



2016-17

KLC ANNUAL
REPORT





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Introduction and overview



YIRRKALA DANCERS PERFORM 'YAM DANCE', ON ARRIVAL AT THE INAUGRAL KLC MEETING. NOONKANBAH STATION.

The Kimberley Land Council (KLC) was established in 1978 following a dispute between Kimberley Aboriginal people, the West Australian Government and an international mining company at Noonkanbah.

The KLC was set up by Kimberley Aboriginal people as a peak regional community organisation, to secure the rights and interests of Kimberley Aboriginal people in relation to their land and waters and to protect their significant places.

The environment we operate in today, and into the future, is significantly different from the environment of 1978.

While fulfilling our role as a Native Title Representative Body remains the core business of our organisation, we have expanded to include a broad range of programs and activities that help us to achieve the vision of our members.

The KLC has a proud history covering almost 40 years. We want to build on our achievements over that time, and to continue with the good work we do for our members and for Kimberley Aboriginal people in getting back our country, looking after our country, and getting control of our future.

As part of our Native Title Representative Body funding agreement with the Commonwealth Government, the KLC is required to present detailed technical information on its functions in our Annual Report. This report also includes information on other aspects of our organisation to reflect the full diversity of our operations.

While fulfilling our role as a Native Title Representative Body remains the core business of our organisation, we have expanded to include a broad range of programs and activities that help us achieve the vision of our members.

Our mission, vision and values



Our Vision

The Kimberley Land Council is a community organisation working for and with Traditional Owners of the Kimberley to get back country, look after country and get control of the future.

Our Mission

Aims

- To get back country
- To look after country
- To get control of the future
- To have a strong organisation

Objectives

- Improve the cultural, social and economic wellbeing of Kimberley Aboriginal people
- Operate as an effective body to secure rights for and deliver the aspirations of Kimberley Traditional Owners

- Develop and implement policies, strategies and activities that deliver a high-standard of services to Traditional Owners to achieve our vision
- Develop and implement sound, appropriate and effective planning and review processes and documents

Our Values

- Respect for our law and culture
- Respect for our elders and stakeholders
- Fair and transparent decision-making
- Effective and open communication
- Working in partnership
- Trust and loyalty
- Justice and equality for Indigenous people
- Cultural diversity

The Kimberley Land Council is a community organisation working for and with Traditional Owners of the Kimberley to get back country, look after country and get control of the future.

Anthony Watson



Marboo Ngyimbi (hello). I am pleased to bring you my report for the 2016-17 financial year. Much has been achieved at the Kimberley Land Council in the past 12 months, including another native title determination, successful regional meetings, huge land and sea achievements and a renewed international focus.

Firstly, I was very pleased to be re-elected to the position of Chairman at the KLC AGM in September 2016. Holding this position, and following in the footsteps of my father Mr John Watson and other Chairs, is a great honour for me.

The AGM elections resulted in the formation of a brand new KLC Board tasked with leading our organisation. The KLC Board provides strategic direction and makes key decisions about the priorities of the KLC and has been a pleasure to work with.

Sadly, we experienced the sudden passing of one of our female directors

in 2017. We give our condolences to family and friends. Director McKeon will be remembered by us all.

I would like to acknowledge our senior elders that we have lost in the past year. Unfortunately we continue to lose some of our greatest leaders. It was their passion and commitment to land rights that led to the formation of the KLC 39 years ago and we will always remember them.

I am confident that our younger generation will be ready to step up and take on the challenge of leading the KLC into the future.

Native title and land tenure

In March 2017, Western Australia experienced a change of government bringing with it new policies and new opportunities. As part of its pre-election commitment the Labor Government made some strong promises and the KLC is determined to hold those in power to account.

One such promise was a commitment to divest the Aboriginal Lands Trust within eight years. As a first step in the conversation, a roundtable meeting was staged by the government at the KLC office in Broome.

The government invited PBC representatives to have an open discussion about their plans for ALT divestment and the challenges ahead. I'm pleased to see the government committing to an open line of communication and we will continue to keep KLC members updated on the progress of this work.

In October 2016 we were extremely pleased to see the Gooniyandi people recognised as the native title holders of a further 184 square kilometres of their country in the central Kimberley.

Made over part of the Yarrangi Riwi Yoowarni Gooniyandi native title claim, the consent determination was handed down by Justice Barker of the Federal Court of Australia.



As we continue to move into a post native title determination era, the KLC is doing more than ever before to support capacity building of PBCs, facilitating workshops and rolling out individualised self-assessment tools.

The ruling comes after native title was first recognised for the Gooniyandi people in 2013 over 1.12 million hectares of land and water and marked a very proud moment for all involved.

I am also pleased to report that we have now reached the final stages of the Bindunbur native title claim with final oral submissions submitted. It is expected that there will be an outcome for Traditional Owners in the next 12 months. This has been a long and arduous process for all involved and I thank everyone for their patience.

Remote service reform

In December 2016, the then Liberal State Government made an announcement outlining funding for 10 priority Aboriginal communities as part of its remote service reform agenda. While the acknowledgement that remote communities require investment is positive, it remains unclear what this means for those communities that were left off the list.

The KLC will continue to monitor this process closely to better understand the new Labor Government's views on remote communities. I am pleased that the Labor Government has made a commitment not to close any Indigenous communities and we will hold them to that promise.

The work of the KLC

Throughout 2016-17, the KLC has had a renewed focus on the development of PBC training and capacity. PBCs deal with extremely complex issues and

need training and support to undertake this work successfully.

As we continue to move into a post native title determination era, the KLC is doing more than ever before to support capacity building of PBCs, facilitating workshops and rolling out individualised self-assessment tools.

The KLC is in a unique position to provide this ongoing support to PBCs and we are committed to helping our PBCs stand strong and deliver important outcomes for their members.

Another highlight of the past financial year was the central role KLC played in facilitating the Fitzroy Declaration, a statement issued by Traditional Owners calling for greater protection of the Fitzroy River.

The declaration highlighted the necessity for native title holders and claimants to be involved in decision-making about land management. It sent a clear message that native title rights are key to the future development of the Kimberley, and that the traditional and environmental values of the Fitzroy River must not be ignored.

I would like to thank all of the KLC staff for their hard work over the past year. Your dedication is commendable. Of course I would also like to acknowledge all of the KLC members. Your commitment to our cause is unbreakable and I thank you for

continuing to support us in all of our endeavours to stand up for the rights of our mob.

Lastly I look forward to celebrating our 40th anniversary with you all next year. This is a historic occasion that will not only look to the past, including the memorable Noonkanbah protest, but will importantly focus on our future – united, strong and committed to improving the lives of Kimberley Aboriginal people.

Anthony Watson
Chairman

KLC Board as of 30 June, 2017



CHAIRMAN ANTHONY WATSON



DEPUTY CHAIR MERLE CARTER



CEO NOLAN HUNTER



SPECIAL ADVISER WAYNE BERGMANN



SPECIAL ADVISER PATRICK MUNG



SPECIAL ADVISER JEAN MALAY



SPECIAL ADVISER IRENE DAVEY



CISSY GORE-BIRCH



VALERIE WIGGAN



ELIZABETH JINGLE



JOY NUGGET



GORDON MARSHALL



GLENN BONNEY



GREG TAIT



SHIRLEY PURDIE



SHIRLEY DRILL



FELICITY SMITH



MARIANNE SKEEN



FRANK DAVEY



ALBERT COX



BOBETTA ALBERT



ELIZABETH LULU



MARION DOLBY



FRANCIS (LULGA) DJIAGWEEN



KATHY O'REERI



VERONICA MCKEON



CHIEF EXECUTIVE OFFICER NOLAN HUNTER

The Kimberley Land Council's guiding vision is to get back country, look after country and get control of the future.

All of the work conducted by the KLC is aimed at promoting these values and I am pleased to report that the 2016-17 financial year has delivered on all three of these guiding principles.

Getting back country

The Kimberley Land Council is continuing to work towards securing native title in the Kimberley region. I am pleased to report that the Kimberley is now 80 per cent native title determined – a significant achievement.

In 2016 we secured another native title determination for the Gooniyandi people. We have also continued work on a number of other claims, which you can read more about in the native title section of this report. We predict that we still have around 15 to 20 years of work to finalise these remaining claims.

This is clear evidence that the native title process is flawed and change needs to happen to make this a fairer and quicker process for Traditional Owners all over the country.

In 2017, we saw the Federal Government push to make changes to the Native Title Act due to a Federal Court ruling which threw into doubt the validity of Indigenous Land Use Agreements across the country.

The government acted swiftly to amend the Native Title Act, but the KLC joined other native title representative bodies and politicians in calling for more consultation around these changes. The government relented and held a meeting of relevant parties, including the KLC. Changes to the Act were eventually passed in June 2016. While these changes were important to provide greater certainty for Traditional Owners, it is disappointing that the government only acted in a time of crisis.

Each year we face the sad reality that many of our old people are dying and will not have the chance to see their native title aspirations realised. We want our politicians to seriously look at overhauling the Native Title Act, so that Indigenous people can get their native title rights and use their native title rights to benefit their communities. The Kimberley Land Council will continue to look at ways to influence government to overhaul this two decades old legislation.

Looking after country

PBCs together with Indigenous ranger teams are managing large swathes of country in the Kimberley with significant environmental, cultural and social benefits.

We now have 13 Indigenous ranger groups, working as part of the Kimberley Land Council facilitated Kimberley Ranger Network. These rangers are at the forefront of endangered species work in the Kimberley and are also playing



In November 2016 I attended the United Nations Climate Change Conference COP 22 in Marrakech to discuss the cultural and ecological knowledge of Indigenous people.

an invaluable role recording and maintaining culture.

Fire management continues to be a major part of the yearly work of our rangers, and the savanna carbon projects of the north Kimberley groups are providing ongoing benefits to participating Traditional Owner groups.

The KLC is also supporting PBCs to take more control of their ranger programs. In late 2016 the KLC and Yanunijarra Aboriginal Corporation (YAC) announced a new partnership that would see YAC take on the management of its highly successful ranger team. The new contracting arrangement means that rather than the KLC managing and employing the Ngurrara rangers, that is now being done by the YAC PBC.

Getting control of the future

In the past six months there has been a major push by Indigenous people, particularly those in the Kimberley for constitutional reform. The KLC has played a key role in bringing people together to discuss this issue and take a position to Uluru. Now that the Uluru Statement from the Heart and the Referendum Council's final report have been delivered, our organisation will continue to provide a role in campaigning for constitutional change.

In November 2016 I attended the United Nations Climate Change Conference COP 22 in Marrakesh to discuss the cultural and ecological knowledge of Indigenous people.

I was invited to speak at the United Nations Educational Scientific Cultural Organisation (UNESCO) Indigenous Knowledge and Climate Change conference about the world leading fire prevention methods of Kimberley Aboriginal people.

Our fire methods are proven to reduce the risk of wildfires and cut carbon emissions, as well as having many social, cultural and economic benefits. We want to find a way to spread our knowledge to other parts of the world, so that more people can benefit from these fire management techniques and carbon emissions can be reduced globally.

In 2017, I returned to the United Nations, this time in New York, with KLC Chairman Anthony Watson. Together we attended the Sixteenth Session of the UN Permanent Forum with the special theme: The Tenth Anniversary of the United Nations Declaration on the Rights of Indigenous Peoples: measures taken to implement the Declaration.

In relation to recognition of rights to land, we called for the Australian Government to review and overhaul Australian native title legislation and prioritise the resolution of native title land claims in Australia, as well as due recognition of native title rights as proprietary or property rights. Once these changes occur then Indigenous people will truly be given the same opportunities as their non-Indigenous brothers and sisters in Australia.

Without change the status quo for Indigenous people in Australia will continue. The 2017 Prime Minister's Closing the Gap report showed once again that Indigenous people are falling behind their non-Indigenous counterparts in key target areas and it is difficult to see this changing without real reform of Indigenous policy in Australia.

During this trip we also sat on a panel with Social Justice Commissioner June Oscar, and attended a range of meetings, including discussions with the Australian Head of Mission and the Indigenous global caucus.

Locally, the KLC is continuing to advocate for Indigenous people so that all of our mob can be given the opportunity of a bright future. We are keeping a close on eye on the government to ensure that all of our Aboriginal communities remain open. We are also committed to standing up for our people in relation to other government policies and programs, such as the cashless welfare card, as well as big corporations and politicians and bureaucrats who see native title as an impediment rather than an opportunity.

The KLC achieved great successes in 2016-17 and I would like to warmly thank our members and directors for their vision.



Nolan Hunter
Chief Executive Officer



AT THE UNITED NATIONS PERMANENT FORUM ON INDIGENOUS ISSUES IN NEW YORK

Kimberley Land Council



NOOKANBAH PROTEST MARCH, 1978

Kimberley Land Council

The Kimberley Land Council Aboriginal Corporation was established in 1978, in response to the Noonkanbah dispute over access to land and protection of sacred sites.

The KLC was started by Aboriginal leaders, and is recognised as one of the peak Indigenous organisations in the Kimberley, and is given the job by its members to advocate for and protect, enhance and gain formal legal, social and political status for the customs, laws and traditions of Kimberley Traditional Owners.

After the process for recognition of native title rights was made into Australian law (by the Native Title Act of 1993), the KLC was recognised in May 2000 as the Native Title Representative Body for the Kimberley region in Western Australia pursuant to s230AD of the Native Title Act 1993, (Cwth) (NTA).

The KLC's legal (statutory) role as a NTRB under the Act is to:

- Go to court or negotiate mediated settlements to secure Traditional Owners' rights to country
- Manage the effects of development on traditional lands under the Future Acts parts of the Native Title Act
- Develop agreements on Indigenous Land Use for the benefit of Traditional Owners.

The KLC currently provides services and assistance to native title claim groups across the region. Our Native Title Representative Body operations are funded by the Department of Prime Minister and Cabinet.

Some of our other activities at the KLC are supported by state and federal governments, philanthropic organisations, environmental groups and self-generated income.

The KLC is incorporated under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 and operates under the Native Title Act (1993).

Role and functions

NTRB – legislation

The KLC provides native title services to Kimberley Aboriginal people. The following primary functions of the organisation are prescribed by the *Native Title Act 1993* (Cth) (NTA).

Facilitation and assistance

The KLC strives to provide its clients with the highest standards of representation for achieving positive native title outcomes. In the reporting period, the KLC worked with native title claimants, native title holders and Registered Native Title Bodies Corporate (RNTBCs) or Prescribed Bodies Corporate (PBCs) to prepare and progress native title applications while providing facilitation and representation to our clients in the mediation and negotiation of agreements.

In doing this, the KLC meets its requirements as a Native Title Representative Body to:

- Research, prepare and progress native title applications



The KLC was formed by Aboriginal people for Aboriginal people, and is one of the three peak Indigenous organisations in the Kimberley working with Traditional Owners to protect and strengthen land, law, language and culture.

- Represent and facilitate consultations, mediation, negotiation and proceedings relating to native title applications such as Future Acts, Indigenous Land Use Agreements (ILUAs) and any other native title matters.

Native title assistance

During the 2016-2017 reporting period, the KLC provided native title assistance to 25 native title claims and 11 RNTBCs within the Kimberley region. Throughout the year, the number of claims has fluctuated to take into consideration the work undertaken to prepare for the filing of new claims and the determination, withdrawal or amendment of other claims.

All the native title claims the KLC provides facilitation and assistance to are important, but with the limited resources available, not all claims can be progressed at the same time. Claim priority assessment determines the direction of organisational activities. The prioritisation of claims is informed by, but not limited to, resourcing considerations, Federal Court case management priorities and the availability of suitably qualified expert consultants.

The KLC also provided assistance to a number of RNTBCs in relation to establishment, meeting assistance, expert advice, resources, and governance and compliance matters.

There is a high level of demand for the KLC to provide assistance in the post-determination environment as most RNTBCs have limited capacity and resourcing to carry out their statutory and corporate governance functions.

The KLC has a Grants Committee that assesses new applications for native title assistance. The Grants Committee is made up of members of the KLC Board and is responsible for assessing and deciding on each application.

In addition to the KLC's operational plan that identifies the level of native title assistance being provided to groups for the year, the KLC also considered four applications for native title assistance. At the end of June 2017, one application was under assessment, three applications went to the Native Title Grants Committee for a decision, two were granted assistance and one decision was deferred.

Complaints

NTRB Activity Summary	
Complaints and Disputes	
Complaints	
Received	2
Resolved	2
Pending	0
Disputes	
Native Title Application disputes	2
Disputes relating to ILUAs, rights of access & other matters	1
Requests for review of decisions not to assist	
Requests	
Received	0
Completed	0

The process for achieving successful native title determinations affects all Traditional Owners and often raises difficult questions for claimants. Disputes often arise, where the relationship between the Native Title Act and traditional law and customs is not clear. As a result, the KLC is called upon to assist in resolving these disputes.

The existence of disputes can have a significant detrimental impact on the ability of Traditional Owners to exercise their native title rights and interests, or to have those rights and interests recognised.

For example, the existence of a dispute might have a negative impact on:

- Priority for assistance from the Native Title Representative Body
- Registering a determination application (because of adverse impacts on certification or authorisation processes)
- Responding to Future Acts
- Obtaining a determination of native title - whether by consent or litigation.

The Kimberley Land Council will not necessarily be able to resolve all disputes. It is also a requirement of the Native Title Act for the KLC to make all reasonable efforts to minimise the number of overlapping native title claim applications. The dispute resolution function provides an important mechanism to ensure the KLC is responsible for streamlining native title processes and improving certainty for parties involved in native title matters.



The KLC represents many native title claim groups and RNTBCs to facilitate non-commercial negotiations for agreement-making with third parties in relation to native title. The KLC has been extremely successful at negotiating positive agreements, such as ILUAs on behalf of Traditional Owners.



MEMBERS OF KLC BOARD AT KLC BOARD MEETING, DERBY 2017

There are two separate types of complaints:

- complaints about a decision of the Native Title Grants Committee
- complaints about other decisions or actions of the KLC or its staff

Internal review

The KLC has a Grants Committee that assesses new applications for native title claim assistance. The committee is comprised of KLC directors and assesses each application before making a decision. If the Grants Committee rejects an application for assistance, the KLC gives clear, written reasons for that decision and lets the applicants know about their right to have the decision reviewed. The applicants can seek to have the decision looked at again by the KLC’s Review Committee. The Review Committee is made up of the KLC Chairman and four directors (who were not on the original Grants Committee).

The Review Committee assesses the application and determines if the decision made by the Grants Committee was fair and proper. If the applicants are still not satisfied, they can request to have the decision reviewed under the *Administrative Decisions (Judicial Review) Act, 1977* (ADJR), and s203FB of the *Native Title Act (1993)*.

Native title dispute resolution

It is the KLC’s policy to endeavour to resolve all disputes relating to native title applications by consultation at claimant meetings and during the course of claim preparation.

The KLC facilitated mediations between native title claim groups on two separate disputes under its dispute resolution functions, and is working towards facilitating dispute resolution on a third matter.

Certification

In line with its statutory responsibilities, the KLC certifies native title applications for the determination of native title and applications for the registration of ILUAs.

Notification

The KLC ensures that native title holders and claimants are informed about any Future Act notices that are received and could potentially affect native title rights and interests. The KLC works to provide advice to native title holders and claimants while informing them of relevant time limits in which to respond to any such notices.

The KLC also has its own internal notification process for informing native title holders and claimants of any claim group meetings. The KLC



endeavours to keep extensive and up-to-date claim group member lists and contact details. Native title holders and claimants are notified of claim group meetings through posted and hand-delivered letters, emails, phone calls, the posting of notices on public boards throughout the Kimberley and advertising in local newspapers.

Agreement-making

The KLC represents many native title claim groups and RNTBCs to facilitate non-commercial negotiations for agreement-making with third parties in relation to native title. The KLC has been extremely successful at negotiating positive agreements, such as ILUAs on behalf of Traditional Owners.

Return of native title materials

The KLC holds a significant collection of material from many years of undertaking native title claim work.

The KLC Board policy and procedure for controlled material, which is managed through the Research, Ethics and Access Committee, has managed materials from within the KLC collection for a number of years. The KLC has policies and procedures for the process to return native title materials to native title groups. The process provides support to groups on how they might have materials returned. The policy addresses how a group might want to manage and look after the materials including how materials might be accessed. The KLC will work initially with certain categories of materials, of most relevance to groups. Groups will be responsible for how materials will be returned and the ongoing management of the materials.

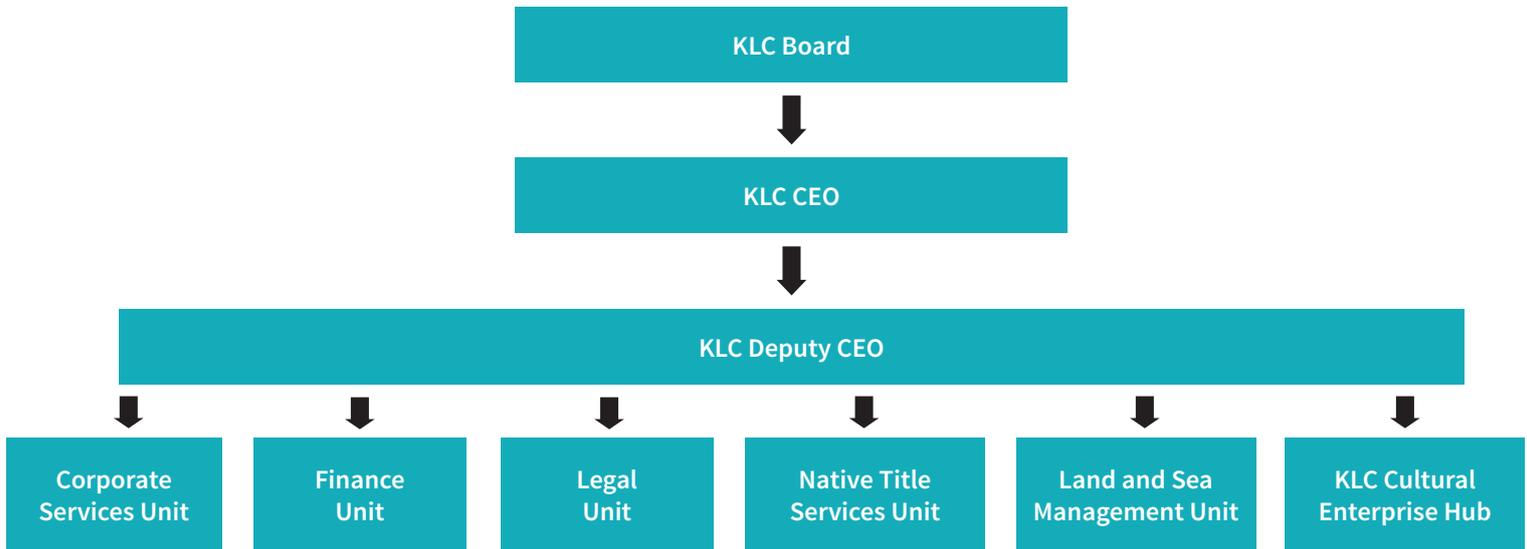
Consultants, competitive tendering and contracting

The KLC awarded 14 Native Title Representative Body consultancy

contracts in the reporting period and issued variations on 27 existing contracts awarded in previous financial years. Consultants were contracted to undertake a range of services for the KLC, including providing legal advice, expert anthropology services, cultural services and other services including corporate and financial. NTRB consultant and service contracts expenditure for the 2016-2017 reporting period totalled \$1,935,858. The KLC also awarded three funding contracts to claim groups with external representation, which accounted for \$868,691 in total.

A. Applications 2016-2017	Assisted - Represented	Assisted - Briefed Out	Assisted - Other	Not Assisted	Region Total
Active Applications @ 30 June 2016	22	2		2	26
Active Applications @ 30 June 2017	22	3		2	27
New applications filed (1 July 2016 to 30 June 2017):					
- new claims				1	1
- replacement claims					
Applications amended 1 July 2016 to 30 June 2017					
Applications finalised 1 July 2016 to 30 June 2017					
- Determinations: NT exists					
- Determinations: NT does not exist					
- Dismissal					
- Strike out					
- Withdrawal					
- Other (identify)					
Total Applications finalised 1 July 2016 to 31 March 2017					
B. Determinations 2015-16					
Total Determinations in region to 31 March 2017 (ie all up)					
- NT exists	29				29
- NT does not exist					
Estimated number of groups yet to have applications filed in region			Claimant	Compensation	Total
			11	unknown	11
C. PBCs as at 30 June 2017	Agent	Trustee	Total		
Number in Region			14		
Number yet to be established (ie Determination, but no PBC as yet)					
Number assisted by NTRB			11		
C. NTRB ILUA/Future Act Activity in 2016-17 as at 30 June 2017 (1 July - 30 June 2017)					
Notification Received	Number	Agreements Finalised		Number	
ILUA Notifications received (to be negotiated)	0	Total ILUAs registered at 30 June 2017		36	
S29 Notifications (not expedited procedure) 1 July 2016 to 30 June 2017	5	ILUAs under negotiation at 30 June 2017		5	
S29 Notifications (expedited procedure) 1 July 2016 to 30 June 2017	164	ILUAs executed but not registered at 30 June 2017		10	
Objections to expedited procedure lodged 1 July 2016 to 30 June 2017	117	S 31 agreements executed at 30 June 2017		8	
Other Future Act notifications (including right to comment) 2016-17	24	Other future act/native title agreements executed 1 July 2016 to 30 June 2017		0	
Other Objections lodged (s24MD(6B)(d) 1 July 2016 to 30 June 2017	1	Other (non native title) agreements executed (eg Heritage) 1 July 2016 to 30 June 2017		49	

Executive roles and responsibilities



Board of Directors

Our directors are elected by our members to represent the interests of Kimberley Aboriginal people. Members are only eligible to be a director by being nominated by a RNTBC or a native title claim group. There is a maximum number of 32 directors on the Board, including four cultural advisers.

