



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

# ANNUAL REPORT

## 2019–20

# DISCLAIMER

The Aboriginal Areas Protection Authority has taken due care in ensuring information contained in this annual report was true and correct at the time of publication, however changes in circumstances after the time of publication may impact on its accuracy. The Authority disclaim all liability associated with the use of this information by others in contexts not approved by the Authority.

*Aboriginal and Torres Strait Island readers and viewers should be aware that this material may contain images or names of deceased persons.*

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## ABORIGINAL AREAS PROTECTION AUTHORITY

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[www.aapant.org.au](http://www.aapant.org.au)

Published December 2020 by the Aboriginal Areas Protection Authority, a statutory authority of the Northern Territory Government.

ISSN 2205-5177

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*Front cover: View of Rwytyepme (Mount Sonder) from the Larapinta Trail.*

*Photo by Drew Anderson*



*Custodians at Ewaninga Rock Carving Reserve*

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The Hon. Eva Lawler MLA  
Minister for Environment and Natural Resources  
DARWIN NT 0800

30 September 2020

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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 'Sacred Sites Act'), the annual report for the Aboriginal Areas Protection Authority for the financial period 1 July 2019 to 30 June 2020.

The report refers to the thirty-first year of operation of the Aboriginal Areas Protection Authority.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bobby Nunggumajbarr', enclosed within a large, hand-drawn oval.

**Bobby Nunggumajbarr**  
Chairperson

The Hon. Eva Lawler MLA  
Minister for Environment and Natural Resources  
DARWIN NT 0800

30 September 2020

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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 2019 to 30 June 2020.

The report refers to the thirty-first year of operation of the Aboriginal Areas Protection Authority. To the best of my knowledge and belief as Accountable Officer, pursuant to section 13 of the *Financial Management Act 1995*, the system of internal control and audit provides reasonable assurance that:

- a) proper records of all transactions affecting the agency are kept, and employees under my control observe the provisions of the *Financial Management Act*, the Financial Management Regulations and Treasurer's Directions
- b) procedures within the agency afford proper internal control, and a current description of such 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 agency is adequate, and the results of internal audits have been reported to me
- e) the financial statements included in the annual report have been prepared from proper accounts and records and are in accordance with Treasurer's Directions
- f) the Authority is working in compliance with the *Information Act*.

Yours sincerely



**Dr Benedict Scamبارy**  
Chief Executive Officer

# INTRODUCTION



*Sacred claypan in the Ewaninga  
Rock Carving Reserve*



## PURPOSE OF THE ANNUAL REPORT

**This is an annual report on the administration and operation of the Aboriginal Areas Protection Authority (the Authority) for the 2019–20 financial year.**

The report includes the Authority's financial statements and displays compliance with standards of internal control in accordance with the reporting

requirements of the *Financial Management Act*, the Treasurer's Directions and the policies of the Northern Territory Government.

The annual report also provides the Northern Territory Legislative Assembly and the public with an account of the Authority's performance, responsibilities, activities and business direction for the year ahead.

## TARGET AUDIENCE

This annual report is for our various range of stakeholders: the Northern Territory Legislative Assembly, government agencies, Aboriginal custodians, the Northern Territory public and land users across the Northern Territory.



## CHAIRPERSON'S REPORT

**2019–20 was a year of big challenges and change for the Authority due to the COVID-19 pandemic. When the COVID-19 pandemic was declared in March 2020, the Authority worked quickly to protect our board, staff, custodians and stakeholders.**

To keep everyone safe from the virus, our staff worked from home, we postponed face-to-face consultations with custodians for several months and rescheduled the board meeting until later in the calendar year.

Fortunately, we were able to continue providing many of our services to the public by using old and new technology. We continued to issue records from our sacred sites register through the request for information process, progress site investigations, carry out meetings with stakeholders and provide sacred site advice to government regulatory agencies, such as the Environment Protection Agency.

However, because some of our consultations were put on hold, there has been an impact on the number of Authority Certificates issued this year. In total, the Authority issued 80 certificates, which was a decrease from 107 in 2018–19. After the biosecurity restrictions were lifted in early June 2020, we recommenced face-to-face consultations with custodians.

Next financial year, our priority will be to complete any work that was delayed due to the COVID-19 pandemic and hold board meetings again.

I want to thank the board and staff for their resilience and commitment to the important work we do of protecting sacred sites.

I want to thank Ms Amy Dennison for acting as CEO of the Authority while Dr Ben Scambary was in the United States of America undertaking a Fulbright Scholarship. Amy did a great job leading the organisation through this period including COVID-19, and the board and I are grateful for her leadership and tenacity.

This year we welcomed Ms Valerie Martin back to the board, after she was reappointed for another three-year term. The board and I look forward to working with her for years to come.

The Board and staff were deeply saddened by the loss of Mr Phillip Wilyuka, from Titjikala Community and Mr Robert Tipungwuti from the Tiwi Islands, former board members of the Authority. They were both widely respected and great statesmen. They will be greatly missed.

**Bobby Nungumajbarr**  
**Chairperson**

*This year we welcomed Ms Valerie Martin back to the board, after she was reappointed for another three-year term.*





## CHIEF EXECUTIVE OFFICER'S REPORT

**The unease and uncertainty created by COVID-19 effected all of us this year. I thank Acting CEO Ms Amy Dennison who made sure we had clear COVID-19 plan and steered the organisation through this challenging period.**

While the Authority experienced a reduction in revenue and in the number of Authority Certificates issued due to the impact of COVID-19, it was able to maintain outputs in other areas. We issued 625 requests for information (an increase from 511 in 2018–19), registered 20 sacred sites and recorded 146 new sites. We again saw a strong demand for mining, oil and gas and infrastructure related projects as well a growing demand for tourism related projects. The latter largely a result of governments' significant investment into this sector.

This year we were pleased to see a small increase in demand for our services in relation to pastoral, agricultural and horticultural projects. We look forward to working more with government and the private sector on these types of projects in the future.

Following the acceptance of all 139 recommendations from the Scientific Inquiry into Hydraulic Fracturing in the Northern Territory (the Inquiry), the Authority gained new legislative functions under the *Petroleum (Environment) Regulations 2016*. These new functions ensure additional protection for sacred sites in the regulatory scheme for hydraulic fracturing.

The Authority's organisational capacity grew with the arrival of new staff to support the

Ongoing Petroleum Regulatory activities thanks to additional funding from government. Our new staff perform a key role in carrying our regulatory assessments and compliance monitoring.

In response to client feedback for more information to be included in our sacred sites abstracts (also known as requests for information), we released an improved request for information product for clients. This product will better inform clients about the presence of sites and their risk management practices.

We also started a remediation project of the Authority's principle Enterprise Management System (EMS), which will consider how our IT systems, including the sacred sites database, are servicing our current and future needs. In 2018, we launched AAPA Online which allowed clients to submit, track and receive their certificate applications and abstracts. This year's EMS remediation project will review the performance of AAPA Online with a particular focus on how we can improve the user experience and streamline requests for services. We look forward to working with staff and stakeholders to discuss and design our future IT needs.

For many years, the Authority has been cognisant of the need to amend the *Sacred Sites Act* to ensure it remains effective and reflects social, legal and economic changes. We have identified the key improvements we need make in the Act and will be talking with our key stakeholders about these changes.

**Dr Benedict Scamary  
Chief Executive Officer**

*For many years, the Authority has been cognisant of the need to amend the Sacred Sites Act to ensure it remains effective and reflects social, legal and economic changes.*



## DEPUTY CHAIRPERSON REPORT

**This year it was a pleasure to be reappointed onto the Authority board for another three years. It is a great privilege to help lead the board and the staff of the Authority in the protection of sacred sites. The work that we do helps keep our culture strong for everyone in the Northern Territory.**

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This year the board has considered issues surrounding water resources and management in the Northern Territory and in particular how this impacts on the protection of sacred sites – many of which are water places or are connected with the cultural flow of water in the Northern Territory. The board is concerned about the impacts of development and more broadly climate change on our culture and livelihoods and in particular our sacred sites. We look forward to exploring this issue further in the coming year.

One of the key ways we protect sacred sites is through the registration of these sites.

A registered sacred site by the Authority board is given the highest protection the Northern Territory. The process of registering a site establishes clear boundaries, details the features and traditions that make the site sacred and identifies the Aboriginal custodians of the site. This year 20 sacred sites were registered across the Northern Territory, taking the Authority's total number of registered sacred sites to 2,144. However, there is still a vast number of sacred sites to be registered in the Northern Territory and I encourage Aboriginal custodians to come and talk to us about getting their sacred sites registered.

We were deeply saddened by the passing of our former Chairman Mr Wilyuka and former board member Mr Robert Tipungwuti. They will live on in our hearts and in our stories.

**Valerie Martin**  
**Deputy Chairperson**

*This year 20 sacred sites were registered across the Northern Territory, taking the Authority's total number of registered sacred sites to 2,144.*



## REMEMBERING MR PHILLIP WILYUKA, 1957–2020

Mr Wilyuka was a Pitjanjatjara/ Yankunytjatjara man from Titjikala who joined the board of the Aboriginal Areas Protection Authority in December 2015. He came to the board immediately after the Giles government and during a period of great uncertainty. Having a lifetime of experience, and political know-how, Mr Wilyuka became the Chairman of the board. He steered the Authority in this role for two years before his health declined.

We remember Mr Wilyuka for his leadership, his compassion and quick wit. He spoke strongly for sacred sites and for the rights of Aboriginal people. As Chairman of the Authority board, he worked hard to make sure governments and industry were accountable. He was never afraid to ask the hard questions or shy away from the answers.



## REMEMBERING MR ROBERT TIPUNGWUTI, 1939–2020

Mr Tipungwuti was from the Tiwi Islands and a member of the Authority board from 2006 to 2015. He had a distinguished career and held various senior positions including Commissioner for the Aboriginal Development Committee in the 1980s and Chairman of the Tiwi Land Council from 2006 to 2012.

As a member of the Authority board, he provided informed opinions from his official and political experience.

He was a strong and respected communicator, able to build good relations within the board and between Aboriginal custodians and the wider Northern Territory community. In 2015, he stepped down from the board due to health concerns. We remember him for his leadership and dedication and for his great sense of humour.

*We will not forget these men for the contributions they made and the legacies they leave behind.*

# OUR ORGANISATION



*Custodians at Ewanning  
Rock Carving Reserve*

## MISSION STATEMENT

To protect sacred sites in the Northern Territory.

## VALUES

CUSTODIAN VALUES	AUTHORITY GUIDING VALUES	CLIENT VALUES
	Two laws <i>Northern Territory Aboriginal Sacred Sites Act 1989</i>	
Traditional law	Independence	Legal certainty
<b>Knowledge</b>	<b>Integrity</b>	<b>Advice</b>



*Nungbalgarri Creek,  
West Arnhem Highway*

# STRATEGIC PLAN (2017–21)



## Aboriginal Areas Protection Authority

*protecting sacred sites across the territory*

### STRATEGIC PLAN

#### CUSTODIAN VALUES

- Traditional Law
- Knowledge

#### AUTHORITY GUIDING VALUES

- Two Laws
- Northern Territory Aboriginal Sacred Sites Act
- Independence
- Integrity

#### CLIENT VALUES

- Legal Certainty
- Advice

#### Strategies to Protect Sacred Sites in the NT

Promote the Value of Sacred Sites in the Northern Territory by:

1. Ensure Compliance with the *Northern Territory Aboriginal Sacred Sites Act*
2. Adopt a Risk Management Approach to Corporate Governance
3. Advance Technology and Information Management
4. Advance High Quality Research and Land Information
5. Staff Committed to the Values of a High Performing Organisation
6. Streamlined Financial Management Systems

#### MISSION STATEMENT:

To protect Sacred Sites in the Northern Territory



## Aboriginal Areas Protection Authority

*protecting sacred sites across the territory*

### BUSINESS PLAN 2021

PRIORITIES	PROJECTS	SECTION
1.1 Amend the <i>Northern Territory Aboriginal Sacred Sites Act</i>	1.1.1 Annotate the <i>Northern Territory Aboriginal Sacred Sites Act</i>	Policy and Governance
1.2 Progress inter-agency collaborations for Sacred Site messaging	1.1.2 Develop and progress a package of legislative amendments	
1.3 Improve compliance management	1.2.1 Develop a communications strategy 1.3.1 Develop an improved compliance management process	
2.1 Develop a risk management framework	2.1.1 Risk Framework 2.1.2 Audit Plan	Policy and Governance
3.1 Coordinate and deliver a digital workplace strategy	3.1.1 Conduct business process reviews 3.1.2 Information and data review 3.1.3 Enhance digital communication 3.1.4 Improve website communication	Corporate Services
4.1 Explore research advancement using new technologies	4.1.1 Develop an enhanced database for Research	Research and Land Information
4.2 Utilise new technologies for information management and access	4.2.1 Develop innovative multi-media solutions for site recording, reporting and mapping	
4.3 Uphold professional and quality control standards in research and land information	4.2.2 Explore new client products	
	4.2.3 Ranger Group collaboration in Site Registration and protection	
	4.2.4 Digitise the Research and Land Information Induction Manual	
	4.3.1 Data Integrity Project	
5.1 Leadership aligned with Values	5.1.1 Build the capabilities of Authority staff	Corporate Services
6.1 Develop a new revenue strategy	6.1.1 Provide financial information to increase revenue and control costs	Corporate Services

#### MISSION STATEMENT:

To protect Sacred Sites in the Northern Territory

## ROLE AND FUNCTION

The Aboriginal Areas Protection Authority (the Authority) is a statutory authority that was established under the *Northern Territory Aboriginal Sacred Sites Act 1989 (Sacred Sites Act)* and is responsible for overseeing the protection of sacred sites in the Northern Territory.

The Authority's functions are set out in section 10 of the *Sacred Sites Act*. The Northern Territory Government and the broader community recognises protecting Aboriginal sacred sites as an important element in preserving the Northern 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 seeks to strike a balance between the protection of sacred sites and development in the Northern Territory.*

## OUR HISTORY

*While its form has changed over time, the Aboriginal Areas Protection Authority has existed for 42 years.*

Our history is entwined with the *Aboriginal Land Rights (NT) Act 1976*—the legislation that gives the Northern Territory the power to pass laws for the protection of sacred sites. That Act provided a foundation for the *Northern Territory Aboriginal Sacred Sites Act 1989*.

The Act's predecessor, the *Northern Territory Aboriginal Sacred Sites Act 1978 (NT)*, was one of the first pieces of legislation the

Northern Territory Government passed after self-government was granted in 1978. The new law was significant in its recognition of Aboriginal culture by empowering Aboriginal people to protect their sites of cultural significance and allowing their sites to be recorded, registered and protected in the context of development.

Under the new law, it became an offence to enter, remain on, carry out works on or desecrate sacred sites anywhere in the Northern Territory. Other parts of today's legal protection were also established at that point, including a board largely made up of Aboriginal custodians of equal genders who are nominated by land councils, and a clear definition of what a sacred site is.

The early years brought some controversy between the Authority, the government and developers. The general public had little understanding of sacred sites and their meaning and importance to Aboriginal people. However, under the strong leadership of senior Aboriginal Chairmen, including Mr Raphael Aputimi OAM and Mr Wenten Rubuntja AM, the Authority 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 *Northern Territory Aboriginal Sacred Sites Act 1978 (NT)*. In 1988, due to concerns around the Act, the Northern Territory Government introduced the Aboriginal Areas Protection Bill (NT) in an attempt to strike a more effective balance between protecting sacred sites and development in the Northern Territory.

The government continued negotiations with the Authority and land councils over amendments to the sacred sites legislation, which led to the current *Northern Territory Aboriginal Sacred Sites Act 1989* and the establishment of the current Aboriginal Areas Protection Authority.

Since 1989, the *Northern Territory Aboriginal Sacred Sites Act* has established a framework for sacred site protection based on voluntary engagement. While Authority Certificates are not mandatory, they give developers, businesses and individuals certainty about where sacred sites are and what can and cannot be done around them.

In recognition of the importance of sacred sites and their protection, the Northern Territory Government obtains Authority Certificates for many of its public works. Key agencies such as the Department of Planning, Infrastructure and Logistics use certificates to guide their many projects as they provide clear instructions about what can and cannot be done in and around sacred sites. Through the Authority Certificate process, the Authority has delivered certainty for thousands of government projects across the Northern Territory, while protecting sacred sites.

Following the acceptance of all 135 recommendations of the Scientific Inquiry into Hydraulic Fracturing, the *Petroleum (Environment) Regulations 2016* were amended so that Authority Certificates must be obtained as part of all Environmental Management Plans (EMP) for hydraulic fracturing projects. Additionally, the Authority must be provided a copy of any hydraulic fracturing applications and the opportunity to consult with custodians and provide comments to the relevant decision maker. These changes have helped insert the Authority into the regulatory regime and approvals process for all Onshore Petroleum activities in the Northern Territory. The benefit for proponents and stakeholders alike is that the streamlined process reduces the risk of delays and duplication of work and ensures that sacred sites are adequately considered for all hydraulic fracturing projects.



# OUR SERVICES

The Authority manages the protection of Aboriginal sacred sites through:

- sacred site avoidance surveys and issuing Authority Certificates for any proposed development
- providing the public with information about existing sacred sites through abstracts of Authority records and access to the register we maintain
- registering Aboriginal sacred sites.

## AUTHORITY CERTIFICATES

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.

We issue these certificates based on consultations with custodians, and the certificates include clear conditions 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 Authority Certificate, as long as the applicant complies with any conditions imposed to protect sacred sites.

Authority Certificates are an effective risk management tool for developers as they indicate where sacred sites are and how to work in and around them. This helps prevent risk of damage to the site, which can lead to project delays and extra cost.

## REQUESTS FOR INFORMATION

Members of the public can seek advice on registered sacred sites by requesting access to the register of sacred sites. We provide abstracts of records on where sacred sites are known to exist so they are not inadvertently damaged.

These abstracts give information on the sacred sites that are likely to be at risk if works are carried out without seeking more detailed information first. We might advise that works should not be carried out on these sacred sites without an Authority Certificate and that any development proposals take into account the sacred site's existence.

## THE REGISTRATION OF ABORIGINAL SACRED SITES

Custodians of Aboriginal sacred sites may apply to have their sites registered under Part III, Division 2 of the *Sacred Sites Act*.

The Authority then conducts anthropological research, including consulting with Aboriginal custodians and reviewing the register for any historical information that may be available on the proposed sacred site to determine the site's location, boundaries and significance in accordance with Aboriginal tradition. Landowners are given an opportunity to comment on the proposed registration before it is presented to the board.

In accordance with the *Sacred Sites Act*, staff present a report on that information to the Authority board for registration approval. At recent meetings key custodians have been invited to speak to the board directly about the sites they have proposed for registration.

*Authority Certificates are an effective risk management tool for developers as they indicate where sacred sites are and how to work in and around them.*



Cattle Creek Station landscape

# OUR STAKEHOLDERS

The Authority serves a diverse range of stakeholders:

- Northern Territory and Australian Government agencies
- Aboriginal custodians and traditional owners
- industry groups (including the mining, oil and gas industry and pastoral industry)
- the Defence Force
- land councils
- local governments and shires
- communication network companies
- food producers
- tourism operators
- environmental managers (including Indigenous rangers)
- home owners
- real estate agents
- private and non-government organisations who use land across the Territory.

