



**Aboriginal Areas
Protection Authority**



Annual Report
2013 - 2014

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**Aboriginal Areas
Protection Authority**
protecting sacred sites across the territory

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The Hon Bess Price MLA
Minister for Community Services
DARWIN NT 0800

3 November 2014

Dear Minister

I have the pleasure to submit to you, in accordance with the provisions of Section 14(1) of the *Northern Territory Aboriginal Sacred Sites Act 1989*, the Annual Report for the Aboriginal Areas Protection Authority for the financial period 1 July 2013 to 30 June 2014.

The report refers to the twenty-fifth year of operation of the Aboriginal Areas Protection Authority.

Yours sincerely

A handwritten signature in black ink, reading "Bernard Abbott", written in a cursive style.

BERNARD ABBOTT
Chairman

The Hon Bess Price MLA
Minister for Community Services
DARWIN NT 0800

3 November 2014

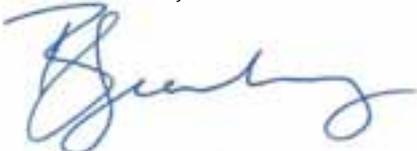
Dear Minister

I have the pleasure to submit to you, in accordance with the provisions of Section 14(1) of the *Northern Territory Aboriginal Sacred Sites Act 1989*, the Annual Report for the Aboriginal Areas Protection Authority for the financial period 1 July 2013 to 30 June 2014.

The Report refers to the twenty-fifth year of operation of the Aboriginal Areas Protection Authority and to the best of my knowledge and belief as Accountable Officer, pursuant to section 13 of the *Financial Management Act*; the system of internal control and audit provides reasonable assurance that:

- a) proper records of all transactions affecting the agency are kept and that the department's employees observe the provisions of the *Financial Management Act*, the Financial Management Regulations and Treasurer's Directions;
- b) Authority procedures provide proper internal control and a current description of those procedures is recorded in the Accounting and Property Manual, which has been prepared in accordance with the requirements of the *Financial Management Act*;
- c) no indication of fraud, malpractice, major breach of legislation or delegation, major error in or omission from the accounts and records exists;
- d) in accordance with the requirements of Section 15 of the *Financial Management Act*, the internal audit capacity available to the Authority is adequate and the results of internal audits have been reported to me; and
- e) the financial statements in this annual report have been prepared from proper accounts and records and are in accordance with the Treasurer's Directions.

Yours sincerely



Dr Benedict Scambary
Chief Executive Officer

CHAIRMAN'S *Report*



I am very proud that this year marked 35 years of sacred site protection in the Northern Territory. This significant milestone is testament to the strength of sacred sites legislation in the Northern Territory since 1978, the commitment by the Northern Territory Government, my fellow countrymen the custodians across the Northern Territory, the many businesses, agencies and individuals who have worked with the Authority, and the past and present Authority members and staff to protect our sacred sites.

This is a time to recognise the important work of protecting sacred sites and pay tribute to the Board members who have worked hard to represent their country on this Board. These men and women brought a new level of understanding and awareness of the importance and significance of sacred sites to all Territorians. The hard work of Board members working alongside custodians has resulted in the Authority now having more than 12,000 sites recorded in its database.

From my heart I thank and pay tribute to the following people, many who have passed on now, who have served on the Boards of the Aboriginal Sacred Sites Protection Authority, and from 1989, the Aboriginal Areas Protection Authority:

Mr Ginger Packsaddle	1979-1982	
Mr Wenten Rubuntja	1979-1999	[Chairman 1982-1985]
Mr Kevin Ford	1979-1991	
Mr Henry Fredericks	1979-1982	
Mr Michael Taylor	1979-1980	
Mr William Okai	1979-1982	
Mr Creed Lovegrove	1979-2002	
Mr Raphael Apuatimi	1979-1982	[Chairman 1979-1982]
Mr Ted Evans	1979-1982	
Mr Tonson Roberts	1979-1982	
Dr Colin Jack-Hinton	1979-1985	
Mr Robert Ellis	1980-1989	
Mr Archie Allen	1982-1985	
Pastor Peter Bullah	1982-1985	
Mr Dirrijuna Murrungun	1982-1992	
Mr John Pupangamirri	1982-1992	
Mr Martin Ford	1982-1987	
Mr Hobbles Daniariu	1985	
Mr Charles Godjuwa	1985-1992	
Mr Mussolini Harvey	1985-1997	[Chairman 1986-1997]
Mr Nelson Japanangka	1986-1992	
Mr Joe Multa	1986-1987	
Mr John Pinney	1986-2002	
Dr Patrick McConvell	1987-1988	
Mr Roy Hammer	1992-2008	[Chairman 1997-2007]
Mr George Brown Jungarrayi	1992-1995	
Mr Bertram Kantilla	1992-1996	
Ms Raelene Silverton	1992-1999	
Ms Clementine Puruntatameri	1992-2006	
Ms Nellie Camfoo	1992-2006	[Deputy Chair 1992-2006]

Ms Roseanne Brennan	1992-1995	
Ms Topsy Nelson Napurrurla	1992-1999	
Ms Doris Kelly	1994-1995	
Mr Snowy Kulmilya	1995-2002	
Ms P Djatjak	1995-1997	
Mrs Jacinta Tipungwuti	1995-1999	
Mr Bernard Abbott	1995-present	(Deputy Chair 2007-2009) (Chairman 2009-current)
Mr Simon Tipungwuti	1995-2002	
Ms Elsie Snowy	1999-2002	
Ms Lena Pula	1999-present	
Mr Pepy Simpson	1999-present	
Ms Jeannie Egan	1999-2004	
Mr Max Kerinauia	2002-2006	
Ms Josie Jones	2002-2006	
Mr George Campbell	2002-2006	
Dr Jeannie Devitt	2003-2004	
Mr Dick Kimber	2003-2009	
Ms Lynette Granites	2005-present	
Ms Olga Havnen	2005-2007	
Ms Miliwanga Sandy	2006-2009	(Deputy Chair 2006-2007) (Chairman 2007-2009)
Mr Robert Tipungwuti	2006-present	
Ms Jenny Inmulugulu	2006-present	(Deputy Chair 2008-2012)
Mr Captain Woditj	2006-present	
Ms Banduk Marika	2006-present	(Deputy Chair 2012-current)
Mr Michael Gillam	2009-2012	
Ms Nancy McDinny	2009-present	
Mr Thomas Amagula	2009-present	
Ms Carol Christophersen	2009-present	
Mr John Rawnsley	2012-present	

For 35 years these people, my fellow Board members have worked hard to build good relationships with the many people who rely on the advice and knowledge of the Authority. Telling what sacred sites mean to my people is one of the most important things we do. In 2013-14 the Board met with a number of key people and organisations including:

- The Honourable Bess Price MLA. Minister Price attended several of our Board meetings and has shown great interest in us and the work that we do with the Authority;
- Custodians and Northern Territory Government representatives working on the Ord Development Project;
- The Alice Springs Town Council;
- Tourism NT; and
- The Department of Lands, Planning and Environment.

In September 2013 I had the opportunity to meet with Mr Neil Balnaves, patron of the Balnaves Foundation, who travelled across the Northern Territory to meet with senior Aboriginal custodians, Authority Board members and to visit important sacred sites. I was honoured to take Neil to *Itirkawara* (also known as Chambers Pillar), an important sacred site in my mother's country south of Alice Springs, and to really tell him about the meaning of that place. I was pleased to meet Mr Balnaves and explain the important work of the Authority and I hope that the Authority will have an opportunity to work with the Foundation on joint projects in the future.

During 2013-14 the Aboriginal Areas Protection Authority was subject to attention from the media and parliament because of proposed amendments to the *Northern Territory Aboriginal Sacred Sites Act*. The Board and I have over many years worked with the Sacred Sites Act and understand the importance of the Act in providing a way to bring two laws together – traditional law and western law – to the benefit of all Territorians. The *Northern Territory Aboriginal Sacred Sites Act* (1989) has existed for 25 years now. It is a strong law which has protected thousands of sites while allowing nearly 5000 projects to go ahead with proper instructions on how to protect sacred sites in the area. The Board knows there are many changes that have occurred in the Northern Territory in the past 25 years, and that the future will bring many more challenges. We support development in the north, and see that development opportunities before us as Territorians also bring opportunity for our people, but our sacred sites are important for us and must be protected. We support a review of the Sacred Sites Act to assist in bringing positive change, but we must keep culture strong.

This year the Darwin Magistrate's Court handed down a historic decision and convicted OM Manganese Ltd for desecrating a sacred site at the Bootu Creek mine on Banka Banka Station, 170 kilometres north of Tennant Creek. This damage caused great distress to custodians. As the case brought by the Authority progressed custodians showed great faith in the Sacred Sites Act and support for the Authority. I admire their determination and commitment on seeing the court case through. This decision has resulted in the first ever case of desecration to a sacred site to be successfully prosecuted under Australian law. This decision is not just important for the custodians of the sacred site, but for all Australians. Sadly, this successful action will not bring their sacred site back.

During these last twelve months a number of custodians who have worked closely with the Authority have passed away. On behalf of the Board I would like to acknowledge these custodians and their important contribution to the protection of sacred sites. It is the cultural knowledge of sacred site custodians and the willingness of custodians to share the information passed to them for safekeeping by their ancestors which makes it possible for the Authority to help protect sacred sites in and around development. This sharing of sacred and secret information with strangers is not the traditional way of looking after sites. The Authority knows this and is only able to do its important work because of the trust it has built with custodians. As a custodian I understand the significant leap of faith in this white man's law which custodians take when they pass on their traditional knowledge to the Authority. I speak from the heart when I stress how important it is that the Authority and the Government respect sacred sites and acknowledge the significance of the act of past and present custodians in sharing their knowledge for the benefit of future generations. Our thoughts are with the families of the custodians who passed away during 2013-14.

Finally I thank the CEO Dr Ben Scambary and the Authority staff for their commitment to protect sacred sites and their ongoing support of the Board.

BERNARD ABBOTT

Chairman

3 November 2014

CHIEF EXECUTIVE OFFICER'S *Report*

This reporting period straddles two significant anniversaries in the history of the Authority. The 35th anniversary of sacred site protection in the Northern Territory and the 25th anniversary of the *Northern Territory Aboriginal Sacred Sites Act* are remarkable achievements for this organisation when looking back at its history.

The second half of 2013 marked the 35th anniversary of sacred site protection by the Northern Territory Government. On 20 September 1978 the then Northern Territory Government under the leadership of Paul Everingham passed the *Aboriginal Sacred Sites Act 1978*. The Act was complementary to the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth) which in section 73(1)(a) enabled the Northern Territory Government to establish its own legislation to protect sacred sites in the Northern Territory.

The Act was one of the first pieces of legislation passed by the Northern Territory's new self-Government. It was significant in its recognition of Aboriginal culture through actively empowering Aboriginal people to protect their sites of cultural significance. It allowed Aboriginal people to have their sites recorded, registered and protected in the context of development. Senior custodians of sacred sites were engaged through a predominantly Aboriginal Board to provide their expert advice on these matters.

These early years brought some controversy between the Authority, the Government and proponents of development. The notion of sacred sites and their meaning and importance to Aboriginal people were poorly understood by the broader community. The Authority under the strong leadership of senior Aboriginal Chairmen including Mr Raphael Apuatimi OAM and Mr Wenten Rubuntja AM, worked hard to bridge this gap by engaging with Government and developers to negotiate workable solutions.

Throughout the 1980s there were numerous proposals to amend the Act. In August 1986 chief minister Mr Stephen Hatton appointed a committee lead by the solicitor-general Mr Brian Martin to review legislation relating to sites of significance to Aboriginal people. These included the *Aboriginal Sacred Sites Act*, the *Aboriginal*

Land Act and the *Native and Historical Objects and Areas Preservation Act*. The review was completed in June 1987 and tabled in Parliament on 25 August 1988. Key recommendations from the review included establishing a statutory authority to coordinate requests for protection of sacred sites and initiate prosecutions; giving the Authority power to grant access and/or carry out work on sacred sites only after taking into account the wishes of Aboriginal people; accepting in principle that sites of significance to Aboriginal women should be dealt with by Aboriginal women, and that developers should be encouraged to consult with the Authority on sacred sites at an early stage in their project planning.

On 12 October 1988 the Northern Territory Government introduced the *Aboriginal Areas Protection Bill* (NT) to the Assembly. The Bill was an attempt to strike a more effective balance between the protection of sacred sites and the development of the Territory, its people and resources. However the Bill did not proceed as there were concerns that it, and in particular the protection it extended to sacred sites, was incompatible with Section 73(1) of the *Land Rights Act*.

The Government continued negotiations with the Authority and Aboriginal Land Councils over amendments to the sacred sites legislation. The Authority's independence was seen as important in the resolution of difficult issues in relation to sacred sites and any proposed development in and around sites. These were difficult negotiations, and in the end the final product was the *Northern Territory Aboriginal Sacred Sites Act 1989* which was passed on 26 May 1989 and came into force on 15 August 1989.



The new legislation established the Aboriginal Areas Protection Authority. It was a framework legislation for balancing the protection of sacred sites with the economic, social and cultural development aspirations of all Territorians. The Act increased Aboriginal membership on the Authority Board to twelve with the specification that men and women be equally represented. Penalty provisions in the legislation for entering, working on or desecrating a sacred site were greatly strengthened. All sites registered by the Authority were now to be considered *prima facie* sacred sites and the new Act extended to protecting sites located within the sea or other bodies of water.

The new Act prescribed new functions for the Authority which significantly altered the nature of its work and expanded its operations. The Authority, where requested was now required to carry out surveys and consultations with custodians to determine the constraints imposed by the existence of sacred sites to work on land and waters anywhere in the Northern Territory. An Authority Certificate specifying the conditions under which work may be undertaken in the vicinity of a sacred site would then be issued. A time limit was placed on the commencement of consultations.

A significant change under the new Act was the introduction of a range of accountability measures. These included a review of the 600-plus sites previously registered; a process of land owner notification for the registration of sacred sites; and the introduction of a process of Ministerial review of the Authority's decisions.

2014 marks the 25th anniversary of the Act as it currently stands and which has successfully operated since August 1989 with few further amendments. Some of the more significant of these have been clarifications that the Northern Territory Crown is liable for prosecution for offences against the Sacred Sites Act and that the provisions protecting secret information held by the Authority from unauthorised disclosure also applies to a court.

Since 1989 under this framework, the Authority has successfully negotiated and issued around 5 000 Authority Certificates, registered more than 1 100 sacred sites and responded to more than 11 300 requests for information. This has minimised controversy between development and sacred site protection. In twenty five years there has only been:

- three decisions referred to the Minister for review at the request of the applicant, with only one resulting in a Minister's Certificate being issued;
- 73 Authority Certificates refused as an outcome could not be negotiated without the destruction of sacred sites; and
- 37 cases of site damage brought before the courts.

In 2013-14 alone the Authority issued 208 Authority Certificates. Of these, 39 *per cent* were issued for projects relating to planning infrastructure, housing, power, water and sewerage infrastructure, which includes projects that support development on Aboriginal communities. 21 *per cent* issued related to road work projects, 14 *per cent* were for mining and exploration projects, nine *per cent* to environmental management programs, rehabilitation and tree works, eight *per cent* were tourism and National Park related, while six *per cent* related to communications infrastructure and one *per cent* were issued for aquaculture and fishing related projects.

The Territory Government has identified through its strategic priorities measures to reduce red tape. Within the organisation the Authority has been proactive in pursuing initiatives that align with this objective. Two important initiatives that are currently underway are the redevelopment of the Authority's data management system and early engagement with large user-groups of the Authority's services. These and other initiatives will assist the Authority in protecting sacred sites, while facilitating the balance with economic development in the Northern Territory that is central to the Act.

The redevelopment of the Authority's data management system will ensure greater timeliness, certainty and easier access for developers, industry and Government by enabling the online completion and lodgement of applications for Authority

Certificates and easy access to publically available records. The new system will also allow applicants to track the progress of their applications online. It will improve frontline services ensuring that the Authority remains responsible and relevant to users of its services and information.

The second initiative has seen the Authority take steps to engage with stakeholders early in their planning processes. Focussing efforts on large users of Authority Certificate projects such as NBNC0 and other major projects, the Department of Infrastructure, and the Parks and Wildlife Commission of the Northern Territory has resulted in increased collaboration, knowledge and understanding of each other's work. Building these relationships has enabled these proponents to ensure sacred site avoidance and clearance processes are taken into account in a timely and cost effective manner.

The 2013-14 financial year has been significant historically for the Authority. It has also been significant in terms of the work undertaken by the organisation. Although a small organisation with a very specific function, the Authority has a central role in much of the development that occurs in the Northern Territory. This year the Authority has provided timely responses to a number of major infrastructure projects in the Northern Territory and a large number of smaller development projects through the provision of information about sacred sites through its services. Though not primarily involved in economic development initiatives, the Authority is integral in ensuring that a balance is achieved between the protection of sacred sites and development in the Northern Territory. I am pleased to reflect on this year as one in which the Authority fulfilled this charter, and enjoyed excellent relationships and feedback from its diverse stakeholders including custodians of sacred sites across the Northern Territory, developers, and Government.

The achievements of the past 35 years have only been possible because of a dedicated team of people who have been involved with the Authority. I thank past and current members of the Authority Board, and staff for their dedication and hard work. I look forward to continuing the work of the Authority in 2014-15.

DR BENEDICT SCAMBARY

Chief Executive Officer
3 November 2014



View south towards Heavitree Gap overlooking Olive Pink Botanic Gardens, Alice Springs.

DEPUTY CHAIRMAN'S *Report*



It was with great pleasure that I served as Deputy Chair in 2013-14 during a year which marked 35 years of sacred sites protection by the Northern Territory Government. As one of the many custodians who have been involved in land management for over 25 years now, the protection of sacred sites is part of an ongoing fight to have Aboriginal rights acknowledged and respected by all.

It was the Aboriginal Land Rights (NT) Act enacted in 1976 which preceded the creation of a Sacred Sites Act under the Northern Territory Government in 1979. This Act came into existence because the Land Rights Act allowed for the Northern Territory to make its own laws to protect sacred sites and to do so in consultation with Aboriginal people. In 1979 this was a huge and significant step to acknowledge the importance of Aboriginal culture and sacred sites to traditional owners across the Northern Territory. It continues to be important in times of increased development, mining and exploration and the Sacred Sites Act has been successful in negotiating good outcomes for sacred sites and projects big and small over the past 35 years.

During this time the Authority has grown to become the first point of contact for the protection of sacred sites in the Northern Territory. Sacred sites are important to the heritage of all Australians. The Board registered 12 sacred sites in 2013-14, including an outstanding number in the Yuendumu hinterland region. This is an excellent result for custodians in that region.

As Aboriginal people, we carry education from our older generations – and the generations before them. We have the knowledge of where our country is, who is responsible for that country and we have a responsibility to pass on this same education to new and younger generations. We need to work with the Authority to protect sacred sites to make sure those old cultural values are not lost. These things can only happen if we sit at the table together and negotiate the best way to help each other to live together in one country.

The Board members and I are working hard to develop new ways of engaging with the outside. We also want to involve younger generations of Aboriginal custodians in protecting sacred sites to further their knowledge of their importance and why they need to be protected. We are looking forward to pursuing these strategies further in the coming year.

BANDUK MARIKA
Deputy Chairman
3 November 2014

The Aboriginal Areas Protection Authority ('Authority') is a statutory authority established under the *Northern Territory Aboriginal Sacred Sites Act* ('Sacred Sites Act') to administer sacred site protection in the Northern Territory. The functions of the Authority are set out in Section 10 of the Sacred Sites Act. The protection of Aboriginal sacred sites is recognised by the Northern Territory Government and the broader Territory community as an important element in the preservation of the Territory's cultural heritage for the benefit of all Territorians. The Authority seeks to strike a balance between the protection of sacred sites and development in the Northern Territory.

The Authority is governed by a 12 member Board, ten of whom must be Aboriginal custodians of sacred sites. The Board consists of equal representation of men and women and meet at least four times a year.