The KLC Board of Directors provides leadership and direction to the organisation and ensures it operates properly and fairly on behalf of all its members. At the end of the reporting period, the Board of Directors comprised 26 people representing the majority of native title claim groups across the Kimberley. Four cultural advisers are included as part of the Board and work with directors, members and Traditional Owners to provide expert cultural advice, offer support and guidance.

Directors are elected to the Board every two years, with the last election occurring in September 2016. Anthony Watson was re-elected as the Chair and Merle Carter was elected as the Deputy Chair of the KLC. The Chair and Deputy Chair are responsible for making sure the KLC functions effectively. They provide leadership to the KLC, the Board of Directors, the CEO and staff. They also act as the organisation's spokespeople and the interface between the KLC and the broader community.

The KLC Board of Directors meets a minimum of four times a year to set the direction of the organisation, establish priorities and direct the development of the strategic and operational plans.

Director training and development

In 2016, the KLC Board received governance training provided by representatives from the Department

of Prime Minister and Cabinet to inform them about policy and funding changes to Native Title Representative Bodies.

In February 2017, a number of KLC Directors undertook a two-day mediation and dispute resolution training, facilitated by the Australian Disputes Centre.

In late April 2017, the KLC Chairman and CEO attended the United Nations Permanent Forum in New York City.

In June 2017, a small contingent of KLC Directors attended the National Native Title Conference in Townsville, Queensland, to represent the organisation and take part in a number of sessions and workshops addressing the current issues and trends in native title and PBC development and capability.

KLC BOARD OF DIRECTORS ATTENDANCE JULY 2016 TO JUNE 2017

Executive Director	Executive Director * Period: July 16 - June 17 No. of meetings (out of 4)
Bobetta Albert	4
Kathy O'Reeri	4
Anthony Watson (Chairman)	4
Elizabeth Lulu	3
Merle Carter	4
Gordon Marshall	4
Albert Cox	4
Irene Davey (Cultural Adviser)	3
Francis Djiagween	1
Executive Director	Executive Director *Period: July 16 - September 16 No. of meetings (out of 2)
Phillip McCarthy - Director term ended 21/9/16	2
Tom Birch - Director term ended 21/9/16	2
Rosie Nunju - Director term ended 21/9/16	2
Peter Murray (Special Adviser) Director term ended 21/9/16	2
John Watson (Special Adviser) Director term ended 21/9/16	2
Dwesmond Wiggan-Dann - Director term ended 21/9/16	1
Tom Lawford - Director term ended 21/9/16	1
Maria (Marmingee) Hand (Special Adviser) - Director term ended 21/9/16	1
Keith Andrews - Director term ended 21/9/16	0
Minetta Farrer - Director term ended 21/9/16	0
Pearl Gordon - Director term ended 21/9/16	1
Catherine Goonack - Director term ended 21/9/16	0
Yvonne Birrell - Director term ended 21/9/16	0
Bonnie Edwards (Deputy Chair) - Director term ended 21/9/16	0
Emily Carter - Director term ended 21/9/16	0
Ismahl Croft - Director term ended 21/9/16	0
Andrew Daylight - Director term ended 21/9/16	0
Gabriel Nodea - Director term ended 21/9/16	0
Executive Director* - newly elected to the board on the 21/09/2016	Executive Director *Period: September 16 - June 17 No. of meetings (out of 2)
Cecilia Gore-Birch	2
Elizabeth Jingle	2
Valarie Wiggan	2
Greg Tait	0
Shirley Purdie	1
Shirley Drill	2
Frank Davey	2
Marion Dolby	2
Joy Nugget	1
Glenn Bonney	2
Marianne Skeen	2
*Veronica McKeon	0
Felicity Smith	1
Wayne Bergmann - Cultural Adviser	2
Patrick Mung - Cultural Adviser	0
Jean Malay - Cultural Adviser	2



The Kimberley Land Council executive management team is responsible for the management of staff and organisational performance.

Corporate Governance

The KLC has an effective corporate governance structure that enables the organisation to deliver on its mandate and achieve native title outcomes for Kimberley Aboriginal people.

Working under the direction of the Board are the Chief Executive Officer (CEO) and Deputy CEO, who are assisted by a management team. The CEO is responsible for the day to day operational matters and administration of the organisation. Senior managers have responsibility for the operational teams which carry out the organisation's work.

The senior management team meets regularly to review progress and ensure any upcoming or potential issues are dealt with to reduce any financial or operational risk.

Stringent financial and operational procedures are maintained and applied to make sure the organisation is effectively managed. The KLC employs a Chief Financial Officer, who is a Chartered Accountant and forms part of the KLC's senior management team.

The KLC has its head office in Broome and branch offices in Derby and Kununurra as well as remote area ranger bases in Wyndham, Gibb River Station, Kalumburu, Warmun, Mulan, Bayulu, Fitzroy Crossing, Jarlmadangah, Bidyadanga, Beagle Bay and One Arm Point.

The KLC acknowledges the support of the Department of Prime Minister and Cabinet and other funding bodies which support the KLC in operational and activity-based programs. However, the KLC continues to struggle to reduce ever-increasing costs amid a lack of resources. Holding on-country meetings and providing travel and accommodation arrangements for Traditional Owners, directors and staff continues to be challenging, particularly when working in extremely remote parts of the Kimberley.

KLC management team

The Kimberley Land Council executive management team is responsible for the management of staff and organisational performance.

As the Chief Executive Officer of the Kimberley Land Council, Nolan Hunter is responsible for the day-to-day operational and administrative management of the KLC, including overseeing the operations of the Deputy CEO, corporate services, financial, legal, land and sea management and native title services units. The CEO is the interface between the Board of Directors and KLC staff. The CEO also works to achieve the strategic aims of the organisation.

The CEO is assisted by a management team which at June 30, 2017 included:

Tyrone Garstone

Deputy CEO

Peter Logvyn

Chief Financial Officer

Kevin Murphy

Principal Legal Officer

Erika Blades

Native Title Services Manager

Sarah Parriman

Corporate Services Manager

Sarah Parker

Human Resources Manager

Will Durack

Land and Sea Management Unit Manager

Adriadne Gorrington

Strategic Business Development Officer

Salary levels & awards

Remuneration of all KLC staff members is determined by the Kimberley Land Council Enterprise Agreement 2014-2017. Salary scales within the document relate to a performance assessment scheme and staff performance is reviewed on an annual basis. Nine employees from within the executive management team were paid more than \$100,000 in the reporting period.

Risk management



KLC STAFF AT THE 2017 NAIDOC DAY CELEBRATIONS, BROOME.

Understanding the risks we face and managing them appropriately will enhance our ability to make better decisions and deliver on our aims and objectives.

In this reporting period, the KLC has undergone an extensive risk management review process to determine the management and accountability of strategic, operational and financial risks. KLC has established a risk management framework to develop a systematic approach to the identification and management of risk.

The Board of Directors is ultimately responsible for risk management and it approves the organisation's risk appetite as recommended by the senior management team and must regularly review, approve and maintain oversight of the organisation's risk management policy. The Board receives updates about key risks, changes in risks and emerging risks.

The senior management team is responsible for devising the activities, services and projects necessary to manage risk. The management team meets regularly to review progress and identify upcoming issues and regularly reports back to the Board of Directors. The KLC is proactive in identifying potential financial and operational issues to ensure appropriate action is taken to minimise or exclude those risks.

Ethical standards

All Kimberley Land Council employees are required to maintain high standards of honesty, integrity and respect while behaving in an appropriate and fair manner.

Employees conduct their work in accordance with the ethical standards relevant to their particular professions and codes of conduct. Staff performance guidelines are included in

the KLC's policies and procedures and the KLC Code of Conduct.

External scrutiny

An annual financial audit was conducted by Moore Stephens WA Pty Ltd and can be found in the Financial Statements section of this Annual Report.

There were no judicial or administrative tribunal decisions in relation to the KLC during the reporting period, other than legal decisions that affected native title decisions generally.

Service charter standards

The KLC has no service charter or customer service standards but uses a process of complaints management instead.

Detailed information on how a complaint can be made and managed is publicly available and can be found



Detailed information on how a complaint can be made and managed is publicly available and can be found on the KLC website at www.klc.org.au/complaints

on the KLC website at www.klc.org.au/complaints

Written complaints are referred to the CEO or delegate for assessment. In cases where it is appropriate to respond, the Chief Executive Officer refers the complaint to an appropriate person to manage the resolution process, allocate a priority response time and to case manage responses required to deal with the complaint.

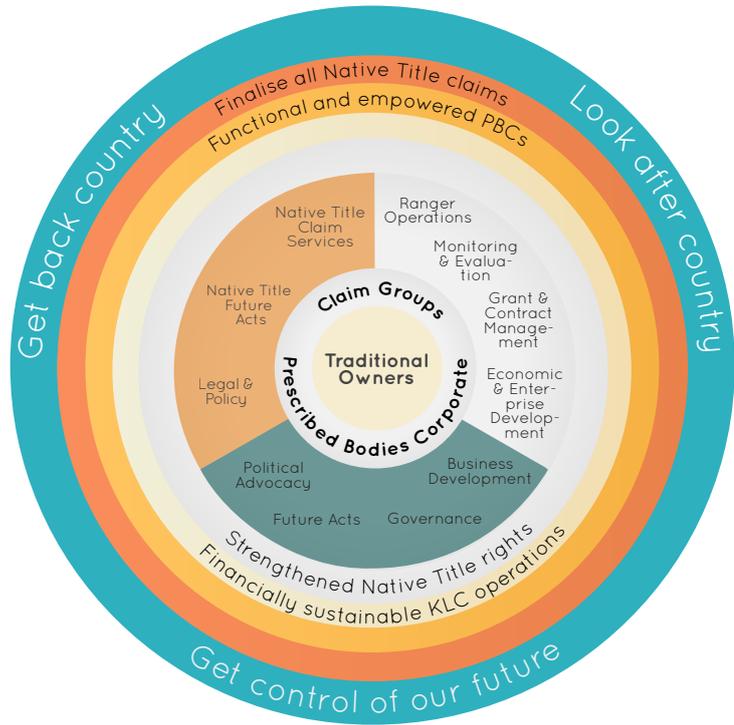
Complaints

The KLC received two complaints in the reporting period. Both complaints were resolved in accordance with our complaints process outlined as part of the KLC's policies and procedures.

Strategic Plan 2016-2020

Vision:

“The Kimberley Land Council is a community organisation working for and with Traditional Owners of the Kimberley, to get back country, to look after country, and to get control of our future.”



Strategic Plan

In the past three years the KLC experienced a steady increase in the number of PBCs requiring support services and a significant increase in the range of services being requested by PBCs.

While the core function of KLC native title work is to resolve native title claims, the KLC continues to provide a number of support services to PBCs. The services provided are broadly identified under the KLC’s statutory functions as a Native Title Representative Body (NTRB) and can include:

- Notification functions including advice on Future Acts
- Agreement making including consultation of native title holders, informed consent and authorised certification

- Facilitation and assistance for annual general meetings and Director meetings
- Dispute resolution
- Native Title compensation claims and Indigenous Land Use Agreements.

Further to the KLC’s NTRB statutory functions, the KLC also engages with PBCs on a range of Land and Sea Management projects that support native title rights and interests. These projects are initiated and directed by the PBC and are managed and delivered by the KLC. Projects have included:

- Rangers
- Fire management
- Threatened species
- Carbon trading
- Indigenous Protect Areas
- National Heritage Listing

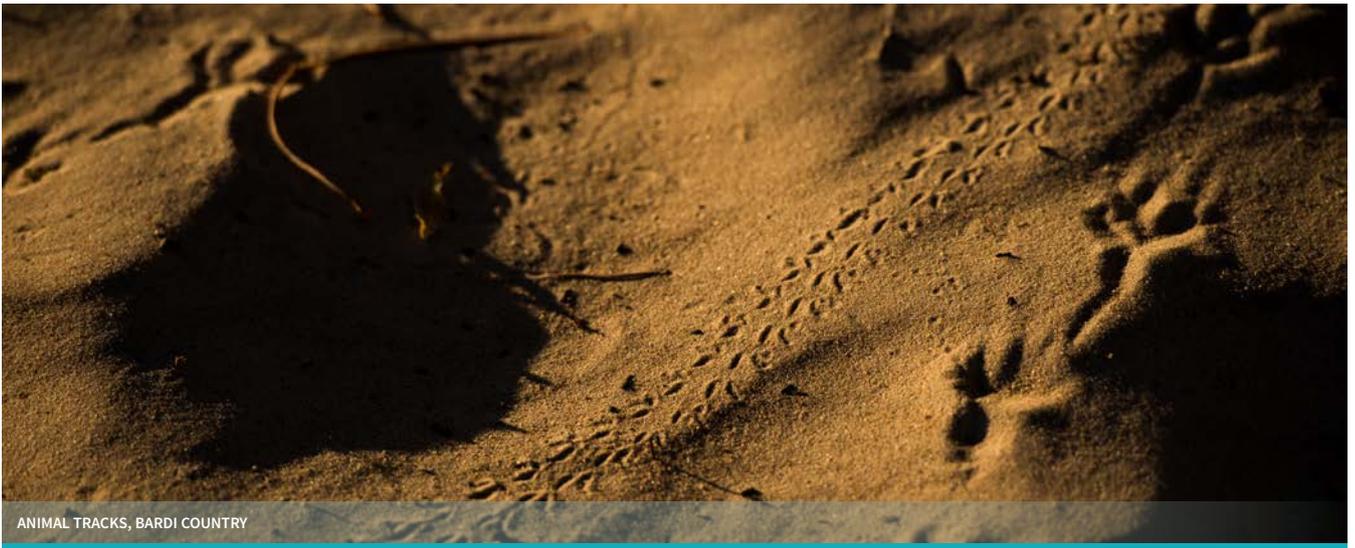
With the future growth in claim resolution and PBC development, the KLC needed to develop a targeted strategic plan and framework for operational planning to structure KLC’s engagement with PBCs now and into the future.

The KLC prides itself on being highly engaged with its members and stakeholders and is being responsive and flexible in its operations to meet new challenges and opportunities.

The KLC Strategic Plan for 2016-2020 has been developed with an increased level of input from our senior management and team leaders as a means of harnessing our considerable organisational knowledge to complement and enhance our members’ aspirations through the development of our strategic objectives framework.



The KLC prides itself on being highly engaged with its members and stakeholders and is being responsive and flexible in its operations to meet new challenges and opportunities.



ANIMAL TRACKS, BARDI COUNTRY

The process highlighted the growing importance, post determination, of PBCs as a key customer of the KLC, and the strong alignment between our teams for our role in supporting the development of sustainable PBC self-reliance. To achieve this and other goals we also recognise the need to ensure the KLC is financially sustainable and works collaboratively to support Traditional Owners achieve their aspirations by strengthening PBC capacity and finalising all native title claims.

Human Resources



CHAD CREIGHTON (NATIVE TITLE), ZACK WUNDKE (LAND AND SEA MANAGEMENT UNIT) AND SARAH PARKER (CORPORATE SERVICES)

Staff turnover and retention

At 30 June 2017 a total of 108 people were employed at the KLC. Our staff turnover rate was 22 per cent which is a decrease of 2 per cent from 2015-2016. The staff turnover rate at the KLC regularly fluctuates depending on projects the organisation is managing.

During the reporting period, there were 20 new starters with 35 per cent being Indigenous people.

Indigenous employment

The KLC has an Indigenous employment rate of 45 per cent. We aim to continue to see growth in this area and will look to build on strategies to increase the capability of Indigenous people to support recruitment activities.

The KLC also facilitates the Kimberley Ranger Network which employs about 80 full-time rangers annually as well as a number of administrative and regular casual rangers. In recent years a number of rangers have commenced

full-time employment with the KLC as they complete qualifications in Conservation and Land Management and progress into senior leadership roles.

Indemnity insurance

KLC staff are covered for professional indemnity insurance to the value of \$10 million.

Learning and development

The KLC is committed to providing learning and development opportunities to our employees.

As part of attaining their practice certificates, KLC Legal Team members are required to attend compulsory professional development. The KLC continues its partnership with the Aurora Project and through this staff have been involved with a number of training opportunities directly related to native title, including courses and conferences such as Native Title Compensation, Lessons Learned in Native Title Litigation, Environmental

Law National Conference and 25 Years of Native Title Anthropology.

In addition to the Aurora Programs, the KLC has provided other training opportunities such as mediation and dispute resolution, leadership and a variety of professional development courses for individual staff members. The KLC had a large number of representatives attend the National Native Title Conference in Townsville.

The Kimberley Ranger Network supports rangers completing a variety of certifications, including Certificates in Conservation and Land Management and business, literacy and numeracy training, leadership and professional development.

KLC Enterprise Agreement

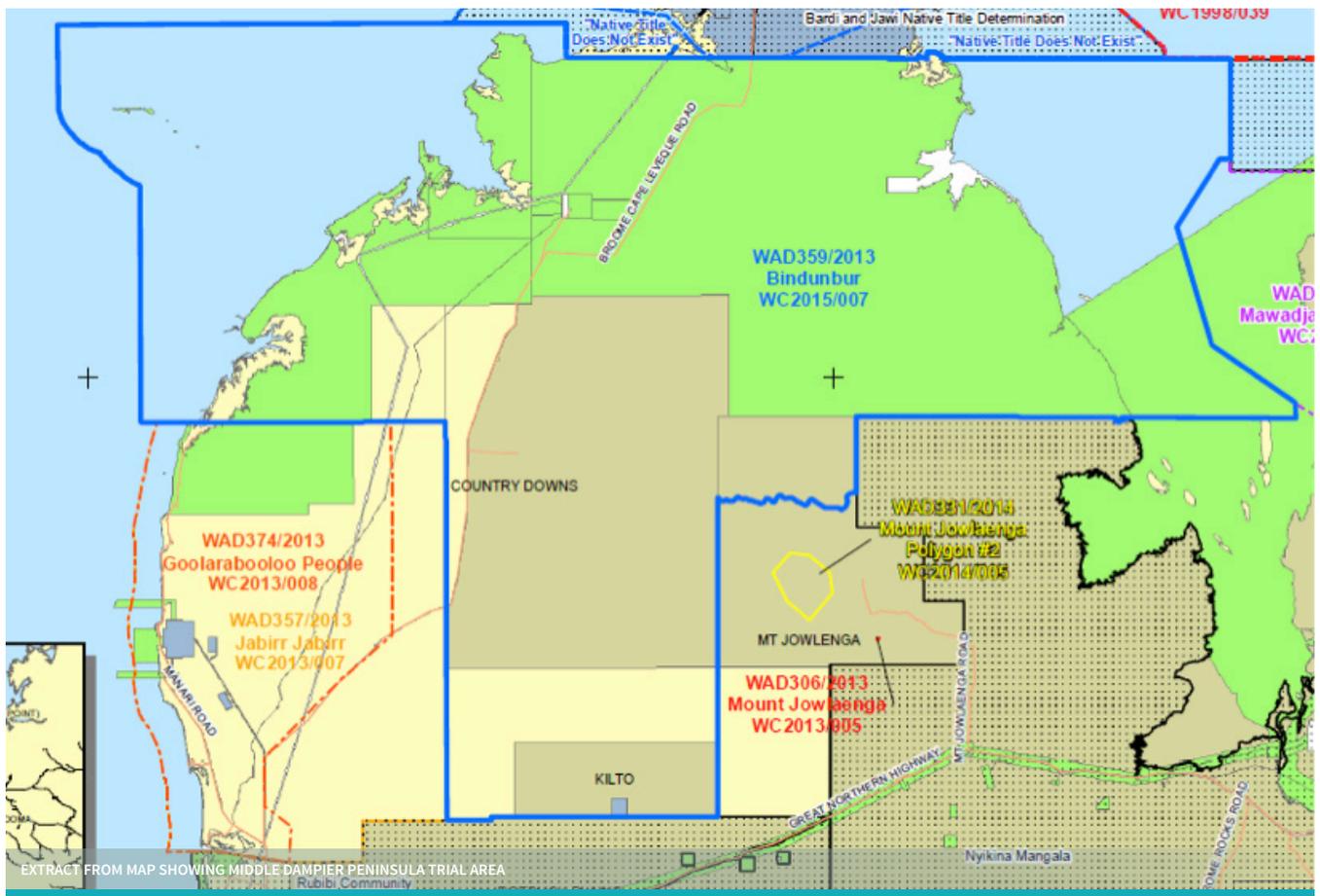
The Kimberley Land Council Enterprise Agreement 2014-2017 is currently operating within the organisation. This agreement sets out the terms and conditions of employment at the KLC and is registered and approved by Fair Work Australia.

STAFF NUMBERS JUNE 30, 2016*

	June 30, 2016	June 30, 2017
Full time	88	90
Part time	15	18
Male	59	59
Female	44	49
Under 25	3	2
Indigenous	48	49
Total Employees	103	108

*This figure does not include Kimberley Group Training rangers or casual staff

Performance Report



Introduction

The KLC has been extremely successful in achieving positive native title outcomes for Kimberley Aboriginal people. At the end of the reporting period, approximately 80 per cent of the Kimberley was determined native title land and waters, recognised by the Federal Court of Australia.

There have been 29 successful native title determinations in the region to date and there are a total of 14 RNTBCs (PBCs) that hold on trust or manage as agent the native title rights and interests recognised under these determinations. The KLC continued to

provide support services to PBCs. This support took the form of direct funding support to 11 PBCs, as well as through certification functions and Future Act support where requested.

Significant events and changes

Litigation of the Middle Dampier Peninsula native title claims (Goolarabooloo, Bindunbur and Jabirr Jabirr) commenced on 21 September 2015, with Federal Court hearings in Broome and on country over a three-week period to hear evidence from members of each of the claim groups. Further evidence was heard in Broome and on country

for three weeks in April 2016. Expert evidence was heard in Broome for a week in November/December 2016, and closing arguments were heard in April and June 2017. In total, the trial took 44 days of Court time, and many months of preparation by both the KLC and the many Traditional Owners who gave evidence. Litigation of this nature requires significant resourcing. The KLC recognises the very difficult process for Traditional Owners in giving evidence and appreciates the significant contribution given by them and their families who have worked very hard and often under stressful circumstances. The hearing of the claims is now complete and



The Oil Basins judgment is an important win for native title holders in the region and sends a clear message to companies that wish to question, hold up or thwart native title processes that they can face severe monetary consequences.



KLC expects to receive the decision of Justice North in late 2017 or 2018.

Litigation also continued this year in the matter of Oil Basins Ltd. In 2013 Oil Basins Ltd challenged the connection of Nyikina Mangala Traditional Owners to their lands, located in the Kimberley region of WA. Oil Basins Ltd lodged the challenge despite the State Government having already accepted the connection of the Nyikina Mangala people and without the company having any evidence stating otherwise. The actions forced the start of trial proceedings before the company suddenly changed its mind, reversing its opposition to the validity of the native title claim. In November 2014 Justice Gilmour ordered that Oil Basins Ltd pay the Nyikina Mangala people’s costs because of its “thoroughly unreasonable conduct”.

In early July 2017, the Full Federal Court of Australia dismissed the third consecutive appeal by Oil Basins Ltd against the original costs order made by Justice Gilmour. The Kimberley Land Council has been representing the Nyikina Mangala people throughout the long running court proceedings.

The judgment is an important win for native title holders in the region and sends a clear message to companies that wish to question, hold up or thwart native title processes that they can face severe monetary consequences. For the Nyikina Mangala people, the KLC hope they will feel vindicated by this ruling and that this long-running matter can finally be resolved.

The risk of further litigation was of concern this year with significant issues being raised by Traditional Owners over the conditions being

proposed under pastoral ILUAs. These issues also raise concerns over the influence parties have in leveraging ILUAs as a condition to their agreeing to Native Title recognition. This places Traditional Owners at a disadvantage as pastoralists put to ransom native title rights in order to pressure groups to agree to unreasonable terms.

Agreements - KRED Enterprise

In March 2011, the KLC established the Ambooriny Burru Foundation, a charitable venture to facilitate Kimberley Aboriginal people’s engagement in the expanding regional economy.

Establishing the foundation fulfilled the long-term vision of Kimberley Aboriginal people to get control of their future through increased opportunities and economic independence.

As part of the Ambooriny Burru Foundation, the KLC also established KRED, which seeks out and develops business and job opportunities for Kimberley Aboriginal people, on behalf of the foundation.

In the reporting period, the KLC continued to contract out its function to negotiate commercial agreements with mining companies to KRED, as it has the expertise and resources required to represent Traditional Owners and negotiate economic opportunities for Kimberley Aboriginal people.



The reluctance of companies to enter into Heritage Protection Agreements with Traditional Owner groups is concerning, as is the increasing pressure on Traditional Owners to take matters to inquiry with the National Native Title Tribunal (NNTT).

Under this arrangement the KLC, in line with its function as a Native Title Representative Body, remains a representative of native title claimants. It is up to individual claim groups to decide if they want to use the services of KRED or not.