The Authority strives to meet the needs of all stakeholders in protecting sacred sites.

*View from the coast of Junction Bay,  
West of Maningrida*



# HIGHLIGHTS IN 2019–20

## ORGANISATION HIGHLIGHTS



- The Authority registered 20 sacred sites during Authority board meetings.
- The Authority recorded 160 new sacred sites as a result of fieldwork.



- The Authority completed 625 requests for information from the Authority's records.



- The Authority issued 80 Authority Certificates for projects across the Northern Territory, including tourism, infrastructure and mining, oil and gas.
- The Authority issued Authority Certificates for key projects including the Rum Jungle mine rehabilitation works and the Stokes Hill environmental sampling application from the Department of Defence.
- 87% of Authority Certificates were issued within 6 months.
- The Authority provided 12 full or partial waivers to support a range of projects across the Northern Territory. This included waivers to support Aboriginal organisations for community initiatives, waivers to support government's township development initiatives in Aboriginal communities and waivers to support government and private initiatives for tourism related projects in national parks. The total value of waivers was 6% of the Authority's self-generated income for 2019-20.

## STAFFING HIGHLIGHTS



- Dr Ben Scambary, CEO completed a Fulbright Scholarship at Columbia University on the topic of Treaty with First Nations People.
- Ambre Philpott, Registrar, completed her Diploma of Science.

# GOVERNANCE



*Aerial view of the  
Crocodile Islands*



**The Aboriginal Areas Protection Authority board comprises 12 members.**

Ten of those members are custodians nominated by Northern Territory land councils in equal numbers: five males and five females. The other two members are nominated by the Northern Territory Minister for Environment and Natural Resources.

To fill vacancies for Aboriginal custodian members of the board, 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.

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

## AUTHORITY BOARD MEETINGS

Under the *Northern Territory Aboriginal Sacred Sites Act 1989*, the Authority meets four times each calendar year.

In the 2019–20 financial year, the Chair called the following meetings:

<b>121st board meeting</b>	3–4 July 2019	Darwin
<b>122nd board meeting</b>	20 November 2019	Darwin
<b>123rd board meeting</b>	21 November 2019	Darwin

## APPOINTMENTS

The term of one member’s appointment expired in in 2019–20:

**Ms Valerie Martin, 1 August 2019**

Ms Valerie Martin was nominated by the Central Land Council, and her re-appointment was notified in the Northern Territory Government Gazette on 8 January 2020.

# ABORIGINAL AREAS PROTECTION AUTHORITY BOARD



**MR BOBBY  
NUNGGUMAJBARR –  
CHAIRPERSON**

**REGION:**  
Roper Basin

**FIRST APPOINTED:**  
29 September 2015

**DATE RE-APPOINTED:**  
8 February 2019

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Mr Bobby Nunggumajbarr is a senior Nunggubuyu man from Numbulwar in south-eastern Arnhem Land. He has had a long and distinguished career in public administration and has held various positions on the Yugul Mangi Community Government Council in Ngukurr and the Roper Gulf Shire. He was the Senior Project Officer in charge of the Northern Land Council's Ngukurr office, which is a role he held for more than 15 years. Mr Nunggumajbarr is widely respected for his knowledge and authority in Ngukurr and is highly regarded as a community facilitator. Mr Nunggumajbarr is the elected Chairperson of the board.



**MS VALERIE  
MARTIN – DEPUTY  
CHAIRPERSON**

**REGION:**  
Yuendumu hinterland

**DATE APPOINTED:**  
2 August 2016

**DATE RE-APPOINTED:**  
8 January 2020

---

Ms Valerie Martin is a senior Warlpiri woman from Yuendumu. Ms Martin is a member of the board of the Warlpiri Youth Development Aboriginal Corporation and a previous member of the Central Land Council and the Aboriginal Benefit Account Advisory Committee. Ms Martin has served as Deputy Chairperson from 2016–2018 and 2019.



**MS JENNY  
INMULUGULU**

**REGION:**  
Arnhem Land West

**FIRST APPOINTED:**  
26 April 2006

**DATE RE-APPOINTED:**  
31 October 2018

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Ms Jenny Inmulugulu is a traditional owner of Warruwi community on South Goulburn Island. She has been a member of the Aboriginal Areas Protection Authority since 2006 and served as Deputy Chairperson from 2008 to 2012. Ms Inmulugulu is a member of the Northern Land Council. As a senior woman for her clan, she is a strong advocate for her community, with a focus on youth engagement and business enterprises.



### MS LEAH CLIFFORD

**REGION:**

Darwin Hinterland

**FIRST APPOINTED:**

1 August 2015

**DATE RE-APPOINTED:**

3 October 2018

Ms Leah Clifford is the Deputy Chief Executive of the Department of Infrastructure, Planning and Logistics. Ms Clifford has previously held senior positions within the Northern Territory Government, including in the Department of Lands, Planning and the Environment and the Department of Housing. She brings specialist professional skills in the area of land policy and administration to the Authority board membership.



### MR WALTER KERINAIUA JUNIOR

**REGION:**

Tiwi Islands

**FIRST APPOINTED:**

31 August 2015

**DATE RE-APPOINTED:**

22 August 2018

Mr Walter Kerinauia Junior is from the Mantiyupwi clan group and is one of the senior 'culture men' on the Tiwi Islands. He is a past member of the Tiwi Islands Regional Council/Tiwi Islands Land Council and past Director of Mantiyupwi Pty Ltd. Mr Kerinauia Junior has been the long-time Trustee of the Mantiyupwi land-owning group, which takes in southern parts of both Bathurst and Melville islands.



### MS LYNETTE GRANITES

**REGION:**

Yuendumu Hinterland

**FIRST APPOINTED:**

18 May 2005

**DATE RE-APPOINTED:**

22 August 2018

Ms Lynette Granites is a highly respected senior Warlpiri woman from Yuendumu. She has been a member of the Aboriginal Areas Protection Authority Board since 2005. Ms Granites is well known for her knowledge in women's law and culture and has worked closely with the Authority on many sacred site registrations and Authority Certificate consultations. She worked as a health worker for many years and is a renowned artist in her community.



**MR JACK GREEN**

**REGION:**  
Borroloola and Gulf

**FIRST APPOINTED:**  
29 September 2015

**DATE RE-APPOINTED:**  
31 October 2018

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Mr Jack Green is a Garrawa man from Borroloola. He is a Senior Cultural Advisor to the Garawa and Waanyi/Garawa ranger programs in the Gulf region of the Northern Territory and is employed by the Northern Land Council and is also a member of the Northern Land Council. Mr Green has contributed significantly to Aboriginal community-based development programs in remote regions of Australia. He is also a well-known artist. Mr Green is a strong supporter of the maintenance of Aboriginal connection to the land.



**MR PHILLIP MAMARIKA**

**REGION:**  
Arnhem Land East

**FIRST APPOINTED:**  
31 August 2015

**DATE RE-APPOINTED:**  
22 August 2018

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Mr Phillip Mamarika is a respected elder of the Mamarika clan of Umbakumba on Groote Eylandt. He worked as a senior ranger with the Anindilyakwa Land and Sea Rangers, providing on-the-ground leadership and mentoring to staff regarding traditional land and sea country. He recently retired from his full-time senior ranger role. However he continues work closely with both the Anindilyakwa Land and Sea Rangers group and the Anindilyakwa Land Council as a consultant.



**MR ANDREW COWAN**

**REGION:**  
Darwin Hinterland

**DATE APPOINTED:**  
5 July 2017

---

Mr Andrew Cowan is the Deputy Chief Executive of the Department of the Chief Minister and has previously held various senior positions within the Northern Territory Government. Mr Cowan is in charge of the Northern Territory Government's Indigenous Development Strategy and has a strong understanding of the government's Aboriginal Affairs and development priorities.





### MS ELAINE WATTS

**REGION:**  
Katherine Hinterland

**DATE APPOINTED:**  
23 May 2018

Ms Elaine Watts is a traditional owner from the Katherine region and a long-serving member of the Northern Land Council (NLC), standing as a full council member from 2013 to 2016. Ms Watts has extensive knowledge of land and management practices, having worked in various Aboriginal land and sea management positions, including as a Sea Ranger NLC Facilitator and Timber Creek Ranger Group Facilitator. Ms Watts has also served as the Timber Creek/Victoria River representative on the Katherine Regional Advisory Committee, where she helped look after sacred sites and improved management of the country by increasing skills and work opportunities through training and work experience.



### MS BARBARA SHAW

**REGION:**  
Alice Springs Hinterland

**DATE APPOINTED:**  
27 March 2019

Ms Barbara Shaw is from the Alice Springs Hinterland region and is the current Deputy Chair of the Central Land Council (CLC). She is the CLC delegate for Tangentyere Council, where she coordinates the family safety group, targeting domestic violent in town camps. She is a well-known advocate for education, women’s issues and housing. Ms Shaw is also heavily involved in a range of community organisations and initiatives that support these areas, including acting as the co-chair of Aboriginal Housing Northern Territory, being a member of the Aboriginal Benefit Account, and being a former engagement officer under the Royal Commission into the Protection and Detention of Children in the Northern Territory.



### MR NEVILLE PETRICK

**REGION:**  
Plenty River Basin

**DATE APPOINTED:**  
27 March 2019

Mr Neville Petrick is from McDonald Downs in the Northern Territory and is the Executive Council representative on the Central Land Council for the Eastern Plenty region. In that role, Mr Petrick represents his region at the land council meetings and informs the community about the discussions and outcomes of these meetings.

# AUTHORITY OPERATIONS

## PRINCIPLES OF GOVERNANCE

The Authority's governance framework aims to ensure the Authority carries out its functions effectively, efficiently and in line 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
- planning and development of a strategic plan.

## HOW THE AUTHORITY IS GOVERNED

The primary policy and decision-making body is the Authority (the board), established under section 5 of the *Sacred Sites Act*. It 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 Authority staff 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 some of these delegations and is responsible for the Authority's overall operation. The CEO also exercises responsibilities under the

*Financial Management Act* and complies with the terms and conditions of employment under the *Public Sector Employment and Management Act*.

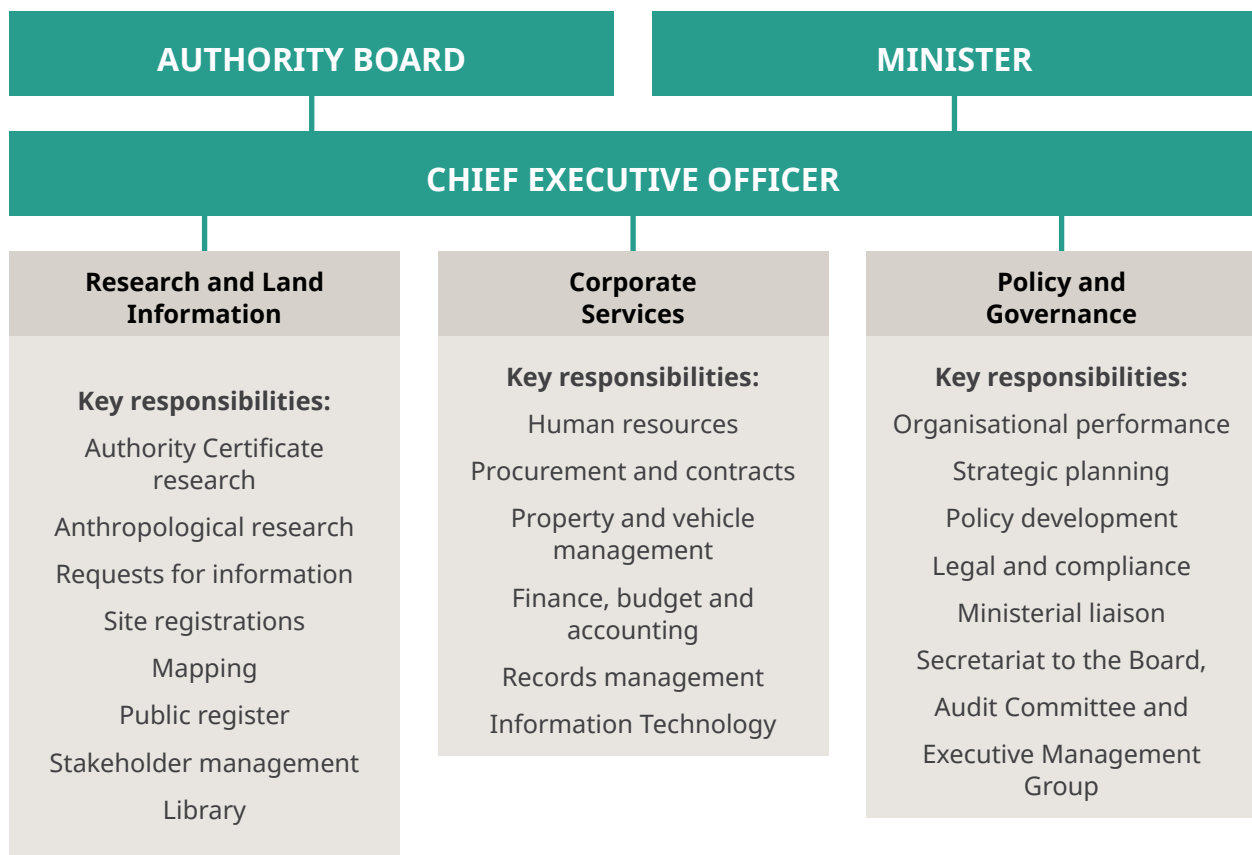
## HOW THE AUTHORITY IS MANAGED

The Chief Executive Officer (CEO) maintains overall responsibility for the Authority's day-to-day operation.

To ensure the smooth functioning of the office, the CEO chairs weekly Executive Management Group meetings and fortnightly staff meetings. Each operational group also meets regularly to ensure the effective flow of information.

The Authority's operational groups are Research and Land Information, Corporate Services and Policy and Governance.

# ORGANISATIONAL CHART



# 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 (NT) Act 1976 (Land Rights Act)* and the *Northern Territory Aboriginal Sacred Sites Act 1989 (Sacred Sites Act)*.

Both Acts define a sacred site as:

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

## 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:

*73(1)(a) laws providing for the protection of, and the prevention of the desecration of, sacred sites in the Northern Territory, including sacred sites on Aboriginal land, and, in particular, laws regulating or authorising the entry of persons on those sites, but so that any such laws shall provide for the right of Aboriginals to have access to those sites in accordance with Aboriginal tradition and shall take into account the wishes of Aboriginals relating to the extent to which those sites should be protected.*

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 sacred site custodians, landowners and developers.

Occasionally, custodians, landowners and developers will have divergent interests in land, but there is usually 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, which preserves and enhances Aboriginal tradition in changing social, economic and cultural environments.

Landowners and developers have 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 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 2011* states that the Authority must have a representative on the Heritage Advisory Council.

# EXECUTIVE MANAGEMENT GROUP (EMG)

The Authority's Executive Management Group (EMG) comprises senior managers from the organisation's operational areas and is chaired by the CEO.

The purpose of the EMG is to provide the CEO with advice and support about a range of strategic and operational

matters. The group's key functions include monitoring the organisation's performance, setting the Authority's strategic direction and priorities, implementing the strategic plan and addressing critical issues facing the organisation.

The EMG members are:

- Dr Ben Scambary, Chief Executive Officer
- Dr Sophie Creighton, Director, Research and Land Information
- Mr Che Walsh, Director, Policy and Governance.

## COMMITTEES

### RISK MANAGEMENT AND AUDIT COMMITTEE

In accordance with section 13(2) of the *Financial Management Act*, the CEO must ensure appropriate internal control procedures are in place. As such, the Authority's Risk Management and Audit Committee exists to provide advice to the CEO on matters associated with risk management, internal controls, reviews and audits within the Authority, including:

- endorse and monitor the Risk Management Plan for the Authority
- review and maintain the Authority's risk register
- monitor external audit program outcomes and the implementation of recommendations
- monitor the development of internal review programs and audits

- review progress and findings of process reviews and monitor the implementation of findings
- consider the adequacy of the internal control environment, including the effectiveness of internal controls on key risks, such as fraud, information and communications technology (ICT), governance and systems to ensure compliance with legal and regulatory requirements
- consider financial reports of the Authority, particularly the narrative summaries and statements included in the annual report, with respect to risk management and internal controls
- within the context of the committee's primary purpose, undertake other functions and activities as determined from time to time by the CEO.

Due to the relatively small nature of the organisation, in 2019–20 the committee established it was no longer necessary to have an independent Chair and external members. The current members of the Risk Management and Audit Committee are the Executive Management Group members and the Business Manager.

## RESEARCH METHODOLOGY GROUP (RMG)

The Research Methodology Group (RMG) is an initiative established by Aboriginal Areas Protection Authority to develop strategic solutions to improve the Authority's service to clients and custodians and its internal processes.

RMG has completed a number of important projects over the last financial year, including implementing improvements to:

- the Authority's process for responding to requests for comment from projects being handled by other government agencies
- the Authority's process for handling and responding to concerns relating to sacred sites
- the cost estimate letters issued to clients in relation to Authority Certificate projects
- the abstract of records documents produced by the Authority in accordance with regulation 7 of the *Sacred Sites Act*.

## INFORMATION AND COMMUNICATIONS TECHNOLOGY (ICT) CHANGE ADVISORY BOARD

The role of this committee is to oversee the Authority's information management and information and communications technology practices to ensure our priorities are met. The committee's responsibilities include:

- review of business cases and project plans for ICT initiatives and investment decisions and submissions to EMG for review and approval
- delivery of ICT initiatives and performance reviews of project delivery
- software upgrades, system changes and managing the impact on Authority users
- reporting any virus attacks or network intrusions.

## LIBRARY COMMITTEE

The purpose of this committee is to maintain a collection of materials relevant to the protection of the cultural heritage of Aboriginal people in the Northern Territory.

The committee is currently focussed on amalgamating the Alice Springs and Darwin collections; cataloguing new acquisitions and bequests; and the digitisation of specific records to make such records more readily available to Authority staff and our stakeholders. The digitisation of specific records is a long-term project.



Limmen River Crossing

# INITIATIVES AND PROJECTS



*Sacred hill in the Ltalaltuma/  
Gilbert Springs area*



As the statutory Authority responsible for overseeing the protection of sacred sites under the *Sacred Sites Act*, the Authority is involved in the planning stages of most major projects in the Northern Territory. Our aim is to balance the interests of custodians, landowners and developers.

In the past 12 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

### TOURISM AND VISITOR-EXPERIENCE PROJECTS

The Authority supported government and private sector tourism projects by issuing Authority Certificates that protected multiple sacred sites while allowing for works to improve visitor experiences for locals and tourists, including:

- Nitmiluk Tours
- Darwin playground precinct
- Judbarra/Gregory National Park 4WD track, day use area and campground
- Central Australian Drag Racing control tower and associated infrastructure
- Finke Gorge National Park new facilities, repairs and maintenance
- Napwerte Ewaninga Rock Carvings new viewing platform
- Watarrka shared pathway and park repairs and maintenance
- Eley National Park visitor experience development plan.