THE BOARD MEMBERS OF THE AUTHORITY ARE:



*Bernard Abbott,
Chairman*



Robert Tipungwuti



Thomas Amagula



*Banduk Marika,
Deputy Chairman*



Lynette Granites



Nancy McDinny



Captain Woditj



Pepy Simpson



John Rawnsley



Lena Pula



Jenny Inmulugulu



Carol Christophersen



MISSION *Statement*

To protect sacred sites in the Northern Territory by recognising and respecting the interests of custodians of sacred sites, landowners, and developers for the benefit of all Territorians.

VISION

- Achieve practical outcomes by recognising and respecting the interests of Aboriginal sacred site custodians, landowners and developers.
- Provide sound and timely protection of sacred sites in the Northern Territory.
- Minimise unnecessary controversy over the existence of sacred sites.
- Foster understanding and enhance relations between Aboriginal custodians and other Territorians about sacred sites.
- Provide clear and practical instructions for the protection of sacred sites.

KEY SERVICES PROVIDED BY THE *Authority*

The Authority provides the means by which Aboriginal sacred sites are protected through:

- Sacred site avoidance surveys and the issuing of Authority Certificates for any proposals of development;
- The provision of information to the public about existing sacred sites data through abstracts of Authority records and access to the Registers maintained by the Authority; and
- The registration of Aboriginal sacred sites.

Anyone proposing to use or work on land in the Northern Territory may apply to the Authority for an **Authority Certificate** to cover their proposed activities. Such Certificates are based on consultations with custodians and provide clear instructions on what can and cannot be done in and around sacred sites. An Authority Certificate provides a statutory indemnity against prosecution in relation to the works or uses covered by the Certificate, provided the applicant complies with any conditions imposed to protect sacred sites. Certificates are voluntary and provide an effective risk management tool for developers and act as site protection measures for custodians.

Members of the public may seek advice on registered sacred sites by requesting access to the Register of Sacred Sites. The Authority provides **abstracts of information** to advise the public where sacred sites are known to exist so that they are not inadvertently damaged and provide advice where sacred sites are likely to be at risk if works were to be carried out without more detailed information being sought first. The Authority may advise that they should not carry out works on these sacred sites without an Authority Certificate and that any development proposals take into account their existence.

Custodians of sacred sites may apply to have their sites **registered** under Part III Division 2 of the Sacred Sites Act. The Authority will then conduct research into the site to determine the location, extent and significance of the site. In accordance with the Sacred Sites Act, the Authority ensures that sufficiently detailed documentation about specific sacred sites is recorded to warrant their inclusion by the Board and that landowners are given an opportunity to comment.

OUR Stakeholders

The Authority serves a diverse range of stakeholders, including Territory and National Government agencies, Aboriginal custodians and traditional owners, Industry groups, including the mining and pastoral industries, and a range of private and non-government organisations who use land across the Territory. The Authority strives to meet the needs of all stakeholders in order to protect sacred sites.

For more information, visit our website at www.aapant.org.au/



Authority staff meeting with custodians and Government representatives in Alice Springs.

STRATEGIC PRIORITIES 2014-2016

Strategic Priority	Strategies	Actions
Protection of Sacred Sites in the NT <i>Protect Aboriginal sacred sites in the NT in the context of development and other pressures</i>	Meet changing needs of custodians and developers for sacred site protection and related information	Draft amendments to the Sacred Sites Act
	Ensure high quality research to achieve practical implementation of the Act and the Authority's goals	Evaluate and improve research methodologies and processes
		Expand collaboration with professional bodies, government agencies, organisations, industry groups and custodians to enhance the protection of sacred sites
	Enforce legal and legislative protection for sacred sites	Continue development of internal capacity to process and respond to sacred site damage
	Coordinated and strategic planning for sacred site protection	Manage strategic and major commitments
Focused and strategic communication with key stakeholders	Ensure all stakeholders are clearly informed of opportunities, risks and the Authority's messages associated with sacred site issues	
Information Management <i>An Information Management System to meet the evolving needs of the Authority and stakeholders</i>	Appropriate information technology and information management to meet the changing needs of the Authority	Collect data and develop existing records to meet the needs of the Authority
		Continue implementation of the IT solution for the Authority
Our People <i>Attract and retain appropriate staffing to meet the priorities of the Authority. Our staff are our most valuable resource.</i>	Provide leadership in the engagement of staff to actively contribute to meeting Authority priorities	Build the capabilities of Authority staff
		Develop a positive internal work culture with engaged staff
		Articulate and improve processes and identify and implement efficiencies
Financial Resources <i>Obtain revenue, Government and other funding to meet the financial needs of the Authority</i>	Financial management which meets the operational needs of the Authority	Refine principles and mechanisms for recovery of allowable costs
		Streamline the financial and human resources of the Authority in line with Government appropriation

HIGHLIGHTS OF 2013-14

Statistics at a Glance

- In 2013-14, the Authority issued 208 Authority Certificates, taking an average of 138 days to complete. The majority of these were for the Darwin and Alice Springs regions.
- In 2013-14 there was an increase in demand for Authority Certificates in the regions near and around Borroloola and the Gulf of Carpentaria, Plenty River and Yuendumu.
- Government as well as mining and exploration companies remain the largest client groups for Authority Certificate applications.
- In 2013-14, the Authority received and responded to 555 formal requests for information from its publicly available Registers.



Authority staff member with custodians Andrew Stevens and John Newchurch in Alice Springs, April 2014.

Sacred Site Protection

- The Aboriginal Areas Protection Authority celebrated its 25th Anniversary in 2013-14 and 35 years of sacred site protection in the Northern Territory.
- 12 sacred sites were registered in 2013-14, with 109 new sacred sites recorded and 29 requested for registration.
- In 2013-14 the Authority completed three court cases in relation to site damage occurring at Chambers Pillar Historical Reserve, Judbarra/Gregory National Park and at Bootu Creek manganese mine northwest of Tennant Creek on Banka Banka station.
- The sacred site damage at Bootu Creek was the largest such case in Australian history. OM Manganese was charged and successfully prosecuted for offences under the Sacred Sites Act including desecrating a sacred site (section 35) and contravening an Authority Certificate (section 37).
- Sacred site damage occurred at Chamber's Pillar Historical Reserve. The Authority was unsuccessful in its prosecution against the Northern Territory of Australia for alleged breaches of the Sacred Sites Act, however the case provided clarity on important legal issues in sacred site protection.
- Sacred site damage also occurred at Judbarra/Gregory National Park where the Authority successfully prosecuted the Northern Territory of Australia for breaching Section 34 (work on a sacred site) of the Sacred Sites Act.

Development Projects the Authority has issued Authority Certificates for included

- Road work corridors, including Delmore Downs road corridor in the Plenty River region, Mt Denison access road in the Yuendumu hinterland and Willowra road corridor, in the Tennant Creek hinterland.
- National Broadband Network applications covering the entire towns of Katherine, Nhulunbuy, Tennant Creek, Alice Springs and parts of Darwin.
- Mining and exploration projects at the Lorella project area in the Borroloola and Gulf region, Victoria River drilling project in the Victoria River region and exploration drilling in the Roper area.

Special Projects

- Providing specialist advice to Kakadu National Park management on sacred sites.
- Environmental monitoring program in Bynoe Harbour with Inpex and Larrakia custodians.
- Working with school students at Sanderson Middle School to promote a better understanding of sacred sites.
- Contributing staff time and resources towards facilitating a trip between Aboriginal custodians and Authority Board members with Mr Neil Balnaves, of the private philanthropic Balnaves Foundation to visit important sacred sites around the Northern Territory.

INITIATIVES AND PROJECTS IN 2013-2014

The Authority continues to work with the Northern Territory Government, industry groups and private and public organisations to protect sacred sites and raise the profile of sacred site protection in the Northern Territory. In the context of current Government priorities to develop the north and other major developments in the Territory, the Authority is uniquely placed to support these priorities through its work in protecting sacred sites while assisting in facilitating development projects across the Territory.

Over the past twelve months, the Authority has worked with proponents of major developments in the Northern Territory to achieve significant outcomes in sacred site protection.

NOTABLE AUTHORITY CERTIFICATES

Katherine to Gove Gas Pipeline

The Katherine to Gove gas pipeline Authority Certificate fieldwork and report were finalised prior to the project being cancelled in November 2013. All investigative research and consultation was completed and will inform any future projects in this region. The project was a successful coordination between the applicant Rio Tinto, the Authority and the Northern Land Council (NLC) using each organisation's information and fieldwork arrangements to facilitate an efficient outcome. Fieldwork consisted of several consultative trips between July and September 2013 and was arranged around the same time the NLC were conducting larger land use and consent meetings so that the Authority was available at the same time to discuss any sacred site issues.

Alice Springs Telegraph Station Historical Reserve Mountain Bike Tracks and Fire Trails

In February 2014 the Authority issued an Authority Certificate to the Parks and Wildlife Commission ('Parks') for mountain bike tracks and fire trails within the Alice Springs Telegraph Station Historical Reserve. This occurred after almost a year of preparation working with Parks and custodians to facilitate a detailed understanding of the works involved in the use and upgrading of existing mountain bike trails at Alice Springs Telegraph Station Historical Reserve. The Reserve contains several significant sacred sites. Following this a number of successful meetings were held with custodians including a meeting at the Telegraph Station where Parks staff were able to outline in detail the proposed bike trails to the custodians. The custodians were generally enthusiastic about the proposed project. Parks was issued a certificate which accommodated all of the proposed mountain bike trails, with minor adjustments to avoid sensitive sacred sites. This was a successful outcome for the project and for custodians in the ongoing protection of sacred sites.

Alice Springs Town Council, Power and Water Corporation and Tree Trimming

The Authority receives a number of applications annually from the Alice Springs Town Council and from Power and Water Corporation for tree trimming in power line or road corridors, mostly focusing on individual trees or a single street in Alice Springs. This prompted the development of a set of tree trimming guidelines for working on sacred site trees that could stand for the entire town. The tree trimming guidelines have been developed in close consultation with Aboriginal custodians. They ensure that the health and integrity of any tree is not damaged in the context of essential tree trimming such as dead wood removal and eliminates the need for repeated consultations.

Authority Certificates for tree trimming in the context of routine and emergency works were issued to the Alice Springs Town Council and Power Water Corporation in June 2014 with a number of conditions to ensure that custodian's instructions are observed. Communication protocols have been established in conjunction with the Authority Certificate so the Alice Springs Town Council and Power and Water Corporation are not required to apply for a new Authority Certificate annually. The Council or Power and Water Corporation simply need to notify the Authority of the specific location of proposed works in advance in a particular year so that this information can be conveyed to the custodians who can then be assured when they see tree trimming works underway that these works are conducted in accordance with the specific Authority Certificate conditions.

Issuing such a broad certificate for works over an area as large as Alice Springs has been made possible by ongoing liaison to build trust between the custodians, Alice Springs Town Council and the Power and Water Corporation. As a result the Authority has reduced the need for these clients to request multiple certificates and saved these agencies time and money.

National Broadband Network (NBN)

Over the course of 2013-14, the Authority issued several Authority Certificates for the NBN Project over the townships of Katherine, Tennant Creek, Nhulunbuy and parts of Darwin. The town of Alice Springs was split into multiple different applications according to suburb localities. The majority of these Certificates have been issued, with some still outstanding for north of Alice Springs. As a result of the volume of work involved in these applications the Authority has engaged regularly with NBNSCo to understand the full scope of works involved and to develop shared definitions for work activities and utilise a common language in the Authority Certificates delivered.

Over the year Authority staff met regularly with NBNSCo to provide general sacred site advice and discuss in detail Certificate conditions to ensure that all parties involved are aligned in their understanding and interpretation of Certificates. This has resulted in a successful working collaboration between the Authority and NBNSCo. Discussions continue into the 2014-15 financial year in regard to future NBN work programs.

Environmental Monitoring in Bynoe Harbour – Inpex

During 2013-14, a series of Authority Certificates were issued to Inpex in relation to environmental monitoring activities in Bynoe Harbour, west of Darwin harbour. Numerous meetings were held with Larrakia custodians (in Darwin and at Belyuen) and Inpex representatives in an effort to resolve complicated site protection measures across both Darwin and Bynoe harbours. Further fieldwork is anticipated in 2014-15 to work through these issues and protect both marine and terrestrial sacred sites.

WORKING RELATIONSHIPS

Parks and Wildlife Commission of the Northern Territory

During the first six months of 2014 the Authority has worked with Parks to make provision for the copying of digital data associated with all Authority Certificates issued to Parks for use within their own Geodatabase. Parks staff now have the ability to use their own Geographic Information System (GIS) to appraise what certificates they hold over Northern Territory parks and nature reserves and may contact the Authority if they require a certificate for new and future works.

The provision of this data has encouraged Parks to centralise their dealings with the Authority. The Authority and Parks continue to build on their relationship to reach a common understanding on how to best engage with each other.



Environmental Monitoring Program in Bynoe Harbour - working with Inpex.

Department of Infrastructure (DoI)

The Authority continues to build upon its successful working relationship with DoI. Over the past year extensive discussions have taken place between the Authority and DoI in working towards a common approach in the issuing of their Authority Certificates, particularly road works applications. In the past 12 months the Authority has received significant numbers of Authority Certificate applications covering large parts of the Northern Territory for road upgrade and maintenance works, gravel pits and associated roads infrastructure. New guidelines specifically for road work certificates have been created. These guidelines have been implemented resulting in a more efficient and timely Authority Certificate process.

Like Parks, the Authority has worked with DoI to make digital data associated with Authority Certificates issued to DoI available for use within their Geodatabase. They are able to use their own system to appraise what certificates they hold over the Northern Territory and may contact the Authority if they require a certificate for new and future works. Joint staff workshops and field trips were organised during the year to ensure that a thorough working knowledge of road works was obtained by Authority field staff and management. DoI have also seconded an officer to the Authority to assist in progressing priority applications.

The Authority has as a result of these large projects, developed new ways for communicating key definitions as a part of the Authority Certificate. Where necessary, the Authority is providing digital data to aid these agencies in the transfer of Authority Certificate data to their own work programs.

In addition, regular meetings between senior management of these agencies have enabled the Authority to respond to high priority work areas and deliver Authority Certificates for these areas in a timely manner.

Regular Custodian Meetings held at Alice Springs Offices

Since late 2013 the Authority has hosted large custodian meetings regularly in the Alice Springs office. These meetings bring together custodians to discuss current Authority Certificate applications for the Alice Springs Town Area. The details of the proposed works in the applications are discussed and knowledgeable custodians are given the opportunity to raise any sacred site concerns.

These meetings provide a forum for the Authority to share with the wider *Mparntwe* community the work applications for Alice Springs and allow for communication across family groups about these important matters and the protection of sacred sites. For the applicants of concurrent applications the time and costs associated with consultation are reduced for each applicant through this process. At these meetings the Authority typically consults over five to ten Authority Certificate applications at one time.



Meeting at Alice Springs office with custodians to discuss Authority Certificate applications, January 2014.

SPECIAL PROJECTS

Information Technology and Database Review

In the mid 1990's the Authority developed and implemented as one of the first Northern Territory Government agencies a state-of-the-art Oracle database to manage its ever growing records of sacred sites information. Over the years this database has served the Authority well. It has continuously evolved and responded to new demands such as spatial mapping, changed workflows to create greater efficiencies in the processing of Authority Certificate applications and automating various functions.

In recent years the software used for the interface has ceased to be supported by its developer and no new upgrades have been released while the Oracle database has continued to be upgraded at regular intervals. This is a risk for the Authority as it is possible that in the future the database and interface will no longer be able to communicate rendering this critical business system inoperable.

A review process of the Authority's database and future needs was launched in August 2010 and in 2013-14 the Authority commenced the planning phase for the re-development of its data management system. The new system will be implemented in 2014-15 and will enable applicants for Authority Certificates to lodge and track their applications online. Another exciting feature of the new system will enable proponents to lodge and view requests for information online.

The new database will positively impact timeframes and foster better engagement in the processes of the Sacred Sites Act by stakeholders.

Website

During the reporting period, the Authority commenced work on developing a new public website. After an initial survey of staff and other users of the current website, the Authority redesigned the website to make its interface more user-friendly. The website will also act as the new portal for proponents to quickly lodge and view applications online, including requests for information and Authority Certificates. The new website will provide information about sacred sites, Aboriginal custodians and the work of the Authority. Importantly it will raise and promote awareness of sacred sites, why they need to be protected and why they are such an important part of Australia's heritage.

Sanderson Middle School

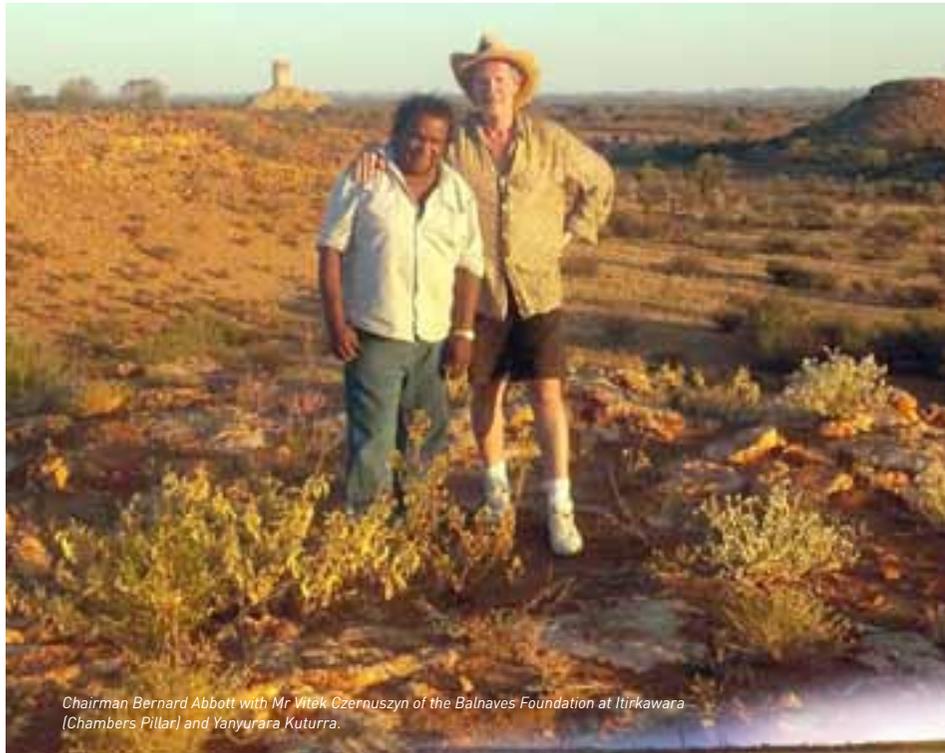
Authority staff were invited to the Sanderson Middle School Indigenous Expo in November 2013. Peak Indigenous organisations from across the Northern Territory were encouraged to set up information stalls and to participate with school students. The theme of 'reconciliation' was investigated throughout the Expo.

Authority staff mentored four delegated students and facilitated understanding about the organisation, providing guidance about the roles of the Authority, the *Sacred Sites Act* and associated responsibilities.

These four students then made representation to the rest of the school including school staff, explaining the role of the Authority, sacred sites, the roles of custodians, mapping and the relationship with developers and applicants of Authority Certificates. The students were appreciative of their new found understandings about sacred sites in the Northern Territory.

Balnaves Foundation

In September 2013 Mr Neil Balnaves, patron of the Balnaves Foundation travelled across the Northern Territory meeting with senior Aboriginal custodians, Authority board members and visiting important sacred sites. Mr Balnaves was interested in expanding his knowledge and understanding of Aboriginal culture with a view to promote culturally beneficial projects within his Foundation. The Authority contributed staff resources to this trip both in the planning, logistics and execution of the trip and by facilitating meetings with custodians and visits to a range of sacred sites. The Authority will continue to build on its relationship with the Foundation into the future and hopes to be able to assist in identifying suitable projects for the Foundation to support.



Chairman Bernard Abbott with Mr Wittek Czernuszyn of the Balnaves Foundation at Itirkawara (Chambers Pillar) and Yanyurara Kuturra.



Custodians Jeff Lee and Johnny Reid at Yamtij Gorran near Jim Jim Falls, Kakadu National Park.