Through the strong partnership between the KLC and KRED, native title groups are able to receive a high standard of representation and support when making important decisions about what happens on their country.

Mining Future Acts

The KLC, on behalf of Traditional Owner groups, continued to respond to a high number of Future Act notices received as a result of companies wanting to explore or mine resource-rich country in the Kimberley. The reluctance of companies to enter into Heritage Protection Agreements with Traditional Owner groups is concerning, as is the increasing pressure on Traditional Owners to take matters to inquiry with the National Native Title Tribunal (NNTT). Despite the KLC achieving some strong wins on matters that went before the National Native Title Tribunal, the trend in negotiations with most companies appears to be adversarial. In the reporting period, the KLC continued to emphasise to companies the long term benefits of working in partnership with Traditional Owners to respect Aboriginal heritage and community values.

Companies that negotiate Heritage Protection Agreements to undertake

exploration activities have the benefit of certainty in knowing they are engaging with the right Traditional Owners who have authority for that area and that subsequently the activity undertaken is free from risk.

In the 2016-17 period, the KLC received 193 Future Act notifications, including 164 active mining expedited procedure matters. The KLC filed 117 objections to the expedited procedure matters and the KLC successfully negotiated 49 Heritage Protection Agreements (including 16 deeds of assignment). The KLC Native Title Future Act team has been under significant pressure to manage a high volume of work which arises when there are variations to existing agreements. The procedures relating to agreement variations have developed in light of the High Court's decision in *State of Western Australia v Brown* [2014] HCA 8. While the decision in *Brown* provides greater legal certainty for native title holders and claimants, the processes adopted following that decision for agreement variations have placed additional resource burdens on the KLC and its staff which are not recoverable under the terms of Heritage Protection Agreements.

There has been a significant number of miscellaneous licence applications for related mining matters such as roads and bores. As this often gives Traditional Owners the right to object, the KLC is required to negotiate with proponents for benefits where historically this may previously not have been available. These matters

also add to the large Future Acts workload.

ILUAs

The KLC finalised seven Indigenous Land Use Agreements (ILUAs) and a further five ILUAs were in negotiation during the reporting period.

These ILUAs are in various stages of negotiation and for many of these ILUAs the KLC must negotiate the terms of a funding protocol before any substantive negotiations can take place. These negotiations, along with other third party negotiations are creating staffing capacity issues. The costs in preparing the often detailed negotiation protocols are not specifically funded under KLC's native title program and the proponents who require the ILUA agreements are often unprepared or unwilling to contribute to the full costs of negotiations.

There has also been an increase in applications by Traditional Owners to undertake business activities on their country. The KLC has requested the WA Department of Lands to negotiate a standard ILUA for lease applications but the State is unresponsive to initiating proactive resolution of a standard ILUA to streamline land applications, specifically where they promote Indigenous development. The KLC will continue to engage government towards a streamlined approach.



RNTBC/PBC support and development

From 2001, the KLC has assisted in establishing 14 PBCs in the region and has provided ongoing support in both funding and staffing support for 11 PBCs. The level of assistance is dependent on the needs of the PBC, ranging from administrative support and legal advice through to logistical operational support, governance and facilitation assistance.

The KLC is also developing a range of PBC resources and services to better support PBCs. This has included engaging with the PBCs to identify what their needs for support services are, which is being identified through the outcomes that are emerging from the KLCs PBC Capability and Service Prioritisation (CASP) framework.

Under the KLC Strategic Plan 2016-2020, the CASP Framework engages the strategic objective for “*Functional and empowered prescribed body corporates*”.

This includes specifically to “develop and put in place processes that assist Traditional Owners to make and carry out decisions that affect their own futures, and the futures of their communities and society”.

A key performance indicator identified under this objective is to “develop and implement a PBC capability and service prioritisation framework”.

KLC’s engagement with PBCs in delivering the CASP Framework achieves this objective.

Through the CASP Framework the KLC has been able to target priority services which has included developing:

- Newsletters for PBCs that include relevant information for PBC operations
- Services for organising director meetings and AGMs
- PBC specific training packages
- PBC board induction packages
- Services for employing and managing staff

- Various templates and checklists for PBCs to help guide them through their functions and responsibilities.

Additionally, under the Strategic Objective for “Functional and empowered prescribed body corporates” the KLC has been supporting PBCs to send representatives (CEOs and Chairpersons) to meet in a Kimberley regional collaborative forum.

These forums were held in December 2016, February 2017 and June 2017. The collaborative forum links PBCs to opportunities and provides for the sharing of information and discussion on regional issues that impact PBCs.

For instance, the June forum linked PBCs into the current initiatives being considered by the Minister of Aboriginal Affairs regarding land tenure reform and ALT land divestments.

East Kimberley Region



BALANGGARRA COUNTRY

Jaru - Native title claim

The KLC received instructions from Traditional Owners of the Jaru area to lodge a Jaru native title claim in October 2011. Subsequently, the Jaru claim was filed February 15, 2012 and was successfully registered with the National Native Title Tribunal March 16, 2012. The claim covers an area north of the Tanami Desert and south of Halls Creek and is comprised of the former Lamboo native title claim as well as previously unclaimed country in the east Kimberley to the south of Halls Creek.

Research in support of the claim continued throughout the reporting period, with the engagement of an expert anthropologist to prepare a connection report. In addition to the previous research undertaken in 2015, on-country research was undertaken during the June 2016 into September 2016 period. An expert connection report has been finalised and sent to the State for their review and consideration.

The Jaru claim is under close case management by the Federal Court.

Koonjie-Elvire - Native title claim

The Koonjie-Elvire claim was registered with the National Native Title Tribunal on November 15, 1999. The claim covers an area of land south-west of Halls Creek and south of Kununurra in the east Kimberley.

The Koonjie Elvire claim is incorporated under the broader Jaru connection research. The Koonjie Elvire claim is being progressed concurrently with the adjoining Jaru claim and is under close case management by the Federal Court.

Goorring (Lumugal) - Native title claim

The Goorring claim, originally called Lumugal, was registered with the National Native Title Tribunal on February 17, 2006. The claim was lodged in response to a Future Act application and covers an 11 square

kilometre area between the O'Donnell Range, the Ragged Range, the Evelyn Range and the Pitt Range.

Two claim group meetings have been undertaken with the claimants in the past reporting period. The first meeting was to obtain instructions regarding the claim either being incorporated into the wider Kija claims or remain independent. The claimants at the meeting authorised the claim to proceed as an independent claim. The second meeting was a section 66B to authorise new applicants as the majority of the old applicants were either deceased and/or incapacitated. There is a claim group meeting scheduled for early in the 2017-18 financial year to report back to the claimants on the progress of the claim and the upcoming research for the completion of a connection report.

The Goorring native title claim connection research will be undertaken by KLC's in-house senior anthropologist early in the new reporting period.



The Malarngowem claim is being progressed concurrently with the Ngarrawanji, and Yurriyangem Taam claims and is under close case management by the Federal Court.



Argyle grazing lease

Argyle Diamond Mine is presently in the process of winding up and as per the agreement between the mining company and Traditional Owners a native title claim is to be lodged once the mining lease concludes. As such the Kimberley Land Council will need to hold a claim group meeting to authorise a new claim. Connection research for the native title claim will be undertaken by a KLC in-house senior anthropologist in the middle of the new reporting period.

Halls Creek - new native title claim application

Research into the native title interests within the currently unclaimed Halls Creek area has progressed where specific families with rights to speak for that unclaimed area are being identified, so that a claim over that area can be developed. Further field research and family consultations were

carried out alongside the Kija and Jaru claim work from July to September in 2015 with a meeting held in October 2015 of all persons who hold or may hold a native title interest to the area. Agreement on a claim over the Halls Creek area could not be reached. Further work to mediate native title interests over the Halls Creek area and to develop a native title claim will be progressed at a later date.

In the absence of a native title claim, the KLC continues to encourage Future Acts in the area to consult with the Halls Creek Land Housing and Heritage Board that was established through the Jaru and Kija native title claim groups during 2009/10 to provide recommendations on heritage and development in Halls Creek.

Malarngowem - Native title claim

The Malarngowem claim was registered

with the National Native Title Tribunal on February 4, 2000. The claim covers an area north east of Halls Creek. The KLC invested significant resources to progress this claim through conducting anthropological research, claimant meetings and mediation, which included a series of family group meetings and large claim group meetings from June through to October 2015 to verify the anthropological research and to identify all families with native title connection to the claim area.

The Malarngowem claim is being progressed concurrently with the Ngarrawanji, and Yurriyangem Taam claims and is under close case management by the Federal Court.

An expert connection report for these claims has been completed and was provided to the State in May 2016.



Balanggarra Traditional Owners waited more than 18 years for their native title interests to be recognised.



Ngarrawanji - Native title claim

The Ngarrawanji claim was registered with the National Native Title Tribunal on June 25, 1996. The area covers the Moola Bulla pastoral lease and some small areas of reserves and unallocated Crown land around Halls Creek.

The KLC invested significant resources to progress this claim through conducting anthropological research, claimant meetings and mediation, which included a series of family group meetings and large claim group meetings from June through to October 2015 to verify the anthropological research and to identify all families with native title connection to the claim area.

The Ngarrawanji claim is being progressed concurrently with the Malarngowem and Yurriyangem Taam claims and is under close case management by the Federal Court.

An expert connection report for these claims has been completed and was provided to the State in May 2016.

Yurriyangem Taam - Native title claim

The Yurriyangem Taam claim was registered with the National Native Title Tribunal on October 29, 2010. The claim is comprised of core Kija country, located north-east of Fitzroy Crossing towards Kununurra in the east Kimberley.

The KLC invested significant resources to progress this claim through

conducting anthropological research, claimant meetings and mediation, which included a series of family group meetings and large claim group meetings from June through to October 2015 to verify the anthropological research and to identify all families with native title connection to the claim area.

The Yurriyangem Taam claim is being progressed concurrently with the Ngarrawanji and Malarngowem claims and is under close case management by the Federal Court.

An expert connection report for these claims has been completed and was provided to the State in May 2016.

Purnululu - Native title claim

The Purnululu claim was registered with the National Native Title Tribunal on March 27, 1995 and was subsequently amended and re-registered on October 15, 1999. The claim covers the Purnululu National Park in the east Kimberley and surrounding areas.

Research for the Purnululu native title claim was undertaken with field research occurring 15-24 June 2016, 12-23 July 2016, 4-10 Sept 2016, 27-31 March 2017 and 17-19 May 2017. A native title claim group meeting was held on 19-20 April 2017 to review the research findings. Further research to finalise a connection report will occur 7-19 August 2017.

The Purnululu claim is under close case management by the Federal Court.

Balanggarra Combined, Balanggarra #3 and Balanggarra #4 - Native title claims and PBC RNTBC

The Balanggarra native title area is covered by three claims – Balanggarra Combined, Balanggarra #3 and Balanggarra #4.

The Balanggarra Combined and Balanggarra #3 claims were progressed concurrently and determined in full for Balanggarra Combined and in part for Balanggarra #3 on August 7, 2013. On November 27, 2015 the Balanggarra #4 claim was determined.

The claim areas cover more than 30,343 square kilometres of country in the north Kimberley including the Wyndham township, Kalumburu, Oombulgurri and Forest River Aboriginal reserves, Carson River pastoral lease, parts of the Drysdale River National Park and unallocated Crown land at Cape Londonderry, Carson River and the Cambridge Gulf Coast. Balanggarra Traditional Owners waited more than 18 years for their native title interests to be recognised.

The outstanding native title claim in part Balanggarra #3, concerns six blocks in the town of Wyndham and has been the subject of negotiations for nearly two years between the Balanggarra claimants, represented by KLC, and the State of Western Australia. The matter has recently been resolved with both parties agreeing to settle the claim by way of an ILUA, the terms of which are confidential. However in June 2017 there was an objection



The Tjurabalan native title claim was determined on August 20, 2001.



to the ILUA lodged that will require investigation by the National Native Title Tribunal.

The Balanggarra Aboriginal Corporation RNTBC manages and holds on trust the native title rights and interests on behalf of the Balanggarra people.

The KLC, in its role as a Native Title Representative Body, continues to work with the Balanggarra people to provide ongoing support and assistance to the PBC. With assistance from KLC, Balanggarra Aboriginal Corporation held directors' meetings on 23 August 2016, November 2016, 14-16 February 2017, 9-11 May 2017. The AGM was conducted in November 2016. It is also noted that there were 2 separate Native Title Holders meetings held in the previous reporting period 9-11 Aug to authorise the KSCS State ILUA and 24-25 Aug 2016 to authorise the town-site ILUA.

KLC also provided assistance to facilitate Balanggarra's engagement in:

- Negotiations on an ILUA with the State regarding the Kimberley Science and Conservation Strategy. Meetings have completed and the ILUA was registered 19-05-2017
- Meetings regarding the transfer of a pastoral lease. The current holder of the pastoral lease later decided to retain the pastoral property.
- Negotiations with Delaware North on an ILUA for El Questro. Negotiation meetings completed. Authorisation, lodgement and registrations of the ILUA to be finalised in the new reporting period.
- Litigation for the Balanggarra LAA Legal proceedings has begun and is now waiting to hear from the State on its position (on the statement of claim). The KLC has commenced collecting evidence in support of the statement of claim.

Tjurabalan - PBC/RNTBC

The Tjurabalan Native Title Land Aboriginal Corporation (TNTLAC) RNTBC manages and holds on trust the native title rights and interests on behalf of the Tjurabalan people.

The Tjurabalan native title claim was determined on August 20, 2001. The claim is in the Tanami Desert region, in the far south-east of the Kimberley and includes the Aboriginal communities of Ringer Soak, Billiluna, Mulan and several outstations.

It was the first consent determination to be reached in the Kimberley, taking approximately 6 years from when the claim was first filed in October 25, 1995.

The KLC, in its role as a Native Title Representative Body, continues to work with the Tjurabalan people to provide ongoing support and assistance to the PBC. With assistance from KLC, TNTLAC



It was the first consent determination to be reached in the Kimberley, taking approximately 6 years from when the claim was first filed in October 25, 1995.



held board meetings in August 2016, 8-9 March 2017, 4 May 2017, 27-28 June 2017 and conducted the AGM and director meeting 25-26 October 2016. Assistance has included logistical support for meetings (directors and AGM), administrative support in ORIC compliances, minutes for meetings and recording of membership, as well as legal advice regarding Future Act matters.

KLC also provided assistance for the TNTLAC board to liaise with the Department of Aboriginal Affairs, now Department of Planning, Lands and Heritage in regards to the transfer of Lake Gregory and Billiluna pastoral leases.

Wanjina Wunggurr: Wilinggin, Uunguu, Dambimangari - PBC/RNTBC

The Wanjina-Wunggurr (Native Title) Aboriginal Corporation RNTBC manages and holds on trust the native title interests of the three Wanjina Wunggurr claims.

One of the first native title claims to be filed in the Kimberley, in July 17, 1995, the Wanjina Wunggurr Wilinggin native title claim was determined in August 2004. The claim covers more than 60,150 square kilometres of country in the central north Kimberley, including around the Gibb River Road.

The Wanjina Wunggurr Uunguu Part A claim was determined by consent on May 23, 2011 while the Wanjina Wunggurr Uunguu Part B claim was

determined by consent in November 2012.

The Wanjina Wunggurr Dambimangari native title claim was determined on May 26, 2011, twelve years after the claim was filed in April 9, 1999.

The KLC, in its role as a Native Title Representative Body, continues to work with the Wanjina Wunggurr people and provide ongoing support and assistance to the PBC. The KLC assists in general compliance with the Corporation's (*Aboriginal and Torres Strait Islander*) 2006, (CATSI Act) and in responding to Future Acts. It has provided assistance on request to related corporations on matters including governance practices. With assistance from KLC, WW PBC held board meetings on 3 October 2016, 28 Feb 2017 and May 2017. The WW PBC AGM had been scheduled for 28 November 2016; however the three Aboriginal Corporations had not yet held their AGMs resulting in the WW PBC AGM being postponed until 28 Feb 2017 with an extension from ORIC.

The KLC also facilitates the governance structures between the Wanjina Wunggurr RNTBC and the three related corporations, to ensure effective and efficient working relationships between the corporate entities.

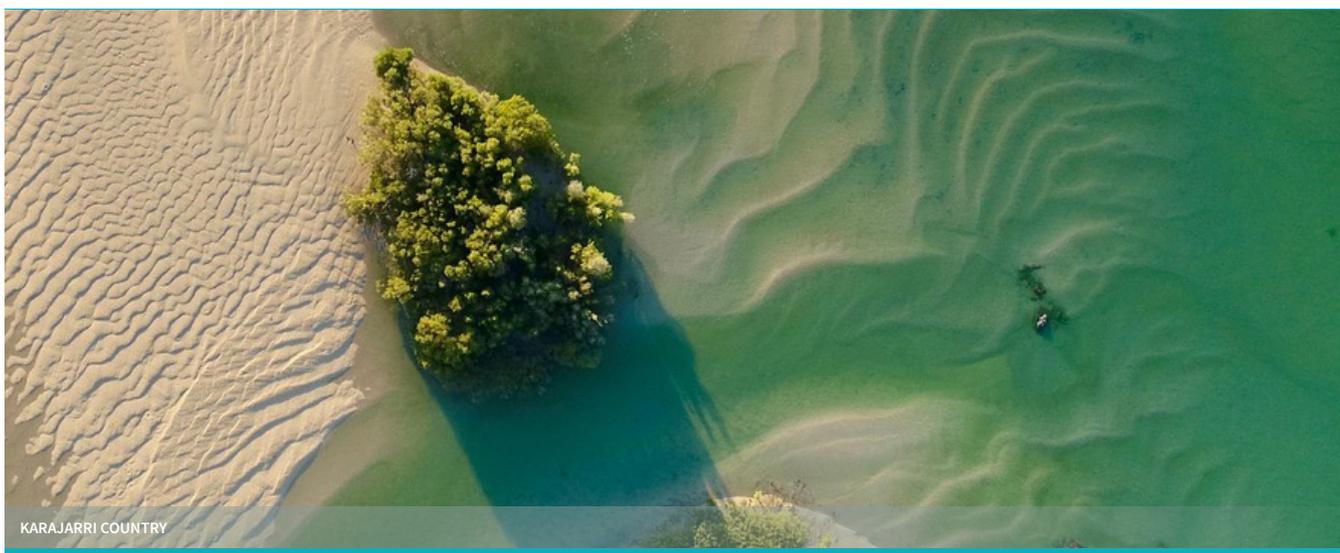
Miriuwung and Gajerrong #1 and #4 - PBC/RNTBC

The Miriuwung and Gajerrong #1 (Native Title Prescribed Body Corporate) Aboriginal Corporation

RNTBC and the Miriuwung and Gajerrong #4 (Native Title Prescribed Body Corporate) Aboriginal Corporation RNTBC manage the native title interests of Miriuwung and Gajerrong people.

Miriuwung and Gajerrong #1 native title was recognised December 9, 2003 and Miriuwung and Gajerrong #4 were recognised November 24, 2006. The Miriuwung and Gajerrong people reached a settlement agreement over the Kununurra town site and for the expansion of the Ord River irrigation scheme in October 2005.

West Kimberley Region



Bindunbur - Native title claim

The Bindunbur native title claim provides a new approach to having native title recognised on the Middle Dampier Peninsula. Native title claimants on the Middle Dampier Peninsula strategically consolidated claims across their country as a way to speed-up and resolve native title. Native title claimants on the Middle Dampier Peninsula share the same system of laws and customs and decided it would be better to resolve native title as the one society rather than as individual tribal groups. Through this joint approach they believe they can move forward with native title after previous long delays to the process. When combined, the Bindunbur claims cover more than 7,609 square kilometres of land and sea country.

In July and October 2013, Jabirr Jabirr/Ngumbarl, Nyul Nyul and Nimanburru people came together to authorise the filing of the Bindunbur native title claims. The Nyul Nyul people

also made the difficult decision to discontinue their claims to allow the Bindunbur claims to go ahead. One Bindunbur claim, over the north, north-east and central areas of the Middle Dampier Peninsula was registered with the National Native Title Tribunal on December 13, 2013.

The Bindunbur (Area B) claim (now combined with Area A), over Carnot Bay, Sandy Point and the Lacepede Islands, was filed on April 24, 2014 and previously overlapped the Djabera Djabera claim. The Djabera Djabera claim was struck out by the Federal Court in July 2015.

The court proceedings took place over six tranches throughout 2015/17 with the final evidence heard in December 2016 and final arguments in June 2017. Justice North will now make his decision, which could take as long as twelve months. Once the judgment has been made the legal counsel for each party will be asked to agree on the specific terms of the determination.

In the meantime the KLC will be discussing the governance structure of the PBC/s with the claimants so that the preliminary work to structuring a PBC will be completed by the time a determination comes down.

Jabirr Jabirr/Ngumbari - Native title claim

The Jabirr Jabirr/Ngumbari native title claim was registered with the National Native Title Tribunal on November 11, 2013 and is represented by Blackshield Lawyers. The claim group of Jabirr Jabirr/Ngumbari are also included in the claim group of the Bindunbur claim. The Jabirr Jabirr/Ngumbari claim overlaps with the Goolarabooloo claim over the area previously subject to the Goolarabooloo Jabirr Jabirr claim, which was discontinued on September 20, 2013. The KLC provided funding assistance to Jabirr Jabirr/Ngumbari to finalise their litigation proceedings.



The Mt Jowlaenga claims were registered with the National Native Title Tribunal on September 6, 2013 and December 15, 2014.



Goolarabooloo - Native title claim

The Goolarabooloo claim was registered with the National Native Title Tribunal on December 12, 2013 and is represented by Chalk and Fitzgerald Lawyers. The Goolarabooloo claim overlaps with the Jabirr Jabirr claim over the area previously subject to the Goolarabooloo Jabirr Jabirr claim, which was discontinued on September 20, 2013. The KLC provided funding assistance to Goolarabooloo to finalise their litigation proceedings.

Mayala - Native title claim

The Mayala claim was registered with the National Native Title Tribunal on July 1, 1998. The claim covers the island and sea area between the Bardi & Jawi determined area and the Wanjina Wunggurr Dambimangari determined area, in and around the Buccaneer Archipelago.

In the reporting period, significant resources were committed to anthropological research with the Mayala claimants. Named applicant meetings were held on 20 June 2016, 7 October 2016, 24 January 2017, 6 April 2016 and 25 May 2017. A claim group authorisation meeting was held on 8-9 June 2016 to seek instructions from the claimants and update them about the claim research.

A consultant anthropologist was engaged and a research trip to the islands of the Buccaneer Archipelago took place from 28 June 2016. Another

research field trip to the eastern side of the claim was planned for April 2017 that had to be cancelled due to cyclonic weather conditions and was rescheduled for 26 June 2017. The consultant anthropologist will finalise the connection report following the June field research and family group meetings will be held in August with claimants in Broome, Derby, and Ardyaloon community to explain the research findings in preparation for a claim group authorisation meeting in October 2017.

In this reporting period, the Named Applicant have been in negotiations with Marine Produce Australia (MPA) over the lease of Barnicoat Island. MPA are seeking a lease over the island to base their operations for their barramundi fish farm in Cone Bay. The Department of Fisheries have also met with the Named Applicant to discuss the licensing and continuation of the commercial taking of trochus shell by Aboriginal people within the Mayala native title claim area.

Mt Jowlaenga and Mt Jowlaenga #2 - Native title claims

The Mt Jowlaenga claims were registered with the National Native Title Tribunal on September 6, 2013 and December 15, 2014. The claims cover approximately 7ha over sections of the Mt Jowlaenga pastoral lease approximately 65kms west of Derby. The claims were filed to protect Traditional Owner interests to engage in Future Acts arising from mining applications in the area.

The KLC has undertaken some in-house anthropological research but has insufficient resources to currently progress the claim. KLC in house anthropologists have undertaken desktop and field research to prepare for future research in relation to the area. This includes work with genealogies, research planning and discussions with key informants. KLC intends to conduct research about how best to make native title claims over the Mt Jowlaenga area, and will be engaging a consultant to conduct field research in the dry season of 2018.

Traditional Owners to the claim area appointed KRED to provide legal representation in the negotiation of an agreement with Sheffield Resources with regard to mining applications.

In August 2014, the then Department of Mines and Petroleum notified the Kimberley Land Council that Sheffield Resources Ltd ('Sheffield') had applied for mining lease M04/459. Sheffield is seeking to build a mineral sands mine on the mining lease ('the Thunderbird Project').

The Mount Jowlaenga polygon #2 native title claim ('Mount Jowlaenga #2 claim') was lodged in the Federal Court of Australia on 7 November 2014 to preserve the Traditional Owners' procedural native title rights and interests in respect of the proposed mining lease. The Named Applicant for the Mount Jowlaenga #2 claim (the 'Named Applicant') was authorised to negotiate a native title agreement with Sheffield to agree terms that would



Native title assistance was provided to Yawuru for a new claim over an unclaimed section of country within the Rubibi native title determined area.

provide for native title consent to the proposed mining lease ('native title agreement'). Any decision of the Mount Jowlaenga #2 claim to enter into the native title agreement is subject to the approval of the Mount Jowlaenga #2 claim group at an authorisation meeting.

By March 2016 the negotiation of the native title agreement had substantially progressed. However, 11 March 2016 was the last occasion Sheffield met with the Named Applicant together with its representatives to negotiate the native title agreement and on 24 October 2016, Sheffield lodged a Future Act determination application with the National Native Title Tribunal, thereby seeking the grant of the mining lease without native title consent.

The Traditional Owners opposed the Tribunal's power to make a decision as to whether the mining lease could be granted, on the basis that Sheffield had not negotiated in good faith as it is required to do under the Native Title Act 1993 (Cth).

On 22 May 2017, the Tribunal decided that it had the power to make a decision as to the grant of the mining lease to Sheffield.

The Traditional Owners sought advice on the Tribunal's decision and on 15 June 2017, the Named Applicant lodged an appeal of that decision in the Federal Court. An appeal was heard before the Federal Court in August 2017, judgment is pending

The Department of Mines, Industry Regulation and Safety (formerly the Department of Mines and Petroleum) has advised Sheffield that, in accordance with its standard policy, it will not finalise the granting of the Mining Lease until the appeal is resolved.

Unclaimed Area between Yawuru, Nyikina Mangala and Karajarri - New native title claim

The KLC has been undertaking Traditional Owner consultations and anthropological research to identify native title interests in an area of approximately 200,000ha located approximately 90kms east of Broome between the recognised native title lands of Yawuru, Nyikina Mangala and Karajarri.

The KLC started initial discussions in 2016 and again in early 2017 about the makeup of a claim application with the chief executive officers of the three Prescribed Body Corporates that surround the unclaimed area (Yawuru, Nyikina Mangala and Karajarri). To progress a native title claim application, a meeting was held in September 2016 and in April 2017 with Nyikina Mangala, Yawuru and Karajarri senior cultural people to seek instruction on how these groups would like to progress the native title claim and for a consultant anthropologist to be engaged to start connection report research.

Karajarri Yanja - Native title claim

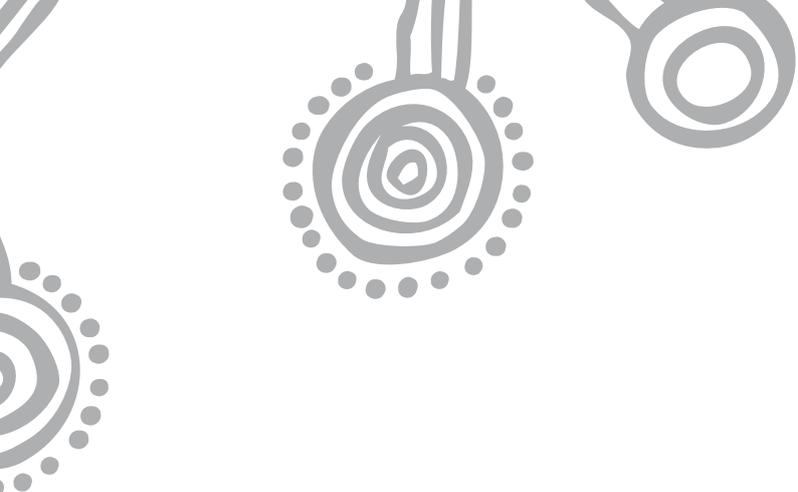
The Karajarri Yanja claim was registered with the National Native Title Tribunal on November 22, 2012. The claim covers a small area approximately 80kms south-west of Derby and 90kms east of Broome. The claim was filed to protect Traditional Owner interests to engage in Future Acts arising from mining applications in the area.

This claim is being managed in connection with the unclaimed area between Yawuru, Nyikina Mangala and Karajarri.

Edarrbur (Rubibi #18) - Native title claim

Native title assistance was provided to Yawuru for a new claim over an unclaimed section of country within the Rubibi native title determined area. The new claim is over a stock route and was made in response to an application for a sand mining lease, which triggered a Future Act and the requirement that people who claim to hold native title in the affected area lodge a native title claim to protect procedural rights. This grant of assistance led to the filing of the Edarrbur (Rubibi #18) claim on November 11, 2015. The Edarrbur (Rubibi #18) claim was successfully registered with the National Native Title Tribunal on December 3, 2015.

An in principle agreement on the terms of a consent determination was reached with the State of Western Australia. The State accepted the



The KLC has been assisting Yawuru PBC to access and arrange for the return of native title materials currently held by the KLC on behalf of Yawuru native title holders.

occupation evidence provided in relation to the unallocated Crown land to which s47B of the Native Title Act (NTA) applies. The Commonwealth also accepted the occupation evidence provided however was unable to sign off on the terms of the consent determination due to an issue arising between the Commonwealth and the State. That issue relates to the application of s47B of the NTA to unallocated Crown land areas which have been the subject of exploration permits. The judgment in *Helicopter Tjungarrayi on behalf of the Ngurra Kayanta People v State of Western Australia (No 2)* [2017] FCA 587 (Ngurra Kayanta Part B) in the Central Desert region was delivered on 29 May 2017. It was concluded in that case that a 47B applies to areas of unallocated Crown Land which have been the subject of exploration permits. At the last case management hearing the Commonwealth advised they were seeking instructions from the Attorney General who was not able to provide those instructions until the week commencing 31 July 2017. A case management hearing will be held in July 2017 and the KLC will then know with more certainty the next steps.

Yawuru - PBC/RNTBC

The Yawuru Native Title Holders Aboriginal Corporation RNTBC manages and holds on trust native title rights on behalf of the Yawuru people.

The Federal Court recognised native title over the town site of Broome and surrounding areas under the Rubibi



PENDER BAY, BARDI JAWI COUNTRY

native title determinations. First filed on July 28, 1995 and after litigated proceedings including appeals by the State, native title was recognised September 8, 2008 after 13 years in the courts.

The KLC has been assisting Yawuru PBC to access and arrange for the return of native title materials currently held by the KLC on behalf of Yawuru native title holders. The KLC has developed a comprehensive policy and procedure document to facilitate the effective engagement in the transfer of native title materials back to Traditional Owners.

Bardi Jawi - PBC/RNTBC

The Bardi and Jawi Niimidiman Aboriginal Corporation RNTBC manages and holds on trust the native title rights and interests on behalf of the Bardi and Jawi people.

The Federal Court recognised native title across a large area of the Bardi and Jawi claim on November 30, 2005 including exclusive possession across most of the mainland area of the claim. The Federal Court also found that native title did not exist across sea country, reefs, and a number of the islands including Sunday Island and Jackson's Island.

The KLC appealed the decision in 2006 and on March 18, 2010, the Federal Court reversed its initial decision and recognised the native title rights of the Bardi and Jawi people across their sea country surrounding the Dampier Peninsula.

The KLC, in its role as a Native Title Representative Body, continues to work with Bardi and Jawi people to provide ongoing support and assistance to the PBC. With assistance from KLC, Bardi and Jawi Niimidiman held PBC directors' meetings on 19-20 July 2016,



With assistance from KLC, Bardi and Jawi Niimidiman Aboriginal Corporation has developed internal policies about their decision making process for activities on country, including a policy for external commercial agencies wanting to film and photograph on country.



KARAJARRI TRADITIONAL LANDS ASSOCIATION ABORIGINAL CORPORATION RNTBC MEETING, BROOME 2016

6-7 September 2016, 16 November 2016, 15 February 2017, 15-16 March 2017, 3 May 2017, and conducted an AGM on 23 March 2017 (extension until 31 March 2016 approved by ORIC).

KLC support included logistical and administrative support to directors' meetings and assistance with AGM logistics. Other support included anthropological and legal advice around native title decisions and corporation compliance, including assisting with changes to the rule book to allow the corporation to be registered for charitable status.

With assistance from KLC, Bardi and Jawi Niimidiman Aboriginal Corporation has developed internal policies about their decision making process for activities on country, including a policy for external commercial agencies wanting to film and photograph on country.

This policy development has helped the Bardi Jawi Rangers to manage these kinds of enquiries.

Funding was received in 2010 from FaHCSIA (and auspiced through KRCI) for a Bardi and Jawi Niimidiman Aboriginal Corporation office. Construction of the office began in October 2015 at Ardyaloon community and was completed in early 2016. Further funds are required to undertake final fit-out (blinds, furniture, landscaping, fencing, car park). The KLC is continuing to support the PBC to find additional funds.

Karajarri - PBC/RNTBC

The Karajarri Traditional Lands Association Aboriginal Corporation RNTBC (KTLA) manages and holds on trust the native title rights and interests on behalf of the Karajarri people.

The Federal Court recognised the native title rights of the Karajarri people in two consent determinations on December 2, 2002 and September 8, 2004.

In the 2016-2017 period, the KTLA made a decision to fund KRED Enterprises to provide administration, financial and commercial legal services. The KLC, in its role as a Native Title Representative Body, continues to work with Karajarri people to provide ongoing support and assistance to the PBC with ORIC compliance and policy development. With assistance from the KLC, KTLA held its AGM in November 2016.

Yawinya - PBC/RNTBC

The Federal Court handed down the Yawinya native title determination across shared country near Eighty Mile Beach on May 25, 2012.



The NKAC board have identified some strategic priorities that they will focus on with assistance from the KLC.



MARGARET ROSE, MARTINA BADAL, SHIRLEY SPRATT, GERALDINE GEORGE AND MERVYN MULARDY, NATIONAL NATIVE TITLE CONFERENCE, 2017.

The determination area is comprised of the shared country of the Nyangumarta and Karajarri people, two different tribal groups who share traditional laws and cultural connection to the area.

The KLC and the Yamatji Marlpa Aboriginal Corporation acted on behalf of the Karajarri and Nyangumarta claimants respectively to negotiate native title across 2,000 square kilometres of land and sea country including Anna Plains Station, a portion of Mandora Station and Eighty Mile Beach.

The KLC, in its role as a Native Title Representative Body, continues to work with the Nyangumarta and Karajarri people to provide ongoing support and assistance to the Nyangumarta Karajarri Aboriginal Corporation RNTBC as the RNTBC for the shared area.

With assistance from the KLC, Nyangumarta Karajarri Aboriginal Corporation RNTBC (NKAC) held board meetings on 18 October 2016, 8 November 2016, 19 April 2017, 21 June 2017, and conducted an AGM on 24 November 2016. Assistance has included logistical support of meetings (directors and AGM), administrative support in ORIC compliance, minutes for meetings and recording of membership, legal advice regarding Future Act matters and the negotiations for an ILUA with the State regarding the Kimberley Science and Conservation Strategy. The meeting to authorise the ILUA was held on 24 November 2016 following the AGM.

The NKAC board have identified some strategic priorities that they will focus on with assistance from the KLC. These include changes to the rule book to allow the corporation to function more effectively, relationship building

between ranger groups and members to build a stronger PBC, a cultural mapping exercise to identify the key environmental and cultural heritage priorities and increased decision making authority.

The directors will also review an ILUA that exists between the PBC and Anna Plains Station to align more with the aspirations of the Nyangumarta and Karajarri peoples' vision for country in conjunction with the Kimberley Science and Conservation Strategy 80 mile beach marine park ILUA agreement with the State.

Central Desert Region



MR WATSON AND MS MILGIN REPRESENTING NYIKINA MANGALA #2 NATIVE TITLE CLAIMANTS, PERTH 2016

Nyikina Mangala - Native title claim and PBC/RNTBC

The majority of Nyikina Mangala native title claim was determined on May 29, 2014 after nearly 15 years (the claim being filed on September 21, 1999). Native title rights are recognised across more than 26,000 square kms. The area of exclusive and non-exclusive native title rights extends from the mouth of the King Sound below Derby, along the Fitzroy Valley to Noonkanbah and south into the Great Sandy Desert.

Exclusive possession native title rights were recognised across more than 40 per cent of the claim area, including three Aboriginal pastoral stations, a large tract of unallocated Crown land in the Great Sandy Desert and smaller pockets within the claim. A second overlapping claim was made on January 30, 2015 over a small area known as Udialla in order to secure exclusive possession native title rights. The claim for this area, the Nyikina Mangala #2 claim was determined on 29th Oct 2015.

The Walalakoo Aboriginal Corporation RNTBC (**WAC**) manages and holds on trust the native title rights and interests on behalf of the Nyikina Mangala people.

The KLC, in its role as a Native Title Representative Body, continues to work with Nyikina Mangala people to provide support and assistance to WAC when needed. WAC has required little support from KLC with assistance being provided mostly in logistical support for their AGM and non-commercial Future Act legal advice.

Boorroola Moorroola Moorroola

On 23 December 2016 Walalakoo PBC on behalf of the Nyikina people lodged a new Native Title Claim, Boorroola Moorrool Moorroola. Part of this new claim overlaps the Warrwa Combined Native Title Claim. As a result and at a claim group meeting on 28-29 March 2017, the Warrwa Combined Claimants agreed to mediation to find a resolution between the two separate native title claimants. It is further noted

that the Boorroola Moorrool Moorrool native title claim was registered by the National Native Title Tribunal in May 2017.

Warrwa combined claim and Mawadjala Gadjidgar claim (Point Torment) - Native title claim

The Warrwa native title claim was registered on October 13, 2010 and the Mawadjala Gadjidgar claim was registered on June 23, 2011. The claims cover an area across Point Torment in the west Kimberley and a smaller area over the eastern side of Derby.

These claims were lodged in response to Future Act pressures at the time. On October 3, 2012 a Warrwa #2 claim was filed by a group represented by a private law firm (Hopgood Ganim) that covered all remaining unclaimed area adjacent to existing native title claims in the area.

The claims as a group became the subject of Federal Court directions. In July 2015 the claim groups authorised to combine the Warrwa and Warrwa #2 claim into the Warrwa combined claim, which was registered with the National Native Title Tribunal on November 26, 2014. The KLC was instructed to represent the Warrwa combined and Mawadjala Gadjidgar native title claims, and Hopgood Ganim was instructed to represent Warrwa and Mawadjala Gadjidgar on all Future Act matters.

The KLC is aware that there are persons who are not members of the Warrwa claim group who assert native title rights and interests in part of the



The Bunuba Dawangarri Aboriginal Corporation RNTBC manages and holds on trust the native title rights and interests on behalf of the Bunuba people.



BUNUBA COUNTRY

Warrwa combined native title claim area. The KLC has been conducting anthropological research to prepare native title connection information to identify the full extent of the area of Warrwa native title rights, and to identify who holds or may hold a native title interest in these claims. Connection field research was undertaken throughout 2016-17 and a native title claim group meeting was held on 28-29 March 2017 to review the research findings. A finalised connection report is being prepared to provide to the State in September 2017.

Bunuba, Bunuba #2; Bunuba #3 & Bunuba #2 (Part B) - Native title claims and PBC/RNTBC

There are three native title claims across Bunuba country in the central Kimberley area near Fitzroy Crossing.

The Bunuba combined claim was registered with the National Native

Title Tribunal on August 20, 1999 and Part A of this claim was determined by consent at an on-country sitting of the Federal Court on December 12, 2012.

The Bunuba #2 claim was registered with the National Native Title Tribunal on May 10, 2012 and covers, amongst other places, the Fitzroy Crossing township. The Bunuba #3 claim relates to a small pocket of country excised from the Bunuba combined claim prior to the determination of Part A of the claim.

The Federal Court hearing of the Bunuba Part B, Bunuba #2 (Part A) and Bunuba #3 claims occurred in Perth on 22 December 2015. Native title was successfully recognised for the Bunuba Part B and Bunuba #3 claim areas. Bunuba #2 proceeded as a part determination with native title recognised over all but a small area of land covered by an overlapping

native title claim that was lodged on 21 December 2015 (Warlangurru #2). It is anticipated that the Tribunal will order mediation between the two claim groups in the first half of the new financial year. Should such mediation be unsuccessful there is a likelihood of the matter being taken to trial.

The Bunuba Dawangarri Aboriginal Corporation RNTBC manages and holds on trust the native title rights and interests on behalf of the Bunuba people.

The KLC, in its role as a Native Title Representative Body, continues to work with Bunuba people to provide support and assistance to the Bunuba Dawangarri Aboriginal Corporation when needed. KLC was instructed in December 2015 by the Bunuba Dawangarri Aboriginal Corporation to represent them for all Future Acts on Bunuba Lands and the KLC is working



There are currently two native title determinations and one native title claim across Ngurrara country, which extends south into the Great Sandy Desert and north into the river country around Fitzroy Crossing.

with Bunuba during the transition period from their previous legal representatives. The KLC was also engaged by Bunuba under a service agreement to provide legal advice with regard to ILUA negotiations on the Kimberley Science and Conservation Strategy.

Warlungurru and Warlungurru #2 - Native title claims and dispute resolution

In 2014 the KLC was requested to file a claim over an area of country in the Fitzroy Valley located north of Noonkanbah determination area and bounded by the Bunuba and Yi-Martuwarra Ngurrara native title claims. Anthropological research was undertaken in June 2014 with a preliminary report provided. The Warlungurru claim was authorised in October 2014 however insufficient evidence to register the claim with the National Native Title Tribunal resulted in further anthropological research being required.

The KLC commenced further research in 2015. An application was made by Warlungurru to file a second native title claim which overlapped part of the Bunuba #2 claim. The KLC grants committee rejected the application for native title assistance to file an overlapping claim. The KLC provided facilitation assistance to mediate, under the KLC's dispute resolution functions, regarding the overlapping interests asserted by Warlungurru. KLC facilitated a mediation meeting with both Bunuba and Warlungurru Traditional Owners on November 26, 2015. Information was provided

on the history of the area and the extensive connection research and findings identified to date. Proposals were identified to resolve the matter including to acknowledge historical interest over the area.

Warlungurru filed the Warlungurru #2 claim overlapping the southern boundary of the Bunuba #2 claim on December 21, 2015. The KLC's representation of the Warlungurru claim was disengaged by the Warlungurru applicant and a new lawyer engaged in March 2016. Both the Warlungurru claims and the Warlungurru #2 claim were recently before the National Native Title Tribunal on assessment of the registration. The court found the registration of the Warlungurru #2 native title claim as invalid and the registration of the claim was withdrawn. As a result it is anticipated that the Court will order mediation between Warlungurru #2 and Bunuba #2 (Part B) early in the 2017-18 financial year. Should such mediation be unsuccessful there is a likelihood the matter will be taken to trial.

Area between Bunuba and Yi-Martuwarra Ngurrara - dispute resolution and native title claim application (aka Area C)

Mediations commenced in December 2015 between Bunuba and Yi-Martuwarra Ngurrara to resolve a native title dispute over the south eastern area of the Bunuba #2 claim. Mediations continued and an agreement between the respective PBCs was drafted in June 2016.

Commitments were also made to progress a new claim over the unclaimed area between Bunuba and Yi-Martuwarra Ngurrara, referred to as Area C.

The KLC engaged an expert anthropologist to commence native title research over the area and a preliminary research report has been completed (June 2017). A meeting with both the YMN and Bunuba Traditional Owners will be held in the early part of the new reporting period where the findings of the preliminary research will be discussed with the anticipation that a new claim will be lodged during the 2017-18 financial year.

Ngurrara, Ngurrara B & Y-Martuwarra Ngurrara - Native title claim and PBC/RNTBC

There are currently two native title determinations and one native title claim across Ngurrara country, which extends south into the Great Sandy Desert and north into the river country around Fitzroy Crossing.

The native title claim, Ngurrara, filed March 22, 1996, was successfully determined in part on November 9, 2007. The second part of the native title claim, Ngurrara – Area B, was successfully determined in November 2012. A second claim, Ngurrara 2 – Area C was filed December 3, 2008 and was successfully determined in November 2012.

The Yanunijarra Aboriginal Corporation RNTBC manages and holds on trust the native title rights and interests on behalf of the Ngurrara people.



The third native title claim, Yi-Martuwarra Ngurrara, was registered with the National Native Title Tribunal on February 29, 2012. Negotiations including mediation are ongoing with the State and other parties on the terms of a determination of native title with the anticipation of a consent determination being agreed to by all parties and an on-country determination by January 2018. Should there be no agreement amongst the parties on the terms of an ILUA and a consent determination the matter will likely go to trial.

Negotiations were undertaken between applicants and the lease holder of Christmas Creek Station to reach consent for a co-existence agreement (ILUA) in October 2015. This ILUA was agreed and signed off by the Ngurrara people and is waiting for lodgement/registration.

The KLC, in its role as a Native Title Representative Body, continues to work with the Ngurrara people to provide ongoing support and assistance to the PBC – Yanunijarra Aboriginal Corporation RNTBC.

KLC provided administrative and logistical support in organising and holding director meetings and an AGM. Yanunijarra Aboriginal Corporation held board meetings on 20 August 2015 and, 3 December 2015 and 1-2 March 2016 and 10 May 2016, and conducted an AGM on 18-19 August 2015.

Goonyandi Combined & Yarrangi Riwi Yoowarni Goonyandi - Native title claims and PBC/RNTBC

The Goonyandi combined claim was determined by consent at an on-country hearing of the Federal Court on June 19, 2013.

The Goonyandi native title area covers 11,200 square kilometres of land and water and includes the Indigenous-owned pastoral stations of Bohemia Downs, Mt Pierre and Louisa Downs and portions of the non-Indigenous owned Christmas Creek, Gogo, Fossil Downs, Larrawa and Margaret River pastoral stations.

About 50 per cent of the native title claim is exclusive possession – the highest possible form of native title rights and interests.

The Yarrangi Riwi Yoowarni Goonyandi claim was registered with the National Native Title Tribunal on February 15, 2013. The claim is progressing as an Area A and Area B claim. The terms of a consent determination for Area B have been agreed to by the parties and a consent determination hearing for Area B was heard in Perth on October 25 2016. In relation to Area A of the native title claim, comprehensive research and a preliminary connection report have now been completed.

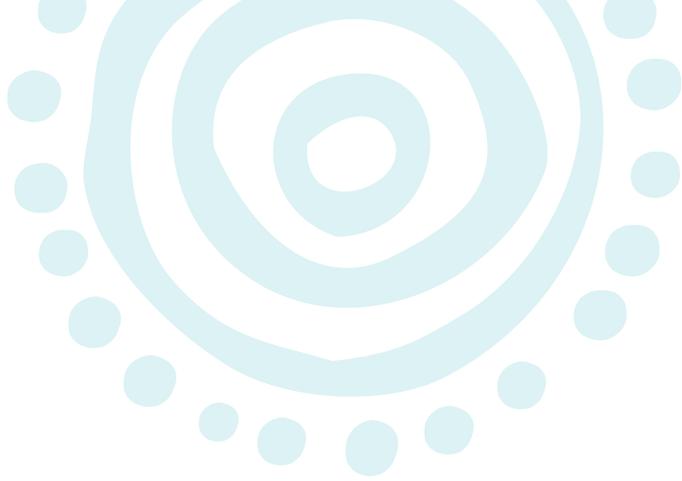
The Goonyandi Aboriginal Corporation RNTBC manages and holds on trust the native title rights and interests on behalf of the Goonyandi people. The KLC, in its role as a Native Title Representative Body, continues to

work with Goonyandi people to provide support and assistance to the Goonyandi Aboriginal Corporation when needed. With assistance from the KLC, the Goonyandi Aboriginal Corporation held board meetings on 10 September 2015 and, 5 November 2015 and 19 February 2016, and conducted an AGM 3-4 November 2015. KLC provided administrative support to Goonyandi Aboriginal Corporation and logistical support in organising and holding their AGM.

Kurungal - Native title claim

The Kurungal native title claim was registered with the National Native Title Tribunal on December 1, 1997. The claim covers a portion of the Christmas Creek pastoral lease that is north of Christmas Creek and south of the Great Northern Highway.

After considering further connection evidence provided by the KLC in June and October 2013, the State Government indicated in-principle support for a consent determination in early 2014, subject to the applicant reaching a co-existence agreement with the holder of the Christmas Creek pastoral lease. Negotiations towards this agreement were overseen by a Federal Court Registrar and included a number of negotiation meetings between Traditional Owners and the pastoral lessee, with agreement on an ILUA reached in October 2015. The ILUA was successfully registered with the NNTT on 19 April 2017.



The Tiyatiya Aboriginal Corporation RNTBC manages and holds on trust the native title rights and interests on behalf of the Kurungal people.



The Federal Court hearing of the Kurungal claim was held on country on 1 December, 2015. Non-exclusive native title was successfully recognised for Kurungal. The consent determination made in December 2015 is to take effect once the RNTBC has been formally established.

The Tiyatiya Aboriginal Corporation RNTBC manages and holds on trust the native title rights and interests on behalf of the Kurungal people. The PBC was successfully registered on 6 September 2016. The KLC, in its role as a Native Title Representative Body, continues to work with the Kurungal people to provide ongoing support and assistance to the PBC - Tiyatiya Aboriginal Corporation RNTBC.

Noonkanbah - PBC/RNTBC

Noonkanbah native title was recognised on April 27, 2007.

The Yungngora Aboriginal Corporation RNTBC manages the native title interests of the Noonkanbah people. The KLC has not been requested to provide assistance to Noonkanbah.

Land and Sea Management



Introduction

Getting back country, looking after country and getting control of the future is the Kimberley Land Council's (KLC) clear strategic vision. The Land and Sea Management Unit, within the KLC, is incredibly proud and privileged to be part of bringing this vision to reality.

Through hard fought native title negotiations Traditional Owners across the Kimberley have formally 'gotten back country'. From this position Traditional Owners have reinvigorated and reinstated their right to 'look after country'.

The Land and Sea Management Unit works with Traditional Owners to achieve the cultural, social and environmental outcomes they want to see happen on the ground, 'looking after country'. Building from this position the unit is increasingly diversifying its skills and professionalising as a network. This diversification and professionalisation

aims to build long term sustainability and careers pathways with a focus on, 'getting control of our future'.