### INFRASTRUCTURE

The Authority supported the Northern Territory and Australian Governments' infrastructure and investment priorities by issuing certificates for infrastructure projects and major roadworks including:

- Robertson Barracks Solar Farm
- RAAF Darwin Solar Farm
- Bachelor and Manton Dam Solar Farms
- Charles Darwin University Cavenagh Street
- Engawala Airstrip maintenance and upgrades
- Richardson Park re-development
- Road maintenance and upgrades to Horsnell, Kentish, Chibnall and Mocatto Roads.

## MINING, OIL AND GAS

The Authority issued numerous Authority Certificates to provide certainty around the location and extent of sacred sites for mining, oil and gas works including mineral exploration, geographical mapping, seismic surveys and drilling throughout the Northern Territory. Authority Certificates generally include conditions for the protection of sacred sites in the context of such works, thereby guiding the safe conduct of the activity.

The Authority issued 17 Authority Certificates for mining, oil and gas works. Eight of these were in response to applications associated with hydraulic fracturing, including environmental water monitoring, bore construction

and well development. Two of the 17 Authority Certificates issued for mining, oil and gas included rehabilitation works.

## ABORIGINAL COMMUNITY PROJECTS AND ENTERPRISES

The Authority supported the Aboriginal community projects and enterprises by issuing certificates for various initiatives including an Authority Certificate to Bawinanga Aboriginal Corporation (BAC) in Maningrida (West Arnhem Land) in June 2020.

The certificate allows BAC to run a pilot commercial Barramundi Fishing venture at Blyth River. The BAC supported venture is to be staffed entirely by local Aboriginal people under the

supervision of senior custodians of registered sacred sites located in and around the mouth of the Blyth River.

The Authority Certificate was issued based on an Agreement between BAC and the custodians of sacred sites, and both organisations worked closely and collaboratively to ensure that the consultation process could continue despite travel restrictions imposed during the COVID-19 pandemic. The careful negotiation of this Authority Certificate highlights that when appropriate site protection measures are in place, certain works can proceed within sacred site boundaries. This also demonstrates the ways that the Authority supports Aboriginal owned and run enterprises on Aboriginal Land.

## COMMUNITY OUTREACH

### LHERE MPARNTWE MANAGEMENT STRATEGY

The Authority and key Alice Springs custodians of the Mparntwe Estate are members of the Lhere Mparntwe Management Committee. In 2019, the committee and Minister Hon. Eva Lawler released the Lhere Mparntwe Management Strategy for a cohesive approach to the management of a section of the Todd River within the township of Alice Springs. The management strategy focusses on the protection of environmental and cultural values of the river and how to engage community members in celebration and protection of the river.

A key recommendation in this strategy related to the establishment of an Mparntwe

Ranger Group for the ongoing reduction of weeds and fire fuel loads and the protection of sacred site features including mature River Red Gum trees.

### PARTICIPATION AT THE HERITAGE CHAIRS AND OFFICIALS AUSTRALIA NEW ZEALAND INDIGENOUS FORUM

In October 2019, the Authority's representative on the Heritage Council attended the Heritage Chairs and Officials Indigenous Forum.

The Authority's representative spoke on the roles and functions of the Authority, focussing on the Authority Certificate process and sacred site protection and was involved in discussions on best practise standards for protection of Indigenous Heritage.

*In 2019, the committee and Minister Hon. Eva Lawler released the Lhere Mparntwe Management Strategy for a cohesive approach to the management of a section of the Todd River within the township of Alice Springs.*



# SPECIAL PROJECTS

## STOKES HILL CONFERENCE

The Authority facilitated a conference in accordance with s19G of the Act. The conference took place over two days between Larrakia custodians and the Department of Defence in late February 2020 and involved office-based and on-site meetings.

The conference resulted in a consensus between Larrakia custodians and the Department of Defence about the manner in which proposed environmental sampling works could take place to ensure appropriate custodian management of sensitive cultural values associated with Stokes Hill sacred site. One outcome of the conference was to agree on methods to minimise ground disturbance at the sacred site. An Authority Certificate was issued to the Department of Defence reflecting the agreement reached in the conference.

## AIATSIS LAND CLAIMS FOCUS GROUP MEETING

The Authority's librarian together with the Director of Research and Land Information attended the AIATSIS land claim focus group meeting. This

project is about ensuring that legacy of anthropological, legal and other records associated with land claims in the Northern Territory is appropriately collected from private collections and the location of such resources is centrally documented. The Authority's library collection is relevant to this project.

## MANINGRIDA SITE REGISTRATION PROJECT

Since 2018, the Authority has worked closely with Maningrida custodians to register coastal sites in and around the Djelk Indigenous Protected Area (IPA).

The Bawinanga Djelk Rangers supported this custodian-led initiative by providing the Authority and custodians with access to boats and supporting ranger staff. In November 2019, Dukurridji custodians of the Maningrida township presented sacred sites for registration to the Authority Board. The meeting resulted in four sites being registered and entered onto the sacred sites register, including a sacred site complex containing a number of sacred sites. All four sites are located in coastal areas directly south of Maningrida township and in the Liverpool River.

By registering these sites in the IPA area, the sites have the highest possible level of protection. This also provides users of the area the best possible information about the sites.

The Authority hopes to work with future ranger groups to carry our similar projects.

## JEFF STEAD COLLECTION

The Authority commenced the Jeff Stead Collection project with its former CEO, Mr Jeff Stead. As part of the project, Mr Stead is writing up his field notes from over the last forty years into a series of reports detailing: land tenure material; Aboriginal/European interaction on communities in the 1970s; and biographies of Aboriginal men and women he knew. As part of this project, he is donating his notes and library to the Authority. The first part of this collection has been received by the Authority and is being processed. It consists of approximately three thousand books and data associated with Aboriginal land ownership, such as Land Commissioners' reports and other documents relating to policy issues.

# WORKING RELATIONSHIPS

## HYDRAULIC FRACTURING

In April 2018, the Northern Territory Government accepted all 135 recommendations of the *Scientific Inquiry into Hydraulic Fracturing in the Northern Territory* (the inquiry).

The inquiry made a number of recommendations regarding the protection of sacred sites.

As a result, the Authority gained new responsibilities and received additional funding from the Northern Territory Government to support this work. Throughout 2019–20, the Authority continued to work with a range of stakeholders including Aboriginal custodians,

industry, government and land councils to protect sacred sites in the context of the proposed oil and gas activities. A focus of this work has been on streamlining the alignment of environmental and cultural heritage regulation in the government approvals process.

# PERFORMANCE REPORT



*Limmen River Crossing*



**The Authority's role is to protect sacred sites through the administration of the *Northern Territory Aboriginal Sacred Sites Act 1989* (NT). The Act provides for the protection of sacred sites through the provision of sacred site information, responding to requests from stakeholders, the registration of sacred sites and, where required, prosecution for the damage or desecration of a sacred site.**

Importantly, in consultation with custodians, the Authority develops sacred site protection procedures through Authority Certificates, which specifically relate to the use and development of land in the Northern Territory.

The Authority's overall performance in a financial year is quantified by the requests for information (of registers and other archives) and the number, size and complexity of Authority Certificate applications issued.

Timeliness is assessed by the average number of days between acceptance of costs for Authority Certificate applications or requests for information and the issuing of those requests.

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)*.

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

## **OUTPUT GROUP: PROTECTION OF SACRED SITES**

Provide statutory services for the protection and registration of sacred sites and the avoidance of sacred sites in the economic development and use of land.

### **OUTCOME:**

Enhanced relations between Aboriginal custodians and the wider Territory community by increasing the level of certainty when identifying constraints, if any, on land and sea use proposals from the existence of sacred sites.

KEY PERFORMANCE INDICATORS	ACTUAL	ACTUAL	ACTUAL	ACTUAL	TARGET	ACTUAL
	2015-16	2016-17	2017-18	2018-19	2019-20	2019-20
Authority Certificates issued	242	157	107	107	100	80
Requests for information completed	636	579	789	511	700	625
Average time between receiving Authority Certificate application and completing service	114 days	90 days	93 days	109 days	120 days	106 days
Average time between receiving request for information and completing service	4.6 days	1.1 days	1.5 days	2.2 days	7 days	2.91 days
Statutory appeals	<1%	<1%	<1%	1 appeal	<1%	1 appeal (ongoing from 2018-19)

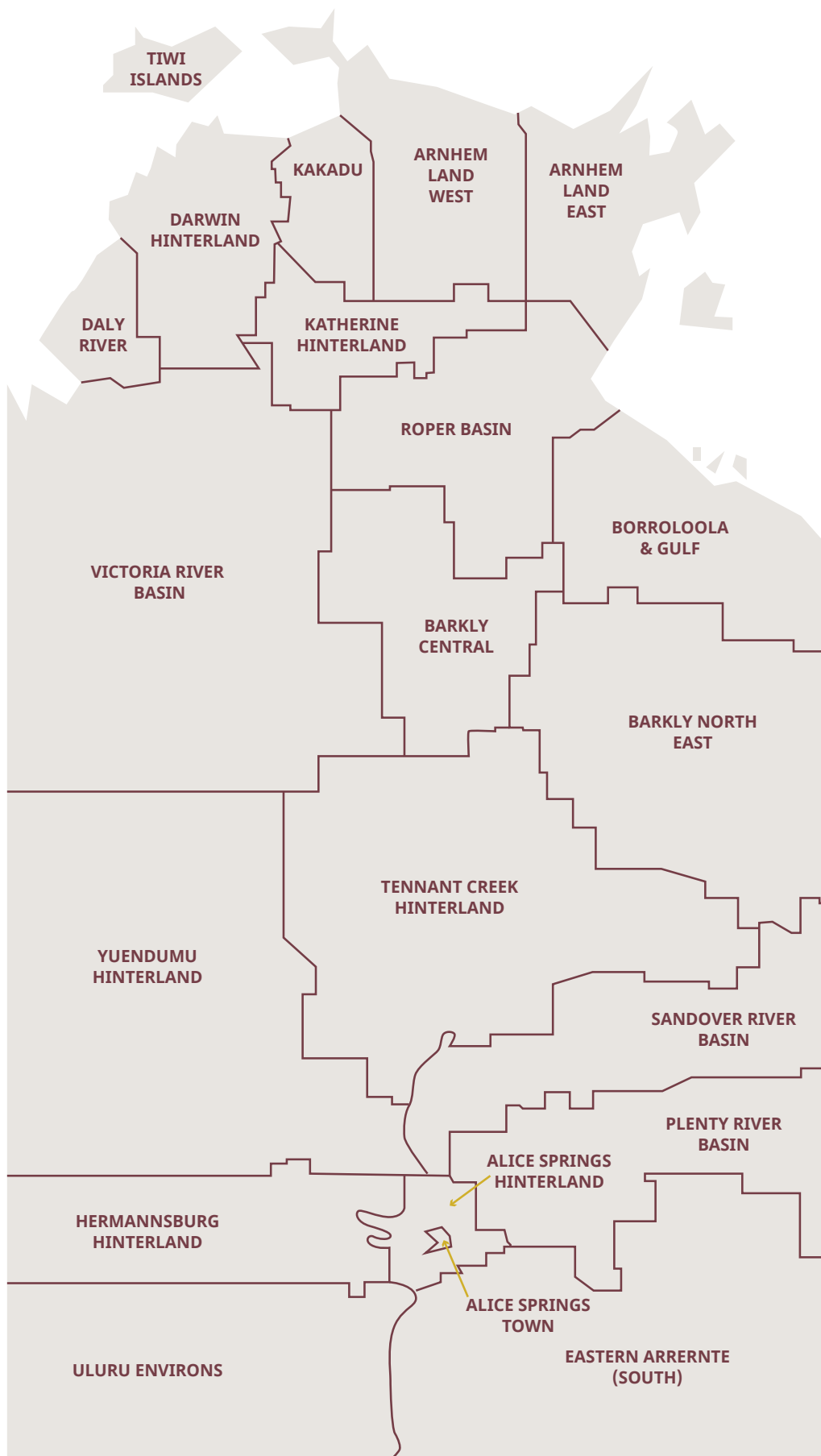
The Authority also reports on the Corporate and Governance output group. Corporate Services information can be found at note 3 of the financial report and Governance information can be found at page 77.



*Custodian Leonard Bowaynu at sacred site on Milingimbi Island near Bodiya Outstation*

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

**FIGURE 1: MAP OF THE AUTHORITY'S REGIONS**





View from the Maningrida coast

# AUTHORITY CERTIFICATES

## QUANTITY

In 2019–20, the Authority issued 80 Authority Certificates for projects across the Northern Territory. This number of certificates is the lowest the Authority has issued over the last five years, partly due to the impact of the COVID-19 pandemic.

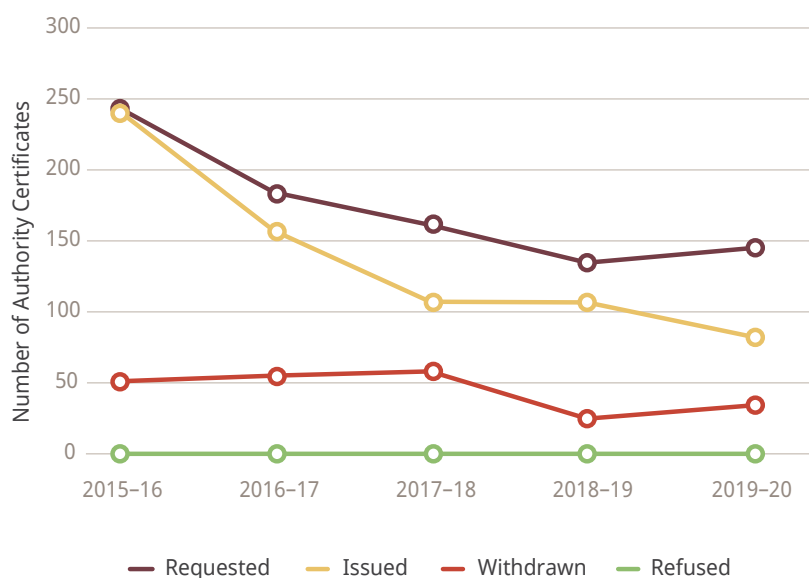
Following the declaration of a global pandemic in relation to the spread of COVID-19 by the World Health Organisation in March 2020, the Authority took the decision to halt all face-to-face consultations with Aboriginal custodians from 13 March 2020. Remote Aboriginal areas were also declared biosecurity zones and closed to travel for non-essential visitors by the Commonwealth Government soon after this date. In total, 27 Authority Certificate applications were affected or postponed by the Authority due to the postponement of face-to-face consultations.

Where practical, Authority staff carried out telephone consultations after 13 March. The Authority resumed urban-based consultations from 11 May, but there remained a number of certificate applications for which the

Authority could not consult in person due to the biosecurity restrictions in place at the time. The Authority recommenced face-to-face consultations in remote communities after the lifting of biosecurity restrictions. The Authority intends to complete any remaining Authority Certificate applications delayed due to COVID-19 in 2020–21.

The number of withdrawn certificates increased from 27 in 2018–19 to 41 in 2019–20. Just under half of the certificates withdrawn in 2019–20 (20) were for projects related to mining, oil and gas. Other certificate applications that were withdrawn by proponents were for infrastructure, power and water and sewerage, natural resource management, tourism and pastoral activities.

**FIGURE 2: AUTHORITY CERTIFICATES REQUESTED, ISSUED, WITHDRAWN AND REFUSED BETWEEN 1 JULY 2015 AND 30 JUNE 2020**



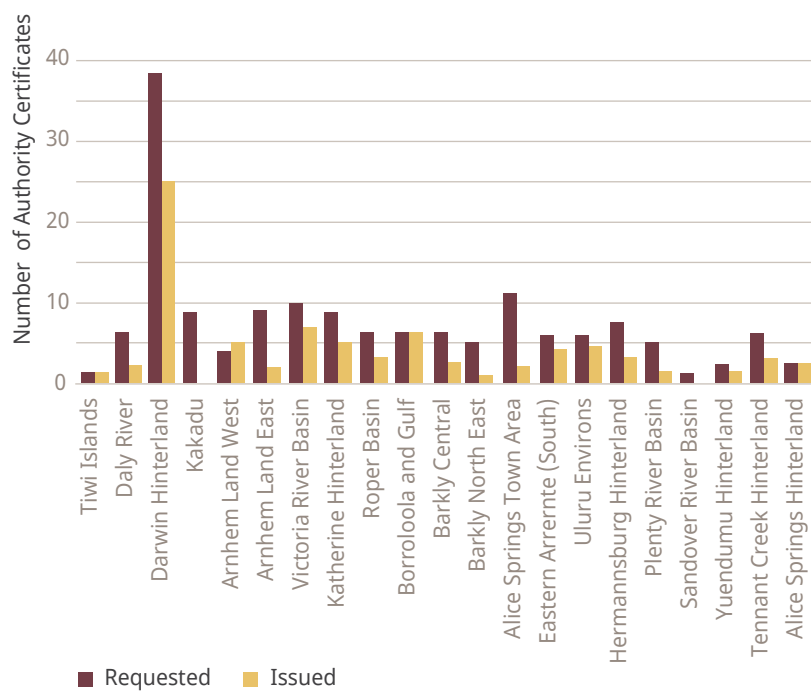


### REGIONAL PICTURE

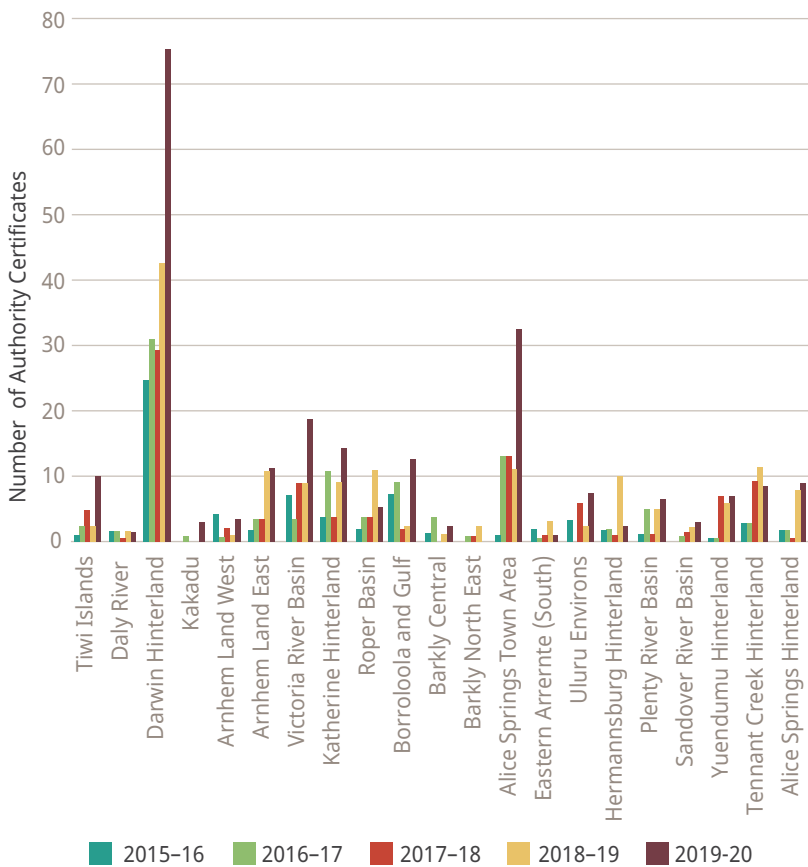
In 2019-20, the highest demand for Authority Certificates was in the major population centre of Darwin and the Alice Springs Town area (see Figure 3).