Kakadu National Park

The Authority was approached by Kakadu National Park in 2012-2013 to provide specialist advice on sacred sites that would contribute to the Park's development of a Jim Jim/Twin Falls Precinct Plan. The Authority undertook research and fieldwork on behalf of Kakadu National Park and Kakadu Aboriginal custodians during 2013-14. This is part of an ongoing and growing cooperative relationship between the agencies where Kakadu management is seeking advice and information on sacred sites in relation to a range of management issues including district planning and bushwalking. The Authority is also meeting requests from Aboriginal custodians of the region to register sacred sites and to investigate complaints under the Sacred Sites Act.

In June 2014 further fieldwork was conducted in the Deaf Adder Gorge area (*Balawurru*), Jim Jim – Twin Falls areas, as well as the eastern areas of Gimbat. The process of recording and registering sacred sites in these areas is ongoing and will inform and enhance Park management as well as contribute to the maintenance and intergenerational transfer of cultural knowledge in the region.



Ryan Barowei near Mount Evelyn (Karadbaluk).

PERFORMANCE REPORT 2013-14

The role of the Authority is to protect sacred sites through the administration of the Sacred Sites Act. The Act provides for the protection of sacred sites through the provision of sacred sites information and responding to requests from stakeholders and the registration of sites. Importantly, in consultations with custodians, the Authority develops sacred site protection procedures through Authority Certificates, relating to the use and development of land in the Northern Territory.

Overall performance in a financial year is quantified by the requests for information (registers and other archives) and the number of Authority Certificate applications completed.

Timeliness is assessed as the average/mean number of days between acceptance of Authority Certificate applications and completion of Authority Certificates and the average/mean response time to requests for information from the Register and archives of the Authority.

Quality is reflected in the number of statutory appeals on Authority decisions under Part III Division 3 of the Sacred Sites Act or Section 9 of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth).

OUTPUT GROUP: Protection of Sacred Sites.

OUTCOME: Enhance relations between Indigenous custodians and the wider Territory community by increasing the level of certainty when identifying the constraints, if any, on land use proposals arising from the existence of sacred sites.

The Authority reports against agreed performance measures as part of its output performance. These performance measures provide an indication of the current workload and performance of the Authority.

Performance measures		Actual 2012-13	Target 2013-14	Actual 2013-14
Quantity	Authority Certificates issued	280	250	208
	Requests for information completed	584	500	555
Timeliness	Average time between receiving Authority Certificate applications and completing service	148 days	125 days	138 days
	Average time between receiving request for information and completing service	4 days	8 days	3.9 days
Quality	Statutory appeals	<1%	<1%	<1%

For administrative purposes the Authority divides the Territory into 21 regions.

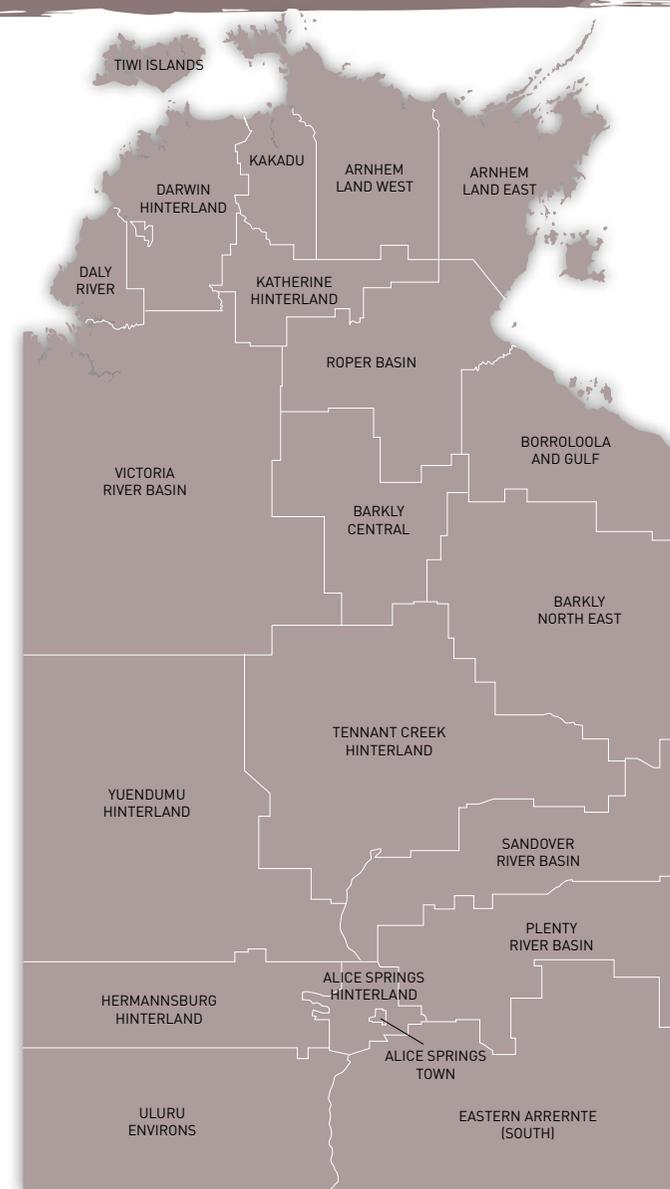


Figure 1: Map of the Authority's Regions.

AUTHORITY CERTIFICATES

Quantity

In 2013-14, the Authority issued 208 Authority Certificates, which is a decrease on the previous year's number of 280 Certificates. This reflects the current state of development in the Northern Territory. During 2013-14 the Authority received 272 requests for Authority Certificates, with 49 applications withdrawn. All completed applications had successfully negotiated outcomes and no Authority Certificates were refused.

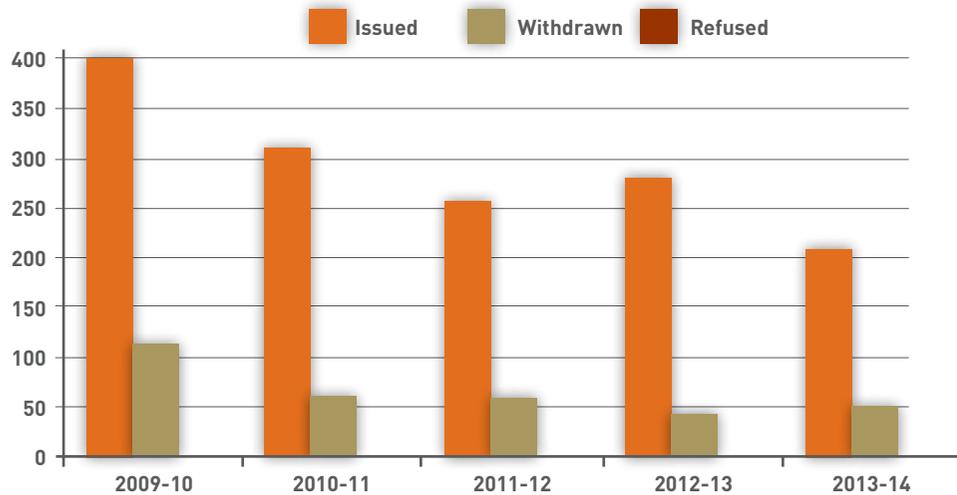


Figure 2: Authority Certificates issued, withdrawn or refused between 1 July 2009 and 30 June 14

The 272 requests received for Authority Certificates in 2013-14 is greater than the 240 requests received in 2012-13. The prevailing pattern over time since 2006-2007, shows that the Authority generally receives more requests during the financial year for Certificates than those issued, even after taking into account the number of requests withdrawn. The last reporting period 2012-13 was an exception to this. The 2013-14 year marks a return to the usual pattern of requested Certificates outweighing the number issued and can be observed in the graph at Figure 3.

For the first time in four years there has been an increase in the number of requests received within a single financial year. This recent increase can be attributed in large part to the current Northern Territory Government's focus on increasing business development and opportunities in the Northern Territory. The previous increases that occurred around 2008-09 and 2009-10 can be directly attributed to the then Federal Government's Indigenous policies which created a need for large scale site clearance surveys across Aboriginal communities throughout the Northern Territory.

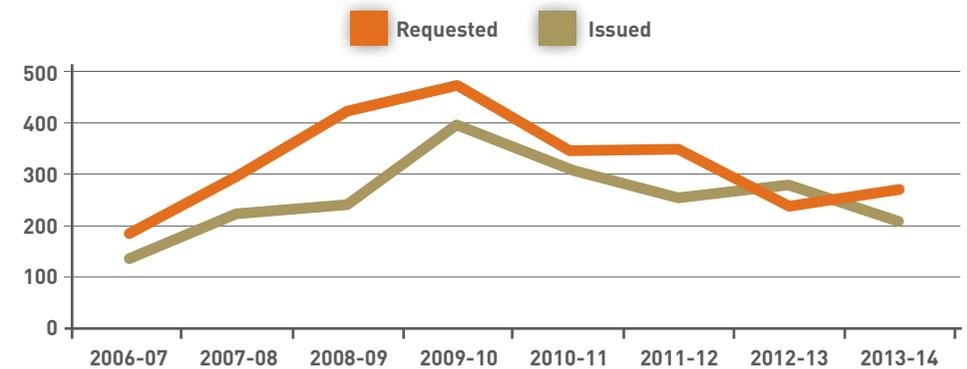


Figure 3: Authority Certificates requested and issued between 1 July 2006 and 30 June 2014.



Travelling through a cutting of the Old Ghan Railway during fieldwork, May 2014.

Regional Picture

There continues to be high levels of demand for Authority Certificates in the major population centres of Darwin Hinterland (including Darwin itself) and Alice Springs. From the previous reporting period, there has also been a marked increase in the number of Authority Certificates requested for the regions around Borroloola, Plenty River and Yuendumu. In the region of Borroloola this is due to a number of applications from exploration companies, in the Plenty River region a number of road work applications and in Yuendumu a number of Northern Territory Government initiatives, including housing, infrastructure, power, water and sewerage for Aboriginal communities, as well as road works. Figure 4 provides a breakdown of issued and requested Authority Certificates by region.

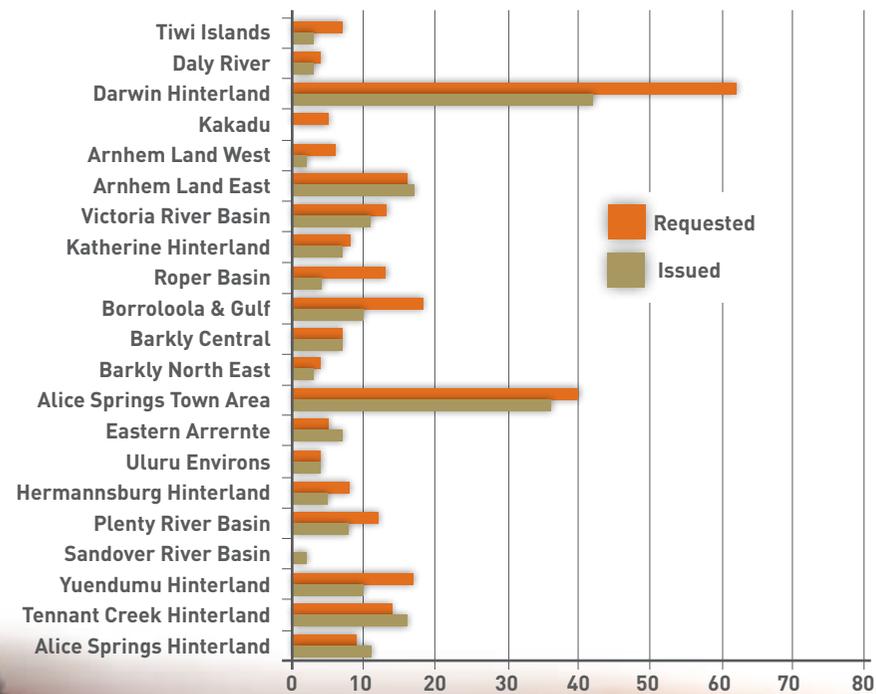


Figure 4: Authority Certificates requested and issued by region in 2013-14.

Service Users and Project Types

Territory, Commonwealth and Local Government form the largest group of Authority Certificate users, with the construction and maintenance of public infrastructure representing the largest categories of projects. Typically such projects include road works, housing, power, water and sewerage works.

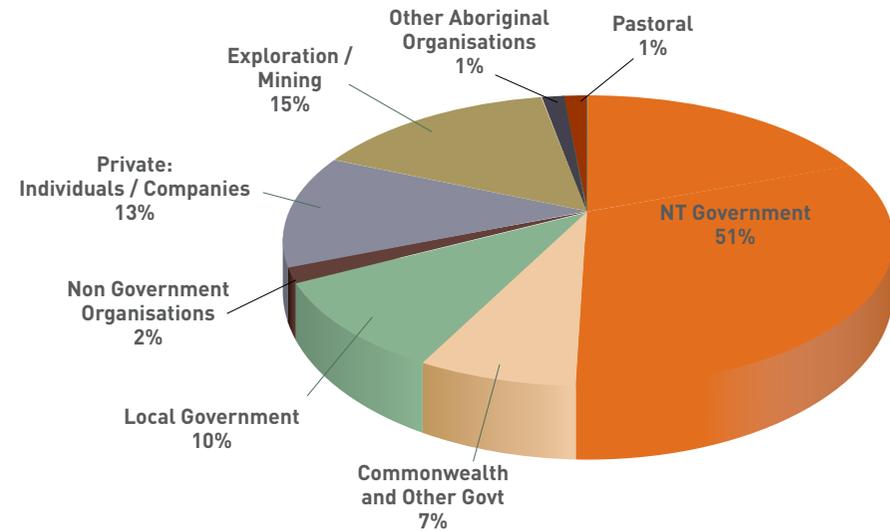


Figure 5: Users of Authority Certificates in 2013-14.

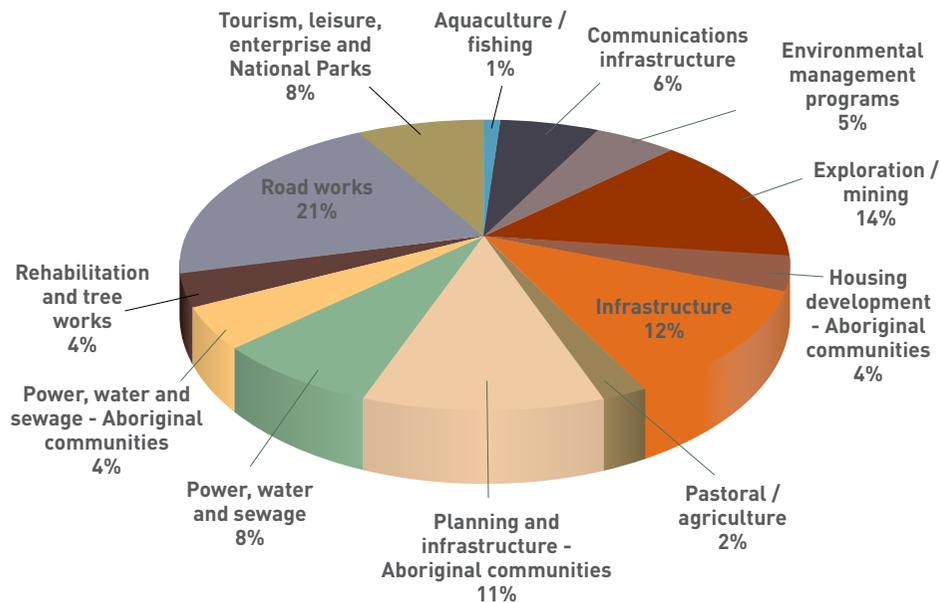


Figure 6: Types of projects for which Authority Certificates have been issued in 2013-14

The exploration and mining sector is the second largest client for the Authority in terms of processing Authority Certificates. The level of demand for Authority Certificates for this sector has remained relatively stable over the 2012-13 and 2013-14 reporting periods, as indicated in Figure 7. The significant decrease in the number of Authority Certificates issued to the Northern Territory and Commonwealth Governments reflects a decrease in demand carried over from the previous reporting period.

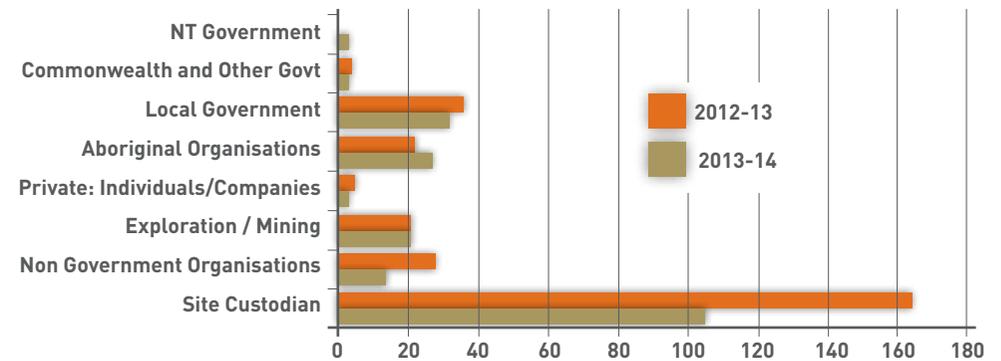


Figure 7: User groups of Authority Certificates in 2012-13 and 2013-14.

Timeliness

Timeliness remains an important performance measure for the Authority. Timeframes for the issuing of Authority Certificates are largely affected by staff resources and completing consultations with Aboriginal custodians. This continues to be impacted by factors such as:

- The increased complexity of project proposals;
- Changes to traditional land tenure due to cultural transitions that result from custodian generational change;
- The increased mobility of Indigenous custodians; and
- The remoteness of application areas and the associated access due to the weather.

The Authority has been proactively engaging with large user groups of Authority Certificates such as the Department of Infrastructure and the Parks and Wildlife Commission of the Northern Territory. This has resulted in productive working relationships where staff of the Authority have increased their understanding of the types of works performed by these client groups, opened effective communication channels and allowed for improved translation of custodian instructions into sacred site protection measures that are easily understandable to applicants.

In 2013-14, completion of Authority Certificates took an average of 138 days, in comparison to the 2012-13 average of 148 days and 135 days in 2011-12. Long term timeframe trends for the issuing of Authority Certificates remain consistent as can be seen in Figure 8 below. It is anticipated that improved working relationships with large client groups of Authority Certificates will have a beneficial impact upon timeframes for the issuing of Authority Certificates in the future.

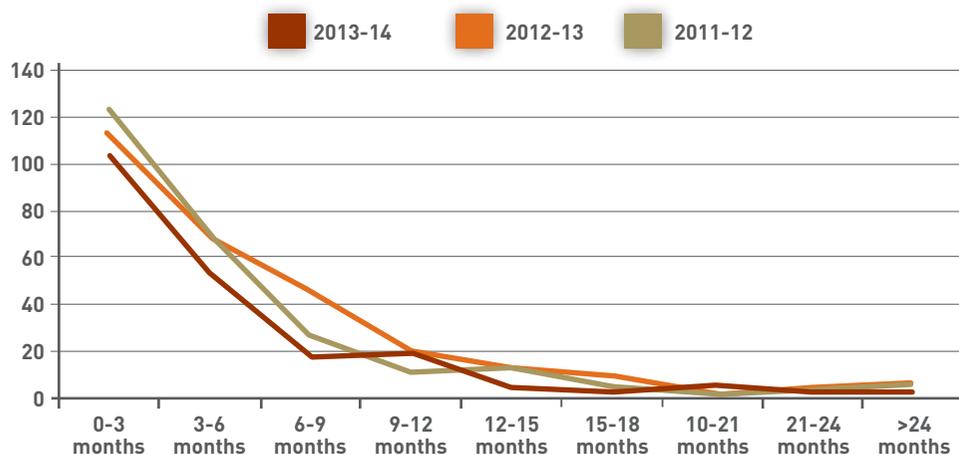


Figure 8: Authority Certificate timeframes to issue between 1 July 2011 and 30 June 2014.

53 *per cent* of Authority Certificates were issued within 100 days or less. This represents an improvement from the 2012-13 reporting period where 50 *per cent* of applications were issued within 118 days. The type of project influences the time required to issue an Authority Certificate.

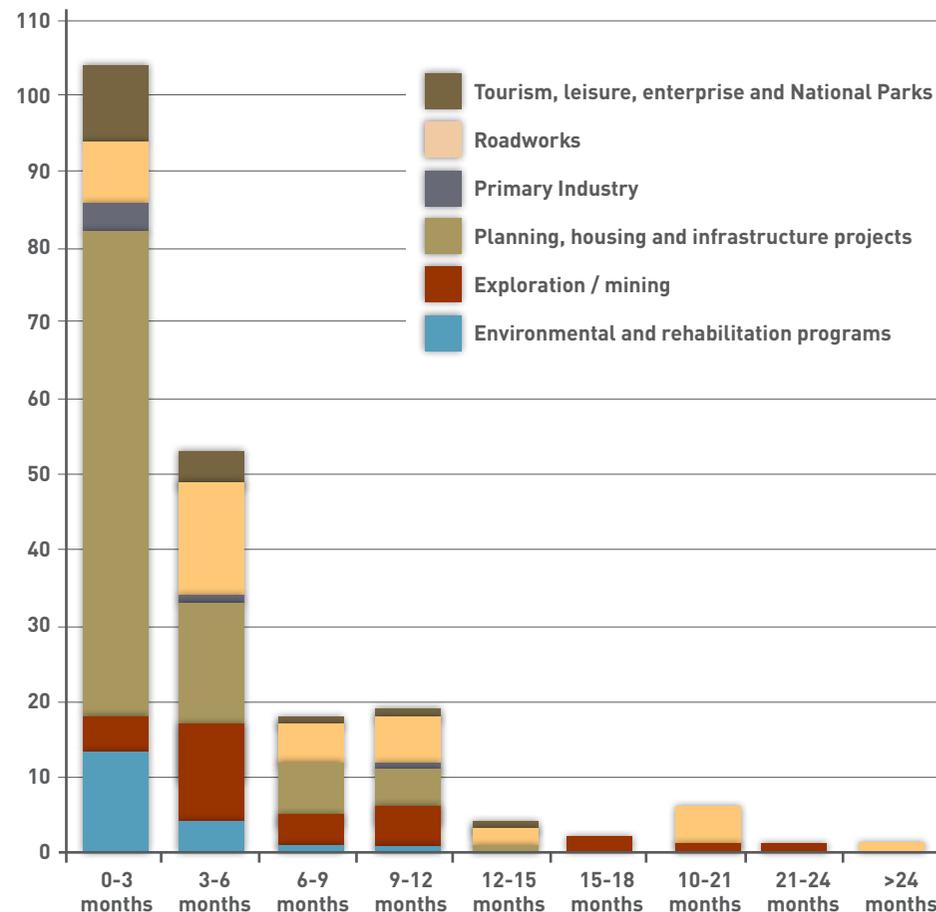


Figure 9: Timeframes to issue Authority Certificates by project type.

Typically, Authority Certificates relating to road works and exploration and mining projects take the most amount of time, due to the complexity and large areas of land involved for the proposed works. The majority of road works, mining and exploration projects are resolved within 3-6 months. 12 *per cent* of Authority Certificates for road works, construction and maintenance projects are resolved in 18-21 months and 16 *per cent* of Authority Certificates applications for exploration and mining projects are resolved within 9-12 months.

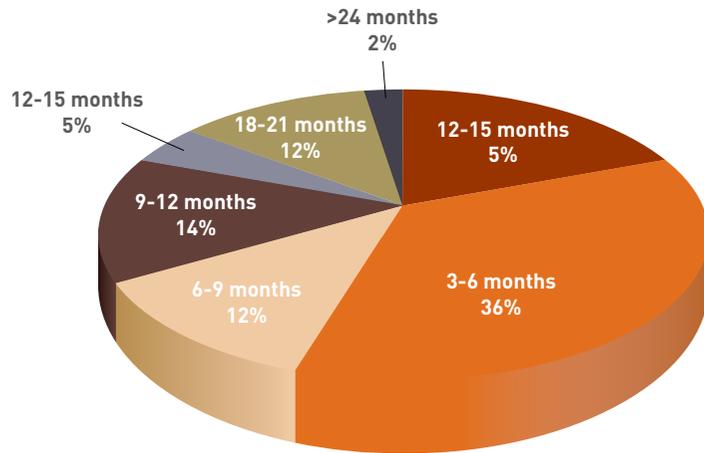


Figure 10: 2013-14 timeframes to issue Authority Certificates for road construction and maintenance projects.

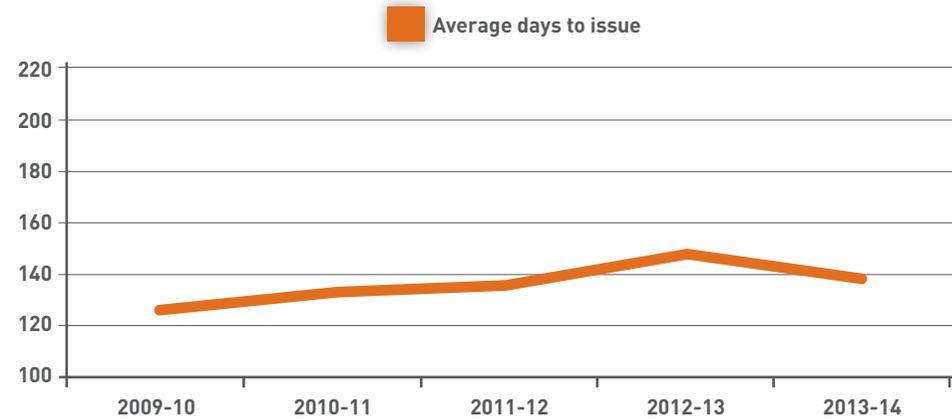


Figure 12: Average number of days to issue Authority Certificate from 2009 through to 2014.

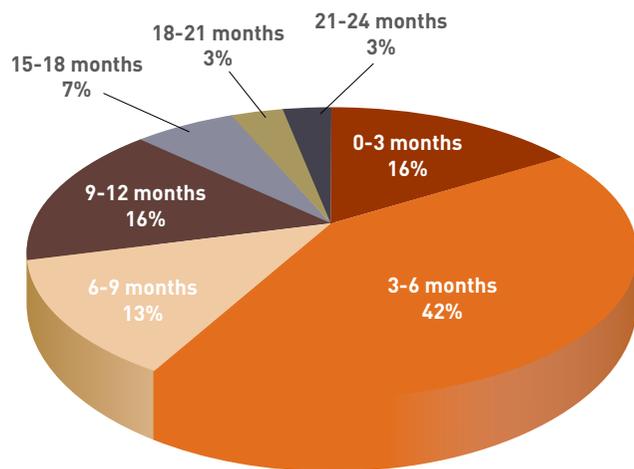


Figure 11: 2013-14 timeframes to issue Authority Certificates for exploration and mining projects.

After steady increases in the average time taken to issue Authority Certificates since 2009-2010 the average time is decreasing again. This is a result of the hard work occurring within the Authority on improving internal mechanisms to coordinate applications across the Northern Territory to reduce timeframes and the working relationships that the Authority has fostered with large client groups. The Authority has also made improvements in streamlining the processing of Authority Certificate applications in urban areas, as part of a range of red tape reduction initiatives.

REQUESTS FOR INFORMATION

Quantity

In 2013-14, the Authority received and responded to 555 formal requests for information from the Register of Sacred Sites, a decrease of 29 requests from the previous year.

The majority of requests (94 *per cent*) take the form of Abstract of Records. Other requests that the Authority receives are digital data requests, inspections of the Authority Certificate Register, inspections of Authority records and inspections of the Sacred Sites Register.

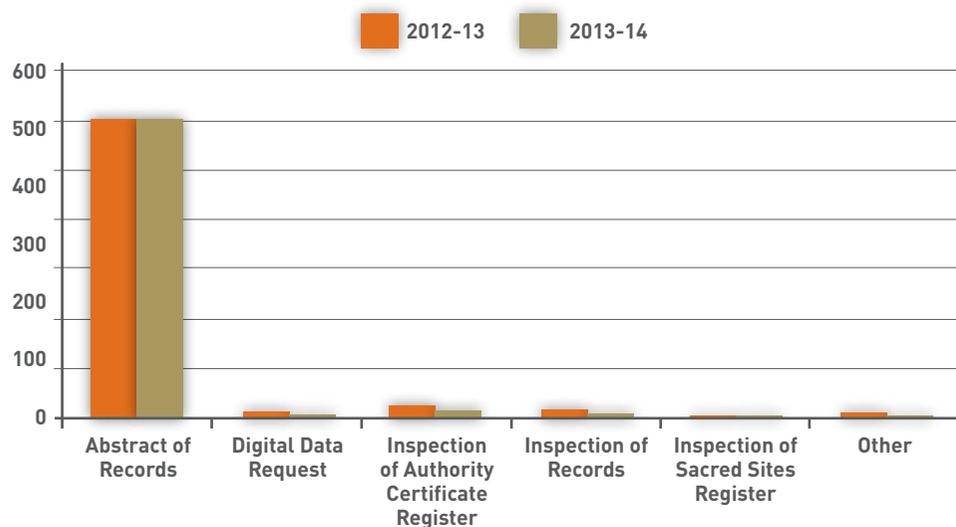


Figure 13: Quantity of requests for information by type in 2012-13 and 2013-14.

Regional Picture

Requests for information are highest in the Darwin hinterland region. Alice Springs Town Area is the next highest, followed by Victoria River Basin, then Katherine Hinterland and Tennant Creek Hinterland with equal numbers. The volume of requests for information exceeds the number of applications for Authority Certificate considerably yet the areas of interest do not mirror those of Authority Certificates.

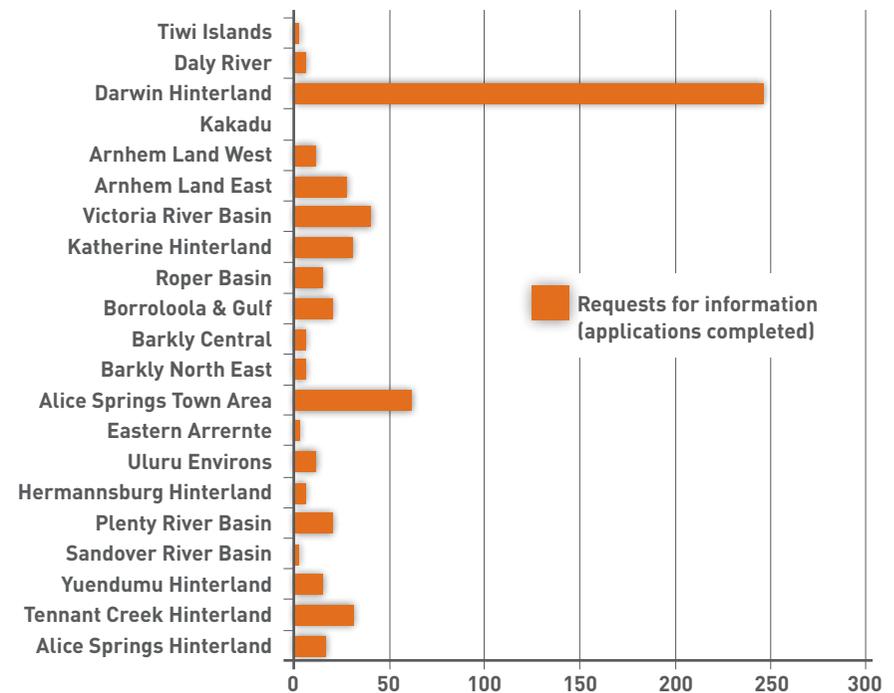


Figure 14: Regional areas and quantity of requests for information.

Service Users and Project Types

Figure 15 displays the applicant groups who request information, with the top three groups in descending order being: private individuals and companies, exploration and mining, and Aboriginal organisations (including Land Councils). In 2013-14 there was a notable increase in requests for information from private individuals and companies from the previous 2012-13 year.

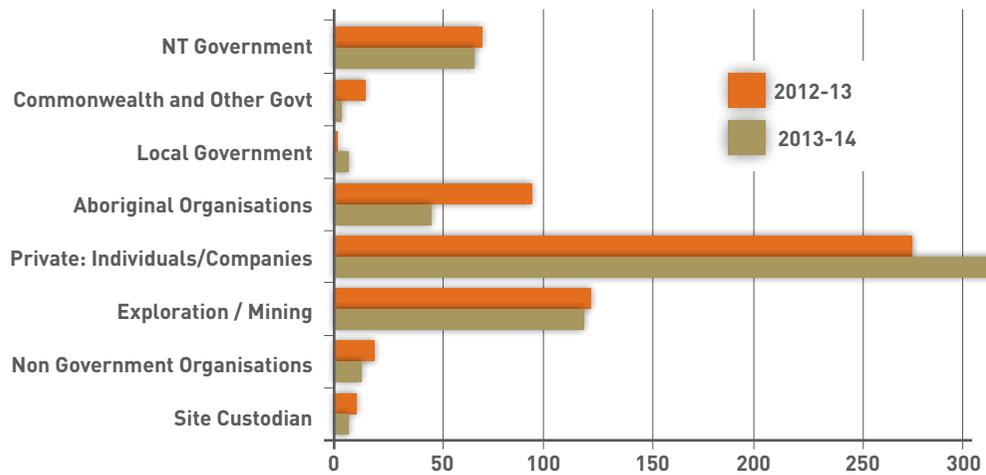


Figure 15: User groups of requests for information in 2012-13 and 2013-14.

A large proportion of requests for information come from conveyancers and relate to the process of transferring property. In 2013-14 this accounted for 202 or 36.4 *per cent* of requests. In this context, an abstract of records is valuable to the applicant as it provides property owners or potential buyers with advice on whether current records indicate that sacred sites exist on the land under consideration. A total of 18.8 *per cent* of these requests related to pastoral properties.

Mining and exploration companies continued to rely on abstracts of Authority records to assess risks associated with projects. A total of 141 or 25.4 *per cent* of requests were from the mining sector.

Timeliness

The average time in 2013-14 taken to complete requests for information was 3.9 days, a slight decrease from 4 days in 2012-13. A current project to redevelop the Authority's website and database will render the Authority's public records more readily available in an online environment and is expected to have a positive impact upon timeframes in the near future.

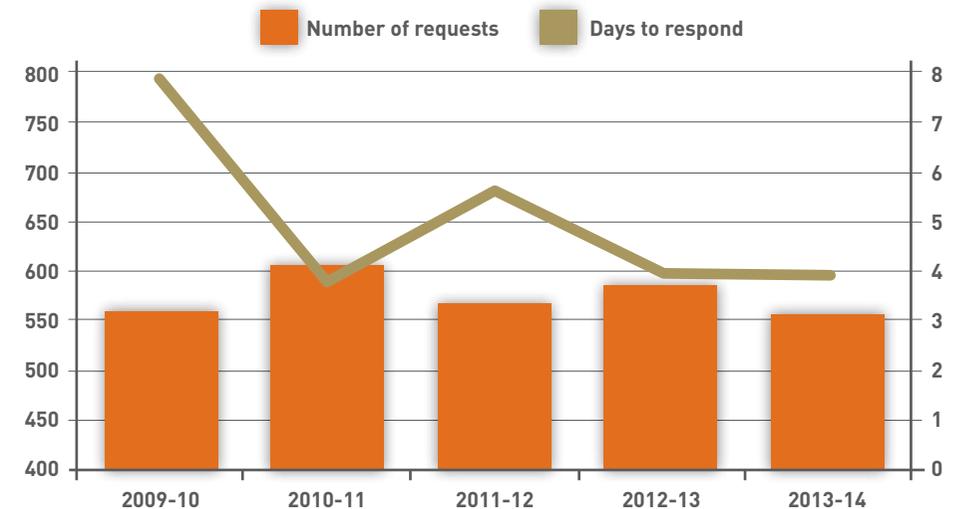


Figure 16: Quantity of requests for information and days to respond between 1 July 2009 and 30 June 2014.

SACRED SITES

Quantity

The registration of sacred sites is the highest level of protection that can be afforded to a site. Registration of a site also enables users of land to have the best possible information regarding the site's location and extent. For Aboriginal custodians, registration of a sacred site means that it will be accepted by a court as *prima facie* evidence that a place is a sacred site.

There were 12 sites registered by the Authority in 2013-14, down from 18 in 2012-13.

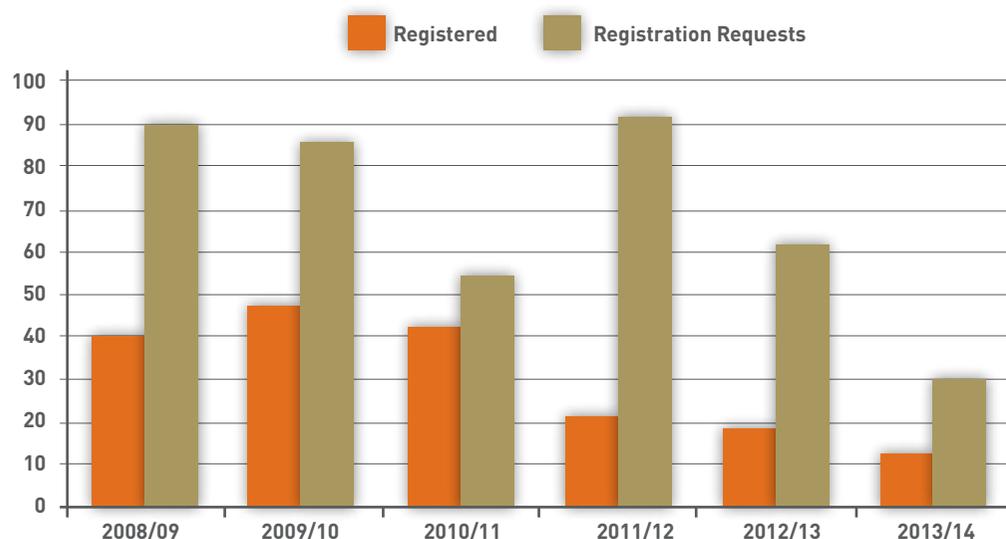


Figure 17: Quantity of sacred sites registered and requests for registration from 2008 through to 2014.

There was a significant decrease in the number of sites requested for registration, 29 for the 2013-14 reporting period compared to 62 in the 2012-13 reporting period.

A total of 109 sacred sites were recorded and identified in the course of consultations for Authority Certificates and entered into the database of the Authority during 2013-14. The Authority has 2003 registered and 10 503 recorded sacred sites in its database, bringing the total number to 12 506 sacred sites currently documented in the Northern Territory.

Timeliness

There remains a significant backlog of registration requests for sacred sites. Generally, this registration research work can only be addressed on an *ad hoc* basis when field work is being carried out near to a site requested for registration or in the conduct of work for current Authority Certificate applications. The Authority has established priorities for addressing registration requests. Urgent requests are based around threats of damage or desecration. Some prioritised requests arise from senior custodian concerns that knowledge held about a sacred site is in danger of being lost should something happen to them.

Site Damage

Under the Sacred Sites Act it is an offence to enter and remain on a sacred site or carry out work on or desecrate a sacred site. In recent years the Authority has responded to a number of potential breaches of the offence provisions of the Act and has undertaken investigations for each report.

In 2013-14 there were 18 site damage matters carried over from the previous reporting periods. During 2013-14 there were 16 new reports of alleged damage, 22 reported cases were closed during 2013-14 and 12 remained open at the end of the reporting period.

Cases of reported site damage was investigated in numerous locations but was particularly high in the Tennant Creek region and within Alice Springs town.

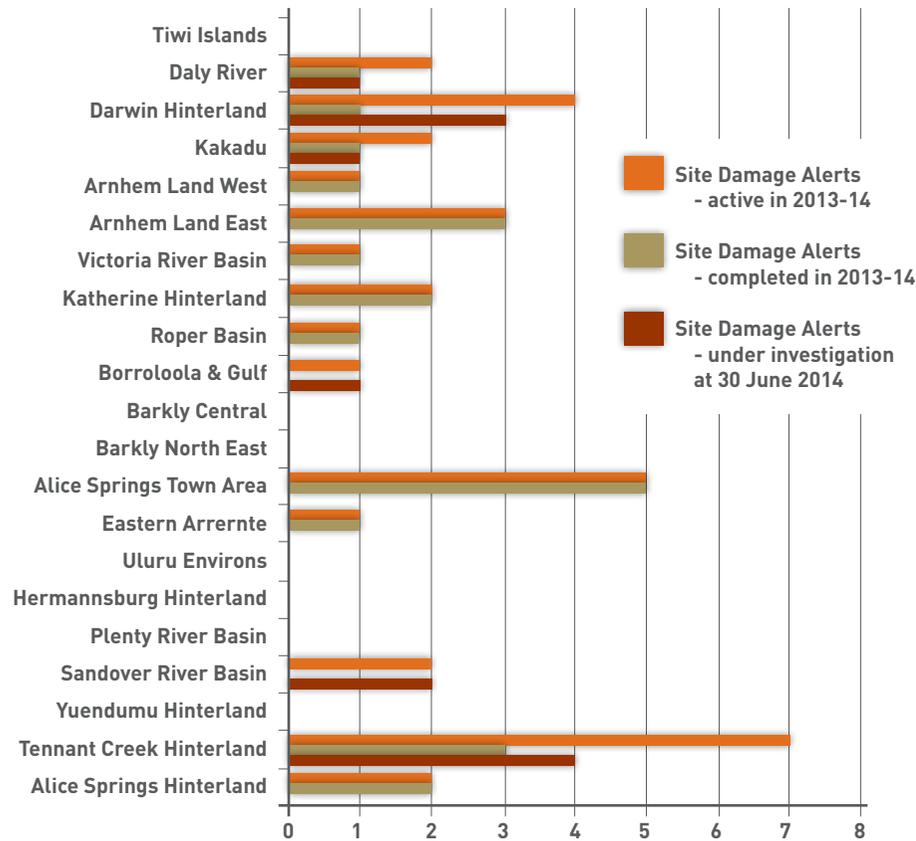
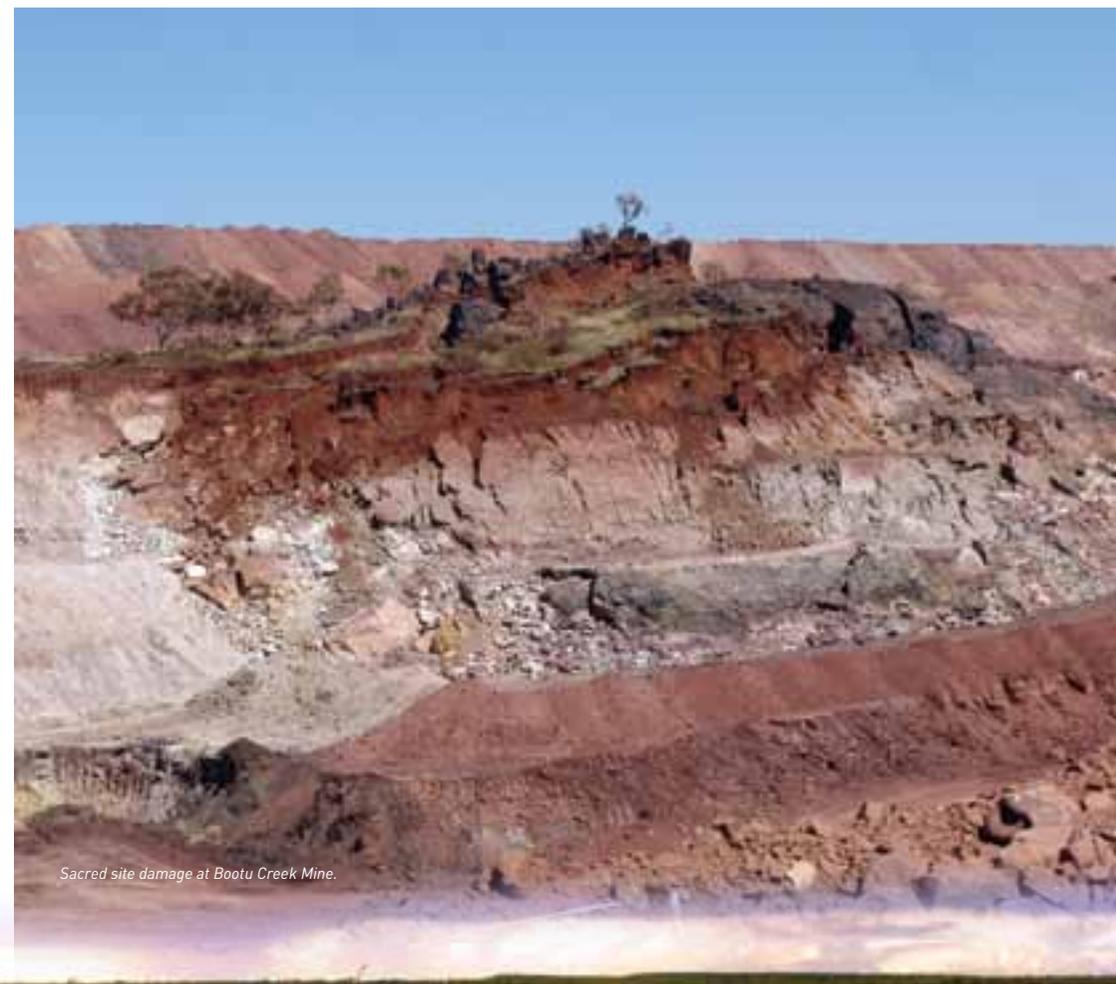


Figure 18: Quantity of sacred site damage cases active and completed in 2013-14 as well as sites still under investigation at 30 June 2014.

During 2013-14 prosecution was completed against OM Manganese Ltd for offences under the Sacred Sites Act at the company’s Bootu Creek mine located on Banka Banka Station north east of Tennant Creek. Construction of an open cut mining pit at the Bootu Creek Manganese mine resulted in substantial damage to a sacred site. In August 2013 the company was found guilty of desecrating a sacred site (section 35) and breaching the conditions of an Authority Certificate (section 37) issued to the company.

This case attracted media attention from around the world. It resulted in a historic conviction and set a precedent for future sacred site prosecutions. It was the first time a contested case of desecration was successfully prosecuted under Australian law. OM Manganese Ltd was fined \$150 000 in the Darwin Magistrates Court. The scale of this case was unusual for the Authority due to the complexity of legal issues entailed in the matter. The response from the mining and exploration sectors to the case has been positive and has led to closer collaboration between Industry and the Authority.



Sacred site damage at Bootu Creek Mine.

Reports of site damage at Chamber's Pillar Historical Reserve south of Alice Springs and Judbarra/Gregory National Park near Timber Creek were also resolved in 2013-14. Both of these cases progressed to prosecution.



Chamber's Pillar Historical Reserve.

At Chamber's Pillar Historical Reserve, the Authority charged the Northern Territory of Australia for an offence committed by the then Parks and Wildlife Services against the Sacred Sites Act under Section 37 (contravention of sites avoidance conditions). In October 2013 the Magistrate found the defendant not guilty on the agreed facts.



Two sacred trees that were damaged by fire in Judbarra/Gregory National Park.

At Judbarra/Gregory National Park the Authority again laid charges against the Northern Territory of Australia for an offence by the then Parks and Wildlife Services for breaching Section 34 (work on a sacred site) of the Sacred Sites Act. This resulted in a successful prosecution for causing damage to a registered sacred site at Bullita Homestead in Gregory National Park.

GOVERNANCE

PRINCIPLES OF GOVERNANCE

The Authority's governance framework aims to ensure that the Authority carries out its functions in an effective and efficient manner in accordance with its responsibilities under the Sacred Sites Act.

This includes:

- effective human resources management practices;
- quality control for data and outputs;
- development of risk management strategies; and
- planning and development of a strategic plan.



Authority staff members with Board member and custodian Nancy McDinny at Borroloola, March 2014.

HOW THE AUTHORITY IS GOVERNED

The primary policy and decision-making body is the Authority established under Section 5 of the Sacred Sites Act. The Authority Board comprises twelve members, ten of whom are nominated by Northern Territory Land Councils in equal numbers (five) of males and females, and two of whom are nominated by the Minister for Community Services as Government representatives. To fill vacancies for Aboriginal custodian members, the Land Councils are requested to nominate a panel of twice the number of custodians of the relevant gender. The Administrator of the Northern Territory appoints members by notice in the *Northern Territory Government Gazette*. Board members of the Authority are sacred site custodians who have been appointed from different regions of the Territory to provide a geographically representative balance for the Authority.

The Administrator also appoints Aboriginal members as the Chairman and Deputy Chairman, who must be of opposite gender, based on nominations from the Authority.

The Authority meets at least four times each calendar year, often in different parts of the Northern Territory. The Authority attempts to meet in locations outside Darwin at least once per year. In 2013-14 the Chairman called the following meetings:

98th Board Meeting	28-29 August 2013	Darwin
99th Board Meeting	27-28 November 2013	Darwin
100th Board Meeting	11-13 March 2014	Alice Springs
101st Board Meeting	21-22 May 2014	Darwin

The Board achieved its required four meetings during the 2013 calendar year.

In 2013-14 the members of the Authority were:



Mr Bernard Abbott - Chairman

Nominated by:	Central Land Council
Date appointed / re-appointed:	31 July 2012
First appointed in:	1995
Meetings attended in 2013-14:	4

Mr Abbott is an Arrernte man from Wallace Rockhole, west of Alice Springs. He is currently a member of the Central Land Council. Mr Abbott has been a member of the Aboriginal Areas Protection Authority since 1995 and has taken an active role on the Authority Board.



Ms Banduk Marika – Deputy Chairman

Nominated by:	Northern Land Council
Date appointed / re-appointed:	31 July 2012
First appointed in:	2006
Meetings attended in 2013-14:	3

Ms Marika is a Rirratjingu woman from Yirrkala. Her country is located in the Port Bradshaw area of North East Arnhem Land. Ms Marika is an accomplished artist and a senior woman in her community and a well-known advocate for land care and site protection.



Mr Captain Woditj

Nominated by:	Northern Land Council
Date appointed / re-appointed:	31 July 2012
First appointed in:	2006
Meetings attended in 2013-14:	3

Mr Woditj lives at Peppimenarti on the Daly River Land Trust, some 40km east of Wadeye. Mr Woditj is a senior custodian for lands reaching from Palumpa down to the Fitzmaurice River. He is well respected for his cultural knowledge and involvement in associated activities.



Ms Lena Pula

Nominated by:	Central Land Council
Date appointed / re-appointed:	31 July 2012
First appointed in:	1999
Meetings attended in 2013-14:	3

Ms Pula is a senior woman from Utopia northeast of Alice Springs. She is a renowned artist who took up painting in the mid-1990s and has been on a number of Government Boards. She is regarded by other female Board members as an authority on women's site issues.



Mr Robert Tipungwuti

Nominated by:	Tiwi Land Council
Date appointed / re-appointed:	31 July 2012
First appointed in:	2006
Meetings attended in 2013-14:	4

Mr Tipungwuti is a senior Tiwi man who lives at Wurankuwu on Bathurst Island. He has held many representative and political roles at a local, regional, Territory and national level over the past 30 years, including with the former Department of Aboriginal Affairs, the Aboriginal Development Corporation, as an ATSIC Commissioner, and more recently as President of the Wurankuwu Aboriginal Corporation.



Ms Lynette Granites

Nominated by:	Central Land Council
Date appointed / re-appointed:	6 February 2012
First appointed in:	2005
Meetings attended in 2013-14:	3

Ms Granites, who lives at Yuendumu, is a highly respected senior Walpiri woman, well known for her knowledge in women's law and culture. Ms Granites is also a health worker and artist in her community.



Mr Pepy Simpson

Nominated by: Central Land Council
Date appointed / re-appointed: 31 July 2012
First appointed in: 1999
Meetings attended in 2013-14: 3

Mr Simpson is a Warramungu man from Tennant Creek. He is currently a member of the Manungurra Aboriginal Corporation Board and the Anyinginyi Health Aboriginal Corporation Board. Mr Simpson has been a member of the Aboriginal Areas Protection Authority since 1999 and has taken an active role on the Authority Board.



Mr Thomas Amagula

Nominated by: Anindilyakwa Land Council
Date appointed / re-appointed: 31 July 2012
First appointed in: 2009
Meetings attended in 2013-14: 3

Mr Amagula is from Groote Eylandt. He is an advocate for the people of Groote Eylandt and is a respected member of the community. Among his many achievements, Mr Amagula has successfully negotiated the repatriation of ancestral remains from Washington and more recently from the Czech Republic. He currently works for the Dhimurru Aboriginal Corporation based in Nhulunbuy.



Ms Jenny Inmulugulu

Nominated by: Northern Land Council
Date appointed / re-appointed: 31 July 2012
First appointed in: 2006
Meetings attended in 2013-14: 4

Ms Inmulugulu is from Goulburn Island. She is a senior woman for her clan and a strong advocate for her community and actively involved in youth engagement initiatives at Goulburn Island.



Ms Nancy McDinny

Nominated by: Northern Land Council
Date appointed / re-appointed: 31 July 2012
First appointed in: 2009
Meetings attended in 2013-14: 1

Ms McDinny is a Garrwa/Yanyuwa traditional owner who now lives at Sandridge Outstation near Borroloola. She is an advocate for women's roles and issues within the Borroloola region. She plays a key role in ceremonial dance and language activity in the region, and since 2002 she has become a nationally recognized artist.



Mr John Rawnsley

Nominated by:	Government
Date appointed / re-appointed:	31 July 2012
First appointed in:	2012
Meetings attended in 2013-14:	3

Mr Rawnsley is a descendant of the Larrakia and Anmatjerre people and has lived in many Northern Territory locations. Mr Rawnsley holds a Bachelor of Laws and Bachelor of Aboriginal & Torres Strait Islander Studies and a Graduate Diploma in Legal Practice. His many achievements include serving as an alderman on the Alice Springs Town Council (2008-12) and as Deputy Mayor of Alice Springs (2009).



Ms Carol Christophersen

Nominated by:	Government
Date appointed / re-appointed:	6 February 2012
First appointed in:	2009
Meetings attended in 2013-14:	3

Ms Christophersen is a member of the Murran and Bunidj clans in Western Arnhem land and Kakadu National Park. She holds a Bachelor of Arts degree majoring in Anthropology and is currently an Anthropologist at the Northern Land Council. During 2011/12 Ms Christophersen undertook a Fellowship at the London Natural History Museum and worked on the repatriation of human remains to Australia.

HOW THE AUTHORITY IS MANAGED

Section 15 of the Act requires that 'The Administrator shall appoint a Chief Executive Officer (CEO) of the Authority who shall be charged with carrying out the decisions of the Authority'. All other staff of the Authority are employed directly by the Authority, under Section 17 of the Sacred Sites Act.

Section 19 provides for the Authority to delegate certain powers or functions. The CEO holds various such delegations and is responsible for the overall operation of the Authority. The CEO also exercises responsibilities under the *Financial Management Act* and complies with the principles of the *Public Sector Employment and Management Act*, though the Authority is not deemed an 'Agency' under this Act.

To ensure the smooth functioning of the office, the CEO chairs weekly Executive Management Group meetings with senior managers of the Authority's operational groups. Each operational group also meets regularly to ensure an effective flow of information.

The Authority's operational groups comprise: Sacred Sites Research and Information, Corporate Services and Policy and Governance.

The Authority's Internal Audit Committee functions as an advisory body to the CEO, assisting the CEO in monitoring internal control systems and advises on how such systems may be improved.



LEGISLATION AND *Policy*

ABORIGINAL SACRED SITE PROTECTION IN THE NORTHERN TERRITORY

Aboriginal sacred sites are recognised and protected as an integral part of Northern Territory and Australian cultural heritage under both the Commonwealth's *Aboriginal Land Rights (Northern Territory) Act 1976* (Land Rights Act) and the *Northern Territory Aboriginal Sacred Sites Act 1989*. Both of these Acts define a sacred site as:

'a site that is sacred to Aboriginals or is otherwise of significance according to Aboriginal tradition'



Custodian Eric Fejo on Larrakia country.

COMMONWEALTH AND NORTHERN TERRITORY LAWS

The establishment of the Sacred Sites Act by the Northern Territory Government was enabled by Section 73 of the Land Rights Act which gives the Northern Territory Legislative Assembly power to enact laws for:

‘the protection of, and the prevention of the desecration of, sacred sites in the Northern Territory’.

The Sacred Sites Act was passed under this power to establish procedures for the protection and registration of sacred sites and the avoidance of sacred sites in the development and use of land.

The protection of sacred sites in the Territory is furthermore aided by Section 69 of the Land Rights Act which broadly prohibits entry and remaining on any land in the Northern Territory that is a sacred site, unless a law of the Northern Territory specifies otherwise.

Landowners and Developers

The Authority strives to achieve practical outcomes in its operations by balancing the interests of site custodians, landowners and developers. Often custodians, landowners and developers have divergent interests in land. There is usually substantial overlap between these interests. In most cases, the Authority’s challenge is to accommodate new uses and development of land with the need to protect sacred sites, thus preserving and enhancing Aboriginal tradition in a changing social, economic and cultural environment.

Landowners and developers are afforded certain rights under the Sacred Sites Act.

- Section 28 provides the opportunity for landowners to make representations on the prospective registration of a sacred site.
- Section 44 of the Sacred Sites Act explicitly deals with landowners’ rights to use land comprised in a sacred site consistent with the protection of sacred sites. Authority Certificates provide a legal instrument to accommodate such land-use.
- Under Section 48A, if the application of the Sacred Sites Act in a particular case would result in an acquisition of property other than on just terms, then the person affected is entitled to such compensation as a court may decide.

As well as protecting the fabric of sacred sites in the context of land ownership and development, the Sacred Sites Act provides for Aboriginal people to have access to sacred sites ‘in accordance with Aboriginal tradition.’

In accordance with the Sacred Sites Act all sacred sites are protected regardless of underlying land title, registration status or whether or not they are known to the Authority. The specific sections of the Sacred Sites Act relevant to the protection of sacred sites are Sections 33 (unauthorised entry), 34 (unauthorised works or uses) and 35 (desecration), which set out the various offences in relation to sacred sites.

Responsibilities under Northern Territory Heritage Legislation

Section 128 (2)(b) of the *Heritage Act* states that the Authority must have a representative on the Heritage Advisory Council.

HUMAN RESOURCES – *Managing Our People*

The principles of human resource management contained in the *Public Sector Employment and Management Act* inform the human resource management policy and procedures of the Authority although the Authority is not an 'agency' under the Act. The Authority complies with provisions of anti-discrimination legislation, in particular, the Northern Territory's *Anti-Discrimination Act*. The Authority provides a safe and healthy working environment and safe plant and equipment by maintaining a work, health and safety program. All employees are actively encouraged to participate in this program to ensure compliance with the Northern Territory's *Work Health and Safety (National Uniform Legislation) Act*.



Looking after country in the Douglas-Daly region, July 2013.



Devil's Pebbles north of Tennant Creek.

The Staff of the Authority

The Authority employs staff under the relevant provisions of the Sacred Sites Act. As a consequence, the Authority is not a prescribed agency within the meaning of *the Public Sector Employment and Management Act*. The Commissioner for Public Employment approved terms and conditions for staff employed by the Authority in line with the provisions of the Sacred Sites Act on 5 May 2004.

As at 30 June 2014 there were 26.7 full time equivalent employees (FTE) within the Authority. This marked a decrease from the same time the year before where the Authority had 30.98 FTE. While there has been some internal restructuring within the Authority during 2013-14 to meet changing demands the overall number of staff has not changed significantly. The change in FTE is due to an increased number of staff electing to work part-time.

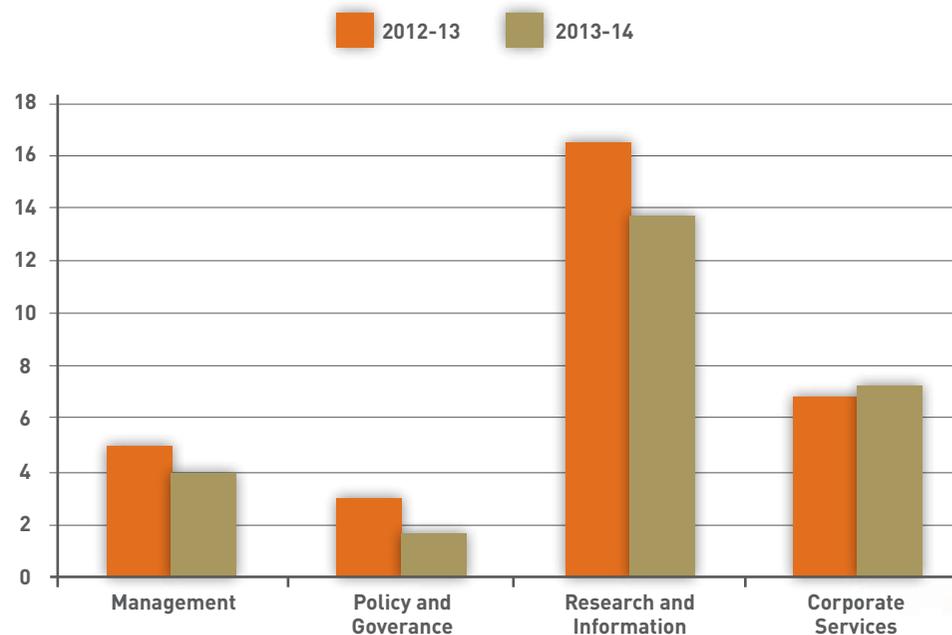


Figure 19: Full time employees by work area in 2012-13 and 2013-14.

Equal Employment Opportunity

The Authority aims to ensure that all staff regardless of gender, race, disability, religion, political belief or marital status are able to fully and equally:

- Develop their abilities and potential;
- Contribute to the success of the Authority’s objectives; and
- Share in the benefits of employment according to their contribution.

The role of the Authority is to protect Aboriginal sacred sites and, as such, the Authority is conscious of ensuring that its work is carried out with a high degree of input from Aboriginal people. Some of this comes from the consultations the Authority undertakes with custodians of sacred sites as part of its services. An equally important source of this input comes from the high level cultural expertise provided by its Board as well as the operational expertise of its Indigenous employees. In 2013-14 a total of 36 *per cent* of employees (including Board members) within the Authority identified themselves as Indigenous. In terms of FTE this translated to 15 *per cent* of employees identifying as Indigenous and 85 *per cent* as non-Indigenous. Board members are not counted in the FTE category.

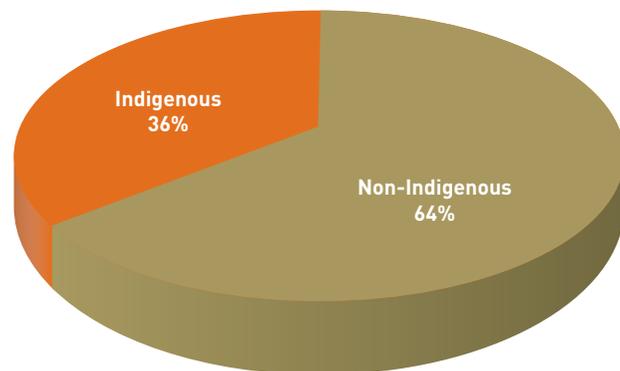


Figure 20: Indigenous and non-Indigenous employees.

The gender distribution of the staff of the Authority at 30 June 2014 was 63 *per cent* female and 37 *per cent* male. Just over a quarter of staff fell into the age group of 31-40 year-olds with 20 *per cent* of staff in the 41-50 year-old group and another 20 *per cent* in the 51-60 year-old group.

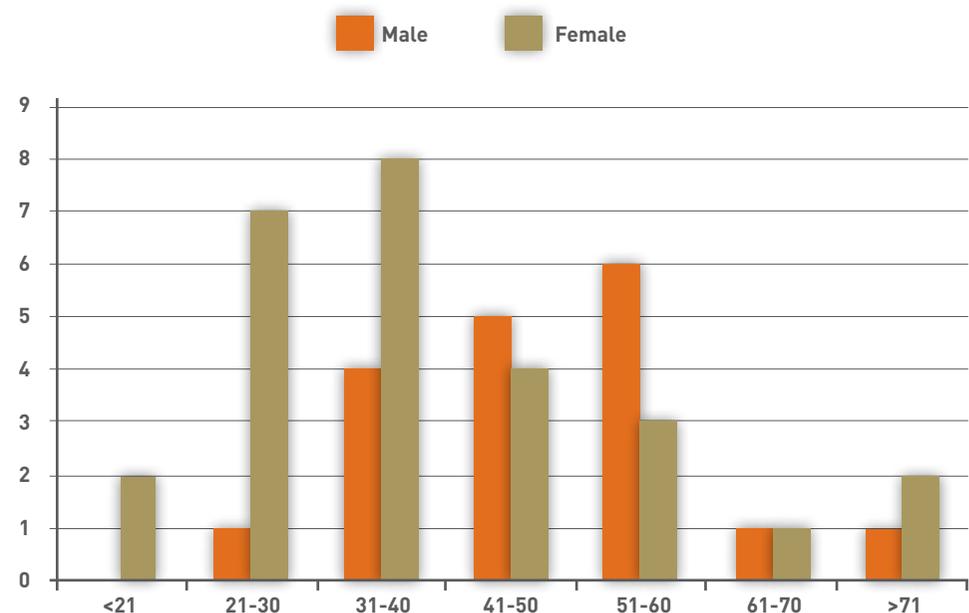


Figure 21: Authority staff (including Board members), gender and age groups.

Workplace Policies

In ensuring that the Authority remains a healthy work place for its staff the Authority provides a process for resolving any staff grievances as well as specific mechanisms for dealing with incidents of workplace harassment.

The Authority's resolution procedures for internal grievances emphasise conciliation. The procedures were adopted after extensive consultation with stakeholders including staff, Unions, Commissioner for Public Employment and the Office of Anti-Discrimination.

There were no grievances arising from Authority staff within the period under report.

The Authority also has a policy to provide guidance for employees on the prevention and elimination of any form of harassment of employees within the Authority. It includes procedures for the resolution of both formal and informal complaints. Staff members with managerial responsibilities are made aware of the Authority's obligations under the *Anti-Discrimination Act* and the principles of equity and merit that underpin the Authority's Equal Employment Opportunity objectives.

There were no allegations of workplace harassment made within the period of the report.

The Authority continues to be committed to providing a safe workplace for all its employees and consultants. The Authority encourages the participation of every staff member in achieving a healthy and safe working environment.

This commitment is demonstrated by its high emphasis on fieldwork safety and training at both the Darwin and Alice Springs offices. Members of staff are encouraged to raise any issues with the nominated Work Health and Safety Officer and are assured of a prompt response.

There were no workers compensation claims made within the period of the report.

The Authority strives to create a harmonious working environment and in 2013-14 this was encouraged through a number of initiatives including supporting the establishment of a staff social club and an all staff workshop to build greater collaboration and appreciation across work units.

Employee Assistance Program

The Authority's Employee Assistance Program is an external program providing professional and confidential counselling for all employees and their immediate family members.

Throughout 2013-14 the Authority continued to support and value its staff by:

- Continuing the support of staff and their families who wished to access the Employee Assistance Program through two local service providers; and
- Accommodating those staff who wished to access the "Flexible working arrangements" whilst considering the operational requirements of the Authority.

Staff Training and Development

Training and development focuses on providing the skills and competencies necessary for staff to perform the tasks involved in achieving the desired outcomes of the Authority. The Authority recognises that training is a continuous process integrated with and running parallel to work.

The Authority values its staff as its greatest resource and is committed to providing support for formal education as a learning opportunity enabling staff to progress in their careers and increase the Authority's overall skill base.

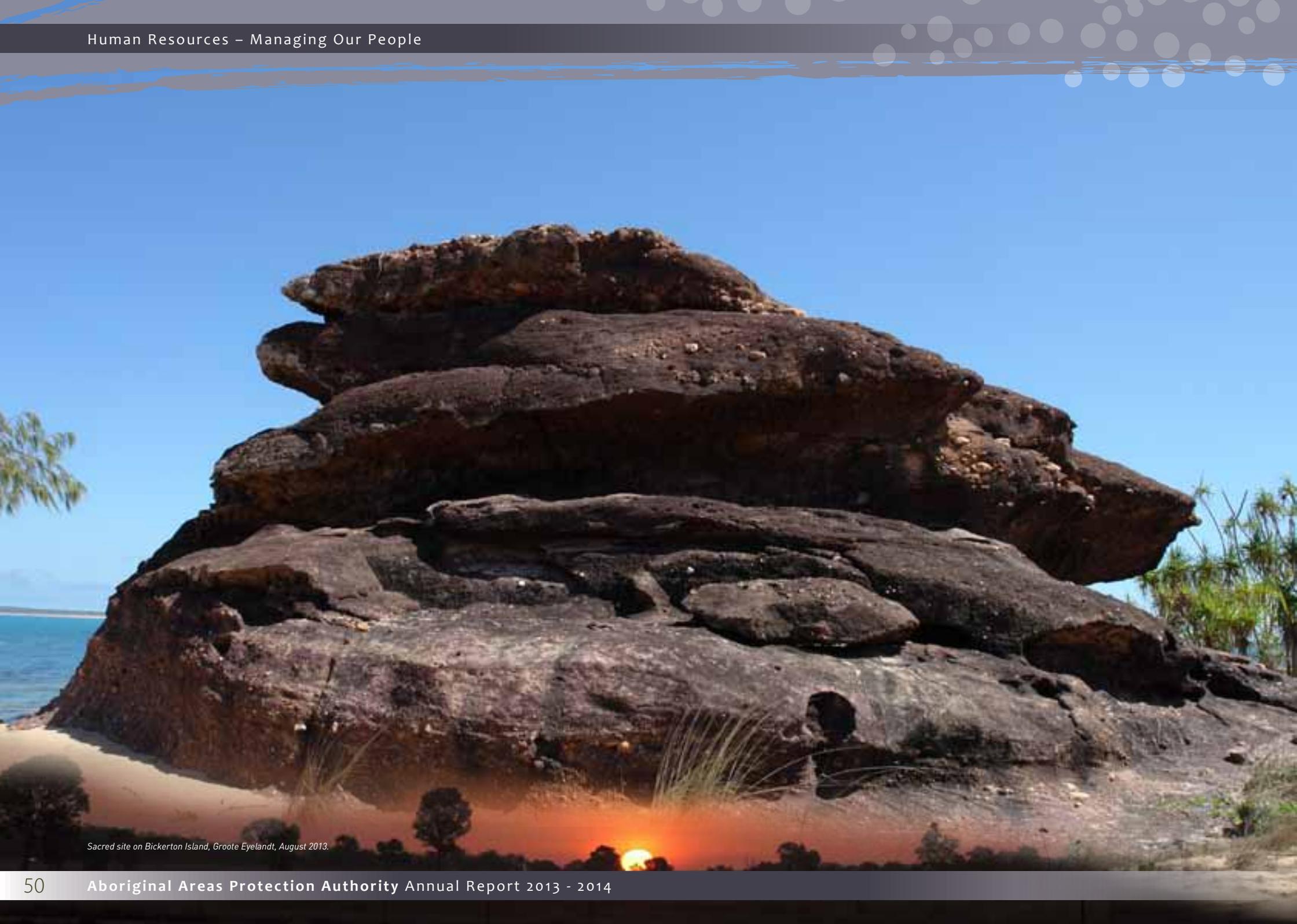
During 2013-14 various courses were undertaken by individual staff members to assist them in performing their roles and all staff went through cross cultural awareness training. The Authority spent \$ 45 357 on training programs during this reporting period.

A Staff Development Framework continues to be in place to provide a process for staff throughout the organisation to:

- Understand their role and contribution within the organisation;
- Realise their potential within the context of their work roles;
- Ensure they have the appropriate skills to undertake their existing and future work requirements;
- Consider their long-term work needs within the Authority; and
- Give and receive feedback about themselves and their managers.

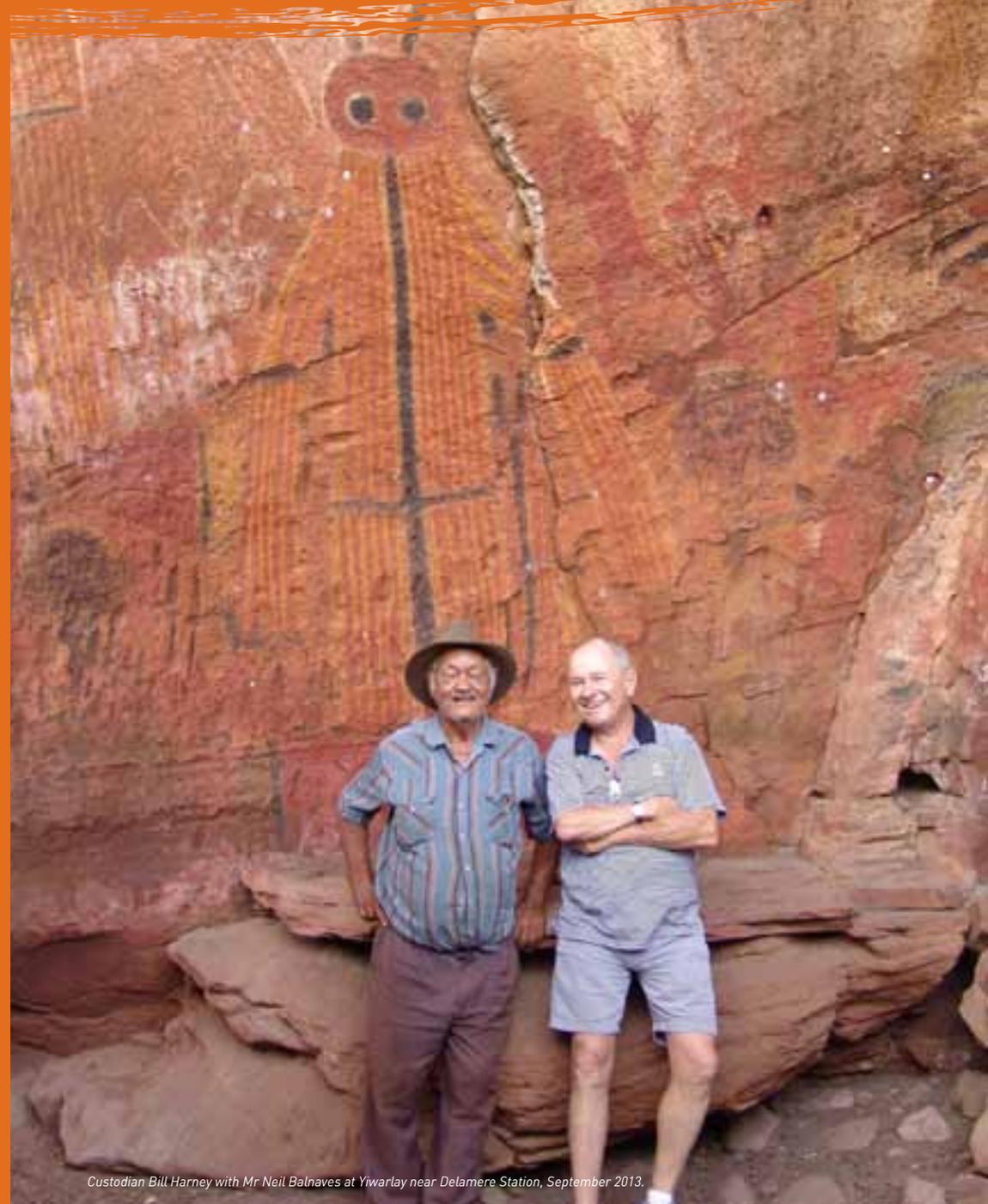


Beach on Bathurst Island, Tiwi Islands.



Sacred site on Bickerton Island, Grootte Eyelandt, August 2013.

FINANCIAL *Report*



Custodian Bill Harney with Mr Neil Balnaves at Yiwaray near Delamere Station, September 2013.

PRESCRIBED FORMAT OF AGENCY FINANCIAL STATEMENTS

Consistent with the requirements of Treasurer’s Directions Section R2.1 this Appendix provides agencies with the prescribed format for agency financial statements for 2013-14 and future financial years (unless amended).

Although the prescribed format has been developed to cover a wide range of agency circumstances and situations, in some situations agencies may need to include additional financial information and/or disclosures. Treasurer’s Directions Section R2.1 and this Appendix provide this flexibility in certain circumstances. In this regard, agencies should refer to italicised comments within the prescribed format.

FINANCIAL STATEMENT OVERVIEW

For the Year Ended 30 June 2014

The Aboriginal Areas Protection Authority (the ‘Authority’) is a statutory authority established under the *Northern Territory Aboriginal Sacred Sites Act 1989* (the Act) to administer sacred site protection in the Northern Territory. The Administrator of the Northern Territory appoints Board members of the Authority. The Authority is constituted under Section 5, and staff of the Authority are employed under Section 17 of the Act. This provides for the Authority to administer the Act at arm’s length from the day-to-day operations of the Northern Territory Government.

The Authority is required to disclose the dollar amount expended on Insurance Policies. For the financial year 2013-14 the amount is as follows:

- General Property Insurance \$3 140
- Motor Vehicle Insurance \$18 374
- Workers Compensation Insurance \$39 252

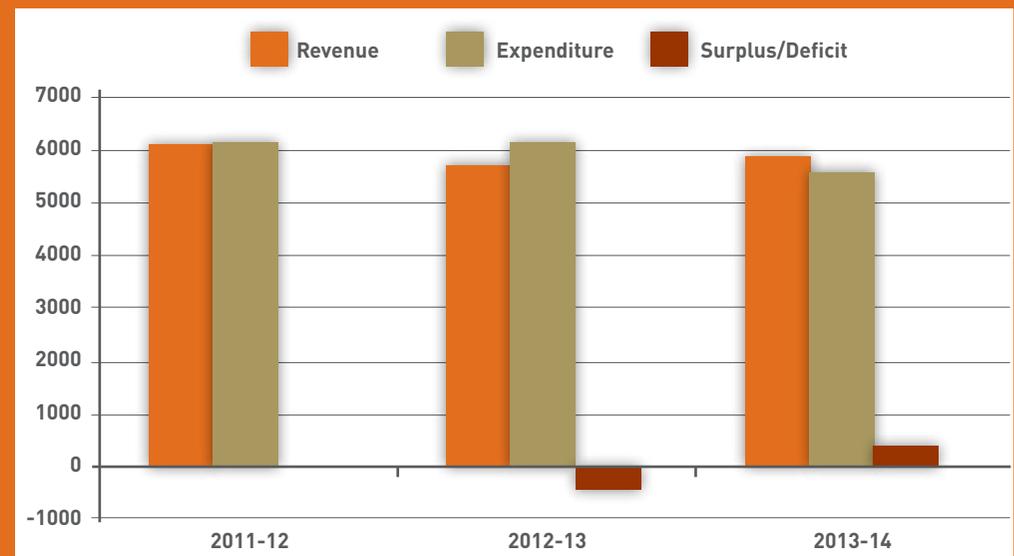


Figure 22: Operating results.

CERTIFICATION OF THE FINANCIAL STATEMENTS

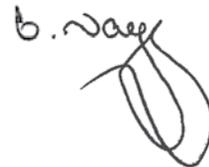
We certify that the attached financial statements for the *Aboriginal Areas Protection Authority* have been prepared from proper accounts and records in accordance with the prescribed format, the *Financial Management Act* and Treasurer's Directions.

We further state that the information set out in the Comprehensive Operating Statement, Balance Sheet, Statement of Changes in Equity, Cash Flow Statement, and notes to and forming part of the financial statements, presents fairly the financial performance and cash flows for the year ended 30 June 2014 and the financial position on that date.

At the time of signing, we are not aware of any circumstances that would render the particulars included in the financial statements misleading or inaccurate.



Dr. Benedict Scambary
Chief Executive Officer
29/08/2014



Mr. Clive Naylor
Director Corporate Services
29/08/2014

COMPREHENSIVE OPERATING STATEMENT

For the year ended 30 June 2014

	Note	2014	2013
		\$000	\$000
INCOME			
Appropriation			
Output		2831	2798
Sales of goods and services ^(b)		2266	2100
Goods and services received free of charge	4	765	722
Gain on disposal of assets ^(a)			
Other income ^(b)		36	73
TOTAL INCOME	3	5898	5694
EXPENSES			
Employee expenses		3176	3299
Administrative expenses			
Purchases of goods and services	5	1445	1771
Repairs and maintenance		2	1
Depreciation and amortisation		139	279
Other administrative expenses ¹		798	790
TOTAL EXPENSES	3	5560	6140
NET SURPLUS/(DEFICIT)		338	(446)
Includes DCIS charges free of charge ¹			
OTHER COMPREHENSIVE INCOME^(c)			
Items that will not be reclassified to net surplus/deficit			
Transfers from reserves		5	
TOTAL OTHER COMPREHENSIVE INCOME		5	
COMPREHENSIVE RESULT		343	(446)

BALANCE SHEET

As at 30 June 2014

	Note	2014	2013
		\$000	\$000
ASSETS			
Current Assets			
Cash and deposits	6	970	574
Receivables	7	366	193
Prepayments		6	29
Total Current Assets		1342	795
Non-Current Assets			
Property, plant and equipment	8	918	1052
Total Non-Current Assets		918	1052
TOTAL ASSETS		2260	1847
LIABILITIES			
Current Liabilities			
Payables	9	276	109
Provisions	10	403	386
Other liabilities	11	9	95
Total Current Liabilities		688	589
Non-Current Liabilities			
Provisions		82	111
Total Non-Current Liabilities		82	111
TOTAL LIABILITIES		770	701
NET ASSETS		1490	1147
EQUITY			
Capital		1621	1621
Reserves ^(b)		5	
Accumulated funds		(131)	(474)
TOTAL EQUITY		1490	1147

STATEMENT OF CHANGES IN EQUITY

For the year ended 30 June 2014

	Note	Equity at 1 July \$000	Comprehensive result \$000	Transactions with owners in their capacity as owners \$000	Equity at 30 June \$000
2013-14					
Accumulated Funds		474	(338)		136
Transfers from reserves				(5)	(5)
Other movements directly to equity ^(b)					
		474	(338)	(5)	130
Capital – Transactions with Owners					
Equity injections					
Capital appropriation		(564)			(564)
Equity transfers in		(1195)		(5)	(1195)
Other equity injections		(57)			(57)
Capital withdrawal ^(d)		195			195
Equity transfers out					
		(1621)	(338)	(5)	(1621)
Total Equity at End of Financial Year		(1147)	(338)	(5)	(1490)
2012-13					
Accumulated Funds		28	446		474
Capital – Transactions with Owners					
Equity injections					
Capital appropriation		(564)			(564)
Equity transfers in		119		(1313)	(1195)
Other equity injections		(57)			(57)
Capital withdrawal ^(d)		195			195
		(307)		(1313)	(1621)
Total Equity at End of Financial Year		(279)	446	(1313)	(1147)

CASH FLOW STATEMENT

For the year ended 30 June 2014

	Note	2014 \$000	2013 \$000
CASH FLOWS FROM OPERATING ACTIVITIES			
Operating Receipts			
Appropriation			
Output		2831	2798
Receipts from sales of goods and services		2182	2561
Total Operating Receipts		5013	5359
Operating Payments			
Payments to employees		3187	3252
Payments for goods and services		1431	1929
Total Operating Payments		4617	5181
Net Cash From/(Used in) Operating Activities	12	395	177
Net increase/(decrease) in cash held		395	177
Cash at beginning of financial year		574	397
CASH AT END OF FINANCIAL YEAR	6	970	574

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1. Objectives and Funding
 2. Statement of Significant Accounting Policies
 3. Comprehensive Operating Statement by Output Group
- INCOME**
4. Goods and Services Received Free of Charge
- EXPENSES**
5. Purchases of Goods and Services
- ASSETS**
6. Cash and Deposits
 7. Receivables
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- LIABILITIES**
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- OTHER DISCLOSURES
12. Notes to the Cash Flow Statement
 13. Financial Instruments
 14. Contingent Liabilities and Contingent Assets
 15. Events Subsequent to Balance Date
 16. Accountable Officer's Trust Account
 17. Write Offs, Postponements, Waivers, Gifts and Ex Gratia Payments
 18. Schedule of Territory Items

1. OBJECTIVES AND FUNDING

The Aboriginal Areas Protection Authority ('the Authority') is established by the *Northern Territory Aboriginal Sacred Sites Act* (the 'Act') by the following:

'An Act to effect a practical balance between the recognised need to preserve and enhance Aboriginal cultural tradition in relation to certain land in the Territory and the aspirations of the Aboriginal and all other peoples of the Territory for their economic, cultural and social advancement, by establishing a procedure for the protection and registration of sacred sites, providing for entry onto sacred sites and the conditions to which such entry is subject, establishing a procedure for the avoidance of sacred sites in the development and use of land and establishing an Authority for the purposes of the Act and a procedure for the review of decisions of the Authority by the Minister, and for related purposes.

The Authority is predominantly funded by, and is dependent on the receipt of Parliamentary appropriations. The financial statements encompass all funds through which the Authority controls resources to carry on its functions and deliver output. Note 3 provides summary financial information in the form of an Operating Statement by Output Group.

2. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

a) Basis of Accounting

The financial statements have been prepared in accordance with the requirements of the *Financial Management Act* and related Treasurer's Directions. The *Financial Management Act* requires the Aboriginal Areas Protection Authority to prepare financial statements for the year ended 30 June based on the form determined by the Treasurer. The form of agency financial statements is to include:

- (i) a Certification of the Financial Statements;
- (ii) a Comprehensive Operating Statement;
- (iii) a Balance Sheet;
- (iv) a Statement of Changes in Equity;
- (v) a Cash Flow Statement; and
- (vi) applicable explanatory notes to the financial statements.

The financial statements have been prepared using the accrual basis of accounting, which recognises the effect of financial transactions and events when they occur, rather than when cash is paid out or received. As part of the preparation of the financial statements, all intra-agency transactions and balances have been eliminated.

Except where stated, the financial statements have also been prepared in accordance with the historical cost convention.

The form of the agency financial statements is also consistent with the requirements of Australian Accounting Standards. The effects of all relevant new and revised Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that are effective for the current annual reporting period have been evaluated. The Standards and Interpretations and their impacts are:

AASB 13 Fair Value Measurement, AASB 2011-8 Amendments to Australian Accounting Standards arising from AASB 13 [AASB 1, 2, 3, 4, 5, 7, 9, 200911, 2010-7, 101, 102, 108, 110, 116, 117, 118, 119, 120, 121, 128, 131, 132, 133, 134, 136, 138, 139, 140, 141, 1004, 1023 & 1038 and Interpretations 2, 4, 12, 13, 14, 17, 19, 131 & 132]

AASB 13 replaces the guidance on fair value measurement in existing AASB accounting literature with a single standard. It clarifies the definition of fair value, provides guidance on how to determine fair value and requires disclosures about fair value measurements. With some exceptions, the standard requires entities to classify these measurements into a fair value hierarchy based on the nature of the inputs. Additional disclosures following from the standard are included in the notes to the financial statements.

AASB 119 Employee Benefits (2011), AASB 2011-10 Amendments to Australian Accounting Standards arising from AASB 119 (2011) [AASB 1, 8, 101, 124, 134, 1049 & 2011-8 and Interpretation 14]

AASB 119 amends the definition of short-term employee benefits and the accounting for defined benefit superannuation obligations. The standards do not impact the financial statements.

AASB 2012-5 Amendments to Australian Accounting Standards arising from Annual Improvements 2009-2011 Cycle [AASB 1, 101, 116, 132 & 134 and Interpretation 2]

The standard amends a number of pronouncements as a result of the 2009-2011 annual improvements cycle. In particular, amendments to AASB 101 *Presentation of Financial Statements* clarify requirements for comparative information, and amendments to AASB 116 *Property, Plant and Equipment* clarify classification of servicing equipment. The standard does not impact the financial statements.

b) Australian Accounting Standards and Interpretations Issued but not yet Effective

At the date of authorisation of the financial statements, the Standards and Interpretations listed below were in issue but not yet effective.

Standard/Interpretation	Summary	Effective for annual reporting periods beginning on or after	Impact on financial statements
AASB 2012-3 <i>Amendments to Australian Accounting Standards – Offsetting Financial Assets and Financial Liabilities (Amendments to AASB 132)</i>	Addresses inconsistencies in current practice when applying the offsetting criteria in AASB 132 <i>Financial Instruments: Presentation</i> .	1 Jan 2014	Minimal

c) Agency and Territory Items

The financial statements of the Aboriginal Areas Protection Authority include income, expenses, assets, liabilities and equity over which the Authority has control (Agency items). Certain items, while managed by the agency, are controlled and recorded by the Territory rather than the agency (Territory items). Territory items are recognised and recorded in the Central Holding Authority as discussed below.

Central Holding Authority

The Central Holding Authority is the 'parent body' that represents the Government's ownership interest in Government-controlled entities.

The Central Holding Authority also records all Territory items, such as income, expenses, assets and liabilities controlled by the Government and managed by agencies on behalf of the Government. The main Territory item is Territory income, which includes taxation and royalty revenue, Commonwealth general purpose funding (such as GST revenue), fines, and statutory fees and charges.

The Central Holding Authority also holds certain Territory assets not assigned to agencies as well as certain Territory liabilities that are not practical or effective to assign to individual agencies such as unfunded superannuation and long service leave.

The Central Holding Authority recognises and records all Territory items, and as such, these items are not included in the agency's financial statements. However, as the agency is accountable for certain Territory items managed on behalf of Government, these items have been separately disclosed in Note 18 – Schedule of Territory Items.

d) Comparatives

Where necessary, comparative information for the 2012-13 financial year has been reclassified to provide consistency with current year disclosures.

e) Presentation and Rounding of Amounts

Amounts in the financial statements and notes to the financial statements are presented in Australian dollars and have been rounded to the nearest thousand dollars, with amounts of \$500 or less being rounded down to zero.

f) Changes in Accounting Policies

There have been no changes to accounting policies adopted in 2013-14 as a result of management decisions.

g) Accounting Judgments and Estimates

The preparation of the financial report requires the making of judgments and estimates that affect the recognised amounts of assets, liabilities, revenues and expenses and the disclosure of contingent liabilities. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances, the results of which form the basis for making judgments about the carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period, or in the period of the revision and future periods if the revision affects both current and future periods.

Judgments and estimates that have significant effects on the financial statements are disclosed in the relevant notes to the financial statements. Notes that include significant judgments and estimates are:

- Employee Benefits – Note 2(v): Non-current liabilities in respect of employee benefits are measured as the present value of estimated future cash outflows based on the appropriate Government bond rate, estimates of future salary and wage levels and employee periods of service.
- Allowance for Impairment Losses – Note 2(o), Note 7: Receivables and Note 15: Financial Instruments.
- Depreciation and Amortisation – Note 2(k) and Note 8: Property, Plant and Equipment.

h) Goods and Services Tax

Income, expenses and assets are recognised net of the amount of Goods and Services Tax (GST), except where the amount of GST incurred on a purchase of goods and services is not recoverable from the Australian Tax Office (ATO). In

these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of the expense.

Receivables and payables are stated with the amount of GST included. The net amount of GST recoverable from, or payable to, the ATO is included as part of receivables or payables in the Balance Sheet.

Cash flows are included in the Cash Flow Statement on a gross basis. The GST components of cash flows arising from investing and financing activities, which are recoverable from, or payable to, the ATO are classified as operating cash flows. Commitments and contingencies are disclosed net of the amount of GST recoverable or payable unless otherwise specified.

i) Income Recognition

Income encompasses both revenue and gains.

Income is recognised at the fair value of the consideration received, exclusive of the amount of GST. Exchanges of goods or services of the same nature and value without any cash consideration being exchanged are not recognised as income.

Grants and Other Contributions

Grants, donations, gifts and other non-reciprocal contributions are recognised as revenue when the agency obtains control over the assets comprising the contributions. Control is normally obtained upon receipt.

Contributions are recognised at their fair value. Contributions of services are only recognised when a fair value can be reliably determined and the services would be purchased if not donated.

Appropriation

Output appropriation is the operating payment to each agency for the outputs they provide and is calculated as the net cost of agency outputs after taking into account funding from agency income. It does not include any allowance for major non-cash costs such as depreciation.

Revenue in respect of appropriations is recognised in the period in which the agency gains control of the funds.

Sale of Goods

Revenue from the sale of goods is recognised (net of returns, discounts and allowances) when:

- the significant risks and rewards of ownership of the goods have transferred to the buyer;
- the agency retains neither continuing managerial involvement to the degree usually associated with ownership nor effective control over the goods sold;
- the amount of revenue can be reliably measured;

- it is probable that the economic benefits associated with the transaction will flow to the agency; and
- the costs incurred or to be incurred in respect of the transaction can be measured reliably.

Rendering of Services

Revenue from rendering services is recognised by reference to the stage of completion of the contract. The revenue is recognised when:

- the amount of revenue, stage of completion and transaction costs incurred can be reliably measured; and
- it is probable that the economic benefits associated with the transaction will flow to the entity.

Interest Revenue

Interest revenue is recognised as it accrues, taking into account the effective yield on the financial asset.

Goods and Services Received Free of Charge

Goods and services received free of charge are recognised as revenue when a fair value can be reliably determined and the resource would have been purchased if it had not been donated. Use of the resource is recognised as an expense.

Disposal of Assets

A gain or loss on disposal of assets is included as a gain or loss on the date control of the asset passes to the buyer, usually when an unconditional contract of sale is signed. The gain or loss on disposal is calculated as the difference between the carrying amount of the asset at the time of disposal and the net proceeds on disposal.

Contributions of Assets

Contributions of assets and contributions to assist in the acquisition of assets, being nonreciprocal transfers, are recognised, unless otherwise determined by Government, as gains when the agency obtains control of the asset or contribution. Contributions are recognised at the fair value received or receivable.

j) Repairs and Maintenance Expense

Funding is received for repairs and maintenance works associated with agency assets as part of output revenue. Costs associated with repairs and maintenance works on agency assets are expensed as incurred.

k) Depreciation and Amortisation Expense

Items of property, plant and equipment, including buildings but excluding land, have limited useful lives and are depreciated or amortised using the straight-line method over their estimated useful lives.

Amortisation applies in relation to intangible non-current assets with limited useful lives and is calculated and accounted for in a similar manner to depreciation.

The estimated useful lives for each class of asset are in accordance with the Treasurer’s Directions and are determined as follows:

	2014	2013
Buildings	10 years ^(a)	10 years
Plant and Equipment	2-4 years	2-4 years
Computer Equipment	5 years	5 years

Assets are depreciated or amortised from the date of acquisition or from the time an asset is completed and held ready for use.

l) Interest Expense

Interest expenses include interest and finance lease charges. Interest expenses are expensed in the period in which they are incurred.

m) Cash and Deposits

For the purposes of the Balance Sheet and the Cash Flow Statement, cash includes cash on hand, cash at bank and cash equivalents. Cash equivalents are highly liquid short-term investments that are readily convertible to cash.

n) Inventories

Inventories include assets held either for sale (general inventories) or for distribution at no or nominal consideration in the ordinary course of business operations.

General inventories are valued at the lower of cost and net realisable value, while those held for distribution are carried at the lower of cost and current replacement cost. Cost of inventories includes all costs associated with bringing the inventories to their present location and condition. When inventories are acquired at no or nominal consideration, the cost will be the current replacement cost at date of acquisition.

The cost of inventories are assigned using a mixture of first-in, first out or weighted average cost formula or using specific identification of their individual costs.

Inventory held for distribution is regularly assessed for obsolescence and loss.

o) Receivables

Receivables include accounts receivable and other receivables and are recognised at fair value less any allowance for impairment losses.

The allowance for impairment losses represents the amount of receivables the agency estimates are likely to be uncollectible and are considered doubtful. Analyses

of the age of the receivables that are past due as at the reporting date are disclosed in an aging schedule under credit risk in Note 15 Financial Instruments. Reconciliation of changes in the allowance accounts is also presented.

Accounts receivable are generally settled within 30 days.

p) Property, Plant and Equipment

Acquisitions

All items of property, plant and equipment with a cost, or other value, equal to or greater than \$10 000 are recognised in the year of acquisition and depreciated as outlined below. Items of property, plant and equipment below the \$10 000 threshold are expensed in the year of acquisition.

The construction cost of property, plant and equipment includes the cost of materials, direct labour and an appropriate proportion of fixed and variable overheads.

Complex Assets

Major items of plant and equipment comprising a number of components that have different useful lives are accounted for as separate assets. The components may be replaced during the useful life of the complex asset.

Subsequent Additional Costs

Costs incurred on property, plant and equipment subsequent to initial acquisition are capitalised when it is probable that future economic benefits in excess of the originally assessed performance of the asset will flow to the agency in future years. Where these costs represent separate components of a complex asset, they are accounted for as separate assets and are separately depreciated over their expected useful lives.

Construction (Work in Progress)

As part of the financial management framework, the Department of Infrastructure is responsible for managing general government capital works projects on a whole of Government basis. Therefore appropriation for capital works is provided directly to the Department of Infrastructure and the cost of construction work in progress is recognised as an asset of that Department. Once completed, capital works assets are transferred to the agency.

q) Biological Assets

Not applicable.

r) Revaluations and Impairment

Revaluation of Assets

Subsequent to initial recognition, assets belonging to the following classes of non-current assets are revalued with sufficient regularity to ensure that the

carrying amount of these assets does not differ materially from their fair value at reporting date:

- land;
- buildings;
- infrastructure assets;
- heritage and cultural assets;
- biological assets; and
- intangibles.

Plant and equipment are stated at historical cost less depreciation, which is deemed to equate to fair value.

Impairment of Assets

An asset is said to be impaired when the asset's carrying amount exceeds its recoverable amount.

Non-current physical and intangible agency assets are assessed for indicators of impairment on an annual basis. If an indicator of impairment exists, the agency determines the asset's recoverable amount. The asset's recoverable amount is determined as the higher of the asset's depreciated replacement cost and fair value less costs to sell. Any amount by which the asset's carrying amount exceeds the recoverable amount is recorded as an impairment loss.

Impairment losses are recognised in the Comprehensive Operating Statement. They are disclosed as an expense unless the asset is carried at a revalued amount. Where the asset is measured at a revalued amount, the impairment loss is offset against the asset revaluation surplus for that class of asset to the extent that an available balance exists in the asset revaluation surplus.

In certain situations, an impairment loss may subsequently be reversed. Where an impairment loss is subsequently reversed, the carrying amount of the asset is increased to the revised estimate of its recoverable amount. A reversal of an impairment loss is recognised in the Comprehensive Operating Statement as income, unless the asset is carried at a revalued amount, in which case the impairment reversal results in an increase in the asset revaluation surplus. Note 13 provides additional information in relation to the asset revaluation surplus.

s) Assets Held for Sale

Assets held for sale consist of those assets that management has determined are available for immediate sale in their present condition, and their sale is highly probable within the next twelve months.

These assets are measured at the lower of the asset's carrying amount and fair value less costs to sell. These assets are not depreciated. Non-current assets held for sale have been recognised on the face of the financial statements as current assets.

t) Leased Assets

Leases under which the agency assumes substantially all the risks and rewards of ownership of an asset are classified as finance leases. Other leases are classified as operating leases.

Finance Leases

Finance leases are capitalised. A lease asset and lease liability equal to the lower of the fair value of the leased property and present value of the minimum lease payments, each determined at the inception of the lease, are recognised.

Lease payments are allocated between the principal component of the lease liability and the interest expense.

Operating Leases

Operating lease payments made at regular intervals throughout the term are expensed when the payments are due, except where an alternative basis is more representative of the pattern of benefits to be derived from the leased property. Lease incentives under an operating lease of a building or office space is recognised as an integral part of the consideration for the use of the leased asset. Lease incentives are to be recognised as a deduction of the lease expenses over the term of the lease.

u) Payables

Liabilities for accounts payable and other amounts payable are carried at cost, which is the fair value of the consideration to be paid in the future for goods and services received, whether or not billed to the agency. Accounts payable are normally settled within 30 days.

v) Employee Benefits

Provision is made for employee benefits accumulated as a result of employees rendering services up to the reporting date. These benefits include wages and salaries and recreation leave. Liabilities arising in respect of wages and salaries, recreation leave and other employee benefit liabilities that fall due within twelve months of reporting date are classified as current liabilities and are measured at amounts expected to be paid. Non-current employee benefit liabilities that fall due after twelve months of the reporting date are measured at present value, calculated using the Government long-term bond rate.

No provision is made for sick leave, which is non-vesting, as the anticipated pattern of future sick leave to be taken is less than the entitlement accruing in each reporting period.

Employee benefit expenses are recognised on a net basis in respect of the following categories:

- wages and salaries, non-monetary benefits, recreation leave, sick leave and other leave entitlements; and

- other types of employee benefits.

As part of the financial management framework, the Central Holding Authority assumes the long service leave liabilities of Government agencies, including the Authority and as such no long service leave liability is recognised in agency financial statements.

w) Superannuation

Employees' superannuation entitlements are provided through the:

- Northern Territory Government and Public Authorities Superannuation Scheme (NTGPASS);
- Commonwealth Superannuation Scheme (CSS); or
- non-government employee-nominated schemes for those employees commencing on or after 10 August 1999.

The agency makes superannuation contributions on behalf of its employees to the Central Holding Authority or non-government employee-nominated schemes. Superannuation liabilities related to government superannuation schemes are held by the Central Holding Authority and as such are not recognised in agency financial statements.

x) Contributions by and Distributions to Government

The agency may receive contributions from Government where the Government is acting as owner of the agency. Conversely, the agency may make distributions to Government. In accordance with the *Financial Management Act* and Treasurer's Directions, certain types of contributions and distributions, including those relating to administrative restructures, have been designated as contributions by, and distributions to, Government. These designated contributions and distributions are treated by the agency as adjustments to equity.

The Statement of Changes in Equity provides additional information in relation to contributions by, and distributions to, Government.

y) Commitments

Commitments are those contracted as at 30 June where the amount of the future commitment can be reliably measured.

z) Financial Instruments

A financial instrument is a contract that gives rise to a financial asset of one entity and a financial liability or equity instrument of another entity. Financial assets and liabilities are recognised on the Balance Sheet when the agency becomes a party to the contractual provisions of the financial instrument. The agency's financial instruments include cash and deposits; receivables; advances; investments loan and placements; payables; advances received; borrowings and derivatives.

Exposure to interest rate risk, foreign exchange risk, credit risk, price risk and liquidity risk arise in the normal course of activities. The agency's investments, loans and placements, and borrowings are predominantly managed through the NTTC and TIO adopting strategies to minimise the risk. Derivative financial arrangements are also utilised to manage financial risks inherent in the management of these financial instruments. These arrangements include swaps, forward interest rate agreements and other hedging instruments to manage fluctuations in interest or exchange rates.

Classification of Financial Instruments

AASB 7 Financial Instruments: Disclosures requires financial instruments to be classified and disclosed within specific categories depending on their nature and purpose.

Financial assets are classified into the following categories:

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

Financial liabilities are classified into the following categories:

- financial liabilities at fair value through profit or loss (FVTPL); and
- financial liabilities at amortised cost.

Financial Assets or Financial Liabilities at Fair Value through Profit or Loss

Financial instruments are classified as at FVTPL when the instrument is either held for trading or is designated as at FVTPL.

An instrument is classified as held for trading if it is:

- acquired or incurred principally for the purpose of selling or repurchasing it in the near term with an intention of making a profit; or
- part of a portfolio of identified financial instruments that are managed together and for which there is evidence of a recent actual pattern of short-term profit-taking; or
- a derivative that is not a financial guarantee contract or a designated and effective hedging instrument.

A financial instrument may be designated as at FVTPL upon initial recognition if:

- such designation eliminates or significantly reduces a measurement or recognition inconsistency that would otherwise arise; or
- the instrument forms part of a group of financial instruments, which is managed and its performance is evaluated on a fair value basis, in

accordance with a documented risk management or investment strategy, and information about the grouping is provided internally on that basis; or

- it forms part of a contract containing one or more embedded derivatives, and AASB 139 Financial Instruments: Recognition and Measurement permits the contract to be designated as at FVTPL.

Held-to-Maturity Investments

Non-derivative financial assets with fixed or determinable payments and fixed maturity dates that the entity has the positive intent and ability to hold to maturity are classified as held-to-maturity investments. Held-to-maturity investments are recorded at amortised cost using the effective interest method less impairment, with revenue recognised on an effective yield basis.

Loans and Receivables

For details refer to Note 2 (o).

Available-for-Sale Financial Assets

Available-for-sale financial assets are those non-derivative financial assets, principally equity securities that are designated as available-for-sale or are not classified as any of the three preceding categories. After initial recognition available-for-sale securities are measured at fair value with gains or losses being recognised as a separate component of equity until the investment is derecognised or until the investment is determined to be impaired, at which time the cumulative gain or loss previously reported in equity is recognised in the Comprehensive Operating Statement.

Financial Liabilities at Amortised Cost

Amortised cost is calculated using the effective interest method.

Derivatives

The agency enters into a variety of derivative financial instruments to manage its exposure to interest rate risk. The agency does not speculate on trading of derivatives.

Derivatives are initially recognised at fair value on the date a derivative contract is entered in to and are subsequently remeasured at their fair value at each reporting date. The resulting gain or loss is recognised in the Comprehensive Operating Statement immediately unless the derivative is designated and qualifies as an effective hedging instrument, in which event, the timing of the recognition in the Comprehensive Operating Statement depends on the nature of the hedge relationship. Application of hedge accounting will only be available where specific designation and effectiveness criteria are satisfied.

	2014	2013
	\$000	\$000
4. GOODS AND SERVICES RECEIVED FREE OF CHARGE		
Corporate and information services	765	722
	765	722

5. PURCHASES OF GOODS AND SERVICES

The net surplus/(deficit) has been arrived at after charging the following expenses:

Goods and services expenses:

Consultants ⁽¹⁾	436	641
Advertising ⁽²⁾		
Marketing and promotion ⁽³⁾	2	4
Document production	8	5
Legal expenses ⁽⁴⁾	62	156
Recruitment ⁽⁵⁾	22	2
Training and study	45	32
Official duty fares	57	72
Travelling allowance	23	30
	655	943

⁽¹⁾ Includes marketing, promotion and IT consultants.

⁽²⁾ Does not include recruitment, advertising or marketing and promotion advertising.

⁽³⁾ Includes advertising for marketing and promotion but excludes marketing and promotion consultants' expenses, which are incorporated in the consultants' category.

⁽⁴⁾ Includes legal fees, claim and settlement costs.

⁽⁵⁾ Includes recruitment-related advertising costs.

	2014	2013
	\$000	\$000
6. CASH AND DEPOSITS		
Cash at bank	969	574
	969	574

7. RECEIVABLES

Current

Accounts receivable	367	185
Less: Allowance for impairment losses	-5	-5

GST receivables

	4	12
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Total Receivables

	366	193
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8. PROPERTY, PLANT AND EQUIPMENT

Buildings

At fair value		1313
Less: Accumulated depreciation		-263
		1051

Construction (Work in Progress) Plant and Equipment

At fair value	1374	66
Less: Accumulated depreciation	-456	-65
	918	1

Total Property, Plant and Equipment

	918	1052
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8. PROPERTY, PLANT AND EQUIPMENT (continued)

2014 Property, Plant and Equipment Reconciliations

A reconciliation of the carrying amount of property, plant and equipment at the beginning and end of 2013-14 is set out below:

	Buildings	Plant and Equipment	Computer Software	Computer Hardware	Total
	\$000	\$000	\$000	\$000	\$000
Carrying Amount as at 1 July 2013	1051	1			1052
Depreciation		(134)		(5)	(138)
Additions/(Disposals) from administrative restructuring				5	
Additions/(Disposals) from asset transfers	(1040)	1051	(16)		5
Revaluation increments/(decrements)	(11)		16		
Carrying Amount as at 30 June 2014		918			918

8. PROPERTY, PLANT AND EQUIPMENT (continued)

2013 Property, Plant and Equipment Reconciliations

A reconciliation of the carrying amount of property, plant and equipment at the beginning and end of 2012-13 is set out below:

	Buildings	Plant and Equipment	Computer Software	Computer Hardware	Total
	\$000	\$000	\$000	\$000	\$000
Carrying Amount as at 1 July 2012		5		13	18
Depreciation	(263)	(4)		(13)	(280)
Additions/(Disposals) from asset transfers	1313				1313
Carrying Amount as at 30 June 2013	1051	1			1052

9. PAYABLES

Accounts payable	110	45
Accrued expenses	166	64
Total Payables	276	109

10. PROVISIONS

Current

<i>Employee benefits</i>		
Recreation leave	173	211
Leave loading	43	42
Other employee benefits	34	26
Other provisions	152	107
	403	386

Non-Current

<i>Employee benefits</i>		
Recreation leave	82	111
	82	111
Total Provisions	485	497

The Agency employed 31 employees as at 30 June 2014 (34 employees as at 30 June 2013).

11. OTHER LIABILITIES

Current

Other liabilities

Total Other Liabilities

	2014	2013
	\$000	\$000
Other liabilities	9	95
Total Other Liabilities	9	95

12. NOTES TO THE CASH FLOW STATEMENT

Reconciliation of Cash

The total of agency 'Cash and deposits' of \$970,000 recorded in the Balance Sheet is consistent with that recorded as 'Cash' in the Cash Flow Statement.

Reconciliation of Net Surplus/(Deficit) to Net Cash from Operating Activities

Net Surplus/(Deficit)

Non-cash items:

Depreciation and amortisation

Changes in assets and liabilities:

Decrease/(Increase) in receivables

Decrease/(Increase) in prepayments

(Decrease)/Increase in payables

(Decrease)/Increase in provision for employee benefits

(Decrease)/Increase in other provisions

(Decrease)/Increase in other liabilities

Net Cash from Operating Activities

338 (446)

139 279

(173) 226

23 (19)

167 (5)

(57) 2

45 46

(85) 95

395 177

13. FINANCIAL INSTRUMENTS

A financial instrument is a contract that gives rise to a financial asset of one entity and a financial liability or equity instrument of another entity. Financial instruments held by the Aboriginal Areas Protection Authority include cash and deposits, receivables, payables and finance leases. The Aboriginal Areas Protection Authority has limited exposure to financial risks as discussed below.

Financial instruments for the Aboriginal Areas Protection Authority is only limited to cash and deposits, receivables, payables and finance leases. It is important to consider the operations of the Aboriginal Areas Protection Authority in the context of operational and policy management of financial risk as outlined in AASB 7 Financial Instruments: Disclosures.

a) Categorisation of Financial Instruments

The carrying amounts of the agency's financial assets and liabilities by category are disclosed in the table below.

	2014	2013
	\$000	\$000
Financial Assets		
Cash and deposits	970	574
Receivables	366	193
	1336	767
Financial Liabilities		
Payables	276	109

b) Credit Risk

The agency has limited credit risk exposure (risk of default). In respect of any dealings with organisations external to Government, the agency has adopted a policy of only dealing with credit worthy organisations and obtaining sufficient collateral or other security where appropriate, as a means of mitigating the risk of financial loss from defaults.

The carrying amount of financial assets recorded in the financial statements, net of any allowances for losses, represents the agency's maximum exposure to credit risk without taking account of the value of any collateral or other security obtained.

Receivables

Receivable balances are monitored on an ongoing basis to ensure that exposure to bad debts is not significant. A reconciliation and aging analysis of receivables is presented below.

	Aging of Receivables \$000	Net Receivables \$000
Internal Receivables^(a)		
2013-14		
Not overdue	98	98
Overdue for less than 30 days	39	39
Overdue for 30 to 60 days	50	50
Overdue for more than 60 days	1	1
Total	188	188
Reconciliation of the Allowance for Impairment Losses ^(b)		
Opening	(5)	(5)
Total	(5)	(5)
2012-13		
Not overdue	54	54
Overdue for less than 30 days	62	62
Overdue for 30 to 60 days	8	8
Overdue for more than 60 days	62	62
GST Receivables	12	12
Total	197	197
External Receivables^(a)		
2013-14		
Not overdue	42	42
Overdue for less than 30 days	11	11
Overdue for 30 to 60 days	14	14
Overdue for more than 60 days	110	110
Total	177	177
Reconciliation of the Allowance for Impairment Losses ^(b)		
Opening	(5)	(5)
Total	(5)	(5)

c) Liquidity Risk

Liquidity risk is the risk that the agency will not be able to meet its financial obligations as they fall due. The agency's approach to managing liquidity is to ensure that it will always have sufficient liquidity to meet its liabilities when they fall due.

The following tables detail the agency's remaining contractual maturity for its financial assets and liabilities. It should be noted that these values are undiscounted, and consequently totals may not reconcile to the carrying amounts presented in the Balance Sheet.

	Interest Bearing				Total \$000	Weighted Average %	
	Fixed or Variable	Less than a Year	1 to 5 Years	More than 5 Years			Non Interest Bearing \$000
2014 Maturity analysis for financial assets and liabilities							
Assets							
Cash and deposits					970	970	0
Receivables					366	366	0
Total Financial Assets					1336	1336	0
Liabilities							
Payables					276	276	0
Total Financial Liabilities					276	276	0
2013 Maturity analysis for financial assets and liabilities							
Assets							
Cash and deposits					574	574	0
Receivables					193	193	0
Total Financial Assets					767	767	0
Liabilities							
Payables					109	109	0
Total Financial Liabilities					109	109	0

d) Market Risk

Market risk is the risk that the fair value of future cash flows of a financial instrument will fluctuate because of changes in market prices. It comprises interest rate risk, price risk and currency risk.

(i) Interest Rate Risk

The Aboriginal Areas Protection Authority is not exposed to interest rate risk as agency financial assets and financial liabilities are non-interest bearing.

(ii) Price Risk

The Aboriginal Areas Protection Authority is not exposed to price risk as Aboriginal Areas Protection Authority does not hold units in unit trusts.

(iii) Currency Risk

The Aboriginal Areas Protection Authority is not exposed to currency risk as Aboriginal Areas Protection Authority does not hold borrowings denominated in foreign currencies or transactional currency exposures arising from purchases in a foreign currency.

Borrowings

By using cross currency interest rate swap contracts, the Aboriginal Areas Protection Authority agrees to exchange specified principal and interest foreign currency amounts at an agreed future date at a specified exchange rate, thereby enabling the Aboriginal Areas Protection Authority to mitigate the risk of adverse movements in foreign exchange rates. The quantum and maturity profile of the cross currency interest rate swaps are reflected in the table shown under Liquidity Risk.

e) Net Fair Value

Fair values of financial instruments categorised by level of inputs used to measure fair value are:

	Total Carrying Amount	Net Fair Value Level 1	Net Fair Value Level 2	Net Fair Value Level 3	Net Fair Value Total
	\$000	\$000	\$000	\$000	\$000
2014					
Financial Assets					
Cash and deposits	970	970			970
Receivables	366	366			366
Total Financial Assets	1336	1336			1336
Financial Liabilities					
Payables	276	276			276
Total Financial Liabilities	276	276			276
2013					
Financial Assets					
Cash and deposits	574	574			574
Receivables	193	193			193
Total Financial Assets	767	767			767
Financial Liabilities					
Payables	109	109			109
Total Financial Liabilities	109	109			109

14. CONTINGENT LIABILITIES AND CONTINGENT ASSETS

a) Contingent Liabilities

b) Contingent Assets

The Aboriginal Areas Protection Authority had no contingent liabilities or contingent assets as at 30 June 2014 or 30 June 2013.

15. EVENTS SUBSEQUENT TO BALANCE DATE

No events have arisen between the end of the financial year and the date of this report that require adjustment to, or disclosure in these financial statements.

16. ACCOUNTABLE OFFICER'S TRUST ACCOUNT

The Aboriginal Areas Protection Authority does not hold or control an Accountable Officer's Trust Account.

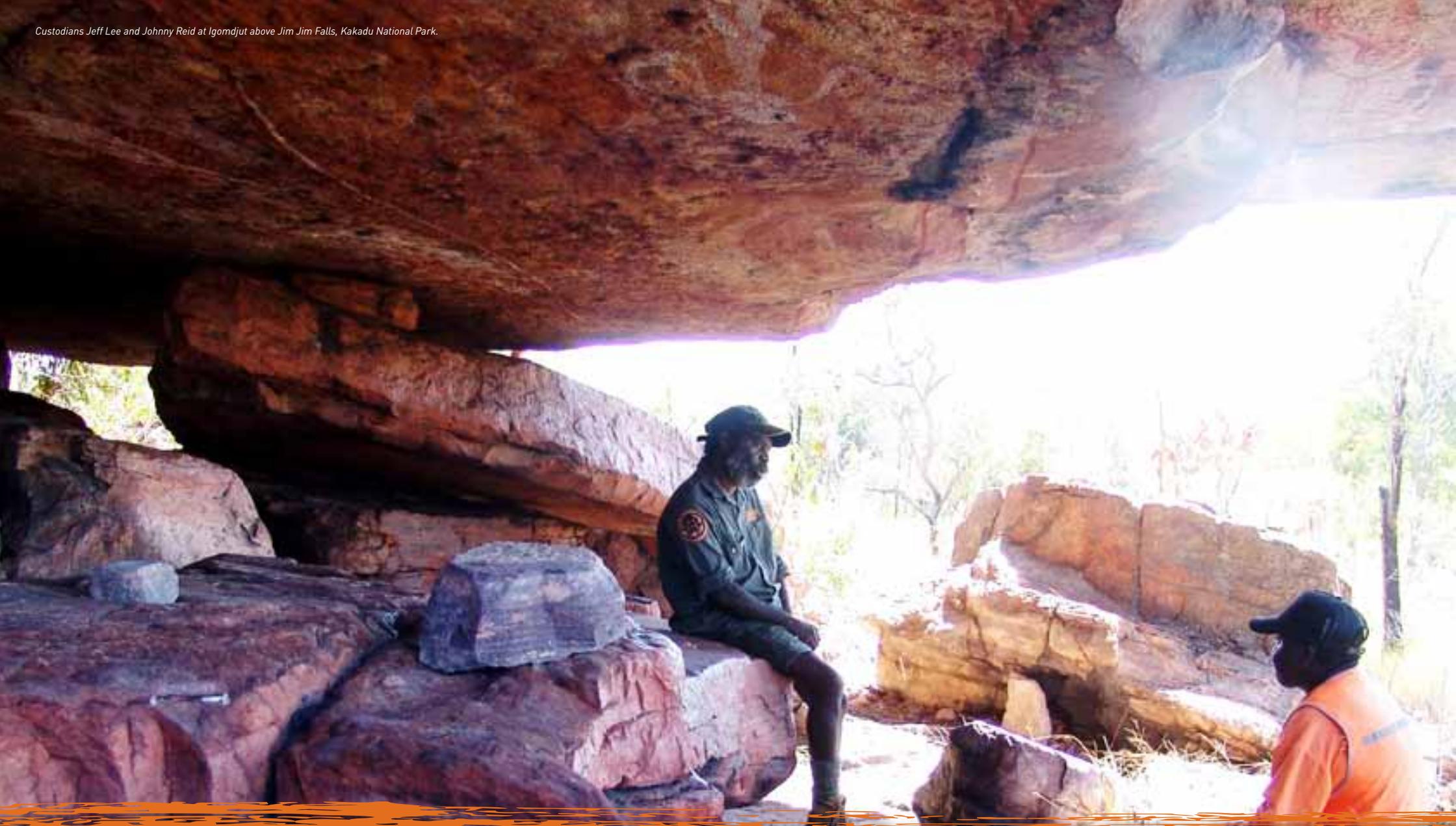
17. WRITE-OFFS, POSTPONEMENTS, WAIVERS, GIFTS AND EX GRATIA PAYMENTS

The Aboriginal Areas Protection Authority had no write offs, postponements or waivers (except waivers sought and granted under the *Northern Territory Aboriginal Sacred Sites Act*) in 2013-2014 and 2012-13.

18. SCHEDULE OF TERRITORY ITEMS

The following Territory items are managed by the Aboriginal Areas Protection Authority on behalf of the Government and are recorded in the Central Holding Authority (refer Note 2(c)).

	2014	2013
	\$000	\$000
TERRITORY INCOME AND EXPENSES		
Income		
Fees from regulatory services	33	68
Total Income	33	68
Expenses		
Central Holding Authority income transferred	33	68
Total Expenses	33	68
Territory Income less Expenses	0	0



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