The Land and Sea Management Unit (LSMU) was established in 1998 and its projects are far reaching, covering all aspects of cultural and environmental management, including the implementation of traditional burning practices, wildlife and biodiversity monitoring and the passing on of traditional knowledge and cultural practices from old people to young people.

While individual ranger groups are administered through the Kimberley Land Council, the governance structure of the program ensures that each Prescribed Body Corporate (PBC) and associated Traditional Owners set the strategic direction of ranger activities. Each ranger program is jointly governed by the PBC and by a Healthy Country Advisory Committee. The Healthy Country Advisory Committee is nominated by the PBC and is

comprised of senior Traditional Owners and community leaders who provide cultural direction and guidance.

The Land and Sea Management Unit fosters and enhances cultural connection to land and sea country, and uses a combination of traditional knowledge with modern science to achieve best practice methods and environmental outcomes. It also focuses on delivering direct employment and training opportunities for Kimberley Aboriginal people while enabling Traditional Owners to remain living on country in remote areas.

The Land and Sea Management Unit continued to grow in the reporting period with its projects now comprising more than half of the operational work of the KLC. Staff members are based across many locations in the Kimberley. The Land and Sea Management Unit works in close partnership with native title groups and Registered Native Title Bodies Corporate (RNTB/PBCs) with a whole of organisation focus on



The Land and Sea Management Unit continues to work with Traditional Owners to create and review Healthy Country Plans.

strengthening capacity for PBCs to manage and deliver project activities and strengthen their native title rights.

Long-term planning

The Land and Sea Management Unit continues to work with Traditional Owners to create and review Healthy Country Plans. These documents are developed over extended periods of community consultation. Consultation focuses on ‘mapping’ the cultural and natural assets so that groups can identify key management priorities and targets. Once the process is complete Traditional Owner groups will have developed a long-term vision for country that they and Land and Sea staff can work to achieve.

In the Kimberley Ranger Network, nine of the twelve native title groups the KLC works with have Healthy Country Plans. These long-term management plans are invaluable in communicating priorities to external partners and directing the development of annual work plans.

The Land and Sea Management Unit will continue to work to find the resources needed to assist the remaining three groups to develop Healthy Country Plans.

Highlights Career pathways

One of the great strengths of the Kimberley Ranger Network is that people love their jobs. When a senior ranger was asked recently about rangers resigning and re-entering the



NYIKINA MANGALA, PARUKU, WUNGGURR AND DAMBIMANGARI RANGERS COMPLETING THEIR CERT II FIRE TRAINING UNITS

team, his response was, “they’d be lucky, we love our jobs and if you leave someone else will step up and in”.

One of the things that rangers clearly identify that they value about their jobs is the ability to progress and grow in their careers. This is apparent as rangers progress from trainee rangers to rangers, senior rangers, ranger coordinators, fire management officers and Indigenous Protected Area coordinators. This progression is seeing the program increasingly owned and run by Kimberley Traditional Owners. The Land and Sea Management Unit is deeply committed to these career pathways and providing a supportive environment for more Indigenous rangers to develop their skills and move into more senior roles.

In order to better guide further career development, Broome senior managers have used the SMART (specific, measurable, achievable,

realistic and time bound) methodology to better articulate career development pathways, primarily focused on leadership development skills. The same methodology will increasingly be used to articulate more specialised ranger roles such as fire operations officers, drone operators and other role diversifications.

Keeping rangers safe: Workplace Health & Safety Report 2016-2017

Keeping our rangers and staff safe has remained a priority for the Land and Sea Unit this year. Some highlights include:

- Securing funding to retain a dedicated ranger safety development officer.
- 28 rangers completed nationally accredited safety training, specifically tailored to remote Kimberley ranger operations.
- Five KLC safety representatives



Continually improving our risk management system and safety culture will remain a focus for the Land and Sea Management Unit.



completed accredited Safety Health Representative training.

- More than 90 per cent of Kimberley rangers have completed accredited first aid training.
- Kija Ranger Imran Paddy was selected from trainees across the region to win the Kimberley Group Training's Safety Recognition Award.
- Significant improvements in hazard identification, incident reporting and review statistics.
- Systematic, regular team Toolbox Talks, workplace inspections, emergency drills, and vehicle and equipment checks conducted at ranger bases.
- Ongoing development of Standard Operating Procedures (SOPs), posters, forms and checklists appropriate to Indigenous rangers leading remote, high risk operations.
- Regular on the job, in house safety training with rangers, including

the development of emergency procedures and team safety goals and refresher training in first aid and remote communities.

- Improved integration of Land and Sea Management unit safety management with other sections of the organisation .
- Significant improves to fire operations safety management, including formal review of procedures to meet Office of Bushfire Risk Management standards, improved search and rescue procedures, rollout of GPS spot devices, and improved compliance with daily reporting and communication requirements .

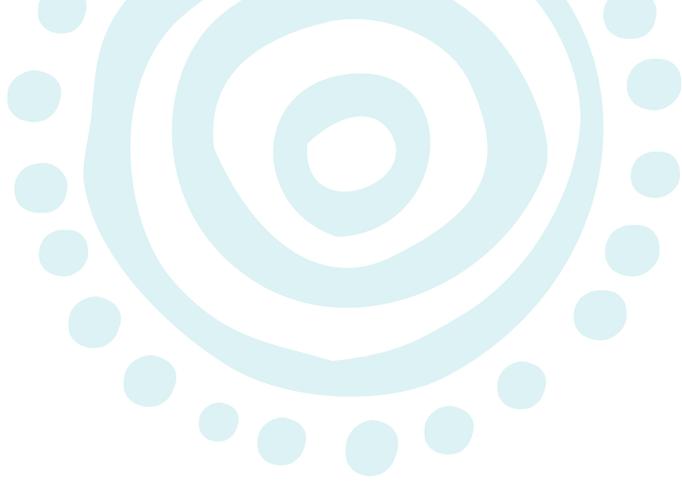
Continually improving our risk management system and safety culture will remain a focus for the Land and Sea Management Unit. Priorities for next financial year include, improving management accountability and

compliance, remote travel, vehicles and communications and implementing a more systematic Occupational Health and Safety (OHS) framework which applies uniform standards across the organisation.

The Kimberley Ranger Network

The Kimberley Ranger Network represents a unique expression of native title rights that allows Traditional Owners of the Kimberley to benefit from a regional approach to issues, cooperating, learning from and assisting each other to manage land and sea as effectively as possible.

Across the Kimberley there are many regional opportunities, potential threats and requests that are made of ranger groups. Addressing each of these opportunities and threats is something that in many cases is beyond the capacity of individual ranger groups. An important function



The KLC provides cost effective and efficient corporate services to ranger groups based on an economies of scale regional service model.



HEALTHY COUNTRY FORUM, HOME VALLEY STATION, 2016.

of the Kimberley Land Council and the Land and Sea Management Unit is to provide advice, guidance and in some cases drive regional projects in conjunction with all groups.

Examples of this include, facilitating the employment of a Fitzroy Valley Regional Research Coordinator to coordinate research projects across the Fitzroy catchment, facilitating engagement with Parks Australia on Commonwealth Marine Reserves and brokering relationships with key partners to attract future opportunities and funding, such as the Department of Agriculture and Water Resources.

The provision of regional services and support is a priority area for the LSMU moving forward into the next financial year. The opportunity to participate in the Kimberley Ranger Network and access best practice land and sea management policies, procedures and operational support is offered to

all Kimberley PBCs who want to be part of the network. The KLC provides cost effective and efficient corporate services to ranger groups based on an economies of scale regional service model.

Home Valley - Kimberley Healthy Country Forum

The Kimberley Healthy Country Forum was held at Home Valley Station from 25-29 July 2016. Organised by the KLC Land and Sea Management Unit the aim of the forum was to share experiences between Indigenous land management groups across the region.

The forum was structured around three days of interactive workshops, as well as a Ranger Expo on the final day. The forum was attended by representatives from Traditional Owner groups and included PBC directors, Indigenous rangers, ranger coordinators, Healthy Country coordinators, as well as KLC directors and staff.

The forum was a significant success, with a broad range of ideas and issues discussed. Participants identified a number of similar issues and made plans for cooperation in the future.

As part of the forum, rangers mapped out a timeline which captures the high level achievements of the unit since 1998. This process was an incredible testimony to the strengths of the unit, made all the more compelling by the number of people present at the 2016 forum, who were also present at the beginning of the journey in 1998.

A huge thank you to everyone who attended and the Balanggarra and Wunggurr Rangers for the massive effort to make this event happen in such a remote location.

Land and Sea Achievements



Indigenous Land Management Facilitator employed at KLC

1998



First Kimberley Ranger Forum

2010

- \$50 million for rangers
- IPA and regional CNRM projects secured
- World Indigenous Network Conference Darwin
 - Kimberley International Ranger Forum Gumbanan
 - 4 IPAs declared

2013

- Enterprise Hub Planning workshops & business plan
- COP21 showcase savanna fire initiatives
- Green Army contracts
- Increase in the number of women rangers

2015

Healthy Country Project

2001

Saltwater Country Project

2006

2000

Fitzroy fish research and Ord Bonaparte Program

2005

Kimberley Appropriate Economics Roundtable Forum

2008

Kimberley Ranger Initiative - ILC + Australian Government Investment

2011

- West Kimberley National Heritage
 - Listing
 - Delegation to IFIP Conference San Francisco

2014

UNPFII side event on Cultural Economies with TNC + Equator Initiative

2016

Enterprise Hub Partnership established



LAND AND SEA MANAGEMENT UNIT ACHIEVEMENTS

Green Army

In the 2016-17 financial year the Land and Sea Management Unit continued to assist five ranger groups to work with the Green Army as a means of creating additional positions to complement their ranger teams. The Green Army is a national environmental program which aims to build young people's experience working on environmental projects. The ranger teams, Ngurrara, Kija, Bardi Jawi, Nyul Nyul and Karajarri, have worked with the Department of Environment to use this program alongside everyday ranger work, the outcome of which has been the creation of 36 additional training positions. In December 2016, the Federal Government announced the Green Army program would be disbanded at the end of current contracts. Work is underway to identify alternative funding sources for rangers employed under the Green Army program.

Partnerships

The Land and Sea Management Unit recognises the value in collaboration and to that end, actively fosters partnerships with external agencies and organisations.

At a regional level, our historical relationships with sister organisations Kimberley Aboriginal Law and Culture Centre and Kimberley Language Resource Centre, remain strong, as evident in our joint annual general meetings held on country in September.

At a state level, we continue to pursue robust and authentic relationships with government agencies and organisations, including WA Department of Parks and Wildlife (DPAW), the WA Department of Fire and Emergency Services and the WA Department of Corrective Services. At a federal level, our project partners include Rangelands NRM, Department of Prime Minister and Cabinet, the Department of the Environment

and Energy, the Department of Agriculture and Water Resources and the Department for Infrastructure and Regional Development. The KLC recognises the value of cross-sector collaboration and its potential to achieve innovative outcomes to challenging issues. To this end, some of our partners from the corporate sector include Shell Social Investment Fund, Business Council of Australia, Qantas, Jawun Corporate Partnerships and ANZ.

In addition to our domestic partnerships, the KLC is also working to strengthen our international relationships with other Indigenous peoples and organisations through alliances with international non-government organisations, including The Nature Conservancy, PEW Trusts and United Nations University. The KLC has been recognised for our ground-breaking work and best practices in our field, and our international partnerships, including our involvement with the World Indigenous



Political uncertainty and cyclic policy changes of government hinder long-term planning.

Network, these achievements have afforded us a platform upon which to share and exchange learnings. In addition to these partnerships, during the reporting period the KLC continued to engage through official international mechanisms including the 22nd Conference of Parties in Morocco (COP22) and the Sixteenth Session of the United Nations Permanent Forum on Indigenous Issues.

Cultural Enterprise Hub

The Kimberley Ranger and Indigenous Protected Area (IPA) Network is facilitated by the Kimberley Land Council with investment from the Australian Government and other strategic partners.

Over the past nine years the Kimberley Ranger Network has achieved outstanding success with 13 ranger groups employing more than 100 full-time Indigenous rangers working across 350,000 square kilometres of native title country. Eight IPAs cover an area of 90,000 square kilometres and have leveraged diverse partnerships and investment into Indigenous led conservation. However, the business model for the network is vulnerable as the major investor is the Australian Government via the Working on Country and Indigenous Protected Areas programs.

Political uncertainty and cyclic policy changes of government hinder long-term planning. At the community level the demand for ranger positions is high and in some of the more remote

locations the ranger team provides almost half of the jobs available in the community. As a result, there is a need for a diversified revenue stream which will strengthen the Kimberley Ranger Network business model, sustain growth and enable scale up of cultural and environmental enterprise opportunities. To meet this need the KLC has established the Cultural Enterprise Hub (The Hub). The Hub, which is in the early stages of development, provides cultural and environmental business expertise and services to PBCs and ranger teams with the goal of building thriving enterprises on country.

Built on a social enterprise model, the Hub will focus on leveraging the skills gained by rangers through their land and sea work to nurture a culture of entrepreneurship in remote communities with the long-term vision of building a culturally empowered, thriving and prosperous Kimberley Aboriginal community.

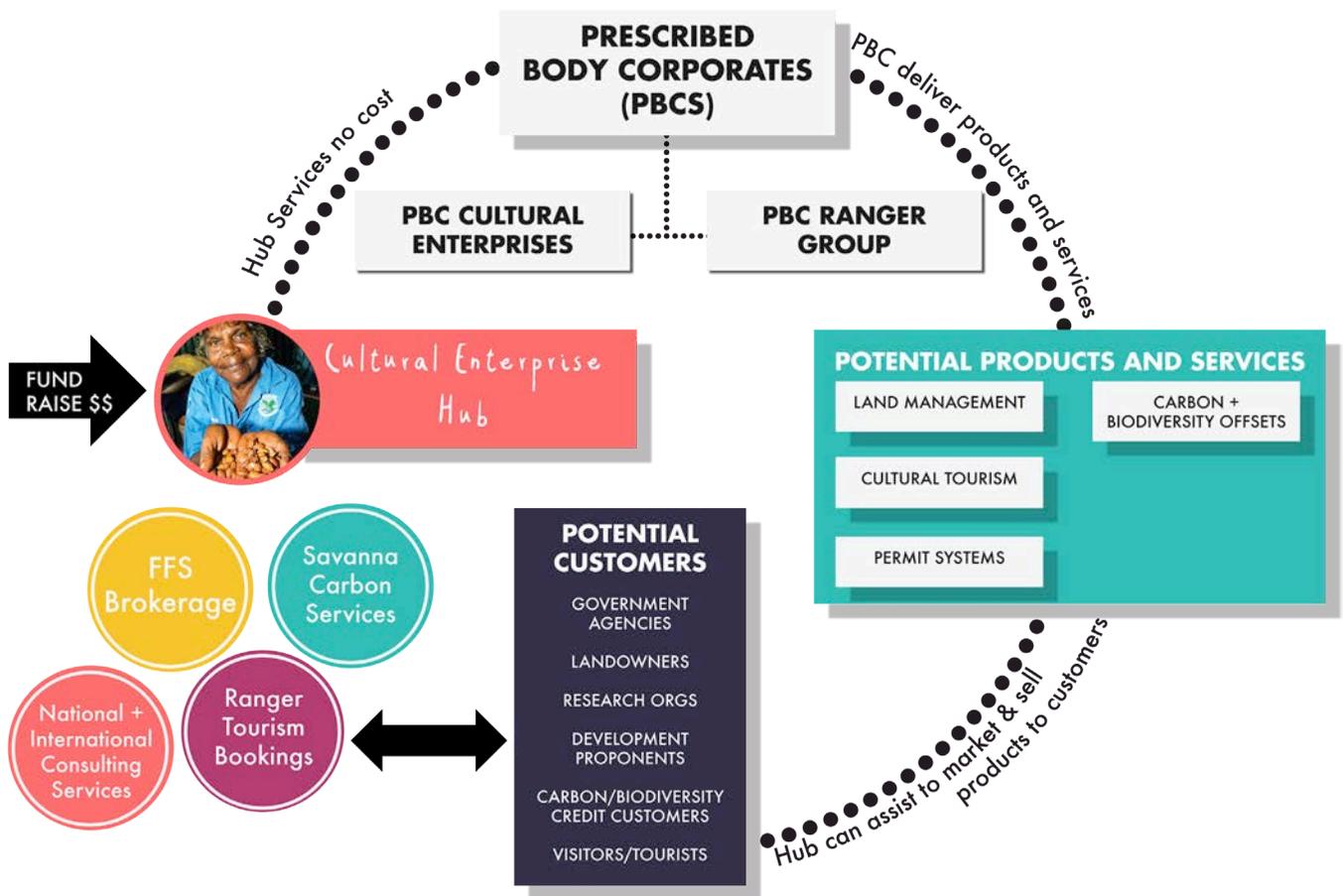
The five year goals of The Hub are to:

1. Share best practice knowledge and expertise to grow sustainable enterprises that enhance and protect the cultural and natural values of the region.
2. Increase the number of Aboriginal people gaining income and employment on country.
3. Strengthen the Kimberley network and share knowledge through cultural exchanges.
4. Provide intergenerational investment into Kimberley cultural enterprises through the establishment of a Fund

5. Build a dynamic organisation that responds and adapts to new innovations.

During the reporting period, the KLC invested significant time into promoting The Hub and building long-term partnerships. Relationships across the corporate, philanthropic and government sector were strengthened. Key outcomes for the 2016-17 year include:

- Promoting the Hub model at events hosted by the Australian Government, Ernst and Young, Australian Environmental Grantmakers Network and Western Australia's US Consular.
- In partnership with the Australian Conservation Foundation, the Hub staged the West Kimberley Ranger Experience Pilot tour.
- Attended the COP22 in Marrakesh to promote international Savanna Fire Management Initiative with support from Qantas, OXFAM and Australian Conservation Foundation.
- Developed a partnership with The Nature Conservancy, Indigenous Land Corporation and a private donor for the People, Country and Climate Initiative.
- Worked with PBCs and ranger groups to strategically manage fire over 200,000 square kilometres of Kimberley native title lands.
- Continued to collaborate with the Business Council of Australia to promote Indigenous carbon projects
- Worked with Indigenous savanna carbon producers and project



CULTURAL ENTERPRISE HUB MODEL

- developers to establish the Indigenous Carbon Industry Network.
- Participated in consultation meetings regarding the new savanna sequestration method.
- Advocated for native title rights to be recognised in current and new legislation including the right to free, prior and informed consent to new carbon project registration.

Based on the in-house skills and expertise required to establish cultural enterprises, the KLC Board made a strategic decision to maintain The Hub as a unit within the KLC. This will allow enterprises to be supported through the start-up phase with the suite of skills and expertise provided within KLC. Based on the interests of PBCs and rangers, the initial focus areas for The Hub include fire operations, registration of new savanna carbon projects and establishment of

Kimberley Ranger Experience tours. The KLC will continue to focus on growing the resources to diversify the services and sustain long-term investment into Kimberley cultural enterprises.

The Hub is based on a complementary financing model, where public sector and private finance is partnered to incubate and establish new enterprises. Once Hub incubated enterprises are self-sufficient, ongoing services can be offered by The Hub on a fee basis.

The Hub has a three tier financing structure, which includes:

1. **Cultural Enterprise Partnerships** founded on long-term corporate and donor investment model with resources used to provide expertise and services to start-up enterprises
2. **Government grants** to be applied for on a case-by-case basis where appropriate, for example government funding opportunities for specific

projects.

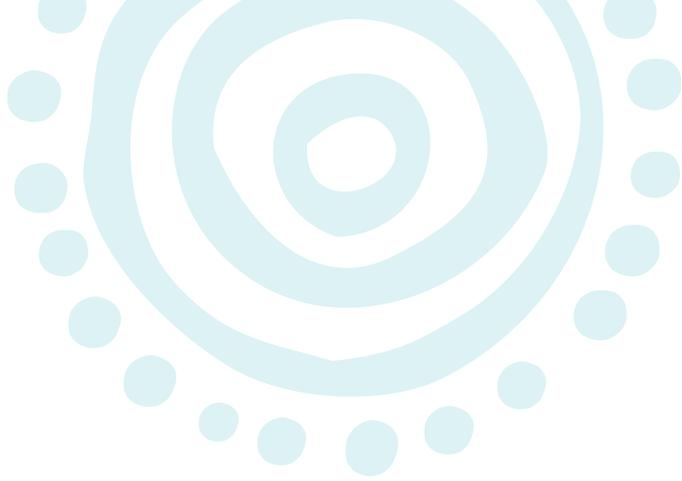
3. **PBCs** may choose to pay for Hub services once PBC enterprises are established and returning revenue.

Healthy Country Fire Operations

The KLC works with Traditional Owners and Indigenous ranger groups to undertake right way fire activities across the Kimberley.

Traditional fire management, or 'right way fire', uses traditional knowledge and modern scientific practices to reduce the extent and frequency of unmanaged, potentially dangerous, late season wildfires, to protect the environment, property and people.

The Healthy Country Fire Operations team oversees fire management programs across the Kimberley Ranger Network, providing guidance, support and training to rangers. They have been



Kimberley Indigenous rangers currently manage fire over an area more than 200,000 square kilometres with a dedicated support team of two fire officers.



FIRE MANAGEMENT ON BALANGGARRA COUNTRY

successful in building expertise across the network which operates under international best practice standards.

Kimberley Indigenous rangers currently manage fire over an area of more than 200,000 square kilometres with a dedicated support team of two fire officers.

2016-2017 projects include:

- North Kimberley Fire Abatement Project
- Kija Fire and Feathers
- Low rainfall (south/east Kimberley)
- Karunje and Durack River

North Kimberley Fire Abatement Project (NKFAP)

The Balanggarra, Wungurr and Dambimangari Aboriginal Corporations self-funded the 2017 fire operations, contracting KLC to provide strategic cross regional services. Wunambal

Gambera Aboriginal Corporation carried out their annual fire operations independently.

In late 2016, fire managers facilitated annual fire planning meetings, engaging Traditional Owners, government departments, tourism operators, neighbours and other relevant stakeholders to develop annual fire plans. Balanggarra, Wungurr and Dambimangari Rangers worked closely with KLC to coordinate operational logistics with the prescribed burning season commencing in early April and finishing mid-June 2017. During operations, 54 Traditional Owners spent 32 nights at remote camps or ranger bases. On-ground burning was carried out around important cultural sites, habitat and critical infrastructure early in the season to reduce risk during aerial burning operations.

Over 200 hours were spent in fixed wing aircraft and helicopters conducting aerial incendiary work. A series of strategic burns created a mosaic of fuel age at a landscape scale. Fuel loads were reduced with cool, patchy burns, leaving unburnt habitat for animals to seek refuge. The firebreaks now in place will help to reduce the spread of large late season wildfires.

Three fire walks were completed where a range of activities were achieved. The locations and activities of these walks are as follows:

- Balanggarra Rangers - Thurburn Bluff (fire management, rock art surveys, wetland bird survey)
- Wungurr Rangers - Moran river (fire management, rock art surveys, rafting)
- Dambimangari Rangers - Sale River (fire management, rock art surveys, biodiversity survey)



Across the project communication and cooperation with neighbouring properties and other fire managers in the Kimberley is improving. State Government agencies are realising the opportunity to draw on local knowledge, advice and expertise which the Kimberley Indigenous rangers are well placed to provide.

Kija Fire and Feathers

The Kija Rangers work with three Aboriginal Lands Trust properties and one Aboriginal Pastoral Lease to complete the Fire and Feathers project. In early 2017 Kija Rangers met with Traditional Owners, pastoral managers and other interested stakeholders to gain approval for their 2017 early burning plan. The prescribed burning period for rangers began in March this year and continued on until late June with on ground burning employing between 3 and 10 local community members for a total of 114 days. Aerial burning occurred across the entire project area with the cooperation of Kija Rangers and Traditional Owners

trained in the KLC incendiary machine operator course. Two fire walks were completed for fine scale fire management.

Low Rainfall (south and east Kimberley)

Kimberley Ranger Network groups operating in the low rainfall zone (Gooniyandi, Karajarri, Nyikina Mangala, Nyul Nyul and Bardi Jawi) have each completed an early fire planning session involving Traditional Owners, local pastoral managers, and representatives of DPAW, DFES and in some cases WWF, Rangelands and Environs Kimberley. Each ranger group had at least one ranger trained in KLC incendiary machine operations and aircraft safety. Qualified incendiary machine operators undertook the aerial burning operations in each area. Collaborations with DFES enabled strategic burning across three properties for a total of eight hours with ranger and Traditional Owner engagement.

Karunjie and Durack River Stations

The Nyaliga rangers held a fire planning meeting in November 2016 with representation from Nyaliga Traditional Owners, Shire of Derby West Kimberley, Home Valley Station, El Questro Station, DFES, the Indigenous Land Council, Wilinggin IPA and Wunggurr Rangers. There was a focus on training in early 2017 to ensure rangers could complete aerial incendiary operations with support from KLC fire operations. DFES provided introduction to firefighting and four rounds of aerial burning were completed across Karunjie and Durack River Stations. Ground burning this year consisted of a fire walk over five days along Bindoola Creek and an infrastructure protection burn at the old Karunjie Homestead.

Training

During the reporting period, Kimberley ranger groups took part in an annual fire review workshop. The annual fire review provided an in depth analysis



Indigenous carbon projects enable PBCs to earn an income from traditional fire management, reducing reliance on grant funding and improving the long-term sustainability of fire management activities.

of previous years' effort in managing fire and an update on the development of the KLC Fire Operations Manual. Prior to the 2017 prescribed burning season, ranger groups participated in a workshop designed to increase rangers' awareness and understanding of KLC operational procedures and revised paperwork to ensure safe, efficient and effective fire management. This training focused on safe operation of incendiary machines and working safely around aircraft.

Most Kimberley ranger groups took part in accredited training in prescribed fire, use of specialised equipment and fire suppression. The Kimberley rangers are trained to a national standard and their expertise in the field is developing into a great resource for the region. Participation during prescribed burning and fire suppression events is at a high level.

Gibb River Complex Wildfire October 2016

In October 2016, a wildfire ignited by lightning on Ellenbrae station quickly spread into neighbouring properties in the central Kimberley. The Kimberley Ranger Network responded in a way that has previously not occurred. More than 60 rangers and LSMU support staff from the Kimberley Ranger Network were involved in logistics, planning and active fire suppression, at a total cost of \$330,000 in one of the Kimberley's largest fires in recent years. The level of professionalism shown, under very trying and tiring circumstances was highly regarded by State Government

agencies, pastoralists and other fire managers in the Kimberley. Over 1.8 million hectares was burnt during the month long event. A considerable effort from all participating ranger groups actively helped to stop the spread of this out of control fire and special mention goes to all involved.

People, Country and Climate Initiative

Indigenous carbon projects enable PBCs to earn an income from traditional fire management, reducing reliance on grant funding and improving the long-term sustainability of fire management activities.

Over the last five years, the People, Country and Climate Initiative has facilitated the establishment of four Indigenous owned savanna burning carbon projects in the North Kimberley under the North Kimberley Fire Abatement Project (NKFAP). Through technical developments, more groups are now able to register projects and the KLC is supporting the establishment of these. Existing projects also have the opportunity to earn more credits from the sequestration method due for release in late 2017.

The People, Country and Climate Initiative supports PBCs to:

- Develop knowledge and capacity in operating carbon projects.
- Implement suitable carbon business and governance structures.
- Undertake feasibility assessments and register new carbon projects.

- Meet ongoing carbon administration and compliance requirements.
- Access opportunities and partnerships, including transitioning to the (draft) 2017 Savanna Sequestration Method.

In 2016-17, the Hub continued its support for the NKFAP, providing carbon administration support for Wilinggin, Dambimangari and Balanggarra carbon projects, and peer review and support for the Wunambal Gaambera carbon project. This included technical support for the submission of reports, assisting in the transfer of carbon units, and continuing to facilitate information sharing through coordinating the regional governance structure – NKFAP Steering Committee.

In addition to assisting existing carbon projects, the Hub continued to support the establishment of new carbon projects, working with Balanggarra, Kija and Wilinggin Traditional Owners. This support included strategic, technical and legal advice on governance structures, feasibility of carbon projects and project registration requirements.

Complementing the on-ground operational support for new and existing carbon projects, the Hub continued to play an active role in advocating for enabling policy for Indigenous carbon projects, and for Indigenous landholders when engaging with the carbon industry. This included:

- Participation in consultation regarding the new sequestration



Kimberley Ranger Tours is a tourism enterprise initiative of the Cultural Enterprise Hub.



SENIOR CULTURAL ADVISER JESS BANGU, KIMBERLEY RANGER EXPERIENCE, 2017

method, including attending two technical workshops in Darwin.

- Providing submissions and presenting to MPs and Senators on best practice frameworks to support native title rights in relation to carbon projects.
- Engaging with the Carbon Project Developers Council code of conduct
- Continued collaboration with the Business Council of Australia to promote Indigenous carbon projects.
- Working with Indigenous savanna carbon producers and project developers to establish the Indigenous Carbon Industry Network.

Kimberley Ranger Tours

Kimberley Ranger Tours is a tourism enterprise initiative of the Cultural Enterprise Hub. The long-term vision for Kimberley Ranger Tours is to be a standalone operating entity, owned and governed by a board of PBC members.

During 2016-17 ranger tour enterprise workshops were held with rangers, cultural advisers, PBC directors and KLC staff. Continued investment from Jawun Corporate Partners of skilled secondees enabled three ranger groups to develop detailed tourism plans. Karajarri, Bardi Jawi and Nyul Nyul ranger groups worked together and individually to develop tourism business strategies and business plans. This work was supported by a formal partnership between KLC and Australian Conservation Foundation (ACF).

With support from ACF, The Hub ran the first proof-of-concept Kimberley Ranger Experience pilot, from 6-12 May, which proved a huge success. Promoted through the ACF supporter network, the 12 tour places sold out within 1.5 days, a take up rate that would be envied by any tour operator and demonstrates the strong demand for the product. Post the successful

proof-of concept trial, based on the invaluable feedback captured by the participants, the tourism product needs remodelling, strengthening and support through business start-up financial investment and strengthening existing partnerships.

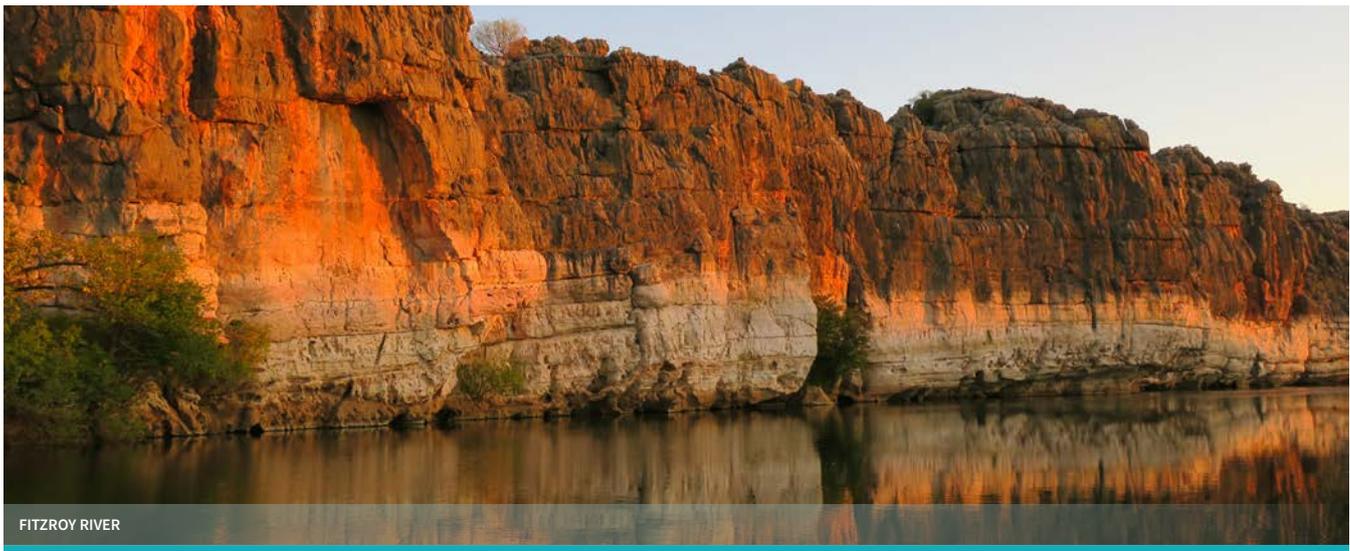
Fitzroy River catchment - National Environment Science Program

The National Environment Science Program (NESP) Northern Australia's Resources Hub has active research projects across northern Australia with seven projects that are relevant to Traditional Owners of the National Heritage listed Fitzroy River catchment. The research has been triggered by the increasing interest in development that would draw upon the Fitzroy's significant land and water resources. Planning to maintain the region's multiple values is a focus for the NESP researchers in this catchment. The need for environmental research to inform land use and water allocation decisions is critical.

In the commitment to develop a strong cooperative basis for the west Kimberley projects, the research partners employed a regional research coordinator. The research coordinator's core function is to ensure mutually beneficial outcomes for all stakeholders in the Fitzroy catchment, with a particular focus on Traditional Owner engagement. The position, established in November 2016, is based within the Kimberley Land Council. The project partners include the University



Across the catchment Traditional Owners are facing the challenge of looking after country while exploring development options.



FITZROY RIVER

of Western Australia, Charles Darwin University, NAILSMA, James Cook University, Griffith University, CSIRO and DPAW.

The methodology and focus of these projects is diverse. They include clarifying the social and cultural benefits of Indigenous land management practices, strengthening decision-making skills of Indigenous land managers, establishing Indigenous and environmental water needs, mapping, monitoring and safeguarding significant species such as the bilby and managing riparian zones.

The first major phase of the program, the development of strong co-research agreements between all of the partner institutions and Traditional Owners, is close to completion. Each of the projects has a unique mix of Traditional Owner groups that they will be working with. Two projects involve

a representative whole of catchment group while others are working with just one or two of the research partners.

Across the catchment Traditional Owners are facing the challenge of looking after country while exploring development options. The focus on developing and strengthening decision making skills that will support sustainable development makes this research timely and relevant.

Kimberley Ranger Network



Balanggarra Rangers

The Balanggarra Rangers have continued to deliver high quality services across their native title lands and Indigenous Protected Area.

The group continued its work on taste aversion to cane toads in collaboration with DPAW with indications the taste aversion project delivers positive results.

Balanggarra Rangers continued working from their satellite base at Oombulgurri to support more research as well as pursuing their own healthy country objectives including weeds removal and feral animal management, and back to country trips.

The rangers also continued working on biosecurity and marine debris surveys along Balanggarra country coastlines, with objects located, recorded and destroyed. The exercise was supported by the Australian Quarantine and Inspection Service on a fee for service basis and provided an excellent

opportunity for rangers to put their trip planning and maritime skills to the test.

The rangers took one representative from the University of WA (UWA) out on their annual fire walk between 8-10 June 2017 to assist with recording and protecting any rock art that they might locate along the walk. The walk itself was through an extremely remote area of country that had not been visited by Traditional Owners in many people's living memories. Three new rock art sites were found and recorded by the rangers with the assistance of the UWA representative. Along the way, small protective burns were undertaken to remove the hazard of dense and extremely flammable vegetation close to the rock art shelters.

Early 2017 also heralded exciting new developments for the ranger team and BAC. In January 2017 the rangers vacated their old ranger base and started a new lease in the old TAFE buildings in Wyndham. The new office offers far better facilities

for the Balanggarra team and more importantly provides the space to house two new Balanggarra Aboriginal Corporation (BAC) staff positions. The two teams (rangers, BAC and Healthy Country Coordinator) will be working closely together to further the cause of Balanggarra people and assist BAC in its development.

Finally, in collaboration with the Wyndham Police, Balanggarra rangers have started a pilot junior ranger program. One junior ranger now works alongside the established ranger team. It is the expectation of the Balanggarra ranger team that with sufficient funding, this program could be scaled up and relationships built between old/mature rangers and young people to transfer knowledge and provide culturally appropriate solutions to the challenges some of the youth in Wyndham face.



Another highlight was the turtle tagging project undertaken in May 2017, with rangers tagging a total of 20 green turtles and satellite tagging one sub adult green turtle off the islands of Ardyaloon.



TURTLE TAGGING WITH BARDI JAWI RANGER AZTON HOWARD DURING THE 'KIMBERLEY RANGER EXPERIENCE', MAY 2017

Bardi Jawi Rangers (Aamba and Oorany)

The Bardi Jawi Rangers (Aamba – men, and Oorany – women) had another incredibly successful year building upon previous achievements and continue to set high standards in looking after country. This financial year the team celebrated the first two Oorany rangers to complete their Certificate Two in Conservation and Land Management, while four Aamba rangers completed Coxwains qualifications.

In July last year the rangers travelled to the Helpman Islands (Mayala country) to assist Dr Tony Tucker from the Department of Parks and Wildlife with flatback turtle (Baawanjoon) sampling. No nesting was observed but old and fresh nests were dug up as well as samples taken from a dead turtle on the island.

In August 2016, Bardi Jawi and Dambimangari Rangers undertook a joint Dugong Tagging project with CSIRO Scientists Peter Bayliss, Richard Pillans and Northern Land Council Sea Country Program Manager Richard Campbell. Given the results and difficult operating conditions it was considered a great success with good data obtained.

During the dugong tagging a French film company came and filmed the Bardi Jawi Rangers in particular Kevin George undertaking ranger work and cultural activities as part of the French/German TV series People of the Sea. Kevin starred alongside Marc Thiercelin, a renowned French solo around the world yachtsman. Also in support was Ranger Zac Edgar and Traditional Owner Brendan Chaguebor.

Another highlight was the turtle tagging project undertaken in May 2017, with rangers tagging a total of 20 green

turtles and satellite tagging one sub adult green turtle off the islands of Ardyaloon. Two days of the project involved the Lombadina/Djarindjin and Ardyaloon school children and another day saw the rangers host fee-paying tour participants on the 'Kimberley Ranger Experience', a tourism trial undertaken with Australian Conservation Foundation (ACF) and in conjunction with the Kimberley Land Council's Cultural Enterprise Hub.

This year Oorany increased in size to seven rangers, including six Green Army participants and the team's first female trainee. The ladies are now outnumbering the men in team Bardi Jawi and appear to have their sights set on building just as much experience as rangers on country. The nursery is continuing to develop and the Oorany's services are called on constantly by school and other community groups.



The Bardi Jawi rangers also hosted a visit from the AFL Indigenous All Stars players, club and AFL staffers in February 2017. The rangers took groups through the ranger base for a cultural presentation and a boat tour of the islands prior to a large community event in Ardyaloon.

The ranger group was also engaged by Jawun to provide cultural awareness and immersion within Bardi Jawi country to executive representatives of their corporate partner companies. The partnership has a strong focus on looking at how Jawun can provide skilled people to assist the ranger program when additional capacity is required.

Dr Steve Salisbury started his research on the human footprints at Djarindjin/ Lombadina after an approved research agreement was developed. We will be awaiting the results of this research and managing this project with particular attention to the need for better visitor

and Traditional Owner management around the site.

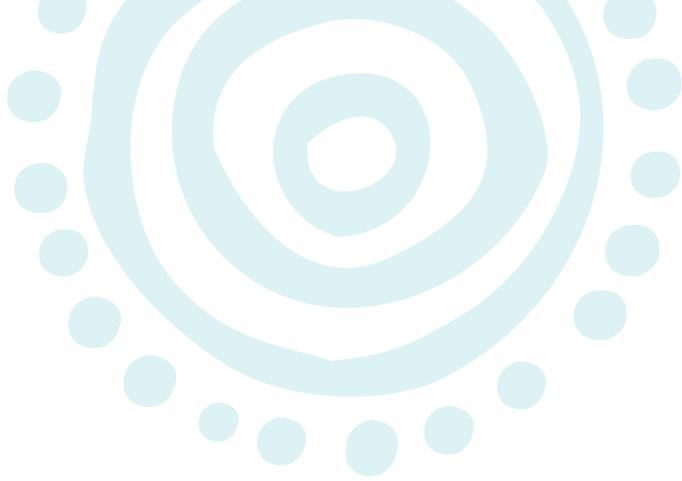
The 2017 dry season burning in Bardi Jawi country has required significant work given the high level of fuel loads left from a big wet. The combination of planning, coordination and awareness, extra casuals employed and aerial burning has reduced the threat of large hot late season fires damaging country (including monsoonal vine thicket sites) and threatening infrastructure.

Bardi Jawi, Nyul Nyul, Karajarri and Yawuru Rangers from West Kimberley groups went on an exchange to North Queensland to learn about sea country management in coastal IPAs and the Great Barrier Reef Marine Park. This included visits to the Mandingalbay Yidinji IPA and the Giringun IPA at Cardwell. The exchange focused on various aspects of sea country management but of note for Bardi Jawi was the implementation of TUMRA's (Traditional Use Marine Resource

Agreements) as they look at ways to better manage species such as turtle and dugong.

Dambimangari Rangers

The Dambimangari IPA contract was taken over by the Dambimangari Aboriginal Corporation (DAC) in early 2017. DAC already runs its Working on Country funded ranger program and 2016-2017 has been another highly successful year for the rangers in achieving significant land and sea management outcomes. The work undertaken by the rangers has provided pathways to enhance ranger skills and employment opportunities to the Dambimangari members of the community. For example, with the assistance of Grant Streeter at KGB Marine the Dambimangari Rangers have continued to make solid progress towards achieving commercial qualifications on the water that will allow them to skipper vessels up to 12m in length.



Gooniyandi Rangers have been heavily involved with the Bush Ranger Program in the Fitzroy Valley and have worked closely with the Yirimman Project to engage more youth in the education system.

Rangers have carried out a wide range of projects across a large area from the Kimbolten Ranges across to the Prince Regent River. The rangers continued providing important fire services with successful aerial burns through the Northern Kimberley Fire Abatement Program. In addition, the rangers provided fire suppression services later in the season including defensive back burning at Freshwater Cove and the Coppermine Creek.

Increasing emphasis has also been placed on monitoring and evaluation, including the deployment of 30 motion sensing cameras across Dambimangari country, trials of time-lapse cameras for visitor monitoring and surveillance, and various threatened species monitoring projects including turtles, dugongs, dolphins and sharks.

The rangers have also been engaged in weed management activities in Kuri Bay, Kunmunya, Yalloon, Silver Gull Creek, Turtle Island and Cone Bay. Maintenance activities were undertaken at Yalloon and Coppermine Creek, and various cultural sites were visited and maintained including in the Yampi Sound Training Area.

Working together with DAC management staff, the rangers have put together one of the most well-equipped workshops, storage and ranger base facilities in the Kimberley. The rangers have continued to provide assistance and support to DAC members through general maintenance, removals, transport and delivery services, and



KARAJARRI RANGERS BRAEDON TAYLOR AND KELVIN MITCHELSON ON A VISITOR MANAGEMENT PATROL AT MIRTANYMARTAJI (GOURDON BAY)

assistance with community and cultural activities.

Gooniyandi Rangers

The Gooniyandi Rangers continued to work strongly as a team during 2016-17 to carry out a wide range of tasks to better care for country.

The rangers completed early season burning, both on the ground, and with the use of helicopters. Operations were predominately focused on Mt Pierre, Louisa and Bohemia stations, as well as community protection burns at Bayulu, 8 mile and Mulutja. The 2017 fire season also saw an increasing collaboration with DFES, which has come about from a greater recognition of rangers' expertise in fire management. Rangers also responded to numerous wildfires in the Fitzroy Valley and assisted with efforts to contain a large fire on the Gibb River Road.

Gooniyandi Rangers have been heavily involved with the Bush Ranger Program in the Fitzroy Valley and have worked closely with the Yirimman Project to engage more youth in the education system. The program has seen rangers work closely with three schools, in particular the Fitzroy Valley District High School, who have reported big changes in student attendance rates as a direct result of the ranger program

Gooniyandi Rangers helped host a regional bilby workshop in Fitzroy Crossing which brought together leading scientists, researchers and ranger groups from across the Kimberley to share knowledge on how best to monitor bilby activity on country.

Another highlight for the rangers has been the ongoing development of the Gooniyandi Aboriginal Corporation site and ranger base at Bayulu Hills, and the PBC and rangers are looking forward to carrying out major works this year



Treatment of the weed involves rangers walking the river banks and using several treatment methods depending on the growth state of the plant.



KIJA RANGERS, 2016

to create a hub for Gooniyandi culture, knowledge and business.

Karajarri Rangers

The Karajarri Land and Sea Program includes the Karajarri Rangers and Indigenous Protected Area. The Karajarri Rangers have had a busy year implementing their Healthy Country Plan. A big advancement has been the integration of this plan with an online cultural database and the use of a data collecting tool called Fulcrum. This has allowed for a more streamlined process for work planning, scheduling, doing and reporting. The next challenge lies in developing a sound monitoring and evaluation framework which the team is now in a good position to undertake.

Earlier this year the Karajarri Rangers launched a school based trainee program, partnering with Kimberley Group Training and Bidyadanga High School. Two students, one male and

one female, were selected and attend three days at school and two days with the rangers. The program aims to encourage completion of year 12, followed by a full time job with the Karajarri Rangers.

This addition coupled with an increase in our Green Army team from four to six has seen a total of 16 Karajarri staff and members at work each week, as well as casual staff. The Karajarri women's ranger coordinator has also joined the team's permanent staff.

Karajarri Rangers have undertaken:

- The launch of Australia's largest bilby survey as part of the La Grange aquifer rare plant and animal survey.
- Visitor management operations developing walking trails, shade shelters, and increasing ranger patrols. The rangers also participated in a KLC/ACF tourism pilot project where they hosted 12 paying

customers on country for two days in the Gourdon Bay and Port Smith area.

- Fencing projects designed to prevent cattle and camel degradation of precious coastline and wetlands.
- Karajarri Women's Project looking at developing small scaled enterprises around bush medicines and products. A big YIRIMAN camp was held at Mangkuna to progress these initiatives with over 100 attendees.
- The commencement of the Karajarri Wangai Muwarr Project – *Keeping the Karajarri Stories Alive*.

Kija Rangers

The Kija Rangers have been busy over the 2016-2017 wet season. Due to high rainfall over an extended period, native plants have had a good growing season, however invasive plants and weeds of national significance have also seen increased growth, with rainfall and flooding making it possible for weeds to spread over a wider area.

In November 2016, the Kija Rangers started work to treat Bellyache bush (*Jatropha gossypifolia*), which is regarded as one of the worst weeds in Australia because of its invasiveness, potential for spread, and economic, environmental and social impacts. Bellyache bush is a declared plant in WA and a weed of national significance. The project sites (near Bow River Community and Mabel Downs Homestead) represent known infestation sites and are among



The Ngurrara 2 Way Learning project has three intertwined components – environment, education and employment.



NGURRARA RANGERS AND STUDENTS FROM DJUGARARI AND NGALAPITA REMOTE COMMUNITY SCHOOLS, THE SHELL 2-WAY LEARNING PROJECT CAMP AT KURLKU.

headwaters that flow into the Ord River and beyond, representing tactical points of control.

Treatment of the weed involves rangers walking the river banks and using several treatment methods depending on the growth state of the plant. The work involves carrying around backpacks with herbicide. It is hot and sweaty work, with the best time to treat the plant being earlier in the day. The rangers have been working on this project for the last three years, with evident results. The rangers have been able to prevent the upstream spread of the weed and keep a large catchment area free of the weed. During an annual fire walk, the rangers could enjoy the northern part of Bow River completely Bellyache bush free.

The Kija Rangers also work hard to control Parkinsonia (*Parkinsonia aculeata*), Rubber Bush (*Calotropis*

procera), Neem tree (*Azadirachta indica*) and Rubber Vine (*Cryptostegia grandiflora*). The rangers undertake this work with other agencies, including DPAW, Department of Agriculture and Food, State NRM and Rangelands NRM. The Kija Rangers also deliver weed control on a Fee for Service basis to mine sites. All rangers have received recognised training in mapping and treatment of weeds. The Kija rangers have a strong focus on safety and work under high safety standards.

Ngurrara 2 Way Learning Project

The Ngurrara 2 Way Learning project is a two and half year cultural and environmental program that combines western science and traditional knowledge. It aims to build the capacity, aspirations and employability skills of Ngurrara youth, who live across a number of remote Aboriginal communities in the Kimberley.

More than 120 young people, including at least 10 who are unemployed will be engaged in study that captures both the science and traditional ecological knowledge of culturally and environmentally significant water sources in the northern Great Sandy Desert.

The Ngurrara 2 Way Learning project has three intertwined components – environment, education and employment. Integral to all the components is a strong cultural base, founded in the guidance and mentoring of Ngurrara elders and the Ngurrara Rangers working with young people in a culturally appropriate and sustainable way.

A 2 Way community cultural education officer has been employed part-time to facilitate the project and mentor the youth involved, bridging the two knowledge systems together with the aim of finding some interesting



In June 2017 Ngurrara achieved a major milestone with the construction of a remote ranger base at Lumpu on the Canning Stock Route.



GROUP SHOT OF NGURRARA RANGERS, 2016.

Ngurrara Rangers

The Ngurrara Rangers enjoyed another busy and highly productive year, achieving a range of outcomes on Ngurrara country and the Warlu Jilajaa Jumu IPA.

In June 2017 Ngurrara achieved a major milestone with the construction of a remote ranger base at Lumpu on the Canning Stock Route. The completion of which has been a long held goal of Ngurrara. A base, toilets, bore and showers were installed at the site which will allow rangers to base themselves for longer periods on the route to manage the Jilas and monitor the increasing amount of tourism in the area. It was a logistically challenging project and its success was a result of meticulous planning and hard work.

The other major milestone in this period was the development of a subcontracting agreement between

Yanunijarra Aboriginal Corporation (YAC) and the KLC for the WoC and IPA contracts. The agreement is part of a two-year staged process to transition the ranger program to the PBC. The agreement recognises the capacity and motivation within YAC to manage their own ranger program, while also maintaining a high level of support and corporate knowledge transfer from the KLC to ensure that YAC are fully set-up for success.

The men’s and women’s ranger teams have continued to grow and develop, with the six positions through the Green Army project providing opportunities for young people to engage with the rangers and land management. Ngurrara are about to commence a pre-employment program with Karrayili to build on the mentoring and skills embedded in the rangers to support job seekers in the Fitzroy Valley transition to work.

Ngurrara have also recently upgraded their data management system to a new recording program (Fulcrum), which will make it easier for rangers to record information on country and upload it into the Ngurrara Cultural Database.

Nyikina Mangala

The Nyikina Mangala Rangers have undertaken a number of diverse projects across large areas of desert, river and coastal country to protect and enhance biodiversity values.

Working alongside cultural advisers, the Nyikina Mangala Rangers have taken a community approach to their work and have engaged a variety of project partners to provide services, skills, opportunities and training to six communities within the area.

Some of the highlights from the reporting period, include rangers



The Nyul Nyul Rangers' fire management program has expanded across the middle peninsula with the support of Nyul Nyul, Jabirr Jabirr and Nimanbur Traditional Owners.

working with KAPCO on a major project to install 24 kilometres of fencing on Mt Anderson Station to exclude cattle from sensitive areas of the Fitzroy River and to improve herd management on the station.

In the biodiversity field, Nyikina Mangala rangers and Murdoch University recorded green sawfish in the Fitzroy River for the first time, the discovery meaning that three of Australia's four sawfish species can be found in the Fitzroy River. Rangers have also continued their research partnership with WWF on the location and habitat of the endangered Black Footed Rock Wallaby in the Grant and Edgar Ranges.

In May of 2017 the Walalakoo Healthy Country Plan was launched at Jarlmadangah. The plan uses the internationally recognised Conservation Action Planning methodology to map out a 10-year plan of management for Nyikina Mangala country and builds on previous plans using the expertise of Traditional Owners, cultural advisers and ranger input.

In other positive news, after winning the KGT Kimberley Trainee of the Year, Raymond Charles was nominated for West Australian Trainee of the Year which he was awarded runner-up in a ceremony in Perth – a massive achievement.



Nyul Nyul Rangers

Situated on the Dampier Peninsula north of Broome, and based at Beagle Bay, the Nyul Nyul Rangers have worked closely with their Traditional Owner Healthy Country Advisory Committee this year, continuing with a range of on-country activities.

The recruitment of new Green Army rangers increased the ranger group's total number of staff to 15, including several new women rangers. Two Green Army women rangers have now been promoted into the Working on Country ranger group, and are to commence Certificate III in Conservation and Land Management studies in 2017-18.

The Nyul Nyul Rangers' fire management program has expanded across the middle peninsula with the support of Nyul Nyul, Jabirr Jabirr and Nimanbur Traditional Owners.

The program has become a major contributor to an overall Rangelands fire program for the Dampier Peninsula in association with other Indigenous ranger teams, the pastoral industry, non-government and government stakeholders. A continued partnership with the Department of Fire and Emergency Services has also increased overall output efficiencies. Together with KLC fire management staff and Charles Darwin University, carbon abatement modelling continues for the Dampier Peninsula.

Additional work on threatened ecological communities, Monsoonal Vine Thickets and Mound Springs, has resulted in new registrations via government agencies, and a subsequent expanded program for fire and weed protective works.

Monitoring of the endangered Gouldian Finch and Greater Bilby by Nyul Nyul



In the 2016-2017 burning season, Uunguu Rangers undertook early season prescribed burning with assistance from the KLC.



NYUL NYUL RANGER ALBERT WIGGAN DURING THE 'KIMBERLEY RANGER EXPERIENCE' TOUR

Rangers has also played a major role in the rise of anecdotal and photographic sightings by community members of these species. This has resulted in attracting a number of bilby monitoring Fee for Service (FFS) projects connected to the construction of the 80 kilometre unsealed part of the Cape Leveque Road. -

Uunguu Rangers

The Uunguu Rangers have continued work to deliver a variety of cultural, economic and ecological outcomes on Wunambal Gaambera country.

Weed management was a major focus of the ranger group, particularly during the wet season months. The Uunguu rangers also conducted important work with threatened species. A turtle camp was held in August 2016 and included annual monitoring of turtles (boat transects) and seagrass quadrats, while kangaroo monitoring

was also undertaken. Small mammal monitoring was undertaken in July 2016 with DPAW and had an added camera trap component at 24 sites. The Northern Quoll cane toad aversion project continues in collaboration with DPAW.

Rangers supported a Kalumburu School camp to Garmbemirri in July 2016. Cultural activities were run with students and the school camp will now become an annual event due to its success.

In the 2016-2017 burning season, Uunguu Rangers undertook early season prescribed burning with assistance from the KLC. The group has qualified rangers who are able to operate the incendiary machine independently in aerial operations. These operations were able to occur without the assistance of DPaW and were well controlled with good outcomes. The rangers themselves

have successfully continued training with three Uunguu Rangers completing Certificate III in Conservation and Land Management units.

Paruku IPA Rangers

The Paruku Rangers carry out various environmental and cultural management practices to protect, enhance and develop the Indigenous Protected Area in the desert region of the south-east Kimberley.

Environmental tasks have focused on controlled burning, feral animal management, weed control, water monitoring, tourism management and flora and fauna surveys.

Cultural engagement has included incorporating traditional knowledge into land management practices, maintaining sacred and significant sites and facilitating the transfer of knowledge to younger generations.



The Paruku Rangers have continued to undertake campground maintenance at the Wolfe Creek Crater Reserve as per a fee for service agreement with DPAW.



PARUKU RANGERS

The Paruku Rangers have achieved many project outcomes in 2016-2017. Of particular note, a major return to country trip was successfully completed with the aid of the Yiriman Project, involving 50 Traditional Owners from many communities in the east Kimberley. The trip has had many attempts and was a logistical feat to complete. The journey allowed Traditional Owners to return to their land for the first time in over 30 years, and enabled others to visit this country for the first time in their lives. Many of the participants were very elderly and are unlikely to have the chance to visit this country again.

Another project of note to have occurred in the reporting period was the Waterways program, run by DPAW and the University of WA. This ongoing water monitoring program that analyses environmental impacts around Lake Gregory. It is worth

mentioning that the previous parasite fish infestation is no longer in existence. The Paruku Rangers worked with community elders and the school to highlight the importance of this research. Through this program the rangers were able to facilitate various cane toad education sessions within the IPA. This involved DPAW working with school classes to promote cane toad awareness given their imminent arrival.

Other notable ranger activities included threatened species survey work for the bilby, administered by WWF, and continued monitoring of bird populations including an aerial bird count with DPAW. The rangers also completed their first controlled burn in some time, focusing on campgrounds, cultural and heritage sites of significance.

The Paruku Rangers have continued to undertake campground maintenance

at the Wolfe Creek Crater Reserve as per a fee for service agreement with DPAW. The rangers have also been approached by Central Desert Native Title Services to undertake fee for service work in assistance with their recent claim meetings held in and around Mulan community. This has been a great opportunity for the rangers to work alongside Central Desert.

In November 2016 Ranger Coordinator Jamie Brown and IPA Coordinator Erin Flynn attended the Indigenous Desert Alliance conference to network and share ideas, and collaborate regionally with other desert land managers from the Kimberley, Pilbara, Goldfields, APY Lands and the Western Desert.

Wungurr Rangers

Throughout 2016-17, Wilinggin's Healthy Country team has continued to make solid progress in implementing



Wilinggin Aboriginal Corporation has established a cultural advisory committee consisting of senior elders to advise on which clans speak for which country.



the Wilinggin Healthy Country Plan 2012-2022 in accordance with the strategic directions provided by Wilinggin's Healthy Country Advisory Committee.

Wilinggin Aboriginal Corporation has established a Cultural advisory committee consisting of senior elders to advise on which clans speak for which country. Senior Ranger Kevin Dann is the key point of contact in the Wunggurr rangers responsible for ensuring that the ranger team is engaging with representatives of the right clan groups for work on particular areas of Wilinggin country. Membership of Wilinggin's Healthy Country Advisory Committee has been improved to now include representatives from all seasonal and permanent communities on Wilinggin country. This includes Munja, Pantijan, Majaddin, Marunbabidi, Imintji, Kupungarri, Dodnun, Ngallagunda and Karunjie.

The Healthy Country Coordinator has been participating in bi-monthly meetings with Nyaliga Aboriginal Corporation, Indigenous Land Corporation, Kimberley Land Council, The Nature Conservancy and other relevant partners to progress Nyaliga's enterprise development streams (fire management/carbon business, cattle management, tourism, cultural and environmental management, and supporting the divestment of Karunjie and Durack River Stations to Traditional Owners. The Healthy Country Coordinator prepared a draft annual work plan for the Nyaliga ranger team in consultation with Nyaliga members and supported application for Green Army funding. Green Army funding has been provided to support the Nyaliga Ranger team's first six months of operations.

A back to country trip for around 100 Traditional Owners and partners was held at Walada (Mount Hart)

from 4-7 October 2016. The trip was well attended by all generations of Traditional Owners from across the Kimberley. Activities included a welcome to country, junba workshops, Ngarinyin story time for children, Ngarinyin language practice for adults, painting and totem making, making boomerang and clap sticks and boab nut painting, seed jewellery making, bush medicine, making fire with fire sticks, bush tucker and photography/video skills for children to record their experience during the week. The trip was delivered in partnership with the Yiriman Project, Mowanjum Arts Centre, Derby Youth Centre and Kimberley Land Council.

In October 2016, KLC mobilised the entire Kimberley Ranger Network in fire suppression activities across much of Wilinggin country. Almost 2 million hectares were burned but eventually the fire was brought to a halt along the Charnley River. Strategic fire breaks



In October 2016, KLC mobilised the entire Kimberley Ranger Network in fire suppression activities across much of Wilinggin country.



from early dry season fire operations allowed the rangers to back burn between scars and along creeks to successfully prevent the fire intruding into Wilinggin's fire project area.

The annual fire meeting was highly successful and laid the groundwork for much of the fire work that happened in 2016-2017. Two fire walks were completed, with the first walk occurring in collaboration with the newly formed Nyaliga ranger group on Durack River Station. The Wungurr rangers provided directional support and equipment as this was the first time the Nyaliga rangers had attempted a fire walk. A total of nine Traditional Owners, rangers and coordinators participated in the walk. During the walk, the group was met by the senior Traditional Owner of that country who passed on his valuable knowledge of country and culture.

Glossary

AGM	Annual General Meeting
ADJR	Administrative Decisions (Judicial Review) Act, 1977
ALT	Aboriginal Lands Trust
AQIS	Australian Quarantine Inspection Service
CATSI Act	Corporations (Aboriginal and Torres Strait Islander) Act 2006
CEO	Chief Executive Officer
CFI	Carbon Farming Initiative
CPA	Certified Practising Accountant
DAA	Department of Aboriginal Affairs
DFES	Department of Fire and Emergency Services
DPaW	Department of Parks and Wildlife
DPP	Dampier Peninsula Plan
EHSIS	Environmental Heritage and Social Impact Services
FAA	Financial Assistance Agreement
HPA	Heritage Protection Agreement
ILUA	Indigenous Land Use Agreement
IPA	Indigenous Protected Area
KALACC	Kimberley Aboriginal Law and Culture Centre
KLC	Kimberley Land Council
KLRC	Kimberley Language Resource Centre
KRED	KRED Enterprises
KTLA	Karajarri Traditional Lands Association
LSMU	Land and Sea Management Unit
NHL	National Heritage Listing
NNTC	National Native Title Council
NNTT	National Native Title Tribunal
NTA	Native Title Act (Cth) 1993
NTRB	Native Title Representative Body
PBC	Prescribed Bodies Corporate
RNTBC	Registered Native Title Bodies Corporate
SAFA	State Activities and Future Acts
WWRNTBC	Wanjina Wunggurr Registered Native Title Bodies Corporate

2016-17 Financial Statements

KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)

Financial Report for the Year Ended 30 June 2017

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KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
DIRECTORS' REPORT
Corporations (Aboriginal and Torres Strait Islander) Act 2006
For the Year Ended 30th June 2017

The directors present this report on the Corporation for the financial year ended 30 June 2017.

Directors

The names of each person who has been a director during the year and to the date of this report are:
(Where not otherwise noted in brackets, directors held position for duration of the financial year)

Nolan Hunter
Bobetta Albert
Kathy O'Reeri
Anthony Watson (Chairman)
Merle Carter (Deputy Chair)
Elizabeth Lulu
Gordon Marshall
Albert Cox
Francis Djiagween
Irene Davey (Cultural Advisor)
Cecilia Gore-Birch (appointed 21/9/16)
Elizabeth Jingle (appointed 21/9/16)
Valarie Wiggan (appointed 21/9/16)
Greg Tait (appointed 21/9/16)
Shirley Purdie (appointed 21/9/16)
Shirley Drill (appointed 21/9/16)
Frank Davey (appointed 21/9/16)
Marion Dolby (appointed 21/9/16)
Joy Nugget (appointed 21/9/16)
Glenn Bonney (appointed 21/9/16)
Marianne Skeen (appointed 21/9/16)
Veronica McKeon (appointed 21/9/16)
Felicity Smith (appointed 21/9/16)
Wayne Bergmann – Cultural Advisor (appointed 21/9/16)
Patrick Mung – Cultural Advisor (appointed 21/9/16)
Jean Malay – Cultural Advisor (appointed 21/9/16)
Phillip McCarthy (term ended 21/9/16)
Tom Birch (term ended 21/9/16)
Rosie Nunju (term ended 21/9/16)
Dwesmond Wiggan-Dann (term ended 21/9/16)
Tom Lawford (term ended 21/9/16)
Keith Andrews (term ended 21/9/16)
Minetta Farrer (term ended 21/9/16)
Pearl Gordon (term ended 21/9/16)
Catherine Goonack (term ended 21/9/16)
Yvonne Birrell (term ended 21/9/16)
Bonnie Edwards (Deputy chair) (term ended 21/9/16)
Emily Carter (term ended 21/9/16)
Ismahl Croft (term ended 21/9/16)
Gabriel Nodea (term ended 21/9/16)
Andrew Daylight (term ended 21/9/16)
Peter Murray (Special Advisor) (term ended 21/9/16)
John Watson (Special Advisor) (term ended 21/9/16)
Maria (Marmingee) Hand (Special Advisor) (term ended 21/9/16)

KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
DIRECTORS' REPORT
Corporations (Aboriginal and Torres Strait Islander) Act 2006
For the Year Ended 30th June 2017

Principal Activities

The Corporation's principal activities during the year were the provision of Native Title Representative Services and Environmental Land Management support services.

Review of Operations

Operations resulted in a net deficit of \$301,750 compared to a net surplus of \$1,813,881 in the last financial year.

Significant Changes in State of Affairs

No significant changes in the Corporation's state of affairs occurred during the financial year.

After Balance Date Events

The directors are not aware of any matter or circumstance that has arisen since the end of the year that has significantly affected, or may significantly affect:

- (i) the corporation's operations in future financial years; or
- (ii) the results of those operations in future financial years; or
- (iii) the corporation's state of affairs in future financial years.

Future Developments

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

Information on Directors

Nolan Hunter has remained as Chief Executive Officer and Director during the year.
All other Directors hold office as Traditional Owners, being elected by their respective clan groups.

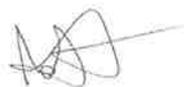
Indemnifying Officers or Auditor

No indemnities have been given during or since the end of the financial year, for any person who is or has been an officer or auditor of the Corporation. The Corporation has paid premiums to insure all the directors and officers against liabilities for costs and expenses incurred by them in defending legal proceedings arising from their conduct while acting in the capacity of director or officer of Corporation, other than conduct involving a wilful breach of duty in relation to the Corporation. The premiums for all directors and officers amounted to \$22,016.

Auditor's Independence Declaration

The auditor's independence declaration for the year ended 30 June 2017 has been received and can be found at page 4.

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



.....
Director's Signature

..... Nolan Hunter

Print Name

..... 5th September 2017

Date



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**AUDITOR'S INDEPENDENCE DECLARATION UNDER S339.50
OF THE CORPORATIONS (ABORIGINAL AND TORRES STRAIT ISLANDER)
ACT 2006 AND SECTION 60-40 OF THE CHARITIES AND NOT-FOR-PROFITS
COMMISSION TO THE DIRECTORS OF KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION**

I declare that, to the best of my knowledge and belief, during the year ended 30 June 2017 there have been no contraventions of:

- i. the auditor independence requirements as set out in the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* or the *Australian Charities and Not-for-profits Commission Act 2012* in relation to the audit; and
- ii. any applicable code of professional conduct in relation to the audit.

DAVID TOMASI
PARTNER

MOORE STEPHENS
CHARTERED ACCOUNTANTS

Signed at Perth this 5th day of September 2017

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KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2017

	Note	2017 \$	2016 \$
Revenue	2	21,988,396	23,255,333
Other Revenue	2	3,799,565	1,919,216
Employee Benefits Expenses		(12,136,329)	(11,206,012)
Depreciation Expenses	3	(659,396)	(537,878)
Finance Costs	3	(69,376)	(83,001)
Rental Expenses	3	(825,235)	(944,233)
Supplier Expenses		(12,399,375)	(10,589,544)
Surplus/(Deficit) from Ordinary Activities		(301,750)	1,813,881
Other Comprehensive Income		-	-
Total Other Comprehensive Income		-	-
Total Comprehensive Income for the Year		(301,750)	1,813,881

The accompanying notes form part of these financial statements.

KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2017

	Note	2017 \$	2016 \$
CURRENT ASSETS			
Cash and Cash Equivalents	4	14,066,213	10,655,642
Trade and Other Receivables	5	1,244,437	877,349
Other Assets	6	131,193	170,128
TOTAL CURRENT ASSETS		<u>15,441,843</u>	<u>11,703,119</u>
NON-CURRENT ASSETS			
Property, Plant and Equipment	7	16,060,141	16,537,857
TOTAL NON-CURRENT ASSETS		<u>16,060,141</u>	<u>16,537,857</u>
TOTAL ASSETS		<u>31,501,984</u>	<u>28,240,976</u>
CURRENT LIABILITIES			
Trade and Other Payables	8	2,661,746	2,851,223
Unexpended Grants		6,704,873	3,199,612
Borrowings	9	222,516	189,723
Provisions	10	1,677,668	1,218,131
TOTAL CURRENT LIABILITIES		<u>11,266,803</u>	<u>7,458,689</u>
NON-CURRENT LIABILITIES			
Borrowings	9	1,124,056	1,369,412
Provisions	10	-	-
TOTAL NON-CURRENT LIABILITIES		<u>1,124,056</u>	<u>1,369,412</u>
TOTAL LIABILITIES		<u>12,390,859</u>	<u>8,828,101</u>
NET ASSETS		<u>19,111,125</u>	<u>19,412,875</u>
EQUITY			
Retained Surplus		19,111,125	19,412,875
Revaluation Surplus	16	-	-
TOTAL EQUITY		<u>19,111,125</u>	<u>19,412,875</u>

The accompanying notes form part of these financial statements.

KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 30TH JUNE 2017

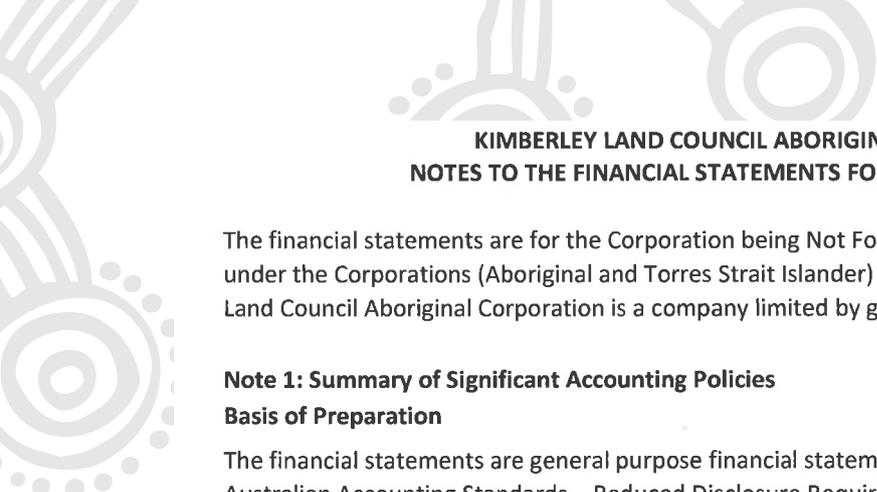
	Note	Retained Surplus \$	Revaluation Surplus \$	Total \$
Balance at 30 June 2015		17,598,994	-	17,598,994
Comprehensive Income				
Surplus/(Deficit) attributable to entity		<u>1,813,881</u>	<u>-</u>	<u>1,813,881</u>
Total comprehensive Income		<u>1,813,881</u>	<u>-</u>	<u>1,813,881</u>
Balance at 30 June 2016		19,412,875	-	19,412,875
Comprehensive Income				
Surplus/(Deficit) attributable to entity		<u>(301,750)</u>	<u>-</u>	<u>(301,750)</u>
Total comprehensive Income		<u>(301,750)</u>	<u>-</u>	<u>(301,750)</u>
Balance at 30 June 2017		<u>19,111,125</u>	<u>-</u>	<u>19,111,125</u>

The accompanying notes form part of these financial statements.

KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30TH JUNE 2017

	Note	2017 \$	2016 \$
Cash Flows from Operating Activities			
Receipt of Grants		21,621,307	22,772,995
Other Receipts		3,545,342	1,508,856
Rent Received		18,560	41,930
Interest Received		235,663	368,430
Payment to Suppliers and Employees		(21,546,683)	(23,067,954)
Finance Costs		(69,376)	(83,001)
Net cash provided by Operating Activities	17	3,804,813	1,541,256
Cash Flows from Investing Activities			
Purchase of Property, Equipment and Vehicles		(69,396)	(40,515)
Purchase of Land and Buildings		(112,284)	(1,143,271)
Proceeds from sale of fixed assets		-	-
Net cash (used in)/provided by Investing Activities		(181,680)	(1,183,786)
Cash Flows from Financing Activities			
Repayment of Borrowings		(212,563)	(198,938)
Net cash (used in)/provided by Financing Activities		(212,563)	(198,938)
Net Increase/(Decrease) in Cash Held			
Cash at Beginning of Year		10,655,642	10,497,109
Cash and Cash Equivalents at the End of the Year	4	14,066,213	10,655,642

The accompanying notes form part of these financial statements.



KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017

The financial statements are for the Corporation being Not For Profit (RDR) as an individual entity, incorporated under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 and domiciled in Australia. Kimberley Land Council Aboriginal Corporation is a company limited by guarantee.

Note 1: Summary of Significant Accounting Policies

Basis of Preparation

The financial statements are general purpose financial statements that have been prepared in accordance with Australian Accounting Standards – Reduced Disclosure Requirements of the Australian Accounting Standards Board, the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* and the *Corporations (Aboriginal and Torres Strait Islander) Regulation 2007*. The Corporation is a not-for-profit entity for financial reporting purposes under Australian Accounting Standards.

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

The financial statements, 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. The amounts presented in the financial statements have been rounded to the nearest dollar.

Accounting Policies

a. Revenue

Grant revenue is recognised in the statement of comprehensive income when the entity obtains control of the grant and 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.

If conditions are attached to the grant which must be satisfied before it is eligible to receive the contribution, the recognition of the grant as revenue will be deferred until those conditions are satisfied.

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 state of financial position as a liability until the service has been delivered to the contributor, otherwise the grant is recognised as income on receipt.

Donations and bequests are recognised as revenue when received.

Interest revenue is recognised using the effective interest rate method, which for floating rate financial assets is the rate inherent in the instrument. Dividend revenue is recognised when the right to receive a dividend has been established.

Revenue from the rendering of a service is recognised upon the delivery of the service to the customers.

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

b. Inventories

Inventories are measured at the lower of cost and current replacement cost. Inventories held for distribution are measured at cost adjusted, when applicable, for any loss of service potential.

Inventories acquired at no cost, or for nominal consideration, are valued at the current replacement cost as at the date of acquisition.

Note 1: Summary of Significant Accounting Policies (Continued)

Property, Plant and Equipment

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

Initial Recognition

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Entity includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

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

Revaluation

When performing a revaluation, the Entity uses a mix of both independent and directors' valuations using the following as a guide:

Revalued assets are carried at their fair value being the price that would be received to sell the asset, in an orderly transaction between market participants at the measurement date (Level 1 inputs in the fair value hierarchy).

With regards to independent valuations of land and buildings, fair value is determined on the basis of observable open market values of similar assets, adjusted for conditions and comparability at their highest and best use (Level 2 inputs in the fair value hierarchy).

With regards to directors' valuation of land and buildings, fair value is determined having regard for current replacement cost and both observable and unobservable costs. These include construction costs based on recent contract prices, current condition (observable Level 2 inputs in the fair value hierarchy), residual values and remaining useful life assessments (unobservable Level 3 inputs in the fair value hierarchy).

Those assets carried at a revalued amount, being their fair value at the date of revaluation less any subsequent accumulated depreciation and accumulated impairment losses, are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

Land and Buildings

Land and buildings are shown at their fair value based on periodic valuations by external independent valuers less subsequent depreciation for buildings.

In periods when land and buildings are not subject to an independent valuation, the directors conduct directors' valuations to ensure the carrying amount for the land and buildings is not materially different to the fair value.

Increases in the carrying amount arising on revaluation of land and buildings are recognised in other comprehensive income and accumulated in the revaluation surplus in equity. Revaluation decreases that offset previous increases of the same class of assets shall be recognised in other comprehensive income under the heading of revaluation surplus. All other decreases are charged to the statement of comprehensive income.

Any accumulated depreciation at the date of the revaluation is eliminated against the gross carrying amount of the asset and the net amount is restated to the revalued amount of the asset.

Land and buildings that have been contributed at no cost, or for nominal cost, are valued and recognised at the fair value of the asset at the date it is acquired.

KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017

Note 1: Summary of Significant Accounting Policies (Continued)

Property, Plant and Equipment (Continued)

Plant and Equipment

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

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

Plant and equipment that have been contributed at no cost, or for nominal cost, are valued and recognised at the fair value of the asset at the date it is acquired.

Depreciation

The depreciable amount of all fixed assets, including buildings and capitalised lease assets, but excluding freehold land, is depreciated on a straight line basis over the asset's useful life to the entity commencing from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

The depreciation rates used for each class of depreciable assets are:

Class of Fixed Asset	Depreciation Rate
Buildings	2.5%
Plant and equipment	10%-40%
Leased plant and equipment	33%

The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.

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

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

Capitalisation Threshold

Expenditure on items of equipment under \$10,000 is not capitalised.

**KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017**

Note 1: Summary of Significant Accounting Policies (Continued)

d. Leases

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

Finance leases are capitalised, recording an asset and a liability equal to the present value of the minimum lease payments, including any guaranteed residual values.

Leased assets are depreciated on a straight-line basis over their estimated useful lives where it is likely that the entity will obtain ownership of the asset. 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 the risks and benefits remain with the lessor, are charged as expenses on a straight-line basis over 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.

e. Financial Instruments

Initial recognition and measurement

Financial assets and financial liabilities are recognised when the entity becomes a party to the contractual provisions to the instrument. For financial assets, this is equivalent to the date that the corporation commits itself to either purchase or sell the asset (i.e. trade date accounting is adopted). Financial instruments are initially measured at fair value plus transactions costs except where the instrument is classified "at fair value through profit or loss" in which case transaction costs are expensed to statement of comprehensive income immediately.

Classification and Subsequent Measurement

Financial instruments are subsequently measured at fair value, amortised cost using the effective interest rate method or cost. *Fair value* represents the amount for which an asset could be exchanged or a liability settled, between knowledgeable, willing parties. Where available, quoted prices in an active market are used to determine fair value. In other circumstances, valuation techniques are adopted.

Amortised cost is calculated as:

- (i) the amount at which the financial asset or financial liability is measured at initial recognition;
- (ii) less principal repayments;
- (iii) plus or minus the cumulative amortisation of the difference, if any, between the amount initially recognised and the maturity amount calculated using the *effective interest method*; and
- (iv) less any reduction for impairment.

The *effective interest method* is used to allocate interest income or interest expense over the relevant period and is equivalent to the rate that exactly discounts estimated future cash payments or receipts (including fees, transaction costs and other premiums or discounts) through the expected life (or when this cannot be reliably predicted, the contractual term) of the financial instrument to the net carrying amount of the financial asset or financial liability. Revisions to expected future net cash flows will necessitate an adjustment to the carrying value with a consequential recognition of an income or expense in profit or loss.

Note 1: Summary of Significant Accounting Policies (Continued)

Financial Instruments (Continued)

Classification and Subsequent Measurement (Continued)

(i) *Financial assets at fair value through profit or loss*

Financial assets are classified at "fair value through profit or loss" when they are held for trading for the purpose of short-term profit taking, or where they are derivatives not held for hedging purposes, or when they are designated as such to avoid an accounting mismatch or to enable performance evaluation where a group of financial assets is managed by key management personnel on a fair value basis in accordance with a documented risk management or investment strategy. Such assets are subsequently measured at fair value with changes in carrying value being included in profit or loss.

(ii) *Loans and receivables*

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost.

Loans and receivables are included in current assets, except for those which are not expected to mature within 12 months after the end of the reporting period. (All other loans and receivables are classified as non-current assets.)

(iii) *Held-to-maturity investments*

Held-to-maturity investments are non-derivative financial assets that have fixed maturities and fixed or determinable payments, and it is the entity's intention to hold these investments to maturity. They are subsequently measured at amortised cost.

Held-to-maturity investments are included in non-current assets, except for those which are expected to mature within 12 months after the end of the reporting period. (All other investments are classified as current assets.)

If during the period the corporation sold or reclassified more than an insignificant amount of the held-to-maturity investments before maturity, the entire held-to-maturity investments category would be tainted and reclassified as available-for-sale.

(iv) *Available-for-sale financial assets*

Available-for-sale financial assets are non-derivative financial assets that are either not capable of being classified into other categories of financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments. Such assets are subsequently measured at fair value.

Available-for-sale financial assets are included in non-current assets, except for those which are expected to be disposed of within 12 months after the end of the reporting period. (All other financial assets are classified as current assets.)

(v) *Financial liabilities*

Non-derivative financial liabilities (excluding financial guarantees) are subsequently measured at amortised cost.

Fair value

Fair value is determined based on current bid prices for all quoted investments. Valuation techniques are applied to determine the fair value for all unlisted securities, including recent arm's length transactions, reference to similar instruments and option pricing models.

KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017

Note 1: Summary of Significant Accounting Policies (Continued)

e. Financial Instruments (Continued)

Impairment

At the end of each reporting period, the entity assesses whether there is objective evidence that a financial instrument has been impaired. In the case of available-for-sale financial instruments, a prolonged decline in the value of the instrument is considered to determine whether an impairment has arisen. Impairment losses are recognised in the statement of comprehensive income.

Derecognition

Financial assets are derecognised where the contractual rights to receipt of cash flows expire or the asset is transferred to another party whereby the entity no longer has any significant continuing involvement in the risks and benefits associated with the asset. Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying value of the financial liability, which is extinguished or transferred to another party, and the fair value of consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.

f. Impairment of Assets

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

Where the future economic benefits of the asset are not primarily dependent upon the asset's ability to generate net cash inflows and when the entity would, if deprived of the asset, replace its remaining future economic benefits, value in use is determined as the depreciated replacement cost of an asset.

Where it is not possible to estimate the recoverable amount of a class of assets, the entity estimates the recoverable amount of the cash-generating unit to which the class of assets belong.

Where an impairment loss on a revalued asset is identified, this is debited against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

g. Employee Benefits

Short-Term Employee Benefits

Provision is made for the Corporation's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages salaries and time off in lieu. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

Note 1: Summary of Significant Accounting Policies (Continued)

g. Employee Benefits (Continued)

Short-Term Employee Benefits (Continued)

The Corporation's obligations for short-term employee benefits such as wages, salaries and time off in lieu are recognised as a part of current provisions in the statement of financial position.

Other Long-Term Employee Benefits

Provision is made for employees' long service leave and annual leave entitlements not expected to be settled wholly within 12 months after the end of the annual reporting period in which the employees render the related service. Other long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations or service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.

The Corporation's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Corporation does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

h. Cash and Cash Equivalents

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

i. Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of expense. 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 are included in the statement of cash flows on a gross basis, except for the GST component of cash flows arising from investing and financing activities which is recoverable from, or payable to, the ATO. The GST component of financing and investing activities which is recoverable from, or payable to, the ATO is classified as a part of operating cash flows. Accordingly, investing and financing cash flows are presented in the statement of cash flows net of the GST that is recoverable from, or payable to, the ATO.

j. Income Tax

No provision for income tax has been raised as the entity is exempt from income tax under Div 50 of the *Income Tax Assessment Act 1997*.

k. Intangibles

Software

Software is recorded at cost. Software has a finite life and is carried at cost less any accumulated amortisation and impairment losses. It has an estimated useful life of between one and three years. It is assessed annually for impairment.

KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017

Note 1: Summary of Significant Accounting Policies (Continued)

l. Provisions

Provisions are recognised when the entity 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.

m. Comparative Figures

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

When an entity applies an accounting policy retrospectively, makes a retrospective restatement or reclassifies items in its financial statements, a statement of financial position as at the beginning of the earliest comparative period must be disclosed.

n. Trade and Other Payables

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

o. Critical Accounting Estimates and Judgments

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

Key estimates

Impairment

The freehold land and buildings were independently valued between April and June 2015. The valuation was based on the fair value less cost to sell. The critical assumptions adopted in determining the valuation included the location of the land and buildings, the current strong demand for land and buildings in the area and recent sales data for similar properties.

p. Economic Dependence

The Entity is dependent on the grants from Government for the majority of its revenue used to operate the business. At the date of this report the Board of Directors believes that adequate funding will continue to enable the entity to continue operations.

KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017

Note 1: Summary of Significant Accounting Policies (Continued)

q. New Accounting Standards for Application in Future Periods

The AASB has issued a number of new and amended Accounting Standards that have mandatory application dates for future reporting periods, some of which are relevant to the company. The directors have decided not to early adopt any of the new and amended pronouncements. Their assessment of the pronouncements that are relevant to the company but applicable in future reporting periods is set out below:

- (i) *AASB 9: Financial Instruments* and associated Amending Standards (applicable to annual reporting periods beginning on or after 1 January 2018).

The Standard will be applicable retrospectively (subject to the provisions on hedge accounting outlined below) and includes revised requirements for the classification and measurement of financial instruments, revised recognition and derecognition requirements for financial instruments, and simplified requirements for hedge accounting.

The key changes that may affect the company on initial application of include certain simplifications to the classification of financial assets, simplifications to the accounting of embedded derivatives, upfront accounting for expected credit loss, and the irrevocable election to recognise gains and losses on investments in equity instruments that are not held for trading in other comprehensive income. AASB 9 also introduces a new model for hedge accounting that will allow greater flexibility in the ability to hedge risk, particularly with respect to hedges of non-financial items. Should the entity elect to change its hedge policies in line with the new hedge accounting requirements of the Standard, the application of such accounting would be largely prospective.

Although the directors anticipate that the adoption of AASB 9 may have an impact on the company's financial instruments, it is impracticable at this stage to provide a reasonable estimate of such impact.

- (ii) *AASB 15: Revenue from Contracts with Customers* (applicable to annual reporting periods beginning on or after 1 January 2018, as deferred by *AASB 2015-8: Amendments to Australian Accounting Standards – Effective Date of AASB 15*).

When effective, this Standard will replace the current accounting requirements applicable to revenue with a single, principles-based model. Apart from a limited number of exceptions, including leases, the new revenue model in AASB 15 will apply to all contracts with customers as well as non-monetary exchanges between entities in the same line of business to facilitate sales to customers and potential customers.

The core principle of the Standard is that an entity will recognise revenue to depict the transfer of promised goods or services to customers in an amount that reflects the consideration to which the entity expects to be entitled in exchange for the goods or services. To achieve this objective, AASB 15 provides the following five-step process:

- identify the contract(s) with a customer;
- identify the performance obligations in the contract(s);
- determine the transaction price;
- allocate the transaction price to the performance obligations in the contracts; and
- recognise revenue when (or as) the performance obligations are satisfied.

KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017

Note 1: Summary of Significant Accounting Policies (Continued)

q. New Accounting Standards for Application in Future Periods (Continued)

- (ii) The transitional provisions of this Standard permit an entity to either: restate the contracts that existed in each prior period presented per AASB 108: Accounting Policies, Changes in Accounting Estimates and Errors (subject to certain practical expedients in AASB 15); or recognise the cumulative effect of retrospective application to incomplete contracts on the date of initial application. There are also enhanced disclosure requirements regarding revenue.

Although the directors anticipate that the adoption of AASB 15 may have an impact on the company's financial statements, it is impracticable at this stage to provide a reasonable estimate of such impact.

- (iii) *AASB 16: Leases* (applicable to annual reporting periods beginning on or after 1 January 2019).

When effective, this Standard will replace the current accounting requirements applicable to leases in AASB 117: Leases and related Interpretations. AASB 16 introduces a single lessee accounting model that eliminates the requirement for leases to be classified as operating or finance leases.

The main changes introduced by the new Standard are as follows:

- recognition of a right-of-use asset and liability for all leases (excluding short-term leases with less than 12 months of tenure and leases relating to low-value assets);
- depreciation of right-of-use assets in line with AASB 116: Property, Plant and Equipment in profit or loss and unwinding of the liability in principal and interest components;
- inclusion of variable lease payments that depend on an index or a rate in the initial measurement of the lease liability using the index or rate at the commencement date;
- application of a practical expedient to permit a lessee to elect not to separate non-lease components and instead account for all components as a lease; and
- inclusion of additional disclosure requirements.

The transitional provisions of AASB 16 allow a lessee to either retrospectively apply the Standard to comparatives in line with AASB 108 or recognise the cumulative effect of retrospective application as an adjustment to opening equity on the date of initial application.

Although the directors anticipate that the adoption of AASB 16 will impact the company's financial statements, it is impracticable at this stage to provide a reasonable estimate of such impact.

KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017

	2017	2016
	\$	\$
Note 2: Revenue and Other Revenue		
Revenue from Grants		
State and Federal Government and Other Grants	<u>21,988,396</u>	<u>23,255,333</u>
Other Revenue		
Interest Received on Financial Assets	235,663	368,430
Rental Revenue	18,560	41,930
Other Revenue	<u>3,545,342</u>	<u>1,508,856</u>
Total Other Revenue	<u>3,799,565</u>	<u>1,919,216</u>
Note 3: Expenses		
Depreciation and Amortisation		
Plant and Equipment	60,856	92,987
Motor Vehicles	123,011	123,011
Buildings	<u>475,529</u>	<u>321,880</u>
	<u>659,396</u>	<u>537,878</u>
Finance Costs		
Interest Expenses	<u>69,376</u>	<u>83,001</u>
Rental Expenses	<u>825,235</u>	<u>944,233</u>
Note 4: Cash and Cash Equivalents		
CURRENT		
Cash at Bank - Unrestricted	7,361,340	7,456,030
Cash at Bank - Restricted Unexpended	6,704,873	3,199,612
Cash on Hand	-	-
	<u>14,066,213</u>	<u>10,655,642</u>

Cash at Bank - Restricted represents unexpended grants income on hand at the end of the year.

KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017

	2017	2016
	\$	\$
Note 5: Trade and Other Receivables		
CURRENT		
Trade Receivables	1,244,437	877,349
Total Current Trade and Other Receivables	<u>1,244,437</u>	<u>877,349</u>
Note 6: Other Assets		
CURRENT		
Prepayments	131,193	170,128
	<u>131,193</u>	<u>170,128</u>
Note 7: Property, Plant and Equipment		
LAND AND BUILDINGS		
Land		
Independent Valuation 2015 - level 2	1,960,000	1,960,000
	<u>1,960,000</u>	<u>1,960,000</u>
Buildings		
Independent Valuation 2015 - level 2	1,050,000	1,050,000
Directors' Valuation 2015 - level 3	13,078,610	12,966,326
Less Accumulated Depreciation	(797,409)	(321,880)
	<u>13,331,201</u>	<u>13,694,446</u>
Total Land and Buildings	<u>15,291,201</u>	<u>15,654,446</u>
PLANT AND EQUIPMENT		
At Cost	1,457,253	1,049,032
Less Accumulated Depreciation	(980,841)	(919,929)
Total Plant and Equipment	<u>476,412</u>	<u>129,103</u>
MOTOR VEHICLES		
At Cost	1,156,080	1,178,352
Less Accumulated Depreciation	(912,644)	(811,905)
Total Motor Vehicles	<u>243,436</u>	<u>366,447</u>
WORK IN PROGRESS		
Software and Website Development at cost	-	387,861
Motor Vehicle purchase - pending delivery	49,092	-
Total Work In Progress	<u>49,092</u>	<u>387,861</u>
Total Property, Plant and Equipment	<u>16,060,141</u>	<u>16,537,857</u>



KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017

Note 7: Property, Plant and Equipment (continued)

The following assets have other encumbrances as detailed below :

40 Loch Street Derby : A caveat originally imposed by ATSIC which restricts the use of the property for the purpose of administration and operations of the Corporation .

Dampier Terrace Broome : Has a developmental memorial to prevent development outside of the Shire of Broome's Heritage Policy .

11 Gregory Street Broome : Has restrictions by Lottery Commission protecting its equitable mortgage in the Land and their approval must be sought for any sale of the property during the term of the Building Grant Agreement. Has been secured against bank loan.

Work in Progress:

Software and Website

Kimberley Land Council completed the development of a new corporate website and internal database management system during the year and transferred to Plant and Equipment. As at 30 June 2017 work in progress consists of a motor vehicle in progress of delivery with expected arrival in the 17/18 financial year.

KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017

Note 7: Property, Plant and Equipment (Continued)

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:

	Land	Buildings	Total Land and Buildings	Plant and Equipment	Motor Vehicles	Work In Progress (Software and Website)	Total
2016	\$	\$	\$	\$	\$		\$
Balance at the beginning of the year	1,960,000	12,873,055	14,833,055	202,890	489,458	366,547	15,891,950
Additions at cost	-	1,143,271	1,143,271	19,200	-	21,314	1,183,785
Disposals	-	-	-	-	-	-	-
Depreciation expense	-	(321,880)	(321,880)	(92,987)	(123,011)	-	(537,878)
Carrying amount at the end of the year	<u>1,960,000</u>	<u>13,694,446</u>	<u>15,654,446</u>	<u>129,103</u>	<u>366,447</u>	<u>387,861</u>	<u>16,537,857</u>
2017							
Balance at the beginning of the year	1,960,000	13,694,446	15,654,446	129,103	366,447	387,861	16,537,857
Additions at cost	-	112,284	112,284	20,304	-	49,092	181,680
Transfer	-	-	-	387,861	-	(387,861)	-
Disposals	-	-	-	-	-	-	-
Depreciation expense	-	(475,529)	(475,529)	(60,856)	(123,011)	-	(659,396)
Carrying amount at the end of the year	<u>1,960,000</u>	<u>13,331,201</u>	<u>15,291,201</u>	<u>476,412</u>	<u>243,436</u>	<u>49,092</u>	<u>16,060,141</u>

Asset Revaluations

As at 30 June 2017, the directors performed a directors' valuation on the building and believe the carrying value of the building correctly reflects the fair value less costs to sell at 30 June 2017.

KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017

	2017	2016
	\$	\$
Note 8: Trade and Other Payables		
CURRENT		
Trade Payables	247,698	453,342
Other Current Payables	2,262,352	1,974,936
Accrued Salaries and Wages	151,696	422,945
	<u>2,661,746</u>	<u>2,851,223</u>

Note 9: Borrowings

CURRENT		
Bank Loan Secured	222,516	189,723
Total Current Borrowings	<u>222,516</u>	<u>189,723</u>
NON-CURRENT		
Bank Loan Secured	1,124,056	1,369,412
Total Non-Current Borrowings	<u>1,124,056</u>	<u>1,369,412</u>
Total Borrowings	<u>1,346,572</u>	<u>1,559,135</u>

The bank debt is secured by a first registered mortgage over the 11 Gregory Street Broome property owned by the Kimberley Land Council as detailed in Note 7.

Note 10: Provisions

Analysis of total provisions

Current	1,677,668	1,218,131
Non-Current	-	-
Total	<u>1,677,668</u>	<u>1,218,131</u>

	Provision for Annual Leave \$	Provision for Long Service Leave \$	Provision for Time Off In Lieu \$	Total \$
Opening balance as at 1 July 2016	806,169	411,962	-	1,218,131
Additional provisions	621,478	312,027	129,059	1,062,564
Amounts used	(552,954)	(50,073)	-	(603,027)
Balance at 30 June 2017	<u>874,693</u>	<u>673,916</u>	<u>129,059</u>	<u>1,677,668</u>

KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017

Note 10: Provisions (Continued)

Provision for Long-term Employee Benefits

A provision has been recognised for employee entitlements relating to long service leave. The measurement and recognition criteria relating to employee benefits have been included in Note 1.

	2017	2016
	\$	\$

Note 11: Capital and Leasing Commitments

Operating Lease Commitments

Non-cancellable operating leases contracted for but not capitalised in the financial statements

Payable – minimum lease payments:

– not later than 12 months	335,342	456,574
– later than 12 months but not later than five years	829,637	196,755
Total	1,164,979	653,329

The motor vehicle lease commitments are non-cancellable operating leases contracted for but not capitalised in the financial statements with a five-year term. Increase in lease commitments may occur in line with the Consumer Price Index (CPI).

Capital Expenditure Commitments

Contracted for:

Construction for KLC Building in Broome	-	-
	-	-

Note 12: Events After the Reporting Period

The directors are not aware of any matter or circumstance that has arisen since the end of the year that has significantly affected or may significantly affect the corporation's operations, results and the state of affairs in future financial years.

Note 13: Key Management Personnel Compensation

The totals of remuneration paid to Key Management Personnel (KMP) of the corporation during the year are as follows:

	2017	2016
	\$	\$
Short-term employee benefits	1,333,502	1,288,408
Post-employee benefits	-	-
Other long-term benefits	-	-
Termination benefits	-	-
Total Key Management Personnel Compensation	1,333,502	1,288,408

KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017

Note 14: Related Party Transactions

The Corporation holds one share representing 100% ownership in the company Kimberley Sustainable Development Pty Ltd. This company's principal activity is to act as trustee for the Kimberley Sustainable Development Charitable Trust. It does not operate in any other capacity. There is no right to income or capital of this trust fund. As a result, no value has been assigned to this interest and does not show in the financial statements of the Kimberley Land Council.

Note 15: Financial Risk Management

The Corporation's financial instruments consist mainly of deposits with banks, local money market instruments, short-term investments, 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:

	Note	2017	2016
		\$	\$
Financial Assets			
Cash and Cash Equivalents	4	14,066,213	10,655,642
Current Trade and Other Receivables	5	1,244,437	877,349
Total Financial Assets		<u>15,310,650</u>	<u>11,532,991</u>
Financial Liabilities			
Financial Liabilities at Amortised Cost:			
Trade and Other Payables	8	2,661,746	2,851,223
Borrowings	9	1,346,572	1,559,135
Total Financial Liabilities		<u>4,008,318</u>	<u>4,410,358</u>

Note 16: Reserves

Revaluation Surplus

Revaluation surpluses have arisen on revaluation of the following classes of non-current assets:

Land and Buildings

Opening Balance	-	-
Revaluation Increment	-	-
Revaluation Decrement	-	-
	<u>-</u>	<u>-</u>
	<u>-</u>	<u>-</u>
Total Asset Revaluation Surplus	<u>-</u>	<u>-</u>

KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)
NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017

	Note	2017 \$	2016 \$
Note 17 : Cash Flow Information			
Reconciliation of Cash Flow from Operations to Operating Surplus			
Operating Surplus/(Deficit)		(301,750)	1,813,881
Adjustment for non-cash expenses:			
Depreciation		659,396	537,878
Loss on Revaluation of Assets		-	-
Adjustment for changes in operating assets and liabilities:			
Decrease/(Increase)in Accounts Receivable		(328,153)	(368,696)
Increase/(Decrease) in Accounts Payable		(189,477)	(958,616)
Increase/(Decrease) in Provisions		459,537	(64,021)
Increase/(Decrease) in Unexpended Grants		3,505,261	580,830
Net cash provided by Operating Activities		<u>3,804,813</u>	<u>1,541,256</u>

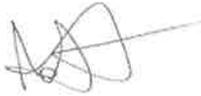
KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN 21)

DIRECTORS' DECLARATION
Corporations (Aboriginal and Torres Strait Islander) Act 2006
For the Year Ended 30th June 2017

The directors of the corporation declare that:

- (a) in the directors' opinion, there are reasonable grounds to believe that the corporation will be able to pay its debts when they become due and payable; and
- (b) in the directors' opinion, the financial statements and notes are in accordance with the Regulations, including:
 - (i) compliance with the accounting standards; and
 - (ii) providing a true and fair view of the financial position and performance of the corporation.

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



.....
Director's Signature

.....
Nolan Hunter

.....
Print Name

.....
5th September 2017

.....
Date

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2 The Esplanade, Perth, WA 6000

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INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN21)

Report on the Audit of Financial Report

Opinion

We have audited the accompanying financial report of Kimberley Land Council Aboriginal Corporation ("the Corporation"), which comprises the statement of financial position as at 30 June 2017, the statement of profit or loss and other comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the directors' declaration.

In our opinion, the financial report of the Corporation is in accordance with the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*, including:

- i. giving a true and fair view of the Corporation's financial position as at 30 June 2017 and of its performance for the year ended on that date; and
- ii. complying with Australian Accounting Standards – Reduced Disclosure Requirements, the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*, the *Corporations (Aboriginal and Torres Strait Islander) Regulations 2007* and the *Australian Charities and Not-for-profits Commission Act 2012*.

Basis of 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 Corporation in accordance with 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 believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF KIMBERLEY LAND COUNCIL ABORIGINAL CORPORATION (ICN21) (CONTINUED)

Directors' Responsibility for the Financial Report

The Directors of the corporation are responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards – Reduced Disclosure Requirements, the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*, the *Corporations (Aboriginal and Torres Strait Islander) Regulations 2007* and the *Australian Charities and Not-for-profits Commission Act 2012* and for such internal control as the Directors determine is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the Directors are responsible for assessing the Corporation'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 Corporation or to cease operations, or has no realistic alternative but to do so.

The Directors are responsible for overseeing the Corporation's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

A further description of our responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website at: http://www.auasb.gov.au/auditors_files/ar3.pdf. This description forms part of our auditor's report.



DAVID TOMASI
PARTNER



MOORE STEPHENS
CHARTERED ACCOUNTANTS

Signed at Perth this 5th day of September 2017.

Notes

Notes



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ICN: 21