The Authority saw a rise in the number of certificates issued in the Victoria River Basin (7) for a mix of mining, oil and gas, infrastructure, pastoral and tourism related projects. There was also an increase in certificates issued in the Borroloola and Gulf region (6) for similar projects (see Figure 4).

**FIGURE 3: REGIONAL TREND OF REQUESTED AND ISSUED AUTHORITY CERTIFICATES IN 2018-19**

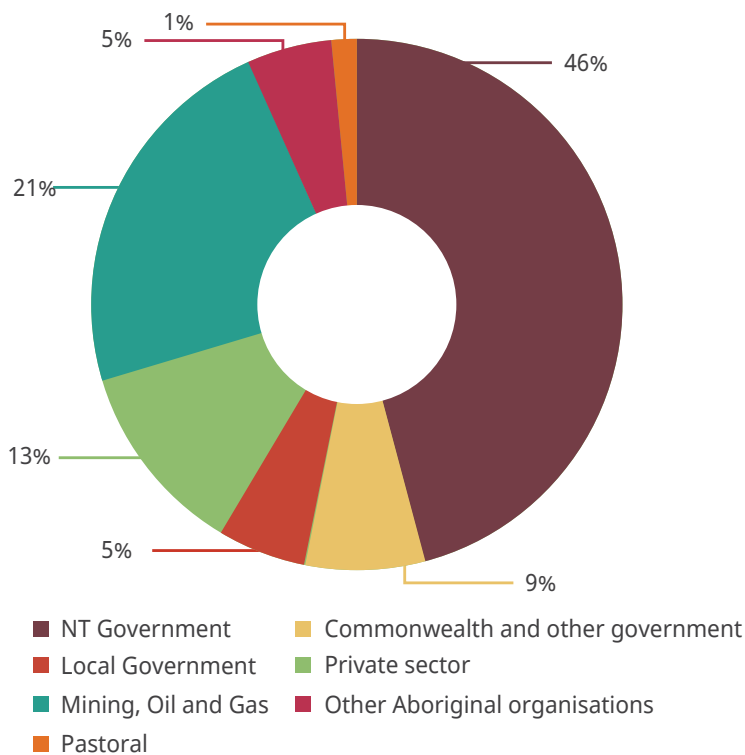


**FIGURE 4: REGIONAL TREND FOR ISSUED AUTHORITY CERTIFICATES BETWEEN 1 JULY 2015 AND 30 JUNE 2020**



## SERVICE USERS AND PROJECT TYPES

**FIGURE 5: USERS OF AUTHORITY CERTIFICATES IN 2019-20**

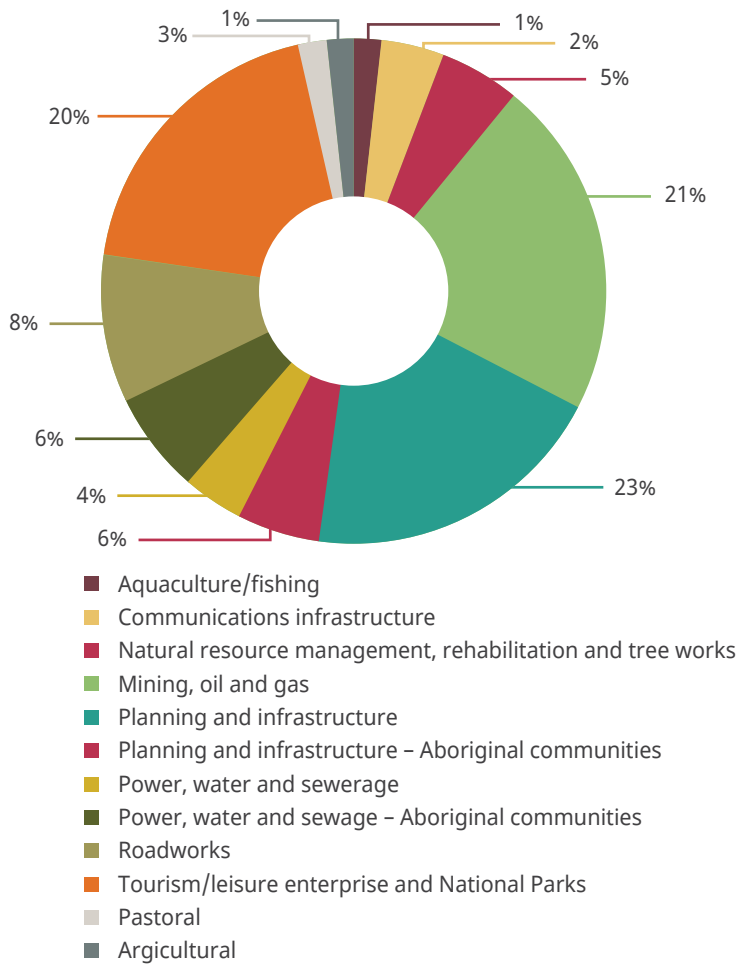


The Northern Territory Government remains the largest group of Authority Certificate users at 46% (37). The government’s public works included infrastructure and planning, tourism related activities, roadworks and natural resource management in both urgent and regional areas across the Territory.

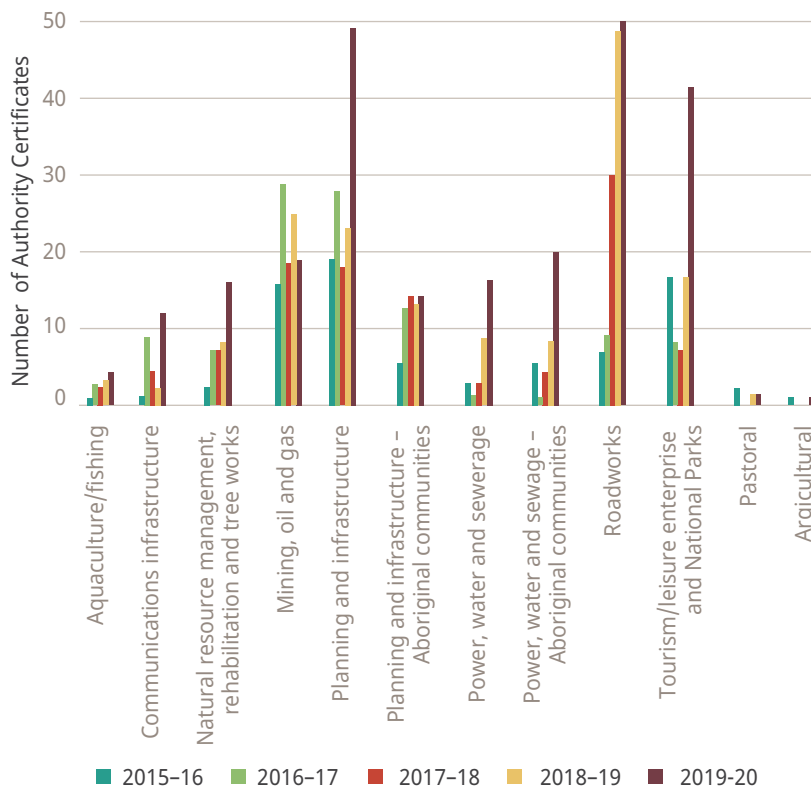
The second largest user group is the mining, oil and gas sector at 21%. The range of activities undertaken by this sector has expanded in recent years from mining exploration and extraction to also renewable energy (for example solar farms) and hydraulic fracturing. The latter is a result of the Authority’s new regulatory functions and in 2019-20 the Authority issued 8 certificates for hydraulic fracturing related activities.



**FIGURE 6: TYPES OF PROJECTS AUTHORITY CERTIFICATES WERE ISSUED FOR IN 2019-20**



**FIGURE 7: TYPE OF PROJECTS AUTHORITY CERTIFICATES WERE ISSUED BETWEEN 1 JULY 2015 AND 30 JUNE 2020**



In 2019–20, planning and infrastructure projects (23) overtook mining, oil and gas projects (17) as the largest type of projects the Authority issued certificates for.

In previous years, projects related to roads work featured strongly in the Authority’s performance reporting with a peak of 50 certificates in 2015–16. However, since then the number of certificates for roadworks has steadily declined with just six certificates issued for this financial year. Certificates issued in prior years for roadworks reflect the lengthy advance planning for these types of works and highlights that certificates are in place for much of the Northern Territory Government’s federally-funded roadworks forward plan.

In 2019–20, the Authority saw a noticeable increase in the number of certificates issued for projects related to tourism and national parks works. In this reporting period, tourism and national parks projects represented 20% (16) of the certificates issued by the Authority. This rise is largely due to the Northern Territory Government’s Turbocharging Tourism campaign.

## TIMELINESS

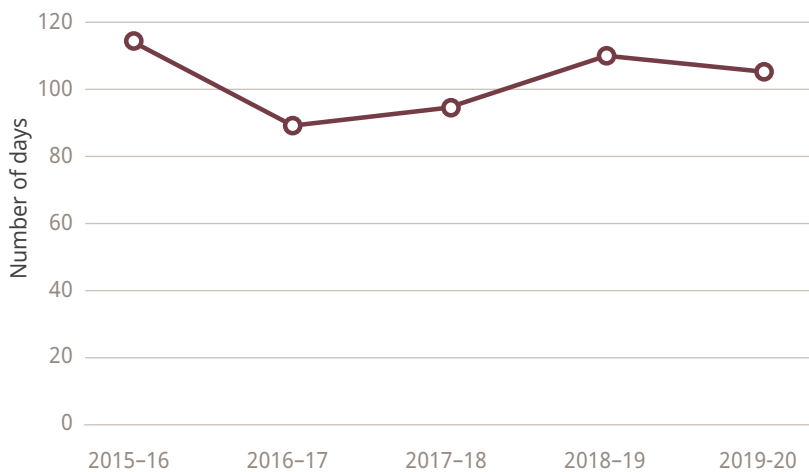
Timeliness is an important performance measure for the Authority. Timeframes for issuing Authority Certificates were significantly impacted by the COVID-19 pandemic. Other factors that affect timeframes include:

- the increased complexity of project proposals
- changes to traditional land tenure due to cultural transitions that result from the generational changes of custodians

- the increased mobility of Aboriginal custodians
- the remoteness of application areas
- access limitations due to the weather.

In 2019–20, the average time taken to complete an Authority Certificate application was 106 days. This timeframe falls well within the Authority’s KPI target of 120 days and is a decrease from 109 days in 2018–19.

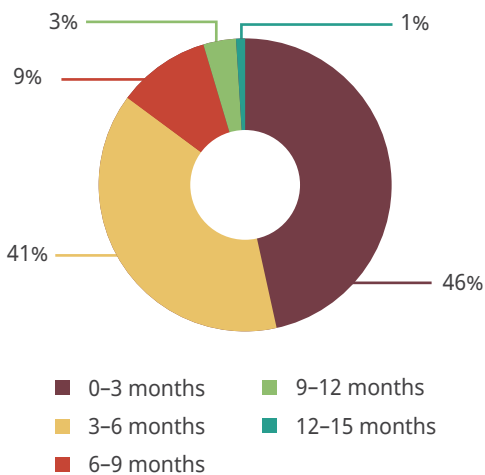
**FIGURE 8: AVERAGE DAYS TO ISSUE AN AUTHORITY CERTIFICATE BETWEEN 1 JULY 2015 AND 30 JUNE 2020**



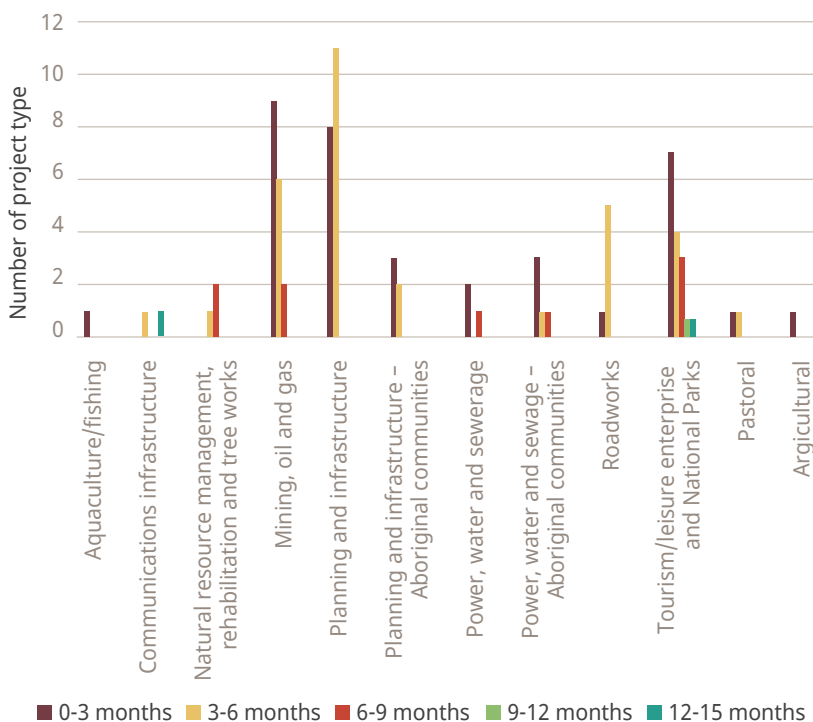
In this reporting period, 34% (27) Authority Certificates were issued within two months, and 12% (10) were issued between two to three months.

Further, 41% (33) were completed between three to six months (see Figure 9). Factors involved in extended timeframes include access to land due to flooding, cultural factors and the negotiation of timeframes according to the priorities of specific proponents.

**FIGURE 9: TIMEFRAMES TO ISSUE AUTHORITY CERTIFICATES IN 2019–20**



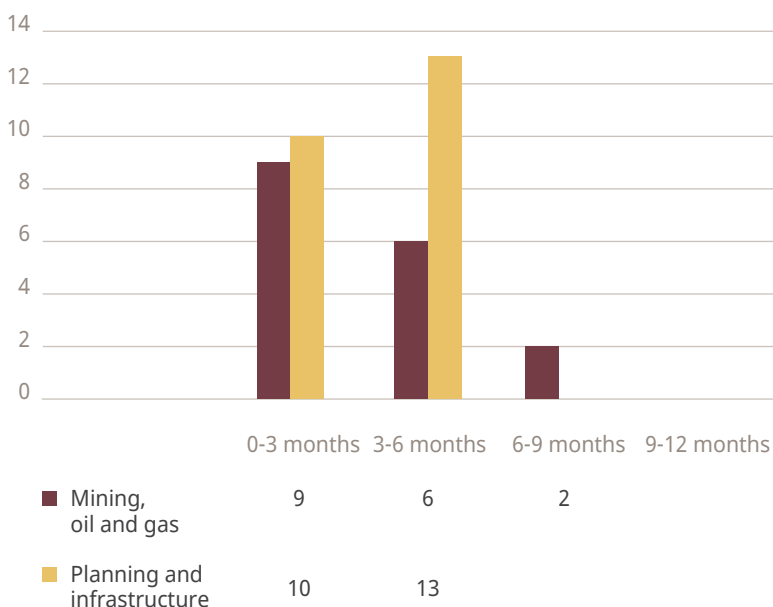
**FIGURE 10: TIMEFRAMES TO ISSUE AUTHORITY CERTIFICATES BY PROJECT TYPE IN 2019-20**



Since 2015, the majority of Authority Certificates were issued within six months (see Figure 9). In 2019-20, 87% of Authority Certificates were issued within this period, which is comparable with the averages of the previous five years (85% in 2018-19, 93% in 2017-18, 82% in 2016-17 and 87% in 2015-16).

Planning and infrastructure were the largest project types that we issued Authority Certificates for in 2019-20 and all 23 certificates were issued within six months (see Figure 10). Mining, oil and gas projects were the second largest project type and all 17 certificates were issued within 9 months (see Figure 11).

**FIGURE 11: TIMEFRAMES TO ISSUE AUTHORITY CERTIFICATES FOR MINING, OIL AND GAS PROJECTS 2019-20**



# REQUESTS FOR INFORMATION

## QUANTITY

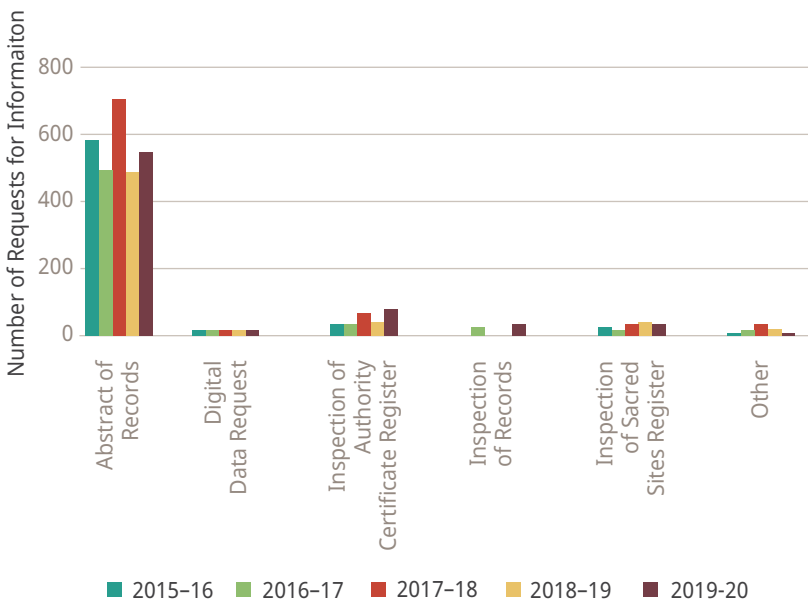
In 2019–20, the Authority received and responded to 625 formal requests for information from the Register of Sacred Sites, an increase from last year’s number of 511.

Most requests (92%) were for an abstract of records. Other requests were digital data requests, inspections of the Authority Certificate Register, inspections of Authority records and inspections of the sacred sites register (see Figure 12).

Since 2015, the demand for requests for information has remained relatively high. This is a positive sign that proponents value this service as a way of providing preliminary information about sacred sites in relation to particular areas of land.

In the wake of the COVID-19 pandemic, the Authority was able to continue issuing requests for information to applicants. This is in contrast to other aspects of the Authority’s work, including consultations for Authority Certificate applications, which were delayed after the Authority’s decision to halt face-to-face consultations with custodians for several months.

**FIGURE 12: TYPES AND NUMBERS OF REQUEST FOR INFORMATION BETWEEN 1 JULY 2015 AND 30 JUNE 2020**



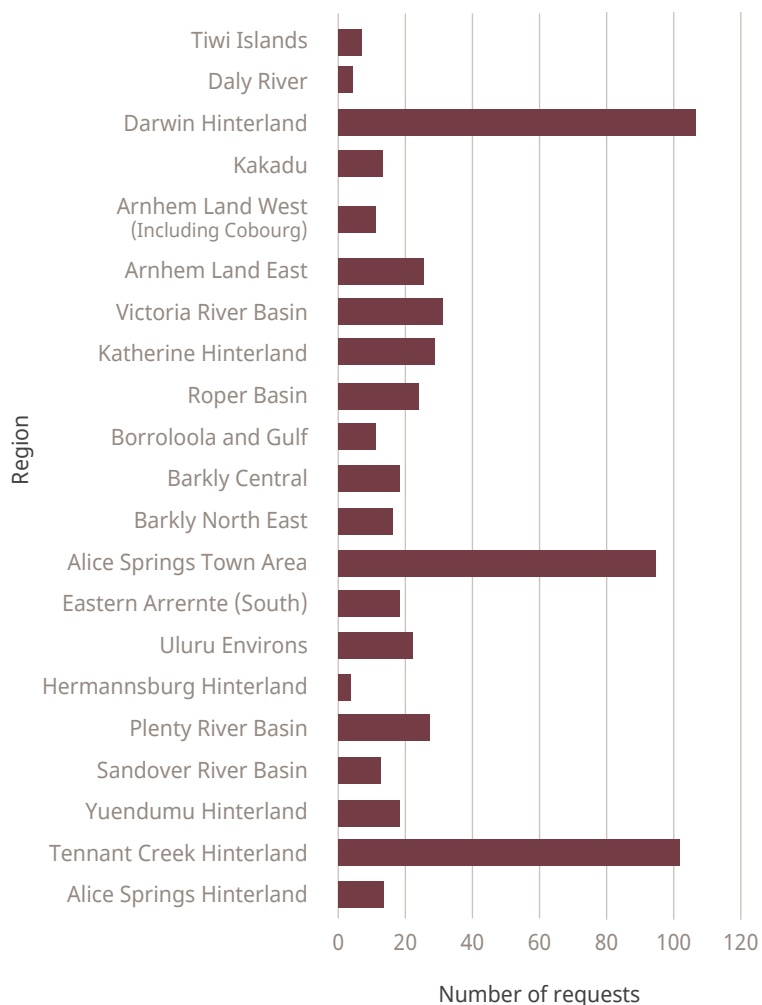
Port Keats Road near Wadeye

## REGIONAL PICTURE

Requests for information were the highest in the Darwin Hinterland region (106), followed by the Tennant Creek Hinterland (103) and then the Alice Springs Town Area (92) (see Figure 13).

In this reporting period, the Authority saw a significant increase in demand for requests for information in the Tennant Creek Hinterland from 16 in 2018-19 to 103 in 2019-20. The bulk of these requests were from mining, oil and gas companies, and the remainder of requests were from government and the private sector for infrastructure projects in and around the town of Tennant Creek. This interest can be linked to the Northern Territory Government's work in developing Tennant Creek as a mining, minerals and gas services supply centre and the Commonwealth Government's interest in mineral deposits near Tennant Creek as part of its Exploring for the Future Program, which looks at the economic potential of natural resources in underexplored areas of the Northern Territory.

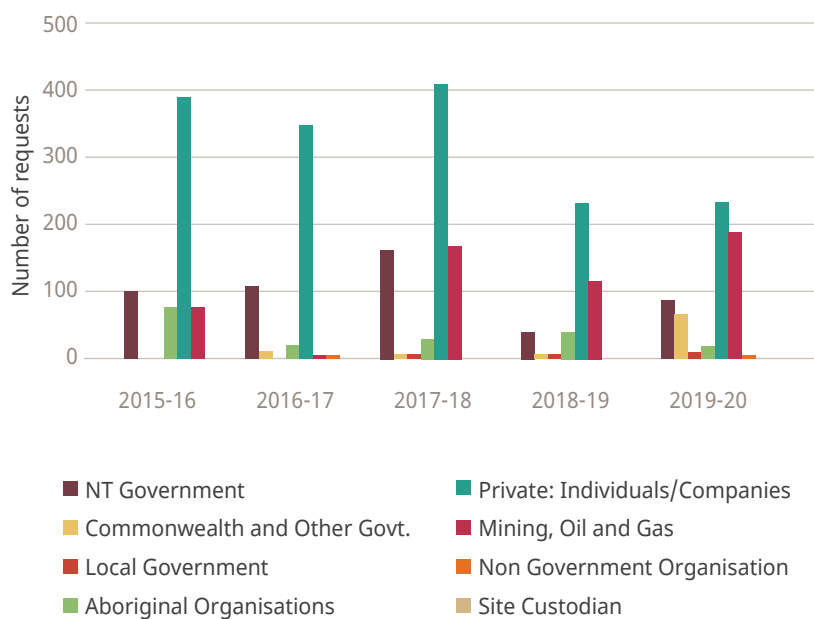
**FIGURE 13: NUMBER OF REQUESTS FOR INFORMATION BY REGION IN 2019-20**



## SERVICE USERS AND PROJECT TYPES

The three main groups driving the demand for requests for information are: private sector, mining, oil and gas and the Northern Territory Government (see Figure 14). A large proportion of private sector requests for information came from conveyancing work, particularly in the Darwin area.

**FIGURE 14: REQUESTS FOR INFORMATION BY USER GROUPS BETWEEN 1 JULY 2015 AND 30 JUNE 2020**

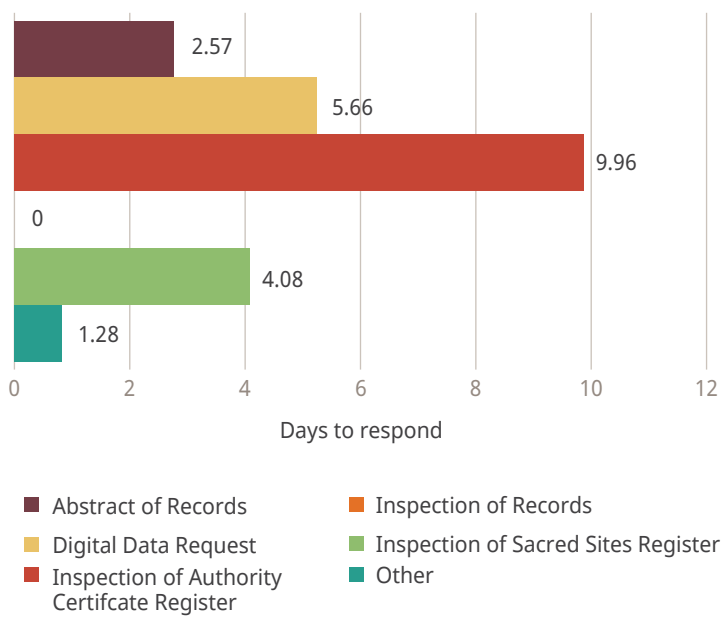


## TIMELINESS

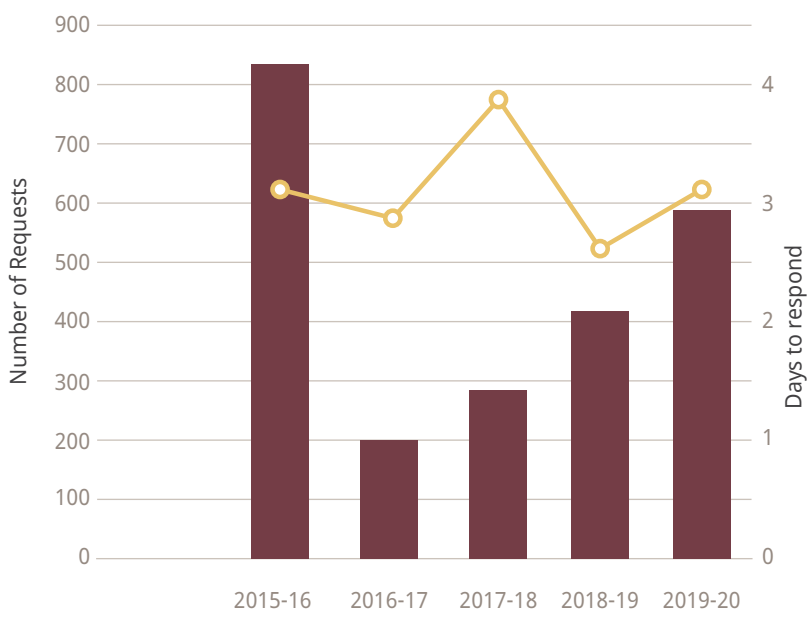
In 2019-20 the average time taken to complete all types of requests for information was 2.91 days, which is a slight increase from 2.24 in 2018-19. Abstracts of records represent 92% of requests received. The timeframes for the other types of requests for records are shown in Figure 15. The higher average number of days to complete Authority Certificate inspections (in total 26) was due to the fact that the process for responding to these requests is entirely manual.

However, the Authority notes that the average number of days to issue requests has gradually increased since 2016. This is consistent with the increasing number of requests received overall and the recent introduction of a more comprehensive and details abstract of records.

**FIGURE 15: AVERAGE NUMBER OF DAYS TO COMPLETE EACH TYPE OF REQUEST FOR INFORMATION IN 2019-20**



**FIGURE 16: NUMBER OF REQUESTS FOR INFORMATION BETWEEN 1 JULY 2015 AND 30 JUNE 2020 AND THE AVERAGE NUMBER OF DAYS TO RESPOND**



Days to Respond	4.6	1.1	1.55	2.24	2.91
Number of Requests	636	579	789	511	625

# REGISTRATION OF SACRED SITES

Registered sacred sites are sites that Aboriginal custodians have asked the Authority to protect and the Authority has comprehensively documented and evaluated information about the sites. The board makes the decision to enter sites into the register of sacred sites. The register enables information about the location, boundaries and custodians of a sacred site to be publicly available through a request for information process.

Registering a sacred site offers the highest level of protection under the *Sacred Sites Act*. Registration of a sacred site by the Authority board is also taken as prima facie evidence that a place is a sacred site. The Authority maintains records of all sacred sites it has identified in the Northern Territory.

Recorded sacred sites are sites that have been made known to the Authority from a variety of sources. In many cases, the Authority has not been able to assess the accuracy of its information about recorded sacred sites. These sacred sites usually have not been fully mapped nor have they gone through the formal process of being registered by the board of the Authority. These sacred sites are still protected by the *Sacred Sites Act*.

## QUANTITY

The Authority registered 20 sacred sites in 2019–20, which is the same number as in 2018–19. Sacred sites can only be registered at Authority board meetings, and there are four meetings each calendar year.

The Authority recorded 146 new sacred sites through fieldwork in 2019–20, which is a slight decrease from the number of sites recorded in 2018–19 (160).

In total, the Authority has 2,144 registered sacred sites and 11,445 recorded sacred sites in its database, bringing the total number of documented sacred sites in the Northern Territory to 13,589 in 2019–20.

## TIMELINESS

There remains a backlog of registration requests for sacred sites. Generally, this registration research work is addressed on an ad hoc basis when fieldwork is being carried out near a sacred site requested for registration. The Authority has established priorities for addressing registration requests based on threats of desecration.

To help reduce the backlog of outstanding registration requests, the Authority has engaged interns to help identify and address gaps in current registration requests.



Left to right: Alfred Walpay, Leonard Bowaynu and Rose Laynbalaynba at Bodiya Outstation, outside of Milingimbi Township



# COMPLIANCE AND ENFORCEMENT

Under the *Sacred Sites Act*, it is an offence to enter and remain on a sacred site, carry out work on a sacred site or desecrate a sacred site. The Authority is currently enhancing its compliance functions and has implemented new processes to achieve stronger site protection with the resources available. As a result of the Authority's ongoing work in the area, there has been an increase in reporting, investigations and resolutions of alleged breaches of the Sacred Sites Act. At the beginning of the year, the Authority had eight cases carried over from 2018–19.

This year the Authority:

- received 39 new alleged site damage reports
- resolved 33 cases
- issued 10 warnings
- conducted two audits
- monitored four areas of concern.

By the end of 2019–20, 13 cases remain open.

## PROSECUTIONS

The Authority had no active prosecutions in the 2019–20 financial year.

## STATUTORY APPEALS

One application for a Ministerial Review was received in 2018-19 and accepted by the Minister (under section 30 of the Sacred Sites Act). As at the end of 2019-20 this review remains ongoing.

## PROVIDING SACRED SITE ADVICE TO NORTHERN TERRITORY GOVERNMENT AGENCIES

In addition to the above key services, the Authority provided sacred site advice about development proposals and management plans to Northern Territory Government agencies, including:

- Department of Environment and Natural Resources — the Authority provided sacred site advice in relation to environmental management plans, environmental impact assessment proposals and land development applications (including pastoral matters and native vegetation land clearing).
- Department of Infrastructure, Planning and Logistics — the Authority provided sacred site advice through:
  - » Development Assessment Services (for proposals including development permits, subdivision and rezoning applications).
  - » Crown Land Estate (for Occupation Licences over Vacant Crown Land).
- Northern Territory Planning Commission — The Authority provided sacred site advice in relation to proposed land use plans.
- Department of the Chief Minister — the Authority provided sacred site advice to the Department of the Chief Minister, which is responsible for overseeing the implementation of the Scientific Inquiry into Hydraulic Fracturing in the Northern Territory.

# OUR PEOPLE



*Authority staff Conor Harrington consulting with custodian John Duggie on Singleton Station*



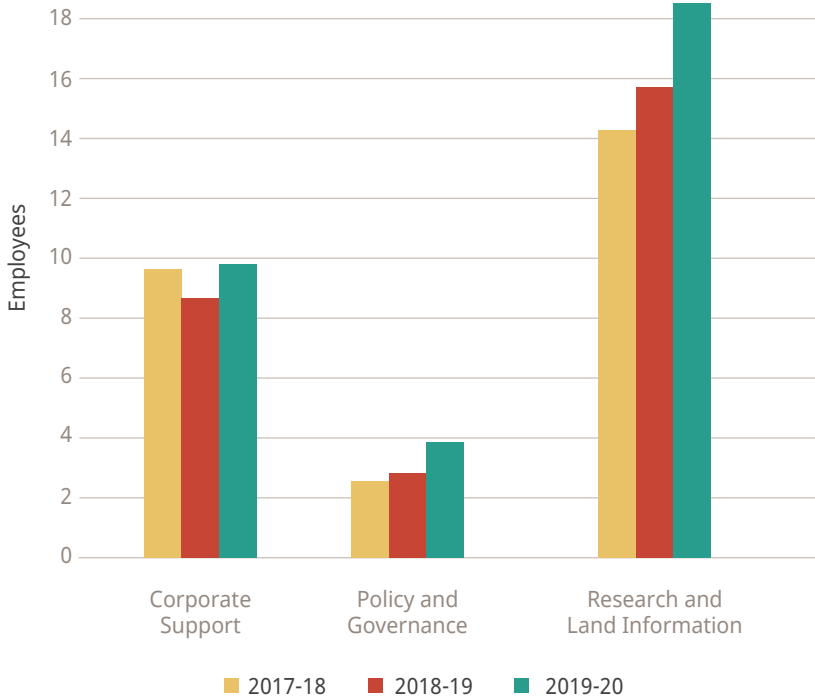
## 2019–20 SNAPSHOT

- Our full-time equivalent staff numbers were 32.54 in 2019–20 compared to 27.35 in 2018–19.
- Our headcount of staff was 38 in 2019–20 compared to 30 in 2018–19.
- 62% of the workforce were female in 2019–20 compared to 60% in 2018–19.
- The average age of staff was 38 in 2019–20 compared to 39 in 2018–19.
- 25.8% of our staff were aged 50 and over in 2019–20 compared to 30% in 2018–19.
- 76.5% of our staff were ongoing permanent employees in 2019–20 compared to 77% in 2018–19.
- The Research and Land Information unit is our largest unit, employing 61% of our staff.
- 16% of our staff identified as Indigenous in 2019–20, compared to 17% in 2018–19.
- 12% of our staff identified as being from a non-English-speaking background in 2019–20 compared to 13% in 2018–19.
- 0% of our staff identified as having a disability in 2019–20, which is consistent with 2018–19.
- 60% of the workforce has worked for the Authority less than five years.
- 34% of the workforce had worked for the Authority for more than five years, and 6% had worked for the Authority for more than 30 years.
- 50% of our staff were employed in the professional (45%) or technical streams (5%).
- 18% of our staff had flexible work agreements in place and a further 21% work part time.
- 8% of our staff were employed on a casual basis.
- Three new professional stream positions were established and recruited to support the Authority's responsibilities as an outcome of the Independent Scientific Inquiry into Hydraulic Fracturing in the Northern Territory.
- \$54,193 was spent in 2019–20 on training and development for our staff.
- \$3,713 was spent on providing 20 individual support services.

# WORKFORCE PROFILE

The Authority's workforce in 2019–20 increased by 5.19 full time equivalent (FTE) staff to 32.54, compared to 27.35 in 2018–19. This increase is due to the establishment of three Hydraulic Fracturing funded positions in 2019–20 as well as new staff recruited to fill vacant positions.

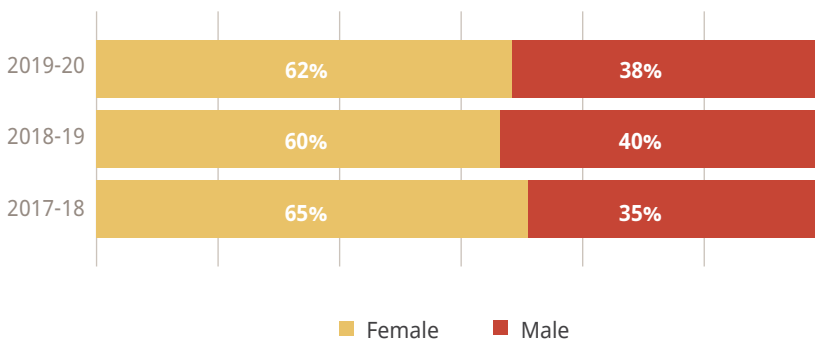
## FULL TIME EQUIVALENT (FTE) STAFF BY FINANCIAL YEAR



## GENDER COMPARISON

There was a slight rise in the number of female employees in 2019–20 to 62% compared to 60% in 2018–19. Over the last three years, males have made up 35% to 40% of staff, but there was a slight reduction from 40% in 2018–2019 to 38% in 2019–20.

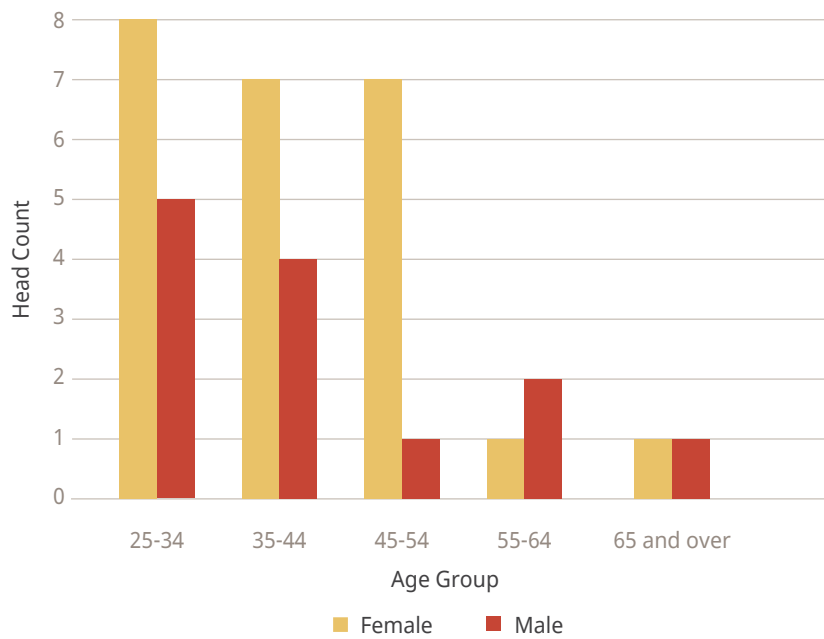
## EMPLOYMENT BY GENDER BY FINANCIAL YEAR (EXCLUDING BOARD MEMBERS)



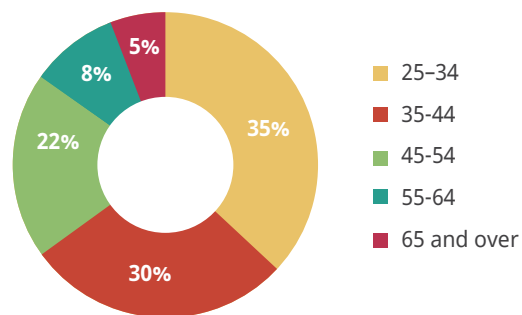
## EMPLOYEES BY AGE AND GENDER

At 30 June 2020, 35.1% of the workforce was aged between 25 and 34, with most of the female workforce also in this age bracket. In 2017–18, the average age of employees was 41, which decreased to 39 in 2018–19 and 38 in 2019–20. Female employees are still mostly in the 25 to 54 age range. Male employees are largely in the 25 to 44 age range, compared to the previous year where males were predominantly in the 25 to 34 age group. In 2019–20, there was a slight decrease of the number of staff over the age of 50 to 25.85% compared to 30% in 2018–19.

### STAFFING BY GENDER AND AGE GROUP (EXCLUDING BOARD MEMBERS)



### STAFFING BY AGE GROUP (EXCLUDING BOARD MEMBERS)

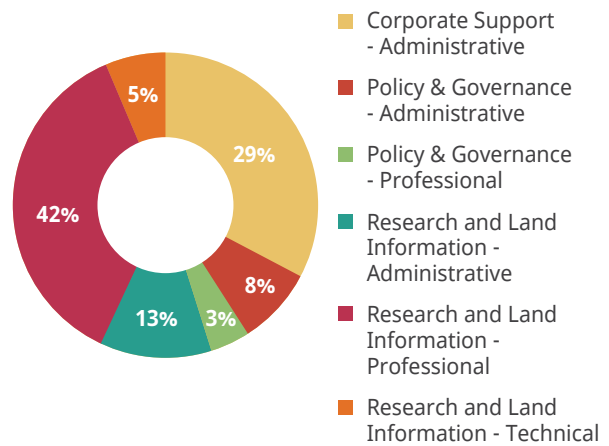


## EMPLOYEES BY UNIT

In 2019–20, the Research and Land Information unit, which undertakes the Authority’s anthropological and technical services, continued to be the largest unit, employing 61% of our staff. Of those, 70% were employed in the professional stream. This is an increase of 5% on 2018–19, when the unit employed 52% of our workforce, with 56% in the professional stream. The increase is due to the recruitment of staff to fill vacant anthropology positions and the establishment of two research Hydraulic Fracturing funded positions. Policy and Governance also increased in size due to the establishment of the third Hydraulic Fracturing funded position. However, this is still the smallest unit within the Authority with 11% of the workforce.

The Corporate Support unit was the second-largest unit in 2019–20, with 29% of the workforce, a reduction from 35% in the previous year. The Corporate Support function includes the Office of the Chief Executive Officer, Business Operations unit and the Information Systems unit. In 2019–20, Library Services transferred to the Research and Land Information unit in recognition that the library provides a catalogue of research and historical records, journals, articles and books that support anthropological research.

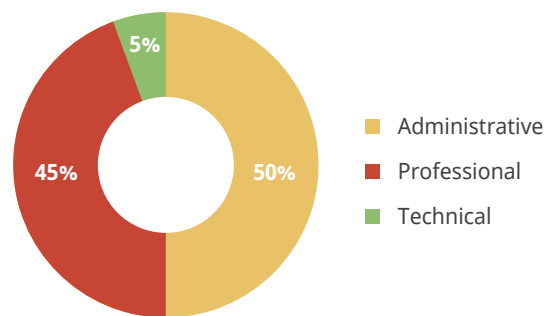
### EMPLOYEE BY WORK UNIT AND THEN BY STREAM



## EMPLOYEES BY STREAM

In 2019–20, the administrative stream employed 50% of the workforce, which was a slight reduction of 3% from the previous year. The professional stream increased 5% to 45% in 2019–20. Of staff within the professional stream, 88% were anthropologists in research-based positions. The technical stream reduced to 5% due to the increase in professional positions and the overall increase in staff; however, the number of technical stream staff remains consistent from previous years. There was a slight decrease in administrative stream staff to 50% in 2019–20, compared to 53% in 2018–19. However, this decrease is attributed to the number of staff recruited to fill vacant positions and the establishment of the three Hydraulic Fracturing funded positions that are all within the professional stream.

### EMPLOYMENT STREAM



## RECRUITMENT AND RETENTION

In 2019–20, there were 12 new commencements and only four separations, including three resignations and one contract ceasing. While this year was the lowest in separations over the last four years and had a high recruitment rate, this was largely due to the recruitment of staff for positions in the Research and Land Information unit (eight positions) and the Information Systems unit (three positions). The remaining two positions were recruited to the Policy and Governance unit.

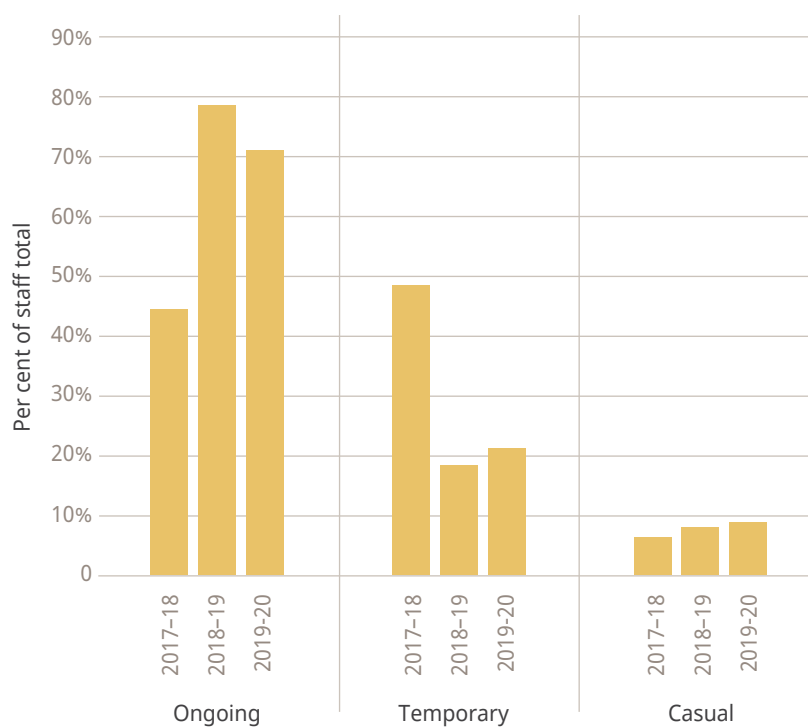
For the Research and Land Information unit, this year involved significant transitions with four new Research Officers recruited across the Alice Springs and Darwin offices.

## EMPLOYMENT TYPES

In 2019–20, the Authority continued to maintain a stable workforce with 71% of staff employed on a permanent basis, a slight reduction from 77% the previous year. This decrease relates to the temporary positions created through the Hydraulic Fracturing funding as well as backfilling of project positions, which contributed to a 4% (3 positions) increase in temporary contract positions. The Authority maintains its commitment to creating a stable workforce through opportunities for ongoing employment.

	2016–17	2017–18	2018–19	2019–20
Separations	5	8	11	4
Commencements	4	5	11	11
Transfers in	4	2	2	1
Transfers out	4	4	2	0
<i>Summary in</i>	8	7	13	12
<i>Summary out</i>	9	12	13	4
<b>Total</b>	<b>17</b>	<b>19</b>	<b>26</b>	<b>16</b>

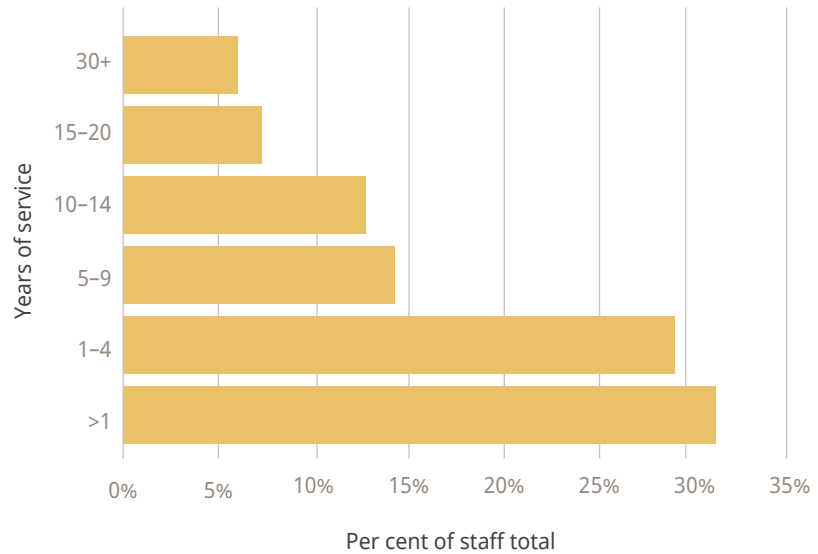
## EMPLOYMENT TYPE BY YEAR



## RETENTION

In 2019–20, 60% of the workforce had been employed by the Authority for less than five years. This rate is consistent with previous years, but the percentage did increase due to recruitment and higher staff numbers. This year 26% of the workforce had been employed by the Authority for 10 years or more. The Authority typically has a cycle of retention over three to four years and 2019–20 is representative of this cycle. However, the number of separations was lower than the previous year and the increase in new staff has seen a large investment in induction, training and development.

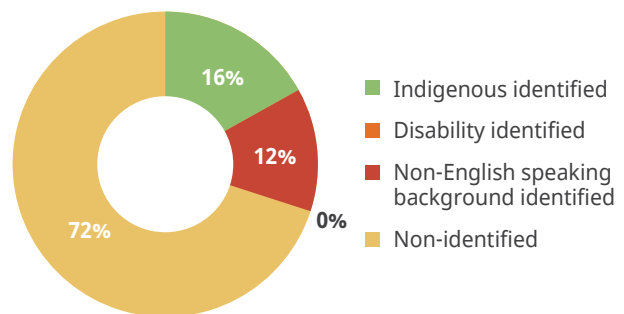
## YEARS OF SERVICE



## DIVERSITY

The Authority is committed to the principles of inclusion, equity and diversity. Overall, this year the percentage of staff identifying as Indigenous decreased slightly to 16%, compared to 17% the previous two years. The percentage of staff identifying as being from a non-English-speaking background also decreased slightly to 12%, compared to 13% the previous year. The percentage of staff that identified as having a disability remained at 0% for the second year in a row. The Authority has a mandate to increase and promote Aboriginal employment. During each recruitment opportunity, we not only encourage Aboriginal applicants to apply for positions, but we also prioritise Aboriginal applicants as the preferred applicant for employment assessment. In 2020–21, we will expand these efforts to explore the opportunities for placements through the Aboriginal Graduate Program. The Authority acknowledges that this is an area that needs increased investment. Further, we are committed to developing a more formalised approach to prioritise Aboriginal applicants in all recruitment processes.

## WORKFORCE DIVERSITY 2019-20





## TRAINING AND DEVELOPMENT

In 2019–20, investment in training and development increased by 40% on previous years with \$54,193 of funding for a range of programs. The Authority focused investment on the Study Assistance program for four staff to undertake tertiary qualifications. Funding was also provided for a two-day staff workshop on navigating complex problems through strategy development and policy design. Further support was provided for staff to attend two anthropological research conferences and a heritage conference.

Over \$4,000 was invested in work health and safety (WHS) training, in topics such as remote first aid and four-wheel-drive defensive driving, for research officers. This training helps ensure the safety of our staff travelling in remote areas. All staff that undertake remote fieldwork or travel regularly are encouraged to attend refresher training every year prior to the peak-travel season.

In addition, the Research and Land Information unit delivered in-house training to all research staff in research methodology and processes as well as in-depth inductions for new staff. This in-house training was delivered in both Alice Springs and Darwin over a six-month period.

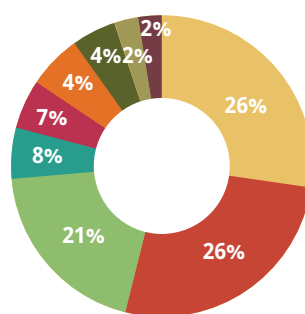
## AURORA PROJECT INTERNSHIPS

In 2019–20, the Authority hosted two interns through the Aurora Project. This year we hosted an archaeology student to assist on the Archaeology Museum Records Project and a legal student to continue annotating the *Sacred Sites Act* and help formulate recommendations for the review and reform of the Act.

## STUDY ASSISTANCE PROGRAM ACHIEVEMENTS

Four requests from Authority employees for study assistance were supported in 2019–20. One staff member completed a Diploma of Science and two staff members were accepted into a Bachelor of Business and a Certificate IV in Accounting and Bookkeeping.

## TRAINING AND DEVELOPMENT INVESTMENT



- Complex design and strategy workshop
- Tertiary study assistance
- Research conference
- WHS training
- Management training
- Policy training
- Development training
- Research training
- Management coaching



Nungbalgarri Creek,  
West Arnhem Highway.

# WELLBEING AND SUPPORT PROGRAMS

## WORK-LIFE BALANCE

The Authority has always maintained a commitment to flexible work arrangements for staff and recognises the benefits of providing a balanced working environment that supports family and other responsibilities. The benefits not only support our productivity but promote a supportive work environment.

In 2019–20, eight staff were employed on a part-time basis due to family and lifestyle commitments. A further seven staff, although working full time, had flexible workplace arrangements to vary their standard working hours. This means that 39% of our workforce are employed under flexible working arrangements, whether that be part-time employment or a variation of the standard working hours.

## EMPLOYEE ASSISTANCE PROGRAM

The Authority continued to promote the Employee Assistance Program in 2019–20 and encouraged staff and family members to access the free and confidential counselling service through the whole-of-government contract.

In 2019–20, staff and family members participated in 20 individual, confidential counselling sessions. This is an increase from the previous year where staff accessed eight counselling sessions. This increase is reflective of current global issues and is a positive indication that staff are aware of the program and are accessing it to manage their personal health and well-being.

## FLU VACCINATION PROGRAM

As in previous years, the Authority offered to reimburse all staff for flu vaccinations and 13 staff accessed the service.

## CHRISTMAS CLOSEDOWN

In 2019–20, the Authority closed its doors over the Christmas period, enabling staff to have a break between Christmas and New Year. Staff accessed recreation leave during this period.

## COVID-19 RESPONSE

This year was unique and challenging to everyone with a global pandemic reaching Australia and affecting the Northern Territory. In early March, the Authority commenced implementing a working-from-home strategy in anticipation that office-based work would cease for a period and all travel also stopped in order to manage, contain and prevent infection. The Authority quickly adapted its business operations, implemented online records management and transfer systems to ensure business continuity.

From 23 March to 5 May, the majority of staff chose to work from home in order to minimise contact and potential risks to each other, family members and custodians. Daily check-ins with staff were implemented to ensure all staff felt connected and engaged. Work plans implemented so that staff could see evidence of their achievements while

working in isolation of each other. Each fortnight a whole of staff meeting was held virtually so that the normal practices continued.

## STAFF SATISFACTION SURVEY

An informal staff satisfaction survey was undertaken to assess if staff had what they needed to undertake their roles effectively and to receive feedback on any areas in general for improvement overall.

The feedback from the participants in the survey was generally staff were satisfied with their roles, that their core values aligned to the Authority's purpose and that they were well equipped to carry out their responsibilities. An area for continued improvement and awareness was the communication of decisions and the decision-making process. The Executive Management Group is working with the Middle Management Group to address this and create more awareness and transparency in communicating outcomes or directions to the Authority staff.

# WORKPLACE HEALTH AND SAFETY

The Authority is committed to ensuring the safety of all our staff, whether they are travelling remotely or are in the office. In 2019–20 remote travel and staff welfare was again recognised as the highest organisational risk. To mitigate this risk, a rigorous

call-in process is in place as well as regular remote first aid and four-wheel-drive defensive driving training for all new and ongoing staff who travel remotely. In addition, all new research officers are inducted through a number of joint

fieldwork trips to ensure they are confident with remote travel and safety processes.

## WORKPLACE INCIDENTS

There were no workers' compensation claims in 2019–20.

## 2019–20 SUMMARY

This year we undertook significant work to recruit staff for positions, ensure that the recruitment processes were effective and that new staff understood and emulated the values and principles of the Authority. The key focus this year was to establish teams

and deliver a large number of in-house and on-site training to ensure that new employees understood and are confident in their roles and responsibilities and understood the Authority's purpose and values. The Authority provided staff with specific training

in the use of a purpose built sacred sites database; remote anthropological fieldwork methods; mapping and use of drones for fieldwork; among other research and technical skills. The Authority staff also gained specific training in complex decision making.

## STAFF MILESTONES

### PETER RUSSELL

Peter joined the Authority in 2011 as the Compliance Manager, after a long career working for the Northern Territory Police. Primarily, Peter was responsible for the way the Authority managed compliance and built successful relationships with custodians, board members and stakeholders alike. He utilised the investigation and evidence gathering skills he developed throughout his career in law enforcement.

He trained staff in carrying out compliance related duties and was instrumental in guiding the Authority through all its prosecutions from 2011 to 2020. This included the the Bootu Creek case which established a legal precedent for proving the offence of desecration under the *Sacred Sites Act*.

Peter stressed the importance of strong collaboration between the Authority and ranger groups for the protection of sacred sites. As such, he invested time

in providing training to ranger groups and assisted in building their capacity to protect sacred sites.

At the end of 2019–20, he transitioned from regular hours in the office to working on a needs basis. He will continue to work with the Authority from time to time on notable prosecutions.

We thank Peter for his contribution and his commitment to the protection of sacred sites.

# SUSTAINABILITY



*View from the Top of Mount  
Possum, Wave Hill Station*



**Sacred sites are important to the cultural fabric and heritage of the Northern Territory and are an intrinsic part of a continuing body of practices and beliefs emanating from Aboriginal laws and traditions.**

Sacred sites give meaning to the natural landscape and anchor cultural values and spiritual and kin-based relationships in the land. Protecting sacred sites plays an important role in sustaining Aboriginal culture.

In our role to protect sacred sites, the Authority helps deliver positive social outcomes through our key services: Authority Certificates, requests for information, registering sacred sites and prosecuting for the desecration of sacred sites where required.

Through providing these services, we enhance relationships between Aboriginal 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.

- In 2019–20, the Authority conducted sacred site surveys and issued 80 Authority Certificates to protect sacred sites across the Northern Territory. The Authority Certificates provided protection to many sacred sites while facilitating development projects.
- The Authority responded to 625 requests for information from its register of sacred sites, providing the public with information about sacred sites known to us and helping minimise the risk of inadvertent damage to the identified sites. It also identified where sacred sites are likely to be at risk if works were to be carried out.
- The Authority registered 20 sacred sites in 2019–20, providing the sites with the maximum protection afforded under the *Sacred Sites Act*.

## THE AUTHORITY IN THE COMMUNITY

### COMMUNITY SUPPORT

The Authority values the importance of giving back to the community by supporting small businesses, organisations and community activities. In 2019–20, the Authority supported 12 applicants (including local government, small business, NGOs and cultural organisations) by providing full or partial Authority Certificate waivers for projects. The total actual costs of the waivers for 12 certificates was \$123,954. This included five waivers to support Aboriginal organisations for community development and tourism venture projects, two for government township development initiatives in Aboriginal communities and three waivers to support government and private initiatives for tourism related projects in national parks. With the support of the Authority, these various organisations were able to obtain Authority Certificates for their respective projects.

The total value of waivers (\$123,954) was 6% of the Authority's self-generated income for 2019–20 (\$2,039,000).

# FINANCIAL REPORT 2019-20



*Hodgson River Road*



# FINANCIAL STATEMENT OVERVIEW

FOR THE YEAR ENDED 30 JUNE 2020

**The Aboriginal Areas Protection Authority (the Authority) is a statutory authority established under the *Northern Territory Aboriginal Sacred Sites Act 1989* (NT) to administer sacred site protection in the Northern Territory.**

The Authority experienced a reduction in expected self-generated income through the delivery of service due to the impact of COVID-19, this is reflected in the end of year financial position of the Authority which saw a reduction in its overall position of \$348k. Employee expenses continued to exceed the original budget by \$579k due to a demand for operational staffing, this is consistent with previous years. Purchases of goods and services grew by \$275k due to the continued investment in IT consultants, the relocation of the Alice Springs Office to new premises and large regional projects requiring extensive Custodian consultations.

The Authority received additional funding of \$497k in 2019-20 to support the protection of sacred sites in relation to Onshore Petroleum Regulatory activities. The funding supports the additional personnel required to undertake anthropological and regulation assessments, liaison and compliance monitoring to ensure the protection of sacred sites.

The investment in information and technology continued and a remediation project is underway that will have a bearing on future years. The project is expected to stabilise the current systems used to document sacred sites across the Northern Territory and 2019-20 saw an investment of \$99k in IT consultancy support to maintain the current systems, undertake a Health Check of the systems and commence the remediation project. Additionally the digitalisation of records commenced in 2019-20 with an initial investment of \$37k to undertake the digitalisation of the Alice Springs records.

# FINANCIAL REPORT, 2018–19

## INCOME

The Authority is funded by a combination of Northern Territory Government appropriation, goods and services income, and services provided free of charge by the Department of Corporate and Information Services (DCIS). The chart below illustrates the relative value of each income category. The income for 2019–20 was \$40,000 above budget. This equates to 34% of the Authority income for 2019–20. These figures are exclusive of Central Holding Authority revenue generated through the application fees for requests for information and requests for Authority Certificates.

FIGURE 17: INCOME RECEIVED (\$'000)

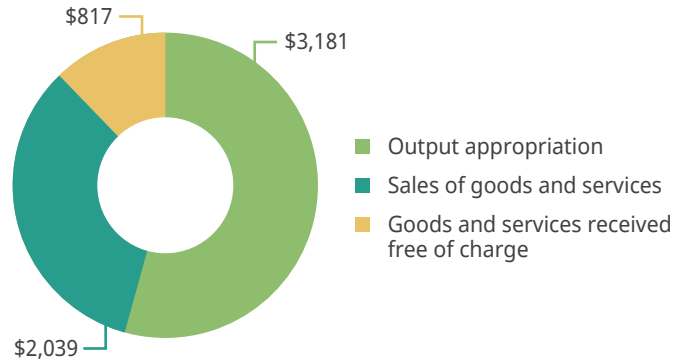
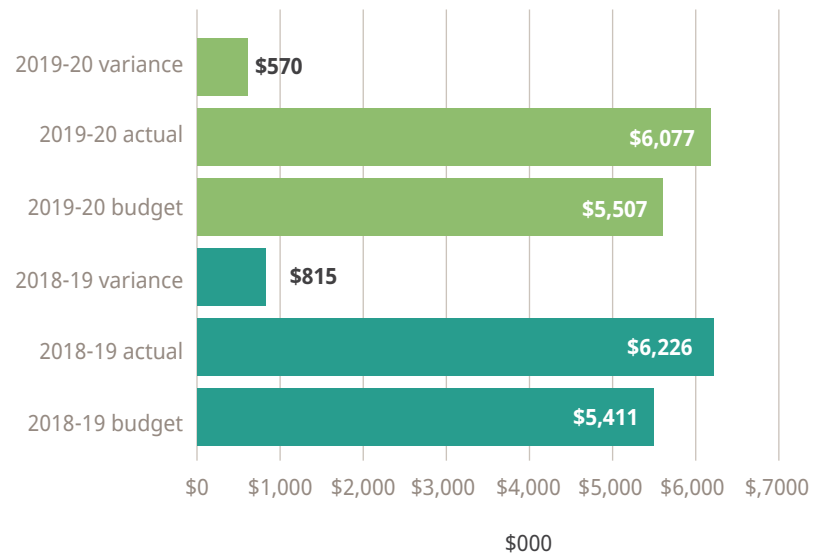


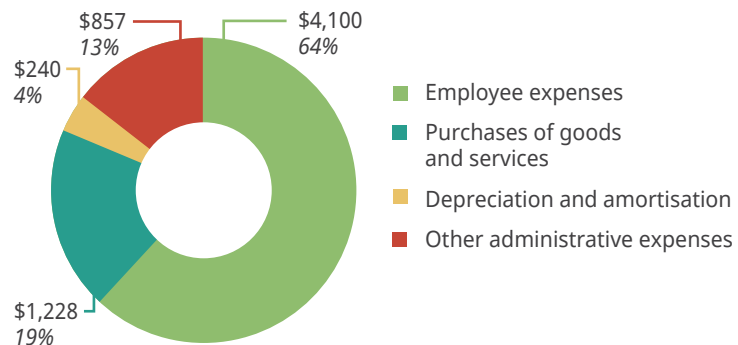
FIGURE 18: TOTAL INCOME - BUDGET VERSUS ACTUAL (\$'000)



## EXPENDITURE

Total expenditure is made up of four broad categories: employees, purchase of goods and services, depreciation and other administrative expenses (DCIS charges). In 2019–20, both purchase of goods and services and employee expenditure exceeded budget by \$275,000 and \$279,000 respectively.

FIGURE 19: EXPENSES (\$'000)





## EMPLOYEE EXPENDITURE

During 2019–20, additional funding of \$497,000 was also provided through output appropriation in 2019–20 to support the personnel and operational increase required to implement the recommendations of the Scientific Inquiry into Hydraulic Fracturing in the Northern Territory. The increase in funding recognised in the increase in appropriation received for personnel of \$452,000 did not increase the corresponding budget therefore there is a variance of \$279,000 between budget versus actual expenditure.

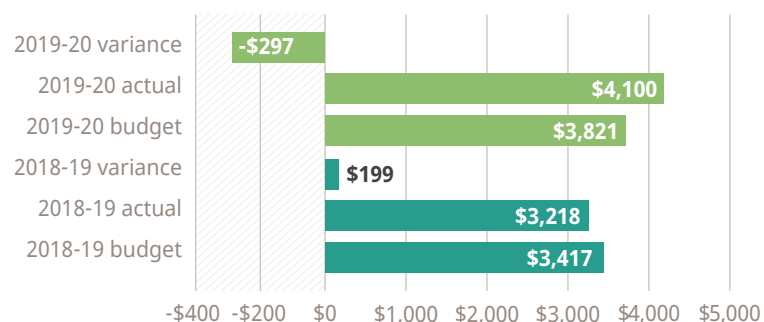
## GOODS AND SERVICES EXPENDITURE

Goods and services costs were over budget by \$275,000 due to continued investment in IT systems. This included a \$99,000 investment in IT consultants to undertake system development work as well as a health check and initial remediation. A further \$20,000 was spent on a new server. The Alice Springs office relocated to new premises and all the Alice Springs records were digitalised, which cost in excess of \$50,000. There was also significant investment in training, professional development and study assistance with over \$54,000 expended over the year.

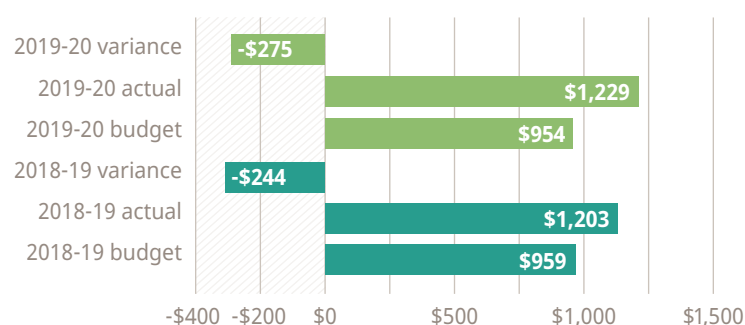
## DEPRECIATION

There were additional depreciation costs of \$60,000 due to the upgrade of internal software systems.

**FIGURE 20: TOTAL EMPLOYEE EXPENDITURE - BUDGET VS ACTUAL (\$'000)**



**FIGURE 21: TOTAL PURCHASES OF GOODS AND SERVICES - BUDGET VS ACTUAL (\$'000)**



**FIGURE 22: TOTAL DEPRECIATION AND AMORTISATION - BUDGET VERSUS ACTUAL (\$'000)**



# BALANCE SHEET

## ASSETS

Total assets are made up of four main categories: cash and deposits, receivables, pre-paid expenses, and plant, property and equipment. Total assets decreased by \$382,000 in 2019-20 due to a \$420,000 decrease in cash, a \$251,000 increase in receivables, a \$2,000 increase in prepayments and a decrease of \$215,000 in fixed assets due to depreciation.

## LIABILITIES

Liabilities are made up of payables and employee provisions. Total liabilities of \$533,000 are dominated by provisions for employee entitlements (leave provisions) of \$459,000. Total liabilities declined by \$34,000 from the previous year.

## EQUITY

Equity has decreased by \$348,000 in 2019-20 due to the challenges associated with the COVID-19 pandemic and travel restrictions within the Northern Territory. The enforcement of biosecurity zones meant that fieldwork on Authority Certificate jobs could not be undertaken until the restrictions were lifted on 5 June 2020. As such, a number of jobs were suspended during this period. Overall, this had a noticeable impact on the self-generated income and the final position of the Authority this financial year.

## CASH FLOW STATEMENT

The cash flow statement details how changes in income and balance sheet movements affect the cash situation of the Authority. It indicates that although it has been a challenging year, the Authority is still in a sound financial situation.

FIGURE 23: ASSETS - BUDGET VERSUS ACTUAL (\$'000)

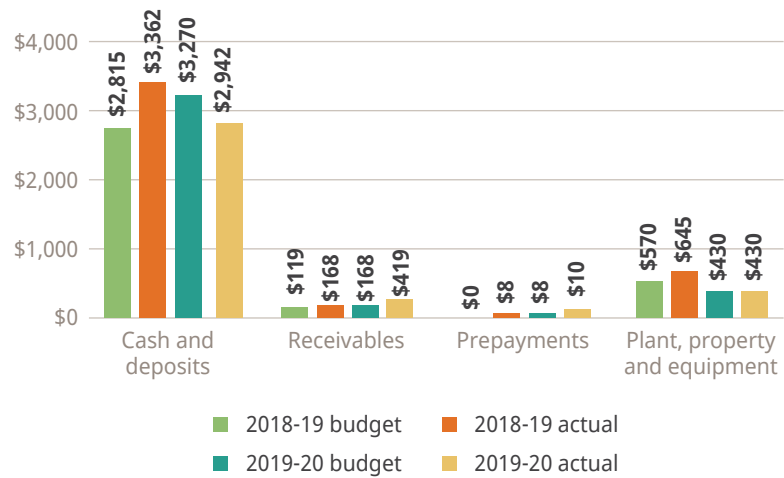
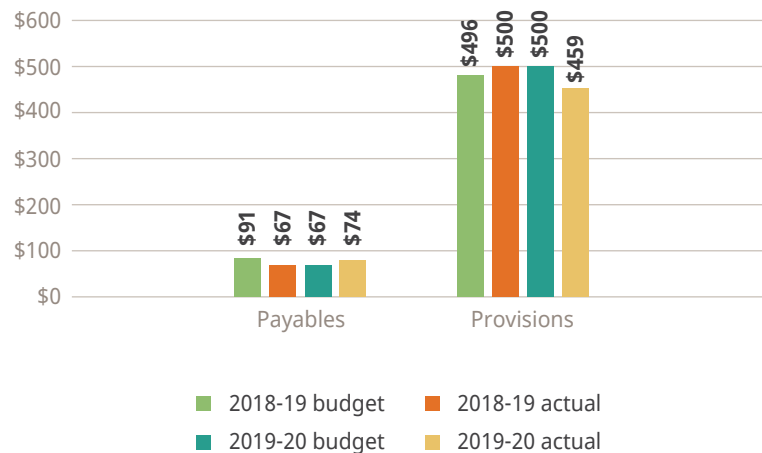


FIGURE 24: LIABILITIES - BUDGET VERSUS ACTUAL (\$'000)



# FINANCIAL STATEMENT OVERVIEW

FOR THE YEAR ENDED 30 JUNE 2020

## CERTIFICATION OF THE FINANCIAL STATEMENTS

We certify that the attached financial statements for the Aboriginal Areas Protection Authority have been prepared based on proper accounts and records in accordance with the prescribed format, the *Financial Management Act 1995* 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 2020 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 Scamby**  
Chief Executive Officer

31 August 2020



**Nicola Jackson**  
Business Manager

31 August 2020

# COMPREHENSIVE OPERATING STATEMENT

FOR THE YEAR ENDED 30 JUNE 2020

	NOTE	2020	2019
		\$'000	\$'000
<b>INCOME</b>			
Appropriation	4a		
Output		3,181	3,002
Sales of goods and services	4b	2,039	2,441
Goods and services received free of charge	5	817	751
<b>TOTAL INCOME</b>	<b>3</b>	<b>6,037</b>	<b>6,194</b>
<b>EXPENSES</b>			
Employee expenses		4,100	3,218
Administrative expenses			
Purchases of goods and services		45	45
Repairs and maintenance	7	1,184	1,158
Property management		0	4
Depreciation and amortisation	12	240	216
Other administrative expenses <sup>1</sup>		817	751
<b>TOTAL EXPENSES</b>	<b>3</b>	<b>6,385</b>	<b>5,392</b>
<b>NET SURPLUS/(DEFICIT)</b>		<b>(348)</b>	<b>802</b>
<b>COMPREHENSIVE RESULT</b>		<b>(348)</b>	<b>802</b>

<sup>1</sup> Includes DCIS service charges.

*The comprehensive operating statement is to be read in conjunction with the notes to the financial statements.*

# BALANCE SHEET

AS AT 30 JUNE 2020

	NOTE	2020 \$'000	2019 \$'000
<b>ASSETS</b>			
<b>Current assets</b>			
Cash and deposits	10	2,942	3,362
Receivables	12	419	168
Prepayments		10	8
<b>Total current assets</b>		<b>3,371</b>	<b>3,539</b>
<b>Non-current assets</b>			
Property, plant and equipment	12	178	403
Intangibles	12	252	242
<b>Total non-current assets</b>		<b>430</b>	<b>645</b>
<b>TOTAL ASSETS</b>		<b>3,801</b>	<b>4,184</b>
<b>LIABILITIES</b>			
<b>Current liabilities</b>			
Payables	13	74	67
Provisions	14	459	500
<b>Total current liabilities</b>		<b>533</b>	<b>567</b>
<b>TOTAL LIABILITIES</b>		<b>533</b>	<b>567</b>
<b>NET ASSETS</b>		<b>3,268</b>	<b>3,617</b>
<b>EQUITY</b>			
Capital		1,621	1,621
Accumulated funds		1,648	1,996
<b>TOTAL EQUITY</b>		<b>3,268</b>	<b>3,617</b>

*The balance sheet is to be read in conjunction with the notes to the financial statements.*

# STATEMENT OF CHANGES IN EQUITY

FOR THE YEAR ENDED 30 JUNE 2020

	NOTE	EQUITY AT 1 JULY	COMPREHENSIVE RESULT	TRANSACTIONS WITH OWNERS IN THEIR CAPACITY AS OWNERS	EQUITY AT 30 JUNE
		\$'000	\$'000	\$'000	\$'000
<b>2019-20</b>					
<b>Accumulated funds</b>		(1,991)	(348)		(1,643)
Transfers from reserves		(5)			(5)
<b>Capital – transactions with owners</b>					
Equity injections					
Capital appropriation		(564)	0	0	(564)
Equity transfers in		(1,195)	0	0	(1,195)
Other equity injections		(57)	0	0	(57)
Equity withdrawals					
Capital withdrawal		195	0	0	195
<b>Total equity at end of financial year</b>		<b>(3,617)</b>	<b>348</b>	<b>0</b>	<b>(3,268)</b>
<b>2018-19</b>					
<b>Accumulated funds</b>		(1,188)	(802)	0	(1,991)
Transfers from reserves		(5)	0	0	(5)
<b>Capital – transactions with owners</b>					
Equity injections					
Capital appropriation		(564)	0	0	(564)
Equity transfers in		(1,195)	0	0	(1,195)
Other equity injections		(57)	0	0	(57)
Equity withdrawals					
Capital withdrawal		195	0	0	195
<b>Total equity at end of financial year</b>		<b>(2,814)</b>	<b>(802)</b>	<b>0</b>	<b>(3,617)</b>

*The statement of changes in equity is to be read in conjunction with the notes to the financial statements.*

# CASH FLOW STATEMENT

FOR THE YEAR ENDED 30 JUNE 2020

	NOTE	2020 \$'000	2019 \$'000
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
<b>Operating receipts</b>			
Appropriation			
Output		3,181	3,002
Receipts from sales of goods and services		1,860	2,380
<b>Total operating receipts</b>		<b>5,041</b>	<b>5,382</b>
<b>Operating payments</b>			
Payments to employees		(4,112)	(3,214)
Payments for goods and services		(1,324)	(1,322)
<b>Total operating payments</b>		<b>(5,436)</b>	<b>(4,535)</b>
<b>Net cash from/(used in) operating activities</b>	9	<b>(395)</b>	<b>846</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
<b>Investing payments</b>			
Purchases of assets		(26)	(91)
<b>Total investing payments</b>		<b>(26)</b>	<b>(91)</b>
<b>Net cash from/(used in) investing activities</b>		<b>(26)</b>	<b>(91)</b>
Net increase/(decrease) in cash held		(420)	756
Cash at beginning of financial year		3,362	2,607
<b>CASH AT END OF FINANCIAL YEAR</b>	8	<b>2,942</b>	<b>3,362</b>

*The cash flow statement is to be read in conjunction with the notes to the financial statements.*

# INDEX OF NOTES TO THE FINANCIAL STATEMENTS

## NOTE

1. Objectives and funding
2. Statement of significant accounting policies
3. Comprehensive operating statement by output group

## INCOME

- 4a. Appropriation
- 4b. Sales of goods and services
5. Goods and services received free of charge

## EXPENSES

6. Purchases of goods and services
7. Write-offs, postponements, waivers, gifts and ex gratia Payments

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8. Cash and deposits
9. Cash flow reconciliation
10. Receivables
11. Other assets
12. Property, plant and equipment

## LIABILITIES

13. Payables
14. Provisions

## OTHER DISCLOSURES

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16. Related parties
17. Contingent liabilities and contingent assets
18. Events subsequent to balance date
19. Schedule of administered Territory items
20. Budgetary information
21. Budgetary information: Administered Territory items



*Helicopter survey on Cattle Creek Station with custodians.*





## 1. OBJECTIVES AND FUNDING

The Aboriginal Areas Protection Authority (the Authority) is an independent statutory authority established under the *Northern Territory Aboriginal Sacred Sites Act 1989* (NT). The Authority is responsible for overseeing the protection of Aboriginal sacred sites on land and sea across the Northern Territory and recognising and respecting the interests of Custodians of sacred sites, landowners and developers for the benefit of all Territorians.

Additional information in relation to the Authority and its principal activities may be found in the introduction of the annual report.

The Authority receives a level of appropriation from the Northern Territory Government and also generates goods and services income derived from providing anthropological services to clients in order to maintain its operations. Employee expenses of \$4.1 million continued to be the major expense accounting for 64% of total expenditure.

The Authority managed a deficit of \$348,179 this year due to the impact of the COVID-19 pandemic. The Biosecurity Determination 2020 restrictions meant all non-essential travel ceased within the Northern Territory on 26 March 2020 and remained in place until 5 June 2020. The Authority proactively ceased all remote travel prior to the restrictions on 13 March 2020 to preserve the safety of Aboriginal communities. This had a significant impact on goods and services income with the postponement of all Custodian consultations on country for the period until the Biosecurity Determination 2020 was revoked on 5 June 2020.

For reporting purposes, outputs delivered by the Authority are summarised into two output groups. Note 3 provides summarised financial information in the form of a comprehensive operating statement by the output group.

New Accounting standards were introduced in 2019-20, AASB 15 Revenue from contracts with a customer / AASB 1058 Income for not-for-profit entities, an assessment of each revenue stream has been undertaken and is referenced at Note 2.2. AASB 16 Leases and AASB 1059 Service concession arrangements, these new standards do not affect the Authority.

## 2. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

### 1. Statement of compliance

The financial statements have been prepared in accordance with the requirements of the *Financial Management Act 1995* and related Treasurer's Directions. The *Financial Management Act 1995* requires the Authority to prepare financial statements for the year ended 30 June based on the form determined by the Treasurer. The form of the Authority financial statements should 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.

### 2. Basis of accounting

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 Authority 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.

#### **Standards and interpretations effective from 2019-20**

#### **AASB 15 Revenue from contracts with a customer / AASB 1058 Income for not-for-profit entities**

AASB 15 Revenue from contracts with customers (AASB 15) supersedes AASB 111 Construction contracts, AASB 118 Revenue and related interpretations and applies, with limited exceptions, to all revenue arising from contracts with customers. Under AASB15 revenue from agreements that are enforceable, have sufficiently specific performance obligations and transfer goods or services to the customer or third party beneficiary will be recognised when or as performance obligations are satisfied. AASB 15 requires entities to exercise judgement, taking into consideration all of the relevant facts and circumstances when assessing contracts with their customers.

AASB 1058 Income for not-for-profit entities (AASB 1058) clarifies and simplifies income-recognition requirements that apply to not-for-profit entities and replaces most of the not-for-profit provisions under AASB 1004 Contributions. AASB 1058 applies to transactions where the consideration to acquire an asset is significantly less than fair value principally to enable the entity to further its objectives, and where volunteer services are received.

In contrast with previous standards such as AASB 1004, AASB 1058 allows deferral of income from capital grants where there is an enforceable contract with sufficiently specific performance obligations and the agreement does not require the agency to transfer the asset to other parties. For such capital grants, the funding received is initially deferred in an unearned revenue liability and subsequently recognised as revenue as or when the agency satisfies obligations under the agreement. Where funding is received from another Territory Government-controlled entity other than Commonwealth funds on-passed by the Central Holding Authority, revenue is recognised upfront on receipt.

The Authority has three revenue streams (excluding Output Appropriation which is not applicable to AASB 15) and each revenue stream has been assessed against the five principles relating to AASB 15.

1. Free of Charge Services - AASB 15 does not apply to Free of Charge Services refer to Note 5.
2. Regulatory Fees and Charges (Administered Territory Items) - AASB 15 is effective for 2019-20 refer to Note 19.
3. Sales of Goods and Services - AASB 15 applies to this revenue stream and is effective for 2019-20 refer to Note 4b.

The Authority has applied the standard prior to the 2019-20 due to its business model and treatment of revenue whereby it only recognises the income at the point in the transaction when the obligation has been completed.

The following tables summarise the transitional impact of adoption of AASB 15 and AASB 1058.

There was no impact of adopting the two standards as at 1 July 2019.

The table below summarises the impacts of adopting AASB 15 and AASB 1058 in the 2019-20 financial statements. It compares actual amounts reported to amounts that would have been reported if previous revenue standards (AASB 1004, AASB 118, AASB 111 and related interpretations) had been applied in the current financial year.

Impact on balances affected by adopting AASB 15 and AASB 1058 as at 30 June 2020:

## COMPREHENSIVE OPERATING STATEMENT

	NOTE	30 JUNE 2020 WITHOUT AASB 15/1058	IMPACT OF AASB15/1058	30 JUNE 2020 WITH AASB 15/1058
		\$'000	\$'000	\$'000
<b>INCOME</b>				
Appropriation		3,181	0	3,181
Sales of goods and services		2,039	0	2,039
Other income				
<b>Total income</b>		<b>6,037</b>	<b>0</b>	<b>6,037</b>
<b>Total expenses</b>		<b>6,385</b>	<b>0</b>	<b>6,385</b>
<b>Net surplus/(deficit)</b>		<b>(348)</b>	<b>0</b>	<b>(348)</b>
<b>TOTAL OTHER COMPREHENSIVE</b>		<b>(348)</b>	<b>0</b>	<b>(348)</b>
<b>COMPREHENSIVE RESULT</b>				

## BALANCE SHEET

	NOTE	30 JUNE 2020 WITHOUT AASB 15/1058	IMPACT OF AASB15/1058	30 JUNE 2020 WITH AASB 15/1058
		\$'000	\$'000	\$'000
<b>ASSETS</b>				
<b>Current assets</b>				
Receivables		419	0	419
<b>Total current assets</b>				
<b>Non-current assets</b>				
Receivables		0	0	0
<b>Total non-current assets</b>				
<b>TOTAL ASSETS</b>		<b>3,801</b>	<b>0</b>	<b>3,801</b>
<b>LIABILITIES</b>				
<b>Current liabilities</b>				
Payables		74	0	74
Other liabilities		0	0	0
<b>Total current liabilities</b>		<b>74</b>	<b>0</b>	<b>74</b>
<b>Non-current liabilities</b>				
Other liabilities		0	0	0
Total non-current liabilities				
<b>TOTAL LIABILITIES</b>		<b>533</b>	<b>0</b>	<b>533</b>
<b>NET ASSETS</b>		<b>3,268</b>	<b>0</b>	<b>3,268</b>
<b>EQUITY</b>		<b>3,268</b>	<b>0</b>	<b>3,268</b>

### AASB 16 Leases

AASB 16 Leases (AASB 16) supersedes AASB 117 Leases and relevant interpretations and introduces significant changes to lessee accounting by removing the distinction between operating and finance leases. AASB 16 does not impact on the Authority, although it does hold items that are leased such as computer hardware, the lessee is the Department of Corporate and Information Systems and as such this has not been reported on in this Financial Statement.

### AASB 2016-8 Amendments to Australian accounting standards – Australian implementation guidance for not-for-profit entities (AASB 9 Financial instruments)

AASB 2016-8 is effective for the first time in 2019/20 and will require non-contractual receivables arising from statutory requirements to apply the initial recognition and measurement requirements of AASB 9. The requirements of AASB 2016-8 are largely consistent with existing recognition and measurement practices of the Authority and is therefore not expected to have a material impact.

Several other amending standards and AASB interpretations have been issued that apply to the current reporting periods, but are considered to have no impact on public sector reporting.

## Standards and interpretations issued but not yet effective

No Australian accounting standards have been early adopted for 2019-20.

Several other amending standards and AASB interpretations have been issued that apply to future reporting periods but are considered to have limited impact on public sector reporting.

### 3. Reporting entity

The financial statements cover the Authority as an individual reporting entity.

The Aboriginal Areas Protection Authority ("the Authority") is a Northern Territory entity established under the *Northern Territory Aboriginal Sacred Sites Act 1989* (NT).

The principal place of business of the Authority is: Level 4 RCG Centre, 47 Mitchell Street, Darwin NT 0800

### 4. Agency and Territory items

The financial statements of the Authority include income, expenses, assets, liabilities and equity over which the Authority has control (agency items). Certain items, while managed by the Authority, are controlled and recorded by the Territory rather than the Authority (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 Authority's financial statements. However, as the Authority is accountable for certain Territory items managed on behalf of government, these items have been separately disclosed in Note 19 – Schedule of administered Territory items.

### 5. Comparatives

Where necessary, comparative information for the 2018-19 financial year has been reclassified to provide consistency with current year disclosures.

### 6. 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. Figures in the financial statements and notes may not equate due to rounding.

### 7. Changes in accounting policies

There have been no changes to accounting policies adopted in 2019-20 as a result of management decisions. Changes in policies relating to COVID-19 are disclosed in Note 11 below.

### 8. 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.

## 9. 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.

## 10. Contributions by and distributions to government

The Authority may receive contributions from government where the government is acting as owner of the Authority. Conversely, the Authority may make distributions to government. In accordance with the *Financial Management Act 1995* 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 Authority as adjustments to equity.

The statement of changes in equity provides additional information in relation to contributions by, and distributions to, government.

## 11. Impact of COVID-19

The Territory Government modified its debt recovery process and postponed the payment date for a number of regulatory fees and charges to ease financial hardship faced by individuals and businesses as a result of COVID-19.

In addition, management made a decision as a result of COVID-19 to postpone all consultations with Custodians and travel to regional and remote centres from 13 March 2020 and the Authority Board Chairman instructed all Board meetings to be cancelled. This then aligned to the Biosecurity Determination 2020 restrictions that commenced on 26 March 2020. The suspension of travel and Custodian consultation from 13 March to 5 June 2020 inclusive due to management decisions and the Biosecurity Determination 2020 saw a postponement to sales of goods and services income being generated and had a notable effect on the 2019-20 financial position of the Authority.

### 3. COMPREHENSIVE OPERATING STATEMENT BY OUTPUT GROUP

	NOTE	SACRED SITES		CORPORATE SUPPORT		TOTAL	
		2020	2019	2020	2019	2020	2019
		\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>INCOME</b>							
Appropriation	4a						
Output		2,068	2,252	1,113	750	3,181	3,002
Sales of goods and services <sup>(b)</sup>	4b	2,039	2,441	0	0	2,039	2,441
Goods and services received free of charge	5	531	563	286	188	817	751
<b>TOTAL INCOME</b>		<b>4,638</b>	<b>5,256</b>	<b>1,399</b>	<b>938</b>	<b>6,037</b>	<b>6,194</b>
<b>EXPENSES</b>							
Employee expenses		2,211	1,930	1,889	1,287	4,100	3,218
Administrative expenses							
Purchases of goods and services	6	569	618	615	540	1,184	1,158
Repairs and maintenance		0	0	0	4	0	4
Property Management		13	0	32	45	45	45
Depreciation and amortisation	12	156	162	84	54	240	216
Other administrative expenses <sup>1</sup>		531	563	286	188	817	751
<b>TOTAL EXPENSES</b>		<b>3,480</b>	<b>3,273</b>	<b>2,906</b>	<b>2,118</b>	<b>6,385</b>	<b>5,392</b>
<b>NET SURPLUS/(DEFICIT)</b>		<b>1,158</b>	<b>1,983</b>	<b>(1,507)</b>	<b>(1,180)</b>	<b>(348)</b>	<b>802</b>
<b>COMPREHENSIVE RESULT</b>		<b>1,158</b>	<b>1,983</b>	<b>(1,507)</b>	<b>(1,180)</b>	<b>(348)</b>	<b>802</b>

<sup>1</sup> Includes DCIS service charges.

*This comprehensive operating statement by output group is to be read in conjunction with the notes to the financial statements.*

#### Income

Income encompasses both revenue and gains.

Income is recognised at the fair value of the consideration received, exclusive of the amount of GST. Goods and services income is recognised at the point in time when the service has been delivered and payment has been requested.

## 4. REVENUE

### a) Appropriation

	2020			2019
	\$000	\$000	\$000	\$000
	Revenue from contracts with customers	Other	Total	
Output		3,181	3,181	3,002
<b>Total appropriation</b>		3,181	3,181	3,002

Output appropriation is the operating payment to each agency for the outputs they provide as specified in the Appropriation Act. It does not include any allowance for major non-cash costs such as depreciation. The treatment of output appropriations remains the same after adopting AASB 15 and AASB 1058, because they do not have sufficiently specific performance obligations.

The Authority did not receive Commonwealth appropriation.

Revenue from contracts with customers for the 2019-20 financial year have been disaggregated below into categories to enable users of these financial statements to understand the nature, amount, timing and uncertainty of income and cash flows. These categories include a description of the type of product or service line, type of customer and timing of transfer of goods and services.

### b) Sales of goods and services

Sales of Goods and Services - AASB 15 applies to this revenue stream and is effective for 2019-20 reporting period and through an assessment it is determined that the Authority has complied with this standard and as such disaggregation of revenue is not required. All revenue is recognised once the performance obligation of providing an Authority Certificate has been met and provided to the client. The obligation is considered complete once the Authority Certificate conditions have been drafted for delegate approval and all costs have been finalised.

	2020			2019
	\$000	\$000	\$000	\$000
	Revenue from contracts with customers	Other	Total	
Sales of goods and services	1,068	972	2,039	2,441
<b>Total sales of goods and services</b>	1,068	972	2,039	2,441



	2020
	\$000
<b>TYPE OF GOOD AND SERVICE:</b>	
Regulatory services	0
Service delivery	1,068
Other	0
<b>Total revenue from contracts with customers by good or service</b>	<b>1,068</b>
<b>TYPE OF CUSTOMER:</b>	
Australian Government entities	268
Northern Territory Government controlled entity	0
Private Sector organisations	786
Local Government Council	14
<b>Total revenue from contracts with customers by type of customer</b>	<b>1,068</b>
<b>TIMING OF TRANSFER OF GOODS AND SERVICES:</b>	
Overtime	
Point in time	1,068
<b>Total revenue from contracts with customers by timing of transfer</b>	<b>1,068</b>

### Rendering of services

Until 30 June 2019, revenue from rendering services was recognised by reference to the stage of completion of the contract. From 1 July 2019, revenue from rendering of services is recognised when the agency satisfies the performance obligation by transferring the promised services

### 5. Goods and services received free of charge

Free of Charge Services - AASB 15 does not apply to Free of Charge Services but applies to AASB 1058 as there are no performance obligations and the Authority has no control or input into the income or corresponding transactions.

	2020	2019
	\$000	\$000
Corporate and information services	809	751
Repairs and Maintenance	8	0
	<b>817</b>	<b>751</b>

Resources received free of charge are recognised as revenue when, and only when, a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense. Resources received free of charge are recorded as either revenue or gains depending on their nature. From 1 July 2019, repairs and maintenance expenses and associated employee costs were centralised under the Department of Infrastructure, Planning and Logistics as part of a machinery of government change and now forms part of goods and services free of charge of the Authority.

## 6. PURCHASES OF GOODS AND SERVICES

	2020	2019
	\$000	\$000
The net surplus/(deficit) has been arrived at after charging the following expenses:		
<b>Goods and services expenses:</b>		
Consultants <sup>1</sup>	390	376
Advertising <sup>2</sup>	3	1
Marketing and promotion <sup>3</sup>	11	17
Document production	39	5
Legal expenses <sup>4</sup>	10	14
Recruitment <sup>5</sup>	0	5
Training and study	41	36
Official duty fares	43	38
Travelling allowance	24	25
Information technology charges and communications	239	228
Motor vehicle expenses <sup>6</sup>	173	161
Authority Board <sup>7</sup>	68	97
Relocation	21	46
Other	122	109
	1,184	1,158

<sup>1</sup> Includes marketing, promotion and IT consultants.

<sup>2</sup> Does not include recruitment, advertising or marketing and promotion advertising.

<sup>3</sup> Includes advertising for marketing and promotion but excludes marketing and promotion consultants' expenses, which are incorporated in the consultants' category.

<sup>4</sup> Includes legal fees, claim and settlement costs.

<sup>5</sup> Includes recruitment-related advertising costs.

<sup>6</sup> the Authority maintains a fleet of 4WD vehicles due to the requirement for staff to travel to remote locations.

<sup>7</sup> the Authority Board is required to hold four meetings per calendar year under the Northern Territory Aboriginal Sacred Sites Act 1989 (NT).

Purchases of goods and services generally represent the day-to-day running costs incurred in normal operations, including supplies and service costs recognised in the reporting period in which they are incurred.

### Repairs and maintenance expense

From 1 July 2019, repairs and maintenance expenses were centralised under the Department of Infrastructure, Planning and Logistics (DIPL) as part of machinery of government changes. The Authority now recognises a notional repairs and maintenance expense under services received free of charge in Note 5.

## 7. WRITE-OFFS, POSTPONEMENTS, WAIVER, GIFTS AND EX GRATIA PAYMENTS

	AGENCY				TERRITORY ITEMS			
	2020	NO. OF TRANS.	2019	NO. OF TRANS.	2020	NO. OF TRANS.	2019	NO. OF TRANS.
	\$'000		\$'000		\$'000		\$'000	
<b>Write-offs, postponements and waivers under the <i>Financial Management Act 1995</i></b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>2</b>
Represented by:								
<i>Amounts written off, postponed and waived by delegates</i>								
Irrecoverable amounts payable to the Territory or an agency written off	0	0	1	2	0	1	1	2
<b>Total written off, postponed and waived by delegates</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>2</b>

## 8. CASH AND DEPOSITS

	2020	2019
	\$'000	\$'000
Cash on hand	1	1
Cash at bank	2,941	3,361
	<b>2,942</b>	<b>3,362</b>

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. Cash at bank includes monies held in the Accountable Officer's Trust Account (AOTA) that are ultimately payable to the beneficial owner. The Authority does not hold an AOTA.

## 9. CASH FLOW RECONCILIATION

### a) Reconciliation of cash

The total of the Authority's 'Cash and deposits' of \$2.942 million 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

	2020	2019
	\$000	\$000
<b>Net surplus/deficit</b>	<b>(348)</b>	<b>802</b>
<i>Non-cash items:</i>		
Depreciation and amