson of SANTS in May 2019 and thank my predecessor Craig Allen for his contribution to the Board. The SANTS Board of Directors continues to offer professional and culturally appropriate advice to the Chief Executive Officer and to set the strategic direction for SANTS. We look forward to the challenges and rewards ahead for native title in South Australia.

April Lawrie

Chairperson

CHIEF EXECUTIVE OFFICER'S REPORT



SANTS has experienced an extremely busy year with an increased level of activities across all native title applications that are currently before the Federal Court.

While SANTS maintains its preference for negotiated native title outcomes, the Federal Court is pushing claims into a litigation pathway. There are two native title applications listed for trial later in the year and all other native title applications are under some form of Federal Court directions.

The Federal Court activity has impacted SANTS in terms of staff working hours and additional funding required to facilitate Court orders. In this environment, SANTS has been successful in obtaining additional funding support from the Commonwealth to deliver on activities imposed by the Court. We are thankful for this support.

I must give thanks for the continued support and guidance of the Board, and the dedication and professionalism of staff working tirelessly to achieve positive native title outcomes for Aboriginal people in South Australia.

Besides the Federal Court activity, SANTS is very busy in supporting PBCs in various activities to promote good governance and management of their native title rights and interests.

Activities have included support services to PBC Director's meetings and AGMs, governance training, strategic planning, financial management, risk management, decision making, corporate wellbeing, investment opportunities, business development, partnering in projects and employment programs, accounting services, and HR support and advice.

There are vast differences between the capabilities of PBCs and SANTS will continue to support them according to their specific needs to continue their transition to self-operating corporations.

I pay my respects to the Aboriginal community in South Australia and thank them for the privilege to work with them as individuals and organisations. I look forward to continuing our productive and positive relationships.

Summary of significant issues and developments

- SANTS is managing activities that stretch the limits of its financial and human resources
- SANTS is now placed in full litigation mode which can only be supported with additional funding from Government
- The SANTS Board is focussed on managing the ongoing external pressures on the corporation
- It is highly likely SANTS will be in this position for the next 2-3 years

Overview of performance and financial results

Despite the extent of external pressures on SANTS, the Directors and staff have continued to perform at consistently high levels to maintain the integrity and viability of SANTS.

SANTS has been compliant with both corporation legislative requirements and government funding conditions. SANTS has continued to meet many of its Operational Plan milestones.

The highlights of performance this reporting period would be the two consent determinations achieved for the Nukunu people and the overlap between Adnyamathanha, Ngadjuri and Wilyakali peoples. Both ceremonies demonstrated the emotions involved in realising native title.

The Commonwealth Government commissioned an external review of SANTS and other native title service providers which was finalised during this period. The review clearly supported the good approach and performance of SANTS.

I am pleased with SANTS' financial results this year, particularly given the challenges we have experienced.

The SANTS finance team have worked extremely hard to maintain the integrity of SANTS' financial processes, often performing under tremendous pressure to ensure operational and corporate activities progress smoothly.

Outlook for the following year

The current pressures on SANTS will continue into the next year.

There are two litigation matters listed for 2019 which will impact SANTS' financial and human resources. SANTS will again look to the National Indigenous Australians Agency (NIAA) for additional funds to support the litigation.

The Board and staff will continue to deliver quality services to the Aboriginal community in South Australia while also looking to consolidate SANTS as a corporate entity.

Keith Thomas
Chief Executive Officer

NATIVE TITLE MAP OF SOUTH AUSTRALIA



NATIVE TITLE GROUPS IN SOUTH AUSTRALIA

PRESCRIBED BODIES CORPORATE IN SOUTH AUSTRALIA AS AT 30 JUNE 2019

Adnyamathanha Traditional Lands Association (Aboriginal Corporation) RNTBC

Antakirinja Matu – Yankunytjatjara Aboriginal Corporation RNTBC

Arabana Aboriginal Corporation RNTBC

Barngarla Determination Aboriginal Corporation RNTBC

De Rose Hill – Ilpalka Aboriginal Corporation RNTBC

Far West Coast Aboriginal Corporation RNTBC

Gawler Ranges Aboriginal Corporation RNTBC

Irrwanyere Aboriginal Corporation RNTBC

Kurna Yerta Aboriginal Corporation RNTBC

Kokatha Aboriginal Corporation RNTBC

Ngadjuri Adnyamathanha Wilyakali Native Title Aboriginal Corporation RNTBC

Ngarrindjeri Aboriginal Corporation RNTBC

The Dieri Aboriginal Corporation RNTBC

The River Murray and Mallee Aboriginal Corporation (RMMAC) RNTBC

Tjajuwara Unmurru Aboriginal Corporation RNTBC

Walka Wani Aboriginal Corporation RNTBC

Wankangurru Yarluyandi Aboriginal Corporation RNTBC

Yandruwanha Yawarrawarrka Traditional Land Owners (Aboriginal Corporation) RNTBC

Yankunytjatjara Native Title Aboriginal Corporation RNTBC

ACTIVE CLAIMANT NATIVE TITLE APPLICATIONS IN SOUTH AUSTRALIA AS AT 30 JUNE 2019

Arabana No 2

Barngarla Native Title Claim

Far West Coast Sea Claim

First Nations of the South East #1

First Nations of the South East #2

Malyankapa Peoples

Narungga Nation

Nauo #3

Nauo Native Title Claim

Nauo No. 2

Ngadjuri Nation #2

Ngarrindjeri and Others Native Title Claim

Nukunu Native Title Claim

Walka Wani Oodnadatta

Walka Wani Oodnadatta #2

Wilyakali

Wirangu No. 2 Native Title Claim





REPORT ON PERFORMANCE AGAINST STRATEGIC PLAN

SANTS Strategic Plan 2015-2020 establishes goals in four areas: native title services; influence change; community and corporate development and organisational capability. Performance against each of these strategic goals is discussed below.

1. NATIVE TITLE SERVICES

To deliver native title services that provide for the recognition and protection of native title rights and interests.

DETERMINATIONS

This reporting period saw two determinations of native title.

On 14 December 2018, the Adnyamathanha Peoples (Area C & F), Wilyakali No. 2 and Ngadjuri Nation claims were resolved in a joint determination of native title rights over an area in the mid north of South Australia. The determination was the first for the Ngadjuri, who have a larger claim before the courts for an area adjacent to the determined overlap area.

Following the determination in Orroroo, a prescribed Body Corporate, the Ngadjuri Adnyamathanha Wilyakali Native Title Aboriginal Corporation (NAWNTAC) was established to manage their shared affairs.

On 17 June 2019, the Federal Court delivered a determination over the Nukunu Native Title Claim Part A). The Court found that native title exists in parts of the determination area. The determination came by consent 23 years after the Nukunu claim was lodged. There remains a small portion of the claim which is now subject to an overlapping claim with the Barngarla peoples.

COMPENSATION

Across Australia, some compensation matters were delayed pending the resolution of the Timber Creek compensation matter.

The Timber Creek matter was determined in the High Court on the 13 March 2019. The court ordered the Northern Territory Government make a once off payment of \$2.53m in compensation to the Ngaliwurru and Nungali people for loss of native title rights on a part of their determination area where public works had been undertaken. The Court decision sets out a process by which future claims of native title compensation may be assessed.

NEW CLAIMS

A claim for the remaining portion of the River Murray was authorised in May and it is expected a new claim will be filed early in the new financial year.

UPCOMING DETERMINATIONS

At the end of this reporting period we have eight claim groups potentially with determinations in 2019/2020, subject to negotiations and Court decisions.

The Ngarrindjeri and First Nations of the South East 1 and 2 and the Malyankapa claims are currently expected to be finalised in late 2019 or early 2020.

The Nauo 1,2 and 3 claims are expected to be determined in 2020.

The Far West Coast Sea Claim is expected to be subject to orders or a determination in 2020.

The Narungga Claim, Ngadjuri and Wilyakali claims are under negotiation and a determination is expected in 2020.

LITIGATION

This financial year saw an increase in litigated matters with the Federal Court looking to expedite some claims.

As at the end of June 2019:

The Walka Wani Oodnadatta 1 & 2 and Arabana 2 overlapping claims were listed for trial for 4 weeks commencing 30 September 2019 in Oodnadatta.

The Wirangu 2 claim has been divided into Part A and B. Part B is overlapped by the Nauo 3 claim and was adjourned while the two groups provide supplementary materials. Wirangu Part 2 Part A was listed for trial for a period of 4 weeks commencing on 4 November 2019.

The Nukunu and Barngarla overlapping claims are currently scheduled for trial in March 2020.

All litigated matters are subject to mediation and agreement pre-trial.



Aboriginal Way

www.native-titlesa.org

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Above: Quentin Agius with Elizabeth Newchurch and Ngaduri dancers at the Orroroo Determination.

Three Aboriginal nations sharing Country

Three Aboriginal nations have overcome challenges to have their shared native title rights recognised in a federal court hearing in the town of Orroroo late last year.

The Federal Court decision brings together the Ngaduri, Wiliyakali and Adnyamathanha peoples in a joint determination of their native title rights and interests in the mid north of South Australia.

The current determination is the first for the Ngaduri, who also have a larger claim before the courts for an area adjacent to the determined overlap area.

The Chairperson of the Ngaduri Nation Aboriginal Corporation, Quentin Agius, spoke to *Aboriginal Way* following the determination and said that it was a very emotional day for himself and other Ngaduri people.

"It's been a long time coming. Like the court said, it being over 35 years that we've all been trying to work towards this. It's upsetting that the Elders that started all this process off weren't here today. A lot of them have passed on, but we feel that their spirit is here with us today in this country for this major milestone."

Mr Agius was very aware of the contribution of Ngaduri old people on the day.

"Without that knowledge of country and the spirits of our old people with us, waking with us today, I don't think we would have got and achieved what we have."

"My emotions got the best of me today by looking them old people with me, and accepting the consent determination from the government" he said.

The journey to native title had been long and sometimes difficult said Mr Agius.

"All three groups, Ngaduri Nations, Wiliyakali, and Adnyamathanha, it's been a hard slog for us."

"Sometimes you don't see eye to eye, but as people and family we move forward, and the outcome of getting this determination is joyous for us Ngaduri" he said.

There have been many twists and turns in the Ngaduri's journey to native title recognition according to their legal representative and SANTS Principal Legal Officer, Andrew Bickworth.

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Three Aboriginal nations sharing Country

Continued from page 1

At the Federal Court hearing in the Orroroo Town Hall, Mr Beckwith acknowledged those Ngadjuri Elders who have now passed who had been a "driving force at the early days of the native title claim".

Graham Harbour, Lawyer for the Adnyamathanha told the Court that the first Adnyamathanha native title claim was registered in 1994. Several areas were combined into the Adnyamathanha Claim #1. Over the years, areas of the claim have been resolved with this determination finishing the claim.

It was also the last native title matter before the Courts for the Adnyamathanha people.

Original named applicants to the Adnyamathanha claim, Mark McKenzie-Sin and Beverly Patterson were at the hearing to witness the conclusion of the long-standing Adnyamathanha claim.

Vice Courtford, Adnyamathanha Traditional Land Owners Association (ATLA) CEO told Aboriginal Way that the day marked "the final leg of a large

claim", however the work on managing native title rights would continue.

"That's dealing with third-party interest groups wanting to do things on country. That ranges from mining activities right through to government personnel. We putting up towers and putting in infrastructure like roads and so on."

"The work continues for us, but it's a beginning for some, particularly for the Ngadjuri and Wiyakali people" Mr Courtford said.

Wiyakali Elder and named applicant Maureen O'Donnell told Aboriginal Way before the hearing, that the day is a welcome recognition after a long fight.

"It means so much to be recognised by the white man's law, that it's Wiyakali country. What we always knew was true, it's been a long hard fight to get it, but we finally did" she said.

Mrs O'Donnell spoke of the challenges in pursuing a native title claim over many years.

"It brings to you again things that were taken away many years ago" she said.

"We had to go to a lot of meetings, a lot of it was even when people were not well. We had to bare our soul about our culture, things that were ritual to us, but we had to speak about them and put them out there" she said.

"But now that this day has come, we thank the Courts, and also the Ngadjuri and Adnyamathanha people for working with us and listening to us" Mrs O'Donnell said.

Lawyer Peter Yorkin for the state of South Australia told the hearing in Orroroo that the determination "shows what can be done if groups work together, and these groups have been working together for a long time".

In presenting his written reasons for granting the determination, Justice White for the Federal Court said that "determination involves a recognition that there is one single society made up of three groups".

"The determination will have the effect of recognising that Adnyamathanha, Wiyakali and Ngadjuri people inhabited this area prior to European settlement and have maintained this connection ever since" he told the crowd assembled in Orroroo.

Justice White said that "in the case of most the determination is made on the basis that one nation, a shared claim is relatively rare in native title history, there have only been six in the past. This shared outcome required considerable effort by the members of the three groups".

"They have had to reconcile their differences and this resolution requires some compromise. Each group is to be commended."

"The area being determined had an ancient history, the geological remnants of the ice age had been documented by explorer Douglas Mawson around 1905.

This ancient physical history of the land is a fitting backdrop to ancient connection of the Adnyamathanha, Wiyakali and Ngadjuri people" said Justice White.

This is "a new beginning with a very long history" Justice White told the court hearing in Orroroo.

The Ngadjuri, Wiyakali and Adnyamathanha people have registered a new corporation to manage the native title overlapping area.



This page, left to right, from top: Ngadjuri Elder and named applicant Maureen O'Donnell, Mark McKenzie-Sin and Beverly Patterson, Adnyamathanha, Vice and President and Graham Harbour, Ngadjuri with Justice White, the three groups for the hearing in the Orroroo Court Chamber.



The page, left to right, from top: Quentin Agius and Aubrey White, Betty Branson, Markie Beebe, Deanna Newmark, Rod Newhouse, Elizabeth Newmark and Wessel Branson, Nandini Yoccoz Gifford, Amy and Travis with Justice White, Lyndi Grace Finkbeiner, Mikayla, Vincent Goffinelli, Lauren Dean Veeney, Greg O'Brien, Mikayla, Justice White, Elizabeth Hunter, Mikayla, A representative from E.ON Energy Center Asia, Wessel Branson, Nandini Yoccoz Gifford, Vincent Goffinelli, Aubrey White, Rod Newhouse, Aubrey Hunter, Kater Agius with Justice White and Nandini Yoccoz. SMITHSONIAN.COM Andrew Beckwith

INDIGENOUS LAND USE AGREEMENTS

Four Indigenous Land Use Agreements (ILUA) were registered during this reporting period, bringing the total of registered ILUAs in South Australia to 110.

These ILUAs deal with a range of matters including Native Title Settlement, Compensation, Pastoral, Co-Management of Parks, Mining and specific projects.

OUTSTANDING APPLICATIONS

As at 30 June 2019, there were seventeen claimant native title applications for determinations of native title in South Australia.

Native title applications and determined areas for South Australia as at 30 June 2019 are listed in the map provided by the National Native Title Tribunal (see page 9).

For full details of claim areas and determinations in the state, refer to the National Native Title records www.nntt.gov.au

POST NATIVE TITLE LEGAL ASSISTANCE

SANTS provided assistance to a number of Registered Native Title Body Corporates (RNTBCs) or Prescribed Body Corporates (PBCs), which are corporations formed under the Native Title Act to hold the native title rights and interest on behalf of the native title holders after determination.

As at June 2019, there are nineteen PBCs registered in South Australia (see page 9). SANTS works closely with seven of these PBCs, provides negotiated services to several others and is available to support and partner with all remaining PBCs and native title groups on request.

SANTS supports these corporations through the provision of assistance including and relating to corporate governance, compliance, agreement making financial and legal representation.

High Court rules on Native Title Compensation

The High Court in Canberra has handed down a decision on a native title compensation claim that will provide clarity for traditional owners seeking payment for the loss of their native title rights.

The court has ordered the Northern Territory Government make a once off payment of \$2.5m in compensation to the Ngaliwura and Nungali people for loss of native title rights on a part of their determination area where public works had been undertaken.

Mr James Lowe, Chairperson of the National Native Title Council, the peak body for Australia's native title organisations says that the decision is significant and welcome.

"Today's decision constitutes an important step in the struggle for justice for Australia's traditional owners. There remains a huge much work to do in bringing applications, in accordance with the protocols clarified by the Court, to deliver just compensation for native title holders whose lands have been taken since 1975 and to attempt to achieve justice for those lands taken before then."

In a judgment in an appeal against the previous outcomes of the claim around the town of Timber Creek in the Northern Territory, the High Court ruled on three components of calculating compensation for loss of native title rights.

Those components are the freeland value of the land in question, the interest due on that land and the non-economic loss from having the land used for other purposes.

The High Court has ruled that in this case where the Ngaliwura and Nungali people held non-exclusive native title rights, a rate of 50% of the estimated freeland value of the land was a reasonable figure to use.

It decided that in calculating interest due on that land, simple interest calculation should be the basis.

Significantly, the High Court upheld the intention of the original trial judge, now retired Justice Mansfield, in calculating non-economic, spiritual loss. Justice Mansfield determined that \$1.3 million was fair compensation for the distress, anxiety and hurt caused to the Ngaliwura and Nungali people by the loss of connection to their land.

Lead plaintiff, now deceased Ngaliwura representative Mr Gribble, had told the court that works were done without consultation, and had destroyed a sacred dreamtime site. He also spoke about his responsibility to look after the land.

"I got all these sales, all that dreaming. I have to make sure people don't make a mess of it," he told the court, according to NTV.

"That's how I look after country. My grandpa, Lurupurungu, taught me to look after country and now I teach my kids. My kids follow me for country."

Justice Mansfield recognised the connection of the claimants to their land and in his original decision.

"The issue before the Court was how to quantify the essentially spiritual relationship which Aboriginal people, and particularly the Ngaliwura Nungali People, have with country and in this case the spiritual or religious harm into compensation," he said.

The High Court decision endorsed the approach taken in the original trial concerning non-economic or cultural and spiritual loss.

His Honour said the substantial benefit of hearing, and seeing, first hand the evidence from the Claim Group of their connection to the land, the effects, under their laws and customs, when country is harmed, and then, the effects of the compensable acts on their connection to and relationship with country. That is reflected in the trial judge's ordered treatment of that evidence," the High Court judgment stated.

Mr Lowe called on all Australian governments to work cooperatively with traditional owners in the task of assessing compensation in each claim.

"Today's decision means that each compensation application will have to be assessed on its individual merits: the value of the land, the acts that were done to it, and the severity of cultural loss that flowed from those acts."

"This is an important clarification, but it does mean that there are many years of work left in resolving the large number of compensation applications that will come."

Northern Land Council lawyer Tereasa Cole, who has been overseeing the state with the claim group for almost a decade told the ABC that the decision was long awaited by traditional owners nationally.

"Native title holders around Australia have been waiting for the High Court to deliver its decision in Timber Creek, so they can get on with their negotiations with state and territory governments to arrive at fair amounts of compensation."



Timber Creek claimants at the High Court. Photo courtesy Northern Land Council.



Aboriginal Way

www.native titoli sa.org

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Above: Nukunu native title holders with supporters and lawyers.

Nukunu native title recognised

The Nukunu people have finally witnessed the Federal Court recognising their native title over a large area around Port Pirie, 23 years after they lodged their claim.

At the Port Germein and Districts Hall on Monday 17 June 2019, Federal Court Justice Charlesworth delivered a determination over the Nukunu Native Title Claim Area 11.

The court determination came via consent: the state of South Australia considered evidence and agreed that the Nukunu people had an ancient and ongoing connection to their country.

The decision actually split the claim area in two parts, with the Court declaring that in one part of the claim area there could be positive determination – that Nukunu people had a connection to the country

at settlement and that connection continued. However, in another part of the claim area there was a negative determination – that traditional connection to that part of the area had been lost.

To begin the historic court hearing at Port Germein, Nukunu elder John Turner spoke about his country and people before European settlement.

"Before colonisation, my people had laws, they had ceremonial traditions, they had language and they had knowledge of customs and survival, social rules and kinship obligations.

"Imagine what life was like for my ancestors before this area was colonised. Imagine a land with no cars, no factories polluting the environment, no tall buildings, no large farms and no travellers from other parts of the world.

"Nukunu country was a largely unspoiled country where my people respected the environment around them and made sure animals and plants were never overhunted or over collected. My ancestors only took enough to feed the number of people there at the time and nothing was wasted. This ensured there would be food next time they or someone else needed it.

"It is the responsibility of the Nukunu today to be custodians of our land, to care and protect, to negotiate for its protection. It is a legacy handed down to Nukunu for thousands of years. What a privilege, what an honour it is for me to share this with you.

"Today's living Nukunu carry in our veins the blood of our ancestors. The stories we were told were ancient, as they connected us to our ancestors and the land.

"We are real, we are here and today we welcome you to our land" he told those assembled for the Court hearing.

In delivering her judgement on Nukunu native title, Justice Charlesworth spoke about the historical connection of Nukunu people with the area and the reasons for the loss of connection with one part of the total claim area.

"In the 60s and the early 70s, two women from the Australian National University, Doctor Louise Hercus and Catherine Ellis took audio recordings of Aboriginal people across large areas of South Australia including recordings of the voices of Nukunu people.

"One of the people whose voices were recorded was Frederick Graham.

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Nukunu native title recognised

Continued from page 1

"He was a Nukunu man, in what he described as the Mount Remarkable tribe. In the field tape, he's recorded as saying this. 'I was brought up by my grandmother Mary, she was pure Aboriginal. Her own parents were frightened when they saw the first white man, thought it was a ghost. It was when some crew from a ship came up on the hills.'"

"It's likely that the ghosts that Mary's parents saw, were the crew from a ship that was navigated by Captain John Gemmel. He was a pilot of ships, that were owned by the South Australia Company. This state was founded by a company, as a commercial enterprise, in western terms, at least of European history."

"That first contact would have occurred sometime in the 1840s, and from then European settlement and expansion in this area spread out from Crystal Brook, swiftly and with devastating consequences for the traditional owners."

Justice Charlesworth also spoke about the impact of land clearing and farming on the Nukunu people and culture.

"By the turn of the 20th century, so much land had been cleared and settled, that there could be at any one time, 10 or more international ships out there at the end of that jetty. Taking wheat, cargoes of wheat, 42,000 bags of wheat on one ship alone. That's some commercial achievement, when looked at through a western view of history. You are entitled to view that history somewhat differently,

"The volume of bags gives an indication of the volume of land cleared, imagine the corn. This institute was built in 1892, on Nukunu country. I hazard to guess the Nukunu people weren't asked for permission when that was done. By that time the numbers of Nukunu people still living in this area had diminished drastically."

"There was a very sharp decline in the population of the Nukunu living in this area, at the same time the land was apportioned into pastoral leases and other holdings. It was criss-crossed with boundaries, and borders. The gorges were gouged through with roads. Stock came and trampled. Salvation Jane rolled out, like a bruise coloured carpet over Nukunu land" she said.

Justice Charlesworth also spoke about later dispossession of Nukunu people from their country.

"It's difficult to have that conversation without referring to places like Port Pearce, Point McLeay, and the purposes for which those places were established, ostensibly for protective purposes."

"Of the people at Port Pearce, Harry Bramfield was recorded by Catherine Ellis as saying this. 'They came from different places, collect them all up, send them to Port Pearce, Point McLeay and places like that, and my father, he was collected from a place called Bramfield on the west coast. That is why he and mum were different.'

"The dispossession of Aboriginal people, their collection, to use Harry Bramfield's

words, had consequences for your traditions, and your customs, and your language, and your survival."

"So, if it be acknowledged, that the eastern portion of the determination area was probably Nukunu country, its sovereignty that it must follow, that the loss of connection to that country, is probably attributable to dispossession of the people, their relocation and consequent dislocation from each other. All of this combined in a catastrophe wrought by European contact" Justice Charlesworth said to the people gathered for the finding down of the determination.

One of the original claimants in the Nukunu native title application, Rose Turner spoke about the long native title process after being presented with the written court decision.

"It's been a long battle. I've been a named claimant since the jump off. This brother of mine nominated me at a community meeting to be one of the named claimants, and it's been a long, hard battle. It's not just been with government, it's been with mining companies, oil companies, then wanting to put a nuclear facility up here. But hopefully this will put us in a better position to negotiate with interested parties" Mr Turner said.

Outside the hall following the hearing, Nukunu elder and claimant Lindsay Thomas spoke to local media about how he felt about the finding.

"It's just a happy day for me. It's a relief that the stress is all gone. It's such a long, long fight, and we got there in the end."

"We never thought we was going to because we are such a small group."

"I'm as happy as hell to tell you the truth. I'm not quite showing it but inside, you get to think on what we went through to get here. It's just a long time and a big part of my life, but now it's worth it, I'm still young enough to enjoy my country here."

Mr Thomas also spoke about Nukunu plans now that the native title claim was settled.

"What it means to us is that we can now actually rehabilitate our lands. And the waters, we've already started planting remnants that were here originally. And we're also looking at the oyster reefs, to bring back the waters, to clean them again, and bring back fish species to the waters. We've got enough skilled people in our groups to actually move forward there."

Mr Thomas also reflected on what the determination means for the next generation of Nukunu people.

"It means a whole new thing for them because they did understand the native title fight and what it meant. Along with the Elders, they went through the hard times with them. So their grandparents and their great uncles dying. That means a great deal to them now because they know that they've got control of their destination now. And we will encourage others as the older Nukunu, we will encourage them all the way" Mr Thomas said.



Above: Lindsay Thomas outside the Port Pearce and Districts Hall on Nukunu country on the day of the Determination hearing.



Above, left to right: top left: Julie Turner, Darryl Edwards, Janet Thomas, Beth Turner, Rose Turner, Lindsay Thomas and Michael Turner; Michael Turner; Maxine Turner with children Anthony and Tyrell; Beth Turner with daughter Sargis Sargis; Justice Charlesworth and Rose Turner; George Turner; Justice Charlesworth and Lauren Turner; Mark Glen; Nathan White; Trent Turner and Michael Turner; Lauren Turner; Anika Turner; Sandra Turner; Jessica Turner and William Sashby; Justice Charlesworth and Lindsay Thomas; Rose Turner; Beth Turner; John Turner and Michael Turner; Sam Lee, Scott Russell, Alexandra Constance, Charlie and Jaylah.

2. INFLUENCE CHANGE

To provide leadership in native title and the development of Aboriginal Nations.

During the financial year, SANTS actively engaged with Aboriginal program initiatives and legislative reform, seeking to ensure that the perspectives of native title holders are represented in policy discussions and developments.

SANTS senior managers continued to contribute to policy and reform, providing input and strategies in areas relating to the interests of South Australian traditional owners.

As well as engaging directly on key policy and legislative developments, SANTS supported Aboriginal Nations to engage directly with policy makers.

In South Australia, the policy environment was strongly influenced by a new state government led by Premier and Minister for Aboriginal Affairs Steven Marshall.

In the Federal arena, the re-election of the existing government saw the creation of National Indigenous Australians Agency, with a new Minister responsible for the portfolio – Minister for Indigenous Australians, Ken Wyatt.

An important development this year was the creation of a new corporation, the First Nations of South Australia Aboriginal Corporation, (First Nations SA) which was registered on 15 November 2018.

The purpose of the corporation is to operate as a peak body to represent, advocate and progress the collective interests of all South Australian Aboriginal Nations. The role of First Nations SA is not to replace local engagement or take on or interfere with any decision making or governance of individual Aboriginal Nations.

The group has participated in consultation and discussions on a range of policy and legislative reform areas.

First Nations SA Aboriginal Corporation appoints office bearers

The First Nations of SA Aboriginal Corporation (FNOSA), the peak body for First Nations across South Australia held a Directors meeting on Kaurna land at the Living Kaurna Cultural Centre on 24 & 25 March 2019.

The Corporation was incorporated in November after a lengthy process involving more than twenty Aboriginal Nations through their native title groups and organisations.

On Sunday 24 March the representatives present discussed business to enable the group to represent, advocate and progress the collective interests of all South Australian Aboriginal Nations.

The Corporation appointed the following office bearers:

Co-Chair – Kaurna representative
Garni Agius

Co-Chair – Arabana representative
Lorraine Metrick

Treasurer and spokesperson –
Kandawandja Tiyurruwarrka
representative Joshua Haynes.



First Nations SA representatives left to right: Lorraine Metrick (Co-Chair), Garni Agius (Co-Chair), Joshua Haynes (Treasurer), and other First Nations groups from across the state.

The meeting discussed strategic and communication plans for the Corporation to work towards achieving its vision of "a peak body with a united voice for the benefit of all First Nations across South Australia".

The meeting approved initial membership applications from several First Nations corporations and continues to welcome further membership applications from Prescribed Bodies Corporate (PBCs), native title groups

and other First Nations groups from across the state.

The meeting discussed the state's current Heritage Guidelines and correspondence from the SA Advisory Council on the current operation of the system. The members present discussed the new Landscapes SA Bill which is currently before the SA parliament.

On Monday 25 March FNOSA participated in an initial consultation conducted by PricewaterhouseCoopers on behalf of the state government about a proposed National Gallery for Aboriginal Art and Cultures.

For more information on the proposed new Centre see article on page 13.

All First Nations groups in South Australia, including PBCs and native title groups are invited to become members of First Nations SA and contribute to the group's future directions.

For further information: Bernadette Lawren bernadette@nativetitlesa.org

SA Government's plan for action

Late last year the South Australian Government announced the launch of its Aboriginal Action Plan to guide services and outcomes for the state's Aboriginal people.

The Action Plan is the first of its kind and outlines 32 activities including: actions, priorities, desired outcomes and the Ministers and agencies responsible for them.

Premier Steven Marshall launched the plan at an event at Ayers House in December 2018.

"Developed following engagement with Aboriginal community leaders and a coordinated across government effort, this plan will deliver positive and practical on-the-ground outcomes through 32 specific activities over the next two years" he said.

Those activities include actions in the areas of apprenticeships and traineeships, Aboriginal Ranger

employment pathways, Aboriginal employment in South Australia Police, Aboriginal Business Policy, Stronger Partners Stronger Futures, Municipal Services to Aboriginal Communities Strategy and South Australian Museum Aboriginal Collection Store. Each action has a nominated responsible Minister and lead agencies within the government identified.

"There will be regular updates on our progress so that we can identify what is working and just as importantly, what isn't working" the Premier stated in the Plan.

"This will also provide a benchmark for continuous improvement in government policies and in the program and services Aboriginal people and communities receive."

Roger Thomas, Commissioner for Aboriginal Engagement was given a role in consulting about the proposed Action

Plan before its release, and liaised with three selected Aboriginal agencies – the Aboriginal Lands Trust, the Aboriginal Heritage Committee and the South Australian Aboriginal Advisory Council – on the plan.

"I was asked by the Premier to save feedback from targeted stakeholders and to include in the feedback any potential and possible blockages and overall concerns in the delivery and implementation of these Action Plans" he said on the launch of the plan.

"All groups emphasised the success in delivery of these Actions Plans should be contingent upon the government being able to deliver a culturally appropriate and community relevant [framework]."

The Commissioner said community involvement is integral for the success of the plan and that it must not be another policy failure.

"What was clear to all groups, was consistently raised, was the issue of genuine engagement. Not just engagement, but genuine engagement with Aboriginal people and stakeholders with the developing and implementation of these actions.

"There are a number of other points of feedback with a strong concluding observation stressing that the Aboriginal action plan must be successful and that we cannot afford to have a plan with bells and whistles and delivers little in terms of outcomes for the Aboriginal community, its wellbeing and certainly the future. It is important that we ensure that this is not another government report that sits on the shelf to which a number of agencies and staff say, "Yes, we've delivered" said the Commissioner.

Keith Thomas, SA Native Title Services CEO said wider consultation with the Aboriginal community and existing Aboriginal decision making structures is needed.

STATE ISSUES

Landscapes Reform

During this financial year, the State Government undertook consultation to repeal the Natural Resources Management Act 2004 and associated processes and replace it with a new Landscape South Australia Act.

SANTS encouraged and facilitated Aboriginal Nations, including First Nations SA and community members to participate in this consultation.

The Landscape SA Bill 2019 was introduced into Parliament on 20 March 2019. Key changes relevant to native title group are related to regional Board governance, composition and the election of regional members.

Stronger Partners Stronger Futures

The Stronger Partners Stronger Futures (SPSF) program aims to encourage more effective engagement between Native Title Groups, Industry and Government in matters relating to mining and exploration. It was first introduced by the Mineral Resources Division of the State Government in September 2016.

In March 2019, SPSF issued three discussion papers proposing concrete reforms, including some policy and operational changes to Part 9B of the Mining Act 1971. Submissions and feedback to the project were invited.

SANTS facilitated and encouraged Aboriginal nations and individuals to participate in the consultations. SANTS made a submission to the project. SANTS supported a number of the changes proposed in the reforms, however argued that legislative change is required to make the system consistent with the Native Title Act.

Pastoral Act

Responsibilities for the Pastoral Land Management and Conservation Act were transferred to the Minister for Primary Industries and Regional Development under the new State Government during this period.

The Department of Primary Industries and Regional Affairs SA (PIRSA) then commenced a review of the Act. A discussion paper and invitation for feedback and submissions are expected in July 2019.

State Government Aboriginal Action Plan

The new State Government ceased the previous Treaty discussions with Aboriginal communities and withdrew from the Aboriginal Regional Authorities policy.

In December 2018 the Premier Steven Marshall launched the first South Australian Government Aboriginal Affairs Action Plan.

The Action Plan outlines thirty two initiatives and actions for completion by State Government agencies during 2019-20. These actions fall within three objectives: creating opportunities for Aboriginal jobs and businesses, improving the quality and the delivery of services to Aboriginal South Australians and building strong and capable Aboriginal communities. Responsible government agencies are required to publicly report on progress on a regular basis.

A small selected group of Aboriginal organisations were consulted before the Action Plan was developed by the State Government, with SANTS or native title groups not offered the opportunity to participate in its development.

Repatriation of Ancestral Remains

During this period, the South Australian Museum reviewed and amended its repatriation policy and has become more active in the management of remains and associated objects in consultation with Aboriginal communities.

SANTS staff attended a repatriation workshop convened by SA Museum and State Government early in the year. First Nations SA representatives participated in discussions with the SA Museum about future directions in this area. South Australian Aboriginal Nations are increasingly involved in repatriation projects.

Aboriginal Cultures Gallery

The State Government has made public commitments to build an institution for the display and storage of Aboriginal materials on the old Royal Adelaide Hospital site on North Terrace in Adelaide.

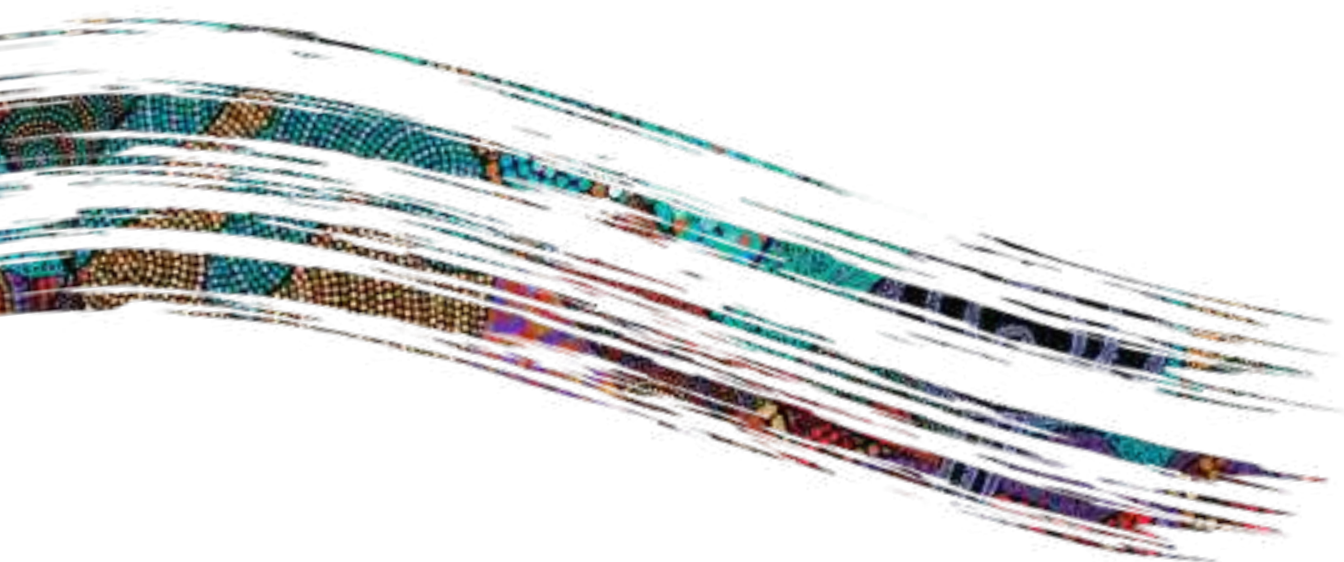
SANTS participated in early discussions on this concept along with the SA Museum, Art Gallery of South Australia and Tandanya. SANTS has facilitated the role of native title holders in the development of this concept through support for the First Nations SA.

Aboriginal Lands Trust Act

During this financial year, the Parliament of South Australia's Aboriginal Lands Parliamentary Standing Committee completed a review into the operations of the Aboriginal Lands Trust Act 2013. The Aboriginal Lands Trust is the body that manages some areas of land held in Trust for Aboriginal communities under that Act.

In its report the Committee has recognised a 'widespread desire' from Aboriginal communities to have greater control over land. It also stated that 'there still needs to be a level of protection' if any land currently held by the Aboriginal Lands Trust is returned to community control.

SANTS submitted a written submission to the review and the Chief Executive Officer addressed the Committee. SANTS supports the reform of this Act including increased self-management by Aboriginal Nations.



FEDERAL ISSUES

Native Title Act Amendments

Over this period, the Commonwealth government consulted on and released exposure drafts of Bill and Amendment Regulations to amend the Native Title Act and PBC Regulations. Submissions on these changes closed on 10 December 2018, with SANTS's perspective represented in the National Native Title Council submission.

The Bill was introduced in February 2019 and after the Senate Scrutiny Committee raised concerns on the retrospective nature of some parts of the Bill, it lapsed in April 2019.

Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI) Act Reforms

A discussion paper on reforms to the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act) was released in August 2018 and SANTS made a submission on that proposal in September 2018. A bill was introduced to Federal Parliament and further feedback was collected, including stakeholder consultations.

The outcome of this process is that significant amendments will not be considered by the current Federal Government. The Office of the Registrar of Indigenous Corporations (ORIC) has agreed to undertake a comprehensive review of the CATSI Act, including the particular place of PBCs within the legislation.

Commonwealth PBC Policy

Over the reporting period, SANTS staff attended national PBC Forums that were convened by the National Native Title Council. Main topics under discussion included the Native Title Act, ORIC reforms and dispute resolution.

Communication and awareness

SANTS continues to contribute to awareness of native title and policy issues relating to native title holders and claimants in South Australia through the production of the multi-platform community news service Aboriginal Way.

This financial year, Aboriginal Way news included a weekly radio program broadcast in Adelaide and across Central Australia via community and Indigenous radio stations, an online news service promoted via SANTS' social media and the long-standing quarterly Aboriginal Way newspaper, distributed to 10,000 readers.

Over the year, Aboriginal Way news published reports on all determinations in the state and on related policy issues such as repatriation, government policy launches, Aboriginal corporation initiatives and developments in related organisations such as ORIC and the Indigenous Land and Sea Council (ILSC).

Aboriginal Cultures Centre under discussion

Discussions have begun between South Australian Aboriginal people, the SA Museum and the State Government about a new Centre to celebrate Aboriginal arts and cultures proposed for the old Royal Adelaide Hospital site, now called Lot 14.

Late in March, Prime Minister Scott Morrison announced the Federal Government would contribute up to \$85 million to build a new Indigenous Centre at the site. This funds came out of the wider Adelaide City Deal, a decade long partnership between Federal, State and Local governments that aims to boost economic growth, tourism and innovation in Adelaide.

The Premier Steven Marshall has supported the concept since campaigning for government last year. The state budget also included \$60 million towards the project and a more immediate \$200,000 for a scoping study to inform the 'vision and key recommendations' of the Centre.

Premier Steven Marshall said in announcing the scoping study that 'the consultations will allow the government to deliver a gallery which proudly showcases Indigenous art from both local and national Aboriginal artists'.

'This engagement with the South Australian Aboriginal community and other key stakeholders will allow our government to deliver a gallery which will make Adelaide the centre for Indigenous art and culture nationwide' said Premier Marshall.

'We've already engaged in discussions with the resident gallery since the announcement of the policy and our ongoing work will continue those to the next level.'

'At the end of this, we will have a clear vision of the scope and size of the project and how we as a government can best collaborate with the Indigenous community after the completion of this gallery to ensure its ongoing success.'

'This gallery will be the first of its kind in Australia and will allow us to properly recognise and celebrate the oldest living cultural history, which will attract both national and international attention' Mr Marshall said.

Prime Waterhouse Coopers has been appointed to undertake the scoping study for the new Centre.

The new peak body for native title groups, the First Nations SA Aboriginal Corporation (FNSA) has been a part of the discussions.



From left: Steven Marshall, Premier Steven Marshall, Luke Prosser, Sarah Adams, Jennifer Hennessey and Emma Hennessey.

The body supports a collaborative approach to developing the concept and spokesperson for FNSA Joshua Hennes.

'We welcome an opportunity to participate in planning for this significant new institution. As representatives of First Nations groups across the state we are able to provide important perspectives on how this gallery might best operate to both showcase Aboriginal cultures and respect the ongoing connection and ownership that each region holds over that culture.'

'The Aboriginal cultural collections held by the SA Museum are precious and part of South Australian Aboriginal history.'

identity, history, culture and country. They belong to Aboriginal nations from which these cultural materials were taken. Those Aboriginal nations deserve the chance to tell their stories about these artefacts.'

'Consultation and engagement about this proposal is welcome, however it needs to ensure that the ancient Aboriginal traditions established over 50,000 years ago are honoured and respected.'

On Monday 15 April, representatives of members of FNSA met with Premier Steven Marshall to discuss the ongoing process towards the creation of the Centre in Adelaide.



Aboriginal Way

www.nativetitlesa.org

Issue 72, Spring 2018

A publication of South Australian Native Title Services



Above: Uncle Major Moogy Sumner at reburial of Kurna Old People (more on page 4).

A voice for First Nations in South Australia

First Nations groups in South Australia will have a new voice after representatives from across the state resolved to incorporate a new peak body that will promote the perspectives and interests of Aboriginal Nations.

Representatives from native title groups met in Adelaide on 10 October to discuss the functioning and creation of the 'First Nations of South Australia Aboriginal Corporation'. The group will provide leadership, advocacy and a resource for Aboriginal Nations in South Australia.

Those present for the decision represent traditional owner communities who hold or seek native title rights across the state, from the far north west of South

Australia through the centre and north of the state and into the south east.

The delegates also resolved to invite representatives from the west of the state, the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands and Maralinga Tjarutja lands communities to join the new body.

After voting to progress to incorporation of the new group, representatives appointed an inaugural board of 12 people from those present.

Those individual members will guide the organisation through to the first General Meeting. Aboriginal Nations including Prescribed Bodies Corporate and native title claim groups will be encouraged

to join the new corporation prior to a general meeting early in 2019.

Lorraine Merrick, General Manager of the Anangu Aboriginal Corporation and an inaugural Director of the new corporation said that she felt positive about the decision.

"I see it as an opportunity to strengthen the Prescribed Bodies Corporate and our native title bodies in the sense that we have our nation groups and our governance structure, but this would be a body that can provide additional support by prioritising and looking at issues that are common across all nations and for developing strategies and means of addressing those issues.

"This is a mechanism by which if there is an issue we want to escalate and get additional political support from others, then this is a way we can do that" Ms Merrick said.

Travis Thomas from the Nukuru nation and an inaugural member of the new body said he thinks the decision provides important opportunities.

"I believe it sets up a great opportunity for each of the different groups to have a voice which is a direct conduit into the government departments, where in the past it may be difficult for each group to get their voice heard and to make access to the relevant people.

Continued on page 3

A voice for First Nations in South Australia

Continued from page 1

"This provides a streamlined approach to be able to have those conversations and convey the messages from our groups and our people to the government in regards to the issues that we are experiencing, the problems we have and the ideas we have for the future – our own development and our own opportunities."

"This body also provides an opportunity for Aboriginal Nations to learn from each other" Mr Thomas said.

"I believe it's also a great place for ideas to be shared amongst the different groups, solutions to problems, often the problems we find are found in other areas and often there are solutions or be able to assist us with our own issues or vice versa so in that regard I believe it's a fantastic start" he said.

"While native title groups and other Aboriginal nations will collaborate in the new organisation, it will not take on any of the individual decision making that now happens in individual communities" Mr Thomas said.

"It's designed to be a conduit, to take the voice of groups forward and present it to government and departments. The group shapes itself as they always have, this is an avenue for whoever they decide to appoint to represent them in a more direct and easy manner, so hopefully their concerns are heard" Mr Thomas said.

Mr Merrick said that the new organisation is a valuable addition to the governance

structure for Aboriginal organisations in the state.

"This doesn't replace the PBCs. This enhances the governing structure for South Australia, and it's an opportunity for us to create and advocate for the issues, the common issues that we have as Prescribed Bodies Corporate" she said.

The new corporation will receive support and some funding from South Australian Native Title Services (SANTS) and will seek further sources of revenue.

Tom Jenkin, Manager of Corporate and Community Development at SANTS, said the decision by Orlingates is a great outcome.

"It's a positive and significant decision for native title groups to come together

and establish a representative peak body to work for the collective interest and benefits of their communities and others across the state" he said.

"The decision has been made in a considered and informed manner and there is much enthusiasm for the future of the new organisation."

"It will give Aboriginal Nations a chance to collaborate and lead discussions on shared issues and opportunities, including relevant reforms to government policies, programs and legislation. It provides a framework for leaders to have dialogue at a state level, to communicate and drive an Aboriginality agenda, and to realise many long desired changes and opportunities" Dr Jenkin said.



Members and officers of South Australian Aboriginal Nations at the meeting on 12 October 2018.



3. COMMUNITY AND CORPORATE DEVELOPMENT

To provide services to Aboriginal Nations to enhance their capacity to achieve their aspirations.

SANTS works in partnership with South Australian Aboriginal Nations as they work to meet the many requirements of their corporations and achieve their community's aspirations.

In July 2018, SANTS marked ten years of operation as an independent corporation. As reflected on the Native title Map of South Australia (page 8) in 2019, native title has been successfully determined over large portions of the State. Prescribed Body Corporates (PBCs) now face the challenges and opportunities of managing those determined native title rights and interests.

The Corporate and Community Development team partners with the Business Services Team and legal and research staff at SANTS to provide services in response to the priorities of each Aboriginal nation.

SANTS provides services to support Aboriginal Nations to meet the governance and development requirements for PBCs.

As at 30 June 2019, there were nineteen PBCs registered in South Australia.

SANTS worked closely with nine of these PBCs, provides negotiated services to three others, occasional support to others and is available to partner with all remaining PBCs on request.

Highlights of the year of community and corporate development work include:

- SANTS supported many Community, Directors and Annual General Meetings of native title groups across the state to facilitate community decision making.
- Commonwealth support funding for eight PBCs were submitted and all applications were approved.
- ORIC reporting requirements for all PBCs working directly with SANTS were completed and submitted.
- One PBC is exploring specific commercial opportunities on their country.
- One PBC made a formal agreement with ILC for a business development project.

- A cultural heritage database was established for two PBCs and training was undertaken.
- One PBC has been particularly active in establishing a cultural heritage monitoring program for major infrastructure projects in their region.
- A Corporate Governance Handbook to meet the specific needs of PBCs has been developed.
- SANTS continues to provide financial and human resource services to several corporations.
- A number of corporations have completed strategic planning to inform their activities.
- Negotiations with exploration companies have continued.
- Future Act matters have been managed.



RMMAC monitoring environment projects

River Murray Maḷee Aboriginal Corporation (RMMAC) community members are undertaking cultural heritage monitoring at two significant infrastructure projects in the Riverland.

Trained cultural heritage officers have been involved with the Riverine Recovery Project (RRP) and the South Australian Riverland Floodplains Integrated Infrastructure Program (SARFIP).

RMMAC heritage officers are working side by side with construction workers to manage and protect cultural heritage. Monitors provide direct advice to contractors to avoid impacts on cultural heritage drawing on the knowledge of community members to protect heritage.

"The Project has been really significant for our community" said RMMAC Chairperson Sheryl Johnson.

"Being involved in the projects has allowed Aboriginal community members in the Riverland region to gain valuable training and work experience, while looking out for our country and culture" she said.

The projects involve construction of environmental regulators, blocking tanks and other infrastructure to manage water flows and restore the health of the floodplains of the River Murray within South Australia.

The SARFIP aims to improve the planning and management of key River Murray floodplains in South Australia's Riverland.

Specifically, more efficient watering of the Pike and Kutataphko floodplains will help protect and restore key environmental and cultural values.

Private construction corporation Fulton Hogan is contracted to undertake much of the infrastructure work for these projects. The projects are funded by the Commonwealth Government and managed by the Department for Environment and Water in partnership with SA Water.

SA Native Title Services has been supporting RMMAC's involvement in the project in several ways including through providing human resources, employment and payroll services.

By Lee Webb, Ellen Chaplin and Christine Jodda at the South Australian Riverland Floodplains Integrated Infrastructure Program

10 years of SANTS

SA Native Title Services (SANTS) celebrated ten years of work as an independent organisation in July 2018.

Native title representative body functions in South Australia were initially the responsibility of the Native Title Unit of the Aboriginal Legal Rights Movement. In July 2008, after a lengthy process, SANTS was recognised as the Native Title Service Provider for South Australia.

SANTS Chief Executive Officer Keith Thomas says that it has been a decade marked by work in partnership with Aboriginal nations which has achieved native title recognition over more than half of the state.

"As well as gaining native title recognition, we have supported native title bodies in forming and maintaining essential governance to manage their country by providing logistical and legal support.

"I am pleased that our efforts have led to increased recognition and influence for South Australian Aboriginal people and nations" Mr Thomas said.

SANTS Chairperson Yandruwandha Yawarrawarrka man Craig Allen said that SANTS has played an important role in our state over the past decade, helping to make the promise of the Native Title Act a reality in our region.

"It has been a long and sometimes difficult process and has required commitment and residence by Aboriginal people and nations in South Australia" said Mr Allen.

"The expert support and focus that has been given to this task by staff and directors at SANTS has been crucial to the native title environment that we now see" he said.

SANTS Director and past Chair April Lawrie said that SANTS provides an important focus for the voices of Aboriginal people in South Australia.

"It's been really the voice that brings together traditional owners, without saying, 'we're speaking for health, or we're speaking for education'.

"We're actually speaking from the Aboriginal community about land, culture and heritage and about our rights to access country" she said.

Timeline of native title in South Australia

1992	Mabo Decision in the High Court
1993	Native Title Act passed
1994	ALRM becomes native title representative body for South Australia, except for APY & Maralinga lands
1994	Native Title Act (NTA) comes into effect, National Native Title Tribunal established
1995	Indigenous Land Corporation (ILC) established
1996	Wik decision finds native title can co-exist with other land interests
1998	Major amendments to the NTA create registration test, Indigenous Land Use Agreement (ILUA), key role of Federal Court in processing claims
1999	Statewide (ILUA) process commenced
2000	ALRM is native title representative body for all of South Australia. The Native Title Unit manages native title business in the ALRM
2005	De Rose Hill first determination - litigated
2006	Yankunytjatjara Antakinnia first consent determination
July 2008	SA Native Title Services becomes the native title service provider for greater SA
2008	Eringa, Wangkangarru Yarluyandi, Imwanyine determined
2009	Adnyamathanha determination
2011	Antakinnia Mabo-Yankunytjatjara, First Peoples of the River Murray & Mallee Region, Eringa, Gawler Ranges People consent determinations
2012	Dieri & Arabana people consent determinations
2013	Far West Coast consent determination
2013	De Rose Hill Compensation Claim consent determination
2014	Adnyamathanha, Dieri, Kokotha, Wangkangarru Yarluyandi consent determinations
2015	Adnyamathanha consent determinations
2015	Yandruwandha Yawarrawarrka consent determination
2016	Bamgarla consent determination
2017	Dieri, Ngarrindjeri consent determination Tjajawara Usumaru compensation determination
2018	Kaurna People's consent determination
July 2018	SA Native Title Services 10th Anniversary



Arabana Consent Determination, May 2012



Dieri Consent Determination, May 2012



Dieri Consent Determination, February 2014



First Peoples of the River Murray & Mallee Region Consent Determination, November 2011

Narungga nation work underway

The Narungga Nation has started work on the economic and community development projects made possible by the Bulthara agreement which was signed with the state government early this year.

The formal agreement was signed in the first days of the last state government and has been honoured by the current government. It gave out of 1000 to Aboriginal people statewide about 1000 to 1500 with the state government.

Narungga has an experienced executive (Kurtin) (Kurtin) Wanganeen (pictured right) has been appointed Chief Executive Officer of the Narungga Nation Aboriginal Corporation (NAC), with Gary Williams taking on the role of Business Manager and Cyril Marlow as Project Officer.

Now that the Narungga Nation team has been appointed, they want to get to work on "the gritty gritty" which is developing and co-developing on the two strands of the agreement." Mr Wanganeen said Aboriginal law.

"We have the two strategies, one is capacity building, economic participation and economic development including co-management of Innes National Park.

"Then we have the social services stream, we'll be looking at the justice, justice strategy, domestic violence and child protection" he said.

The team doesn't want to get started without input from the community and has plans to meet on 10th November among other consultation processes.

"One of the vital things that we want to get started off with that is establishing a Narungga elders' committee. We've drafted an expression of interest process and terms of reference for that committee and we'll be promising that pretty soon" he said.

"We will ensure that our Elected committee (get to) look over everything that we do and give that cultural advice that we need, to make sure that we don't run full speed ahead without bringing the community and the elders along with us" said Mr Wanganeen.

Liaison with different parts of the state government will also be crucial the new CEO of NAC says.

"Next, pretty well be meeting with the Commissioner for Public Engagement and the Commissioner for Aboriginal Engagement and the Executive Director Mr. Williams (Mr. Williams) and Ray (Ray) to really kickstart the formal process of co-designing how Narungga business will be delivered" he said.

Innes National Park is a protected area at the tip of the Yorke Peninsula, on Narungga traditional country and is an area that is covered by their active native title claim. Discussions have begun to work towards co-management of the park.

"In regards to Innes National Park we have a two-day listen down there where we started looking what we need to do and the timeline for it" Mr Wanganeen said.

Fishing and aquaculture businesses are a key to future economic development said Mr Wanganeen.

"We've already had a workshop at Port Pearce, in terms of the first commercial licence from the fishing department. That's the target shellfish, which our people know as warrigins."

"We're pretty close to starting the business for that and then building upon that for a Narungga Harvest Strategy and negotiating that component" as well as looking at the big stake which is abalone" he said.

The team is also looking at ways to further aquaculture and tourism business, beginning with a trip to Kangaroo Island, where they looked at a tourism operation and abalone farm.

"They run, as part of the tourism business, photography, swimming with seals and dolphins."

"These kinds of activities can easily be done on Yorke Peninsula as well... if they wanted to do something around Wandering Island, they have the capacity to do that, and the experience."

"While on Kangaroo Island, our team also had a visit to the best-known abalone farm the company that has that, they have a farm on Tasmania, down in the south east, and while looking at opportunities to get into aquaculture, with-based as well as sea-based" Mr Wanganeen said.

While economic development is important, the Narungga nation are also turning their attention to social issues.

"We will also be developing the justice strategy and looking at child protection issues for Narungga people. We'll be exploring forums about a safehouse and domestic violence and exploring options for keeping our youth out of detention and our adults out of the detention centres, and looking at ways we can support rehabilitation and lead onto pathways for employment and education."

"While we're doing that, also we'll be developing a Narungga Health Assembly, because the wellbeing of our community and the health of our community is vital, and we can't afford to lose people when they're quite young."

In the Bulthara agreement, the state government agreed to expedite a co-ordinated implementation process for the Narungga people. Mr Wanganeen says that process will start in 2015 as far as the community is concerned.



"In the mind of government or lawyers they may be working on it earlier. But until we actually set down as a community to look at context determination and what it means, it hasn't really kicked off."

"We have to remember the fact that native title is not a panacea for the Narungga people" he said.

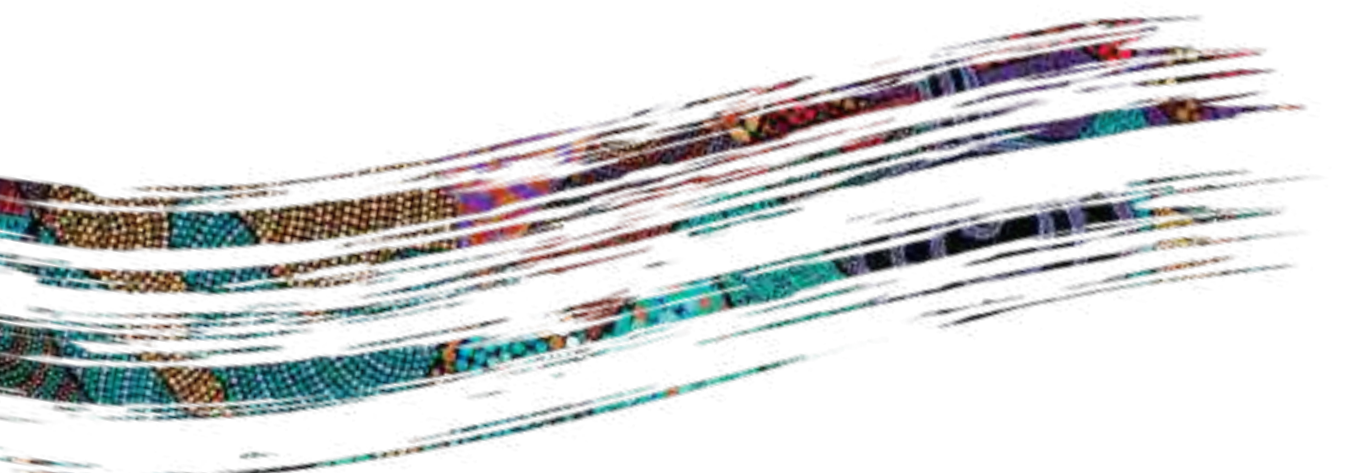
For Mr Wanganeen, supporting Narungga people to live in prosperity on the Yorke Peninsula is key.

"How do we create opportunities for Narungga people to actually establish themselves and have some ownership and land parcels on Yorke Peninsula, which is our traditional country, when so much of it has already been stolen and sold off."

"By building an economic base, we can support families to get into small business, family businesses, individual businesses."

"Then the aspirations of us is how do we develop our own Sovereign Movement, so that people can be supported by our organisation to really get their footing to create something that's long-lasting for their children and grandchildren."

"The work that we're doing now, the results of that work be seen for another generation or so. And it's one of our hopes, is that we build the process whereby Narungga people will be economically independent of all government and won't rely on anyone else except the Narungga people for their future" Mr Wanganeen said.



4. ORGANISATIONAL CAPABILITY

To improve SANTS' capability through processes, systems and culture that deliver effective business outcomes.

Over the last 12 months, SANTS has continued to focus on delivering against our Strategic Plan and Business Plan. A number of outcomes were achieved this financial year in assisting SANTS to have 'excellence through all operations and working relationships'.

SANTS strategic approach is supported by a Business Services Plan, Human Resources Plan, Workplace, Health & Safety Plan and a Risk Management Plan. Regular reports on activities are provided to the SANTS Board and to SANTS employees at staff meetings and on the organisation's new intranet ("the SANTranet").

Key highlights for this year are:

- Introduction of a new communications tool and centralised "Policy Hub" for all employees with the launch of the SANTS Intranet "the SANTranet" which assists SANTS to keep employees informed and engaged, with ready access to current and historical news items.
- An Information Technology (IT) strategic review of the SANTS infrastructure which resulted in a 'refresh project' that enables SANTS to have improved and robust IT facilities in place to support our current and future business.
- Continued successful management of the compliance matrix for SANTS funding agreements.
- A review of service provider contracts to ensure cost efficiency and appropriateness for our environment (with a change in some providers).
- Completion of the cataloguing process of our hard copy records.
- Following a positive Staff Survey in 2017, agreed actions were implemented.

The SANTS Staff Workshop continues to be a strong focus for employee experience and wellbeing. This year the focus of the Workshop was "Where are we and where are we going?".

SANTS continues to manage human resources, leadership, structure and capability successfully in ways that focus on a performance culture which will deliver excellent outcomes to our clients. More detail information regarding these activities can be found in the Human Resources section of this Annual Report.

SANTS continues to manage its statutory and contractual obligations well with an unqualified audit report.

Compliance with our funding agreements are managed by a compliance matrix with regular reviews undertaken by SANTS Management.

The SANTS Business Plan was reported to the SANTS Board and Management during the 2018/2019 financial year. SANTS also has in place a Board Charter and constitution that manages its business.

More information on our governance approach can be found in the Governance section of this Annual Report.

SANTS continues to improve overall management of the Workplace, Health and Safety approach for our business.



Key activities in 2018/2019 were:

- The Emergency Management Committee met and organised a successful fire drill, implementing agreed improvements.
- Safety Week in October 2018 with a focus on overall awareness.
- A focused session offered for all employees on Mental Health in the Workplace
- Implementation of a new Ladder procedure for SANTS.

From a risk perspective, the Board and Management of SANTS review and monitor our risk management approach to ensure areas are effectively mitigated, where possible, or managed appropriately. Following a risk training session in 2017, the SANTS Risk Management Framework was reviewed and a fresh approach taken with the Risk Management Plan. Risk Management key performance indicators were set for financial year 2018/2019 and an end of year report will be provided to the SANTS Board in August 2019.



The Business Services team continued to deliver improved administrative and business services internally and externally. Two business services workshops were held with a focus on reviewing our current strategic approach, setting priorities for the coming six months and a review of possible improvements.

Information Technology continued to be managed with cyber threats managed or mitigated appropriately. Sound processes for ensuring information and data backups are undertaken were put in place. This was significantly improved with the IT Refresh Project.

Policies that were reviewed over the last financial year were our Confidentiality Policy, Travel Allowance Policy, Travel Policy, Intellectual Property Policy, Liability Policy, EEO Harassment and Discrimination Policy. New Policies were also implemented, Community Travel and Community Travel Allowance Policy, Working with Vulnerable People Policy, Media Relations Policy.



OPERATIONAL PLAN

ACTIVITY NAME	MILESTONE	PROGRESS
Adnyamathanha	<ol style="list-style-type: none"> 1. Consent Determination finalised 2. Rule Book Settled 3. Incorporation of PBC 	Shared consent determination made on 14 December 2018. Rulebook settled and joint PBC incorporated.
Ngadjuri	<ol style="list-style-type: none"> 1. Consent Determination finalised 2. Rule Book Settled 3. Incorporation of PBC 	Shared consent determination made on 14 December 2018. Rulebook settled and joint PBC incorporated.
Wilyakali 2	<ol style="list-style-type: none"> 1. Consent Determination finalised 2. Rule Book Settled 3. Incorporation of PBC 	Shared consent determination made on 14 December 2018. Rulebook settled and joint PBC incorporated.
Wirangu 2	<ol style="list-style-type: none"> 1. Supplementary connection material provided to State. 2. Negotiation with respondent or other third parties completed. 3. Consent Determination finalised. 4. Rule Book Settled. 	Supplementary connection material provided to State. Claim programmed for trial commencing November 2019 for Part A. Part B (overlap with Nauo) is adjourned until December with no trial orders.
Nauo/Nauo 2/Nauo 3	<ol style="list-style-type: none"> 1. Completion of research reports 2. Connection report provided to State 3. Negotiation with respondent or other third parties completed 4. Consent Determination finalised 	Research reports completed and connection report provided to State.
Nukunu	<ol style="list-style-type: none"> 1. Supplementary connection material provided to STATE. 2. Negotiation with respondent or other third parties completed. 3. Evidence prepared/preserved 4. Consent determination finalised. 5. Submissions lodged for litigated determination 	Nukunu consent determination made on June 17, 2019. A portion of this claim remains overlapped and those matters are listed for trial.
Nukunu/Barngarla	<ol style="list-style-type: none"> 1. Strike Out of Kokatha Application 	Complete
Narungga Nation	<ol style="list-style-type: none"> 1. Negotiation with respondent or other third parties completed. 2. Consent determination finalised. 3. ILUA negotiations completed, authorised and registered 	Milestones not completed but Consent Determination listed.

ACTIVITY NAME	MILESTONE	PROGRESS
Ngarrindjeri	<ol style="list-style-type: none"> 1. Consent Determination finalised. 2. External Agreement Finalised 	Milestones met, State considering Native Title Report
First Nations of South East No 2	<ol style="list-style-type: none"> 1. Consent Determination finalised. 2. External Agreement Finalised 3. Rule Book Settled 	Milestones met, State considering Native Title Report
Walka Wani Oodnadatta	<ol style="list-style-type: none"> 1. External agreement finalised 2. Completion of research report 	Reports for agreement completed, trial scheduled for September 2019
Arabana 2	<ol style="list-style-type: none"> 1. External agreement finalised 2. Completion of research report 3. Consent Determination finalised. 	Reports for agreement completed, trial scheduled for September 2019
Malyankapa	<ol style="list-style-type: none"> 1. Connection report provided to State 	Completed
Ngadjuri Nation 2	<ol style="list-style-type: none"> 1. Connection report provided to State 2. Future act notices processed. 	Connection report now due end of September 2019
Wilyakali No 1	<ol style="list-style-type: none"> 1. Connection report provided to State 2. Future act notices processed. 	Connection report now due end of September 2019
Far West Coast Sea Claim	<ol style="list-style-type: none"> 1. Connection report provided to State 	Completed
First Nations of South East	<ol style="list-style-type: none"> 1. Completion of research report 	Completed
First People of the River Murray No. 2	<ol style="list-style-type: none"> 1. Completion of research report 2. Group decision to prepare claim 	Work continues on this matter with limited capacity to progress. Meeting has authorised claim.
Yandruwandha Yawarrawarrka (QLD and NSW)	<ol style="list-style-type: none"> 1. Completion of research reports 2. Group decision to prepare claim. 3. External agreement finalised 	Native title group have now made application for joinder which is listed for hearing.
Kokatha Lake Torrens	<ol style="list-style-type: none"> 1. High Court Appeal (litigated determination) 	Matter completed

ACTIVITY NAME	MILESTONE	PROGRESS
Kaurna	1. Consent Determination finalised 2. Incorporation of PBC	Milestones met
Peramangk	1. Completion of research reports	Not complete
Ngarrinjeri	1. Sea Claim	Matter has not progressed
De Rose Hill Aboriginal Corporation.	1. PBC continues to comply with ORIC and other future act requirements and no evidence of serious internal disputes	Milestones met
Irrwanyere Aboriginal Corporation	1. PBC continues to comply with ORIC and other future act requirements and no evidence of serious internal disputes	Milestones met
River Murray and Mallee Aboriginal Corporation	1. PBC continues to comply with ORIC and other future act requirements and no evidence of serious internal disputes	Milestones met
Tjayiwara Umuru Aboriginal Corporation.	1. PBC continues to comply with ORIC and other future act requirements and no evidence of serious internal disputes	Milestones met
Walka Wani Aboriginal Corporation.	1. PBC continues to comply with ORIC and other future act requirements and no evidence of serious internal disputes	Milestones met
Wangkangurru Yarluyandi Aboriginal Corporation	1. PBC continues to comply with ORIC and other future act requirements and no evidence of serious internal disputes	Milestones met
Yankunytjatjara Aboriginal Corporation.	1. PBC continues to comply with ORIC and other future act requirements and no evidence of serious internal disputes	
Ngadjuri, Adnyamathanha, Wilyakali Native Title Aboriginal Corporation.	1. PBC continues to comply with ORIC and other future act requirements and no evidence of serious internal disputes	Milestones met
Yandruwandha Yawarrawarrka Aboriginal Corp	1. PBC continues to comply with ORIC and other future act requirements and no evidence of serious internal disputes	Milestones met

BUSINESS SPECIFIC REPORTS

HUMAN RESOURCES

The SANTS Human Resources (HR) Plan was approved by the CEO and endorsed by the SANTS Board in August 2018.

Key focus areas were:

- Effective Performance Management Processes and a quality CEO performance review.
- Working with the SANTS Board on implementing the Board Development Plan.
- Overseeing the SANTS Enterprise Agreement and overall employee wellbeing.
- Reviewing and improving HR processes at SANTS.
- Running Staff Workshops and quarterly update sessions for all employees on key topics. (Topics in 2019: Anthropology, Risk Management and Workplace Health and Safety).
- Implementing the Staff Survey Action Plan.
- Delivering the Cultural Awareness Strategy.
- Recruitment and HR support for PBCs.

The HR Plan supports the SANTS Strategic Plan and Business and Operational Plans to deliver excellent outcomes for our business.

The HR Plan was 85% delivered on time and on target. Key highlights were the Staff Workshop held in the Barossa Valley and working with some of our PBCs on employment solutions.

Workforce planning, staff turnover and retention

SANTS continues to be proactive in workforce planning, staff turnover and retention.

Current HR metrics are:

- 100% of SANTS Employees have performance and development plans in place.
- 80% of the Performance Evaluation and Learning Review discussions were completed last financial year.
- 16% voluntary turnover in FY2018/2019 (which includes contract expiry departures).

SANTS has enjoyed a stable workforce again this financial year which contributes to positive business outcomes for SANTS clients and satisfaction at work for our employees.



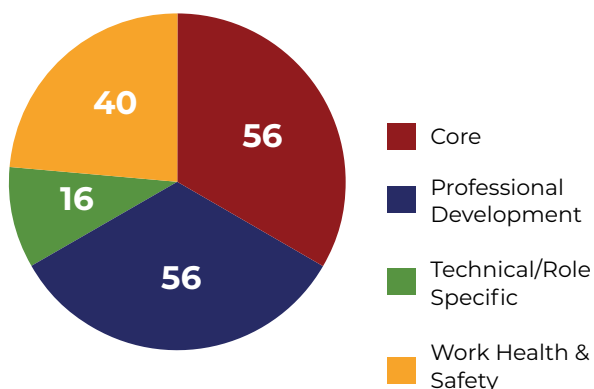
Training and Development

In the first half of the financial year, SANTS experienced a significant reduction in available funding for training and development as funds were re-directed towards core activities. Although with funding secured from our funder in quarter 1 2019, SANTS was able to offer additional opportunities to employees. This has slightly impacted on SANTS ability to deliver training outcomes for our employees.

SANTS provides professional development for all employees in support of their learning and development plans. This ranges from core training, specific professional development training, to workplace, health and safety training. A number of SANTS employees are undertaking further study through external tertiary institutions.

Total attendance for 2018-19 was 168 for 34 training programs undertaken (slightly lower than the previous financial year, 184 for 40 training programs).

Overall Attendance as at 30.6.19



Some of the programs provided were:

- 4WD Training
- Taxation & Payroll Training
- Quarterly Update - Risk Management
- National Indigenous Legal Conference and Specialist Anthropology Conferences
- Information Technology/Security Training – Cyber Protection
- Effective Presentations
- Fatigue Management & Mental Health in the Workplace briefings

All Lawyers, Anthropologists and relevant professional roles undertook the required Compulsory Professional Development (CPD) for their discipline.

Staff Training Activity 2018/2019

The SANTS Staff Workshop was held in the Barossa in March 2019 with a focus on “Where are we and where are we going?”. The topics covered were:

- Overview of 15 years of native title
- SANTS Strategic Plan Workshop (2020 and beyond)
- Overview of PBCs that work with SANTS
- Native Title in the Media
- SANTS and the post native title environment
- Code of Conduct training/workshop
- Cultural activities and Nangkaris
- Specialist topic sessions: Working with Vulnerable People, Budget Codes and NTBC, Fraud Policy and Fraud Risk Assessments
- Team building activities



During the staff workshop key highlights were the cultural activities and team building activities.

Feedback for the workshop was excellent with many of these activities used for future planning for SANTS.

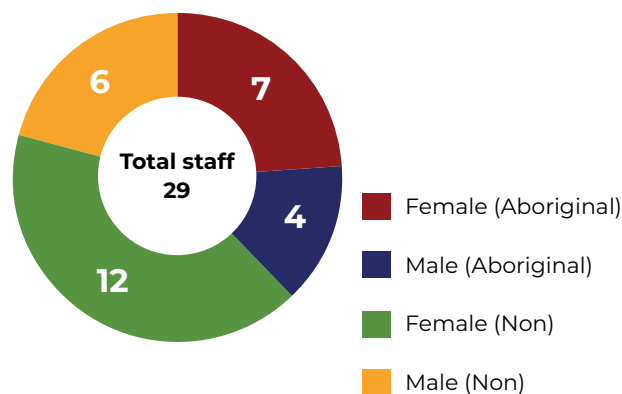
Recruitment and HR Support for PBCs

SANTS is pleased to be working with some of our PBCs on employment solutions. This continues to be a strong area of partnership for SANTS and our clients.

SANTS Enterprise Agreement

A new SANTS Enterprise Agreement was sent to all employees as a draft in May 2019 with updates provided through June 2019. Notice has been provided to all employees with the Agreement planned to be voted on in July 2019.

Staff Statistics



GOVERNANCE

The SANTS governance framework comprises the following elements:

- Legislative framework (NTA 1993, Corporations Act 2001).
- SANTS Constitution.
- SANTS Board Charter.
- Board of Directors.
- CEO and management team.

Board of Directors

According to the SANTS constitution, the Board must comprise of the following:

- a majority of Aboriginal persons, resident in South Australia, who are universally respected for their integrity in the Aboriginal community of South Australia;
- a South Australian legal practitioner;
- a South Australian accountancy practitioner who holds the designation of either Chartered Accountant (CA) or Certified Practising Accountant (CPA);
- a South Australian resident who has lengthy experience in public administration or as a corporate manager or leader; and
- such other person or persons as the Board Selection Committee deems fit.

In addition, the Chairperson of the Board shall be an Aboriginal person elected by the Board.

The SANTS Directors as at 30 June 2019 are:

April Lawrie – Chairperson/Director

Damien Coulthard – Deputy Chair/Director

Paul Case – Treasurer/Director

Allan Hunter – Director

John Briggs – Director

Lavene Ngatokorua – Director

Melanie Burton – Director

Report on Board activities in 2018/2019

The SANTS Board of Directors provides valuable advice and support to the SANTS CEO and Management Team in terms of SANTS governance and strategic directions. Meetings were well attended during the 2018/19 financial year and the quality of discussions high.

The Board conducted a variety of activities to assist in the development of new and existing Directors. These activities included the annual Board Induction session with the CEO, the Corporate Governance Training conducted by



Shane Carroll, a Preferred Board Behaviours session as well as detailed briefings from the Chief Executive Officer and the Principal Legal Officer on the current state of native title issues and funding.

April Lawrie was appointed as the new Chair of SANTS in May 2019 after the departure of Craig Allen. The Board values Ms Lawrie's extensive experience and knowledge of native title issues and her dedication to the advancement of Aboriginal people in South Australia.

Currently, SANTS is undergoing the Board Selection process for 2019 and it is hoped the appointment of two new Directors will bring the total number of Directors on the SANTS Board to nine people.

Board subcommittee

The Board subcommittee meets regularly to review all financial aspects of the company, including approving finance policies, identifying financial risks and assessment of financial statements. The Committee also discusses human resource and governance issues and makes recommendations to the Board as necessary.

The Committee is responsible for overseeing management roles and remuneration at SANTS.

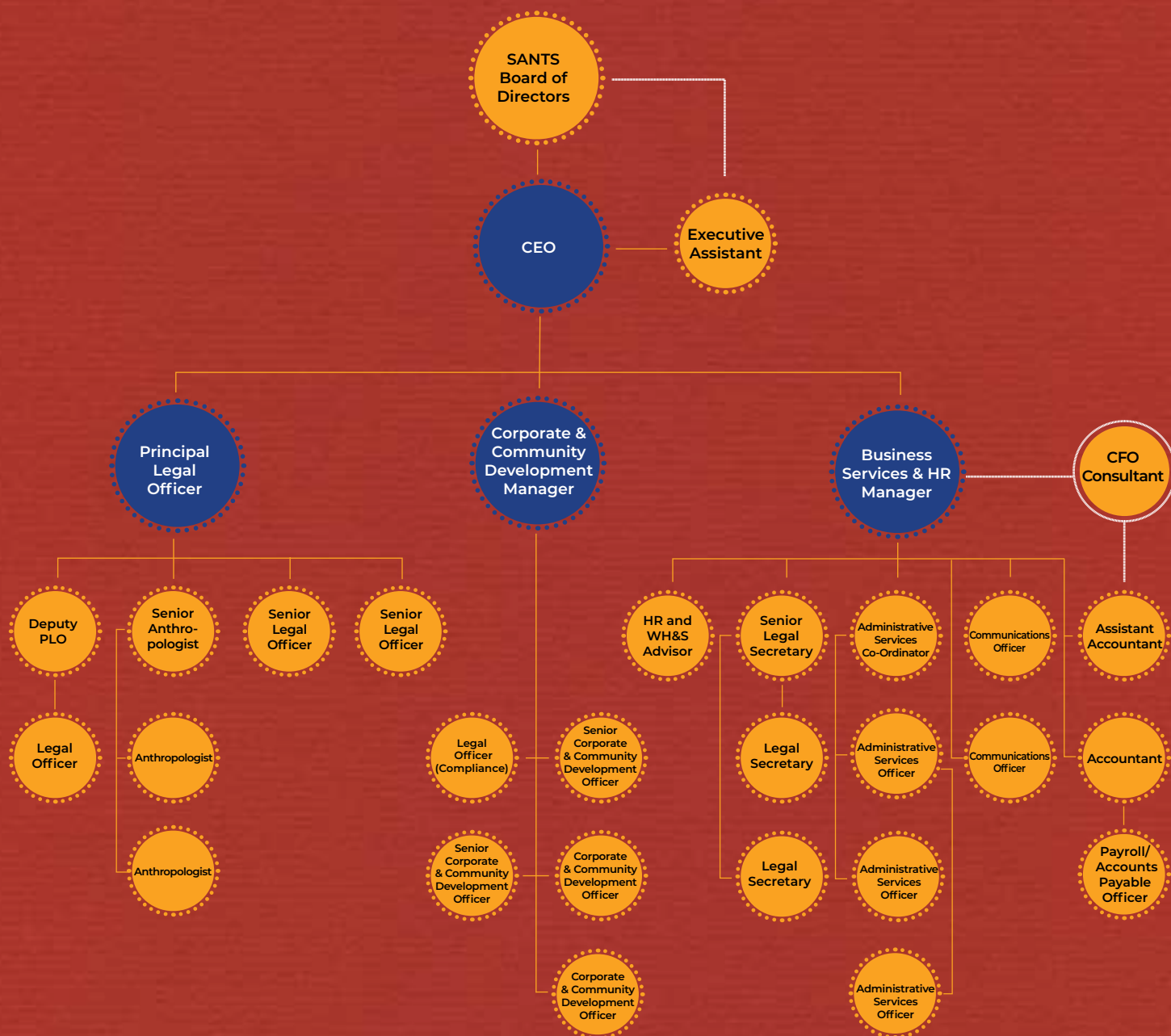
The Committee's main role is to endorse relevant information and material prior to Board approval, including providing direction to the CEO for the day-to-day operations of SANTS as needed.

Senior management team

The SANTS management team comprises four senior staff members including the CEO who meet regularly to discuss organisational and native title program operations, strategy and other matters relevant to the operations of the company. For further details of SANTS' governance, management and staffing structures, refer to the organisational chart overleaf.

ORGANISATIONAL CHART

as at June 2019





FINANCE

A summary of the financial performance of the Native Title Representative Body (NTRB) functions has been provided in the table over.

The activities expenditure of \$4,453,251 can be broken down as follows:

- Litigation - \$1,289,733
- Employment costs - \$2,235,693
- Consultants & Lawyers - \$355,291
- Meeting & Travel expenses - \$344,593
- Other expenses - \$227,941

We had a slow start to 2018/19 as the PM&C base funding amount of \$4,256,000 was only enough to cover employment and fixed corporate costs. This was compounded by the fact that there was no state funding and we only had modest carry forward funds of \$390,000. By comparison in the 2017/18 year we had carry forward funds of \$1,480,000 from the 2016/17 year.

Our funding position significantly improved throughout the year based on a number of submissions made to the PM&C. Additional funding was received throughout the year as follows:

- Litigation submissions - \$844,000
- Mid year funding variation - \$675,000
- Capital funding - \$90,000
- Additional support funding received in the last quarter of 2018/19 - \$2,530,000

In 2018/19 SANTS serviced 20 separate matters which included 3 litigated actions. In the end expenditure levels were in line with the budget and that of 2017/18, reflecting the continued high activity levels in the native title domain in South Australia.

We serviced 9 PBC's in 2018/19 with expenditure largely in line with that of 2017/18. The 2019/20 budget has funding for 11 PBC's, reflecting the success with which SANTS is settling

native title claims and ultimately creating PBC's.

2018/19 corporate expenditure was \$2,079,237 comprising of employment costs \$931,516 occupancy costs \$342,970, consulting fees \$283,433, communications/IT \$146,545 and training & development \$107,224. For the second year running corporate costs were down on the prior year. This is due to the on-going efforts of the executive in tightly managing the cost base of the organisation. This feat is all the more credible given that wage rates continue to increase at around 3%.

Base Commonwealth funding for 2019/20 is \$4,176,250 which is a decrease of \$79,950 on the 2018/19 funding of \$4,256,200. 2019/20 will get the benefit of carry forward funding of \$2,339,139 as reported in the attached table. This has allowed management to plan the year with some certainty and to compile an operational plan which covers 17 individual matters. The great unknown is the extent of contested litigation throughout the year. SANTS will need to apply for additional funding should any of these matters go to litigation.

As in previous years PM&C will oversee a mid year variation process. The quantum of funds made available to SANTS through the mid year variation will be a function of our performance against program milestones. In 2018/19 SANTS received \$675k which was well up on the \$190k received in the 2017/18 year. As in 2018/19 it is unlikely SANTS will receive state government funding in 2019/20.

The business has continued to stay up to date with all of its statutory and reporting obligations. Once again, the auditors have provided SANTS an unqualified audit report and did not identify any major control matters. This is largely due to the efforts of the finance team in continuing to maintain good financial management practices. Having timely and accurate numbers enables senior management to be confident with their decision making. SANTS would like to thank the finance team for another strong year.

TABLE 1: SUMMARY FINANCIAL PERFORMANCE

NTRB Functions (Funds utilised under Native Title Program Funding Agreement)	1 Actual 2017-18	2 Budget 2018-19	3 Actual 2018-19	4 Variation Actual (3) v Budget (2)
Capital	0	132,003	132,003	0
Activities	4,203,993	4,433,322	4,453,251	19,929
PBC Activities	600,379	584,000	571,524	(12,476)
Corporate	2,119,350	1,939,831	2,079,237	139,406
Total	6,923,722	7,089,156	7,236,015	146,859
INCOME				
Activity Generated Income	251,498	200,000	200,638	638
Activity Generated Interest	19,995	8,000	4,406	(3,594)
State Government	550,000	0	0	0
Other Funds	0	0	0	0
PM&C Funding				
Capital	0	132,003	132,003	0
Operational	4,212,211	6,939,804	6,939,804	0
PBC Support	581,000	584,000	584,000	0
Additional Funding – Litigation	219,533	1,324,733	1,324,733	0
Funds Brought Forward (includes contested litigation)	1,479,623	389,570	389,570	0
Total	7,313,860	9,578,110	9,575,154	(2,956)
Surplus / Deficit	390,138	2,488,954	2,339,139	(149,815)





SOUTH AUSTRALIAN NATIVE TITLE SERVICES LTD

FINANCIAL STATEMENTS

2018 - 2019

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Financial Statements

For the Year Ended 30 June 2019

South Australian Native Title Services Ltd

ABN: 66 131 591 841

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For the Year Ended 30 June 2019

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South Australian Native Title Services Ltd

ABN: 66 131 591 841

Directors' Report

30 June 2019

The directors present their report on South Australian Native Title Services Ltd for the financial year ended 30 June 2019.

Information on directors

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

Craig Allen	
Qualifications	Masters of Aboriginal Health B. Psychology B. Social Science (Psychology & Criminology)
Experience	Deputy Director (Poche), Faculty of Medicine, Nursing and Health Sciences Assistant Professor, Centre for Aboriginal Medical and Dental Health UWA 2008-2016
Special responsibilities	Chair
Ceased	26 July 2019
April Lawrie	
Experience	Director of Aboriginal Health Branch Director of Aboriginal Justice Director of AFSA Member of FWC Traditional Lands Association
Damien Coultard	
Qualifications	Certificate IV Training and Assessment (Vocational Education) Certificate IV Sport and Recreation B. Education (Physical Education and Society and Cultures)
Experience	Sports Coordinator - Le Fevre High School Geophysical Terrain Surveyor - Beverly Uranium Mine Aboriginal student mentor and teacher
Special responsibilities	Deputy Chair
Paul Case	
Qualifications	B. Economics (Accounting) Chartered Accountant Registered Company Auditor
Experience	Business Consultant
Special responsibilities	Treasurer
Allan Hunter	
Qualifications	LLB (Adelaide) Solicitor of the Supreme Court of SA
Experience	Solicitor and Senior Manager
John Briggs	
Qualifications	Workplace Trainer
Experience	General Manager of Intract

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Directors' Report 30 June 2019

Information on directors

Lavene Ngatokura	
Experience	Community Police Constable Youth Program Coordinator Activist
Troy McNamara	
Experience	Ranger, Department of Defence, Cultuna Army Barracks Manager, Whallina Heritage Management Corporation Aboriginal Liaison Officer, SA Department of Correctional Services Worked with two Aboriginal owned mining companies in WA & NT
Ceased	28 September 2018
Melanie Burton	
Qualifications	B. Law B. Arts (Jurisprudence) Graduate Certificate in Legal Practice
Experience	Over 19 years of experience in civil litigation, insurance, risk and advisory Partner of an Adelaide law firm

Directors have been in office since the start of the financial year to the date of this report unless otherwise stated.

Principal activities

The principal activity of South Australian Native Title Services Ltd during the financial year were to act as Native Title Services Provider (NTSP) for the State of South Australia.

No significant changes in the nature of the Company's activity occurred during the financial year.

Short term objectives

The Company's short term objectives are to provide expert native title services in a range of areas to assist South Australian Native Title Services Ltd's (SANTS) clients to achieve their aspirations.

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Directors' Report

30 June 2019

Long term objectives

The Company's long term objectives are to:

1. relieve poverty, sickness, suffering, distress, misfortune, destitution and helplessness amongst the Aboriginal people of South Australia;
2. recognise that such poverty, sickness, suffering, distress, misfortune, destitution and helplessness resulting from such Aboriginal people having been progressively dispossessed of their lands and/or waters, without compensation, as a consequence of which they have been socially, spiritually and economically disempowered and are now the most disadvantaged section of South Australian society, to assist such Aboriginal people to:
 - (a) improve self-reliance and their economic, social and cultural circumstances;
 - (b) regain recognition of their rights and interests in lands and/or waters arising from their traditional laws and customs;
 - (c) access and enjoy their traditional lands and/or waters;
 - (d) have a voice in relation to the future use and exploitation of their traditional lands and/or waters;
 - (e) obtain compensation in relation to their dispossession from their traditional lands and/or waters, and in relation to the future use and exploitation of such traditional lands and/or waters, by providing legal, research and other services.

Strategy for achieving the objectives

To achieve these objectives, the Company has adopted the following strategies:

- To deliver a full range of statutory services to our clients in order that they are able to achieve the formal recognition and exercise of native title rights;
- To provide leadership in native title;
- To enhance our clients' capacity to achieve their desired objectives;
- To enable SANTS to achieve excellence through all operations and working relationships

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Directors' Report

30 June 2019

How principal activities assisted in achieving the objectives

The principal activities assisted the Company in achieving its objectives by:

- The provision of legal services for providing timely advice in attaining and maintaining native title rights and interests;
- Facilitating community meetings to enable the progression of native title and compensation claims;
- Addressing future acts as they arise to inform about and protect native title rights and interests;
- Assisting native title groups to achieve their broader aspirations in terms of social, economic and cultural opportunities;
- Successful Consent Determinations.

Performance measures

The following measures are used within the Company to monitor performance:

- Key performance indicators are approved each year by the Board for the company in terms of the achievements of SANTS in native title.

Members' guarantee

South Australian Native Title Services Ltd is a company limited by guarantee. In the event of, and for the purpose of winding up of the company, the amount capable of being called up from each member and any person or association who ceased to be a member in the year prior to the winding up, is limited to \$ 5 for members that are corporations and \$ 5 for all other members, subject to the provisions of the company's constitution.

At 30 June 2019 the collective liability of members was \$ 35 (2018: \$ 40).

South Australian Native Title Services Ltd

ABN: 66 131 591 841

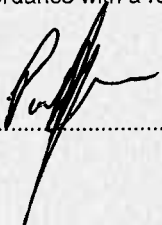
Directors' Report 30 June 2019

Meetings of directors

During the financial year, 10 meetings of directors (including committees of directors) were held. Attendances by each director during the year were as follows:

	Directors' Meetings		FAGNHR	
	Number eligible to attend	Number attended	Number eligible to attend	Number attended
April Lawrie	4	3	2	-
Damien Coultard	4	2	2	-
Paul Case	4	4	2	1
Allan Hunter	4	4	2	2
John Briggs	4	3	2	-
Lavene Ngatokura	4	1	2	-
Craig Allen	4	3	2	2
Troy McNamara	4	-	2	-
Melanie Burton	2	2	-	-

Signed in accordance with a resolution of the Board of Directors:

Director: 

Director: 

Dated this 30th day of August 2019

MOORE STEPHENS

Moore Stephens Audit (SA & NT) Pty Ltd
Level 2, 180 Flinders Street
Adelaide SA 5000

GPO Box 1171
Adelaide SA 5001

T +61 (0)8 8224 3300
F +61 (0)8 8224 3311

www.moorestephens.com.au

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Auditor's Independence Declaration under Section 60-40 of the Australian Charities and Not-for-profits Commission Act 2012 to the Directors of South Australian Native Title Services Ltd

I declare that, to the best of my knowledge and belief, during the year ended 30 June 2019, there have been no contraventions of any applicable code of professional conduct in relation to the audit.

MOORE STEPHENS



Graeme Rodda
Director

30 August 2019

Adelaide

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Statement of Profit or Loss and Other Comprehensive Income
For the Year Ended 30 June 2019

		2019	2018
	Note	\$	\$
Revenue	4	7,359,630	7,479,225
Other income	4	458,487	315,482
Employee benefits expense		(3,359,529)	(3,430,469)
Depreciation and amortisation expense		(37,832)	(42,101)
Travel costs		(308,546)	(394,208)
Occupancy costs		(298,709)	(311,885)
Consulting and professional fees		(2,091,456)	(1,927,681)
Other expense		(1,604,867)	(1,702,624)
Surplus/(deficit) for the year		117,178	(14,261)
Other comprehensive income		-	-
Total comprehensive income for the year		117,178	(14,261)

The accompanying notes form part of these financial statements.

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Statement of Financial Position

As At 30 June 2019

	Note	2019 \$	2018 \$
ASSETS			
CURRENT ASSETS			
Cash and cash equivalents	6	5,449,649	3,665,712
Trade and other receivables	7	207,913	239,794
Current tax receivable	11	-	38,179
Other assets	8	58,764	63,384
TOTAL CURRENT ASSETS		5,716,326	4,007,069
NON-CURRENT ASSETS			
Property, plant and equipment	9	175,754	55,282
TOTAL NON-CURRENT ASSETS		175,754	55,282
TOTAL ASSETS		5,892,080	4,062,351
LIABILITIES			
CURRENT LIABILITIES			
Trade and other payables	10	2,351,264	2,805,444
Current tax liabilities	11	181,493	-
Employee benefits	12	720,633	574,537
Other financial liabilities	13	2,382,071	532,215
TOTAL CURRENT LIABILITIES		5,635,461	3,912,196
NON-CURRENT LIABILITIES			
Employee benefits	12	34,583	45,297
TOTAL NON-CURRENT LIABILITIES		34,583	45,297
TOTAL LIABILITIES		5,670,044	3,957,493
NET ASSETS		222,036	104,858
EQUITY			
Accumulated surplus		222,036	104,858
TOTAL EQUITY		222,036	104,858

The accompanying notes form part of these financial statements.

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Statement of Changes in Equity

For the Year Ended 30 June 2019

2019

	Accumulated Surplus \$
Balance at 1 July 2018	104,858
Surplus attributable to members of the entity	117,178
Balance at 30 June 2019	222,036

2018

	Accumulated Surplus \$
Balance at 1 July 2017	119,119
Deficit attributable to members of the entity	(14,261)
Balance at 30 June 2018	104,858

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Statement of Cash Flows For the Year Ended 30 June 2019

	Note	2019 \$	2018 \$
CASH FLOWS FROM OPERATING ACTIVITIES:			
Receipts from customers		745,929	595,133
Payments to suppliers and employees		(7,847,417)	(7,666,453)
Interest received		35,987	22,186
Receipt from grants		9,014,329	5,995,203
Net cash provided by/(used in) operating activities		<u>1,948,828</u>	<u>(1,053,931)</u>
CASH FLOWS FROM INVESTING ACTIVITIES:			
Purchase of property, plant and equipment		(164,891)	-
Net cash provided by/(used in) investing activities		<u>(164,891)</u>	<u>-</u>
CASH FLOWS FROM FINANCING ACTIVITIES:			
Movement in trust funds held		-	297,283
Net cash provided by/(used in) financing activities		<u>-</u>	<u>297,283</u>
Net increase/(decrease) in cash and cash equivalents held		1,783,937	(756,648)
Cash and cash equivalents at beginning of year		3,665,712	4,422,360
Cash and cash equivalents at end of financial year	6	<u>5,449,649</u>	<u>3,665,712</u>

The accompanying notes form part of these financial statements.

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Notes to the Financial Statements For the Year Ended 30 June 2019

The financial report covers South Australian Native Title Services Ltd ('the Company'). South Australian Native Title Services Ltd is a not-for-profit Company limited by guarantee, incorporated and domiciled in Australia.

The functional and presentation currency of South Australian Native Title Services Ltd is Australian dollars.

Comparatives are consistent with prior years, unless otherwise stated.

1 Basis of Preparation

South Australian Native Title Services Ltd applies Australian Accounting Standards – Reduced Disclosure Requirements as set out in AASB 1053: Application of Tiers of Australian Accounting Standards and AASB 2010-2: Amendments to Australian Accounting Standards arising from Reduced Disclosure Requirements.

The financial statements are general purpose financial statements that have been prepared in accordance with the Australian Accounting Standards - Reduced Disclosure Requirements and the *Australian Charities and Not-for-profits Commission Act 2012*.

The financial statements, except for the cash flow information, 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.

Significant accounting policies adopted in the preparation of these financial statements are presented below and are consistent with prior reporting periods unless otherwise stated.

2 Summary of Significant Accounting Policies

(a) Revenue and other income

Revenue is recognised when the amount of the revenue can be measured reliably, it is probable that economic benefits associated with the transaction will flow to the Company and specific criteria relating to the type of revenue as noted below, has been satisfied.

Revenue is measured at the fair value of the consideration received or receivable and is presented net of returns, discounts and rebates.

Grant revenue

Grant revenue is recognised in the statement of profit or loss and other comprehensive income when the entity obtains control of the grant, it is probable that the economic benefits gained from the grant will flow to the entity and the amount of the grant can be measured reliably.

When grant revenue is received whereby the entity incurs an obligation to deliver economic value directly back to the contributor, this is considered a reciprocal transaction and the grant revenue is recognised in the statement of financial position as a liability until the service has been delivered to the contributor, otherwise the grant is recognised as income on receipt.

Rendering of services

Revenue in relation to rendering of services is recognised depending on whether the outcome of the services can be estimated reliably. If the outcome can be estimated reliably then the stage of completion of the services is used to determine the appropriate level of revenue to be recognised in the period.

If the outcome cannot be reliably estimated then revenue is recognised to the extent of expenses recognised

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Notes to the Financial Statements

For the Year Ended 30 June 2019

2 Summary of Significant Accounting Policies

(a) Revenue and other income

Rendering of services
that are recoverable.

Other income

Other income is recognised on an accruals basis when the Company is entitled to it.

Interest revenue

Interest is recognised using the effective interest method.

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

(b) Property, plant and equipment

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

Where the cost model is used, the asset is carried at its cost less any accumulated depreciation and any impairment losses. Costs include purchase price, other directly attributable costs and the initial estimate of the costs of dismantling and restoring the asset, where applicable.

Assets measured using the revaluation model are carried at fair value at the revaluation date less any subsequent accumulated depreciation and impairment losses. Revaluations are performed whenever there is a material movement in the value of an asset under the revaluation model.

Plant and equipment

Plant and equipment are measured using the cost model.

Items of property, plant and equipment acquired for nil or nominal consideration have been recorded at the acquisition date fair value.

Depreciation

Property, plant and equipment, excluding freehold land, is depreciated on a straight-line basis over the assets useful life to the Company, commencing when the asset is ready for use.

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Notes to the Financial Statements

For the Year Ended 30 June 2019

2 Summary of Significant Accounting Policies

(b) Property, plant and equipment

Depreciation

Leased assets and leasehold improvements are amortised over the shorter of either the unexpired period of the lease or their estimated useful life.

The depreciation rates used for each class of depreciable asset are shown below:

Fixed asset class	Depreciation rate
Plant and Equipment	2.50 - 16.67%
Furniture, Fixtures and Fittings	10.00%
Motor Vehicles	20.00%
Computer Equipment	20.00 - 33.33%
Computer Software	20.00%
Improvements	33.33%
Other Property, Plant & Equipment	10.00%

At the end of each annual reporting period, the depreciation method, useful life and residual value of each asset is reviewed. Any revisions are accounted for prospectively as a change in estimate.

(c) Leases

Leases of fixed assets where substantially all the risks and benefits incidental to the ownership of the asset, but not the legal ownership that are transferred to the Company are classified as finance leases.

Finance leases are capitalised by recording an asset and a liability at the lower of the amounts equal to the fair value of the leased property or the present value of the minimum lease payments, including any guaranteed residual values. Lease payments are allocated between the reduction of the lease liability and the lease interest expense for the period.

Lease payments for operating leases, where substantially all of the risks and benefits remain with the lessor, are charged as expenses on a straight-line basis over the life of the lease term.

Lease incentives under operating leases are recognised as a liability and amortised on a straight-line basis over the life of the lease term.

(d) Financial instruments

Financial instruments are recognised initially using trade date accounting, i.e. on the date that the Company becomes party to the contractual provisions of the instrument.

On initial recognition, all financial instruments are measured at fair value plus transaction costs (except for instruments measured at fair value through profit or loss where transaction costs are expensed as incurred).

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Notes to the Financial Statements

For the Year Ended 30 June 2019

2 Summary of Significant Accounting Policies

(d) Financial instruments

Financial Assets

Financial assets are divided into the following categories which are described in detail below:

- loans and receivables;
- financial assets at fair value through profit or loss;
- available-for-sale financial assets; and
- held-to-maturity investments.

Financial assets are assigned to the different categories on initial recognition, depending on the characteristics of the instrument and its purpose. A financial instrument's category is relevant to the way it is measured and whether any resulting income and expenses are recognised in profit or loss or in other comprehensive income.

All income and expenses relating to financial assets are recognised in the statement of profit or loss and other comprehensive income in the 'finance income' or 'finance costs' line item respectively.

Loans and receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. They arise principally through the provision of goods and services to customers but also incorporate other types of contractual monetary assets.

After initial recognition these are measured at amortised cost using the effective interest method, less provision for impairment. Any change in their value is recognised in profit or loss.

The Company's trade and other receivables fall into this category of financial instruments.

In some circumstances, the Company renegotiates repayment terms with customers which may lead to changes in the timing of the payments, the Company does not necessarily consider the balance to be impaired, however assessment is made on a case-by-case basis.

Financial assets at fair value through profit or loss

Financial assets at fair value through profit or loss include financial assets:

- acquired principally for the purpose of selling in the near future
- designated by the entity to be carried at fair value through profit or loss upon initial recognition or
- which are derivatives not qualifying for hedge accounting.

The Company has some derivatives which are designated as financial assets at fair value through profit or loss.

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Notes to the Financial Statements For the Year Ended 30 June 2019

2 Summary of Significant Accounting Policies

(d) Financial instruments

Assets included within this category are carried in the statement of financial position at fair value with changes in fair value recognised in finance income or expenses in profit or loss.

Any gain or loss arising from derivative financial instruments is based on changes in fair value, which is determined by direct reference to active market transactions or using a valuation technique where no active market exists.

Held-to-maturity investments

Held-to-maturity investments are non-derivative financial assets with fixed or determinable payments and fixed maturity. Investments are classified as held-to-maturity if it is the intention of the Company's management to hold them until maturity.

Held-to-maturity investments are subsequently measured at amortised cost using the effective interest method, with revenue recognised on an effective yield basis. In addition, if there is objective evidence that the investment has been impaired, the financial asset is measured at the present value of estimated cash flows. Any changes to the carrying amount of the investment are recognised in profit or loss.

Available-for-sale financial assets

Available-for-sale financial assets are non-derivative financial assets that do not qualify for inclusion in any of the other categories of financial assets or which have been designated in this category.

All available-for-sale financial assets are measured at fair value, with subsequent changes in value recognised in other comprehensive income.

Gains and losses arising from financial instruments classified as available-for-sale are only recognised in profit or loss when they are sold or when the investment is impaired.

In the case of impairment or sale, any gain or loss previously recognised in equity is transferred to the profit or loss.

Losses recognised in the prior period statement of profit or loss and other comprehensive income resulting from the impairment of debt securities are reversed through the statement of profit or loss and other comprehensive income, if the subsequent increase can be objectively related to an event occurring after the impairment loss was recognised in profit or loss.

Financial liabilities

Financial liabilities are classified as either financial liabilities 'at fair value through profit or loss' or other financial liabilities depending on the purpose for which the liability was acquired.

The Company's financial liabilities include borrowings, trade and other payables (including finance lease liabilities), which are measured at amortised cost using the effective interest rate method.

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Notes to the Financial Statements

For the Year Ended 30 June 2019

2 Summary of Significant Accounting Policies

(d) Financial instruments

Impairment of financial assets

At the end of the reporting period the Company assesses whether there is any objective evidence that a financial asset or group of financial assets is impaired.

Financial assets at amortised cost

If there is objective evidence that an impairment loss on financial assets carried at amortised cost has been incurred, the amount of the loss is measured as the difference between the asset's carrying amount and the present value of the estimated future cash flows discounted at the financial assets original effective interest rate.

Impairment on loans and receivables is reduced through the use of an allowance accounts, all other impairment losses on financial assets at amortised cost are taken directly to the asset.

Subsequent recoveries of amounts previously written off are credited against other expenses in profit or loss.

Available-for-sale financial assets

A significant or prolonged decline in value of an available-for-sale asset below its cost is objective evidence of impairment, in this case, the cumulative loss that has been recognised in other comprehensive income is reclassified from equity to profit or loss as a reclassification adjustment. Any subsequent increase in the value of the asset is taken directly to other comprehensive income.

(e) Impairment of non-financial assets

At the end of each reporting period the Company determines whether there is an evidence of an impairment indicator for non-financial assets.

Where an indicator exists and regardless for indefinite life intangible assets and intangible assets not yet available for use, the recoverable amount of the asset is estimated.

Where assets do not operate independently of other assets, the recoverable amount of the relevant cash-generating unit (CGU) is estimated.

The recoverable amount of an asset or CGU is the higher of the fair value less costs of disposal and the value in use. Value in use is the present value of the future cash flows expected to be derived from an asset or cash-generating unit.

Where the recoverable amount is less than the carrying amount, an impairment loss is recognised in profit or loss.

Reversal indicators are considered in subsequent periods for all assets which have suffered an impairment loss.

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Notes to the Financial Statements

For the Year Ended 30 June 2019

2 Summary of Significant Accounting Policies

(f) Employee benefits

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

Employee benefits expected to be settled more than one year after the end of the reporting period have been measured at the present value of the estimated future cash outflows to be made for those benefits. In determining the liability, consideration is given to employee wage increases and the probability that the employee may satisfy vesting requirements. Cashflows are discounted using market yields on high quality corporate bond rates incorporating bonds rated AAA or AA by credit agencies, with terms to maturity that match the expected timing of cashflows. Changes in the measurement of the liability are recognised in profit or loss.

(g) Cash and cash equivalents

Cash and cash equivalents comprises cash on hand, demand deposits and short-term investments which are readily convertible to known amounts of cash and which are subject to an insignificant risk of change in value.

(h) Goods and services tax (GST)

Revenue, expenses and assets are recognised net of the amount of goods and services tax (GST), except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payable are stated inclusive of GST.

The net amount of GST recoverable from, or payable to the ATO is included as part of receivables or payables in the statement of financial position.

Cash flows in the statement of cash flows are included on a gross basis and the GST component of cash flows arising from investing and financing activities which is recoverable from, or payable to, the taxation authority is classified as operating cash flows.

(i) Income Tax

The Company is exempt from income tax under Division 50 of the *Income Tax Assessment Act 1997*.

(j) Provisions

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

Provisions recognised represent the best estimate of the amounts required to settle the obligation at the end of the reporting period.

(k) Trade and other payables

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

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Notes to the Financial Statements

For the Year Ended 30 June 2019

2 Summary of Significant Accounting Policies

(l) Economic dependence

South Australian Native Title Services Ltd is dependent on the Commonwealth and State Governments for the majority of its revenue used to operate the business. At the date of this report the directors have no reason to believe the Commonwealth and State Governments will not continue to support South Australian Native Title Services Ltd.

(m) Fair value of assets and liabilities

The company measures some of its assets and liabilities at fair value on either a recurring or non-recurring basis, depending on the requirements of the applicable Accounting Standard.

"Fair value" is the price the company would receive to sell an asset or would have to pay to transfer a liability in an orderly (ie unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.

As fair value is a market-based measure, the closest equivalent observable market pricing information is used to determine fair value. Adjustments to market values may be made having regard to the characteristics of the specific asset or liability. The fair values of assets and liabilities that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data.

To the extent possible, market information is extracted from the principal market for the asset or liability (ie the market with the greatest volume and level of activity for the asset or liability). In the absence of such a market, market information is extracted from the most advantageous market available to the entity at the end of the reporting period (ie the market that maximises the receipts from the sale of the asset or minimises the payments made to transfer the liability, after taking into account transaction costs and transport costs).

For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.

The fair value of liabilities and the entity's own equity instruments (if any) may be valued, where there is no observable market price in relation to the transfer of such financial instrument, by reference to observable market information where such instruments are held as assets. Where this information is not available, other valuation techniques are adopted and where significant, are detailed in the respective note to the financial statements.

3 Critical Accounting Estimates and Judgments

The directors make estimates and judgements during the preparation of these financial statements regarding assumptions about current and future events affecting transactions and balances.

These estimates and judgements are based on the best information available at the time of preparing the financial statements, however as additional information is known then the actual results may differ from the estimates.

The significant estimates and judgements made have been described below.

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Notes to the Financial Statements For the Year Ended 30 June 2019

3 Critical Accounting Estimates and Judgments

Key estimates - impairment of property, plant and equipment

The Company assesses impairment at the end of each reporting period by evaluating conditions specific to the Company that may be indicative of impairment triggers. Recoverable amounts of relevant assets are reassessed using value-in-use calculations which incorporate various key assumptions.

Key estimates - receivables

The receivables at reporting date have been reviewed to determine whether there is any objective evidence that any of the receivables are impaired. An impairment provision is included for any receivable where the entire balance is not considered collectible. The impairment provision is based on the best information at the reporting date.

4 Revenue and Other Income

Revenue from continuing operations

	2019	2018
	\$	\$
Sales revenue		
- Operating grants	7,074,670	7,129,348
- Provision of services	284,960	349,877
	<u>7,359,630</u>	<u>7,479,225</u>
Other revenue		
- Interest received	35,987	22,186
- Recoveries	422,500	293,296
	<u>458,487</u>	<u>315,482</u>
Total Revenue	<u>7,818,117</u>	<u>7,794,707</u>

5 Result for the Year

Expenses

The result for the year includes the following specific expenses:

Superannuation contributions	380,969	358,066
Rental expenses on leases		
- minimum lease repayments	393,245	409,544
Audit fees		
- audit services	9,250	17,750

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Notes to the Financial Statements For the Year Ended 30 June 2019

6 Cash and Cash Equivalents

	2019	2018
	\$	\$
Cash at bank and in hand	2,625,735	817,501
Short-term deposits	2,823,914	2,848,211
	<u>5,449,649</u>	<u>3,665,712</u>

7 Trade and Other Receivables

CURRENT

Trade receivables	204,229	219,466
Provision for impairment	(1,100)	-
Other receivables	4,784	20,328
Total current trade and other receivables	<u>207,913</u>	<u>239,794</u>

8 Other Non-financial Assets

Prepayments	<u>58,764</u>	<u>63,384</u>
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South Australian Native Title Services Ltd

ABN: 66 131 591 841

Notes to the Financial Statements For the Year Ended 30 June 2019

9 Property, plant and equipment

	2019 \$	2018 \$
Plant and equipment		
At cost	74,807	114,186
Accumulated depreciation	(62,542)	(88,636)
Total plant and equipment	12,265	25,550
Furniture, fixtures and fittings		
At cost	39,291	39,291
Accumulated depreciation	(39,018)	(37,296)
Total furniture, fixtures and fittings	273	1,995
Motor vehicles		
At cost	98,185	74,780
Accumulated depreciation	(36,558)	(66,311)
Total motor vehicles	61,627	8,469
Computer equipment		
At cost	206,759	136,028
Accumulated depreciation	(115,739)	(120,322)
Total computer equipment	91,020	15,706
Computer software		
At cost	-	11,937
Accumulated depreciation	-	(11,937)
Total computer software	-	-
Improvements		
At cost	18,690	18,690
Leasehold Improvements	(18,690)	(18,690)
Total improvements	-	-
Artwork		
At cost	16,452	7,800
Accumulated depreciation	(5,883)	(4,238)
Total artwork	10,569	3,562
Total property, plant and equipment	175,754	55,282

South Australian Native Title Services Ltd

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Notes to the Financial Statements For the Year Ended 30 June 2019

9 Property, plant and equipment

Movements in Carrying Amounts

Movement in the carrying amounts for each class of property, plant and equipment between the beginning and the end of the current financial year:

	Plant and Equipment	Furniture, Fixtures and Fittings	Motor Vehicles	Computer Equipment	Computer Software	Artwork	Total
	\$	\$	\$	\$	\$	\$	\$
Year ended 30 June 2019							
Balance at the beginning of the year	25,550	1,995	8,469	15,706	-	3,562	55,282
Additions	-	-	62,459	93,780	-	8,652	164,891
Disposals	(39,379)	-	(39,054)	(23,049)	(11,937)	-	(113,419)
Depreciation expense	26,094	(1,722)	29,753	4,583	11,937	(1,645)	69,000
Balance at the end of the year	12,265	273	61,627	91,020	-	10,569	175,754

10 Trade and Other Payables

Current		
Trade payables	374,846	462,049
Sundry payables and accrued expenses - payroll liabilities	82,454	97,177
Funds held in trust	1,893,964	2,241,321
Credit cards	-	4,897
	2,351,264	2,805,444

South Australian Native Title Services Ltd

ABN: 66 131 591 841

Notes to the Financial Statements For the Year Ended 30 June 2019

11 Tax assets and liabilities

Current Tax Asset

	2019	2018
	\$	\$
GST receivable	-	38,179

Current Tax Liability

GST payable	181,493	-
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12 Employee Benefits

Current liabilities		
Long service leave	296,367	242,189
Annual leave	314,385	272,519
Other employee benefits	109,881	59,829
	<u>720,633</u>	<u>574,537</u>
Non-current liabilities		
Long service leave	34,583	45,297
	<u>34,583</u>	<u>45,297</u>

13 Other Financial Liabilities

Grants received in advance	2,382,071	532,215
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14 Leasing Commitments

Operating leases

Minimum lease payments under non-cancellable operating leases:

- not later than one year	351,483	152,217
- between one year and five years	535,536	61,708
	<u>887,019</u>	<u>213,925</u>

Operating leases are in place for office equipment, rental of the premises at King William Street and motor vehicles. Lease payments are increased on an annual basis to reflect market rentals.

South Australian Native Title Services Ltd

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Notes to the Financial Statements For the Year Ended 30 June 2019

15 Financial Risk Management

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

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:

		2019	2018
		\$	\$
Available-for-sale financial assets			
Cash and cash equivalents	6	5,449,649	3,665,712
Loans and receivables	7	207,913	239,794
Total financial assets		5,657,562	3,905,506
Financial assets at fair value through profit or loss			
Financial liabilities at fair value		-	-
- Trade and other payables	10	2,351,264	2,805,444
Total financial liabilities	10	2,351,264	2,805,444

16 Contingencies

In the opinion of the Directors, the Company did not have any contingencies at 30 June 2019 (30 June 2018: None).

17 Related Parties

(a) The Company's main related parties are as follows:

Key management personnel - refer to Note 19.

Other related parties include close family members of key management personnel and entities that are controlled or significantly influenced by those key management personnel or their close family members.

(b) Transactions with related parties

Transactions between related parties are on normal commercial terms and conditions no more favourable than those available to other parties unless otherwise stated.

The following transactions occurred with related parties:

A company directed by Paul Case, a director, provided consulting services	25,250	39,633
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18 Events Occurring After the Reporting Date

No matters or circumstances have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the Company, the results of those operations, or the state of affairs of the Company in future financial years.

19 Key Management Personnel Remuneration

The totals of remuneration paid to the key management personnel of South Australian Native Title Services Ltd during the year are as follows:

South Australian Native Title Services Ltd

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Notes to the Financial Statements For the Year Ended 30 June 2019

19 Key Management Personnel Remuneration

The total remuneration paid to key management personnel of the Company is \$ 735,657 (2018: \$ 687,841).

20 Members' Guarantee

The Company is incorporated under the *Corporations Act 2001* and is a Company limited by guarantee. If the Company is wound up, the constitution states that each member is required to contribute a maximum of \$ 5 each towards meeting any outstandings and obligations of the Company. At 30 June 2019 the number of members was 7 (2018: 9).

21 Statutory Information

The registered office and principal place of business of the company is:

South Australian Native Title Services Ltd

Level 4

345 King William Street

Adelaide SA 5000

South Australian Native Title Services Ltd

ABN: 66 131 591 841

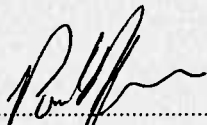
Directors' Declaration

The directors of the Company declare that:

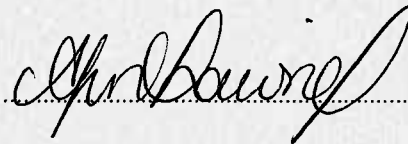
1. The financial statements and notes, as set out on pages 7 to 25, are in accordance with the *Australian Charities and Not-for-profits Commission Act 2012* and:
 - a. comply with Australian Accounting Standards - Reduced Disclosure Requirements; and
 - b. give a true and fair view of the financial position as at 30 June 2019 and of the performance for the year ended on that date of the Company.
2. In the directors' opinion, there are reasonable grounds to believe that the Company will be able to pay its debts as and when they become due and payable.

This declaration is made in accordance with a resolution of the Board of Directors.

Director



Director



Dated this 30th day of August 2019

Moore Stephens Audit (SA & NT) Pty Ltd
Level 2, 180 Flinders Street
Adelaide SA 5000

GPO Box 1171
Adelaide SA 5001

T +61 (0)8 8224 3300

F +61 (0)8 8224 3311

www.moorestephens.com.au

South Australian Native Title Services Ltd

Independent Audit Report to the members of South Australian Native Title Services Ltd

Report on the Audit of the Financial Report

Opinion

We have audited the financial report of South Australian Native Title Services Ltd (the Company), which comprises the statement of financial position as at 30 June 2019, the statement of profit or loss and other comprehensive income, the statement of changes in equity and the statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies, and the directors' declaration.

In our opinion, the accompanying financial report of the Company is in accordance with the *Corporations Act 2001*, including:

- (i) giving a true and fair view of the Company's financial position as at 30 June 2019 and of its financial performance for the year ended; and
- (ii) complying with Australian Accounting Standards - Reduced Disclosure Requirements and the *Corporations Regulations 2001*.

Basis for Opinion

We 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 Company in accordance with the auditor independence requirements of the *Corporations Act 2001* 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 other ethical responsibilities in accordance with the Code.

We confirm that the independence declaration required by the *Corporations Act 2001*, which has been given to the directors of the Company, would be in the same terms if given to the directors as at the time of this auditor's report.

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

South Australian Native Title Services Ltd

Independent Audit Report to the members of South Australian Native Title Services Ltd

Responsibilities of Directors for the Financial Report

The directors of the Company are responsible for the preparation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards - Reduced Disclosure Requirements and the *Corporations Act 2001* and for such internal control as the directors determine is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the directors are responsible for assessing the Company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the Company or to cease operations, or have no realistic alternative but to do so.

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 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.

A further description of our responsibilities for the audit of the financial report is located on the Auditing and Assurance Standards Board website at: www.auasb.gov.au/auditors_responsibilities/ar4.pdf. This description forms part of our auditor's report

MOORE STEPHENS



Graeme Rodda
Director

Adelaide

25 September 2019



South Australian Native Title Services (SANTS)
Level 4, 345 King William Street, Adelaide SA 5000
P (08) 8110 2800
F (08) 8110 2811
E info@nativetitlesa.org
W www.nativetitlesa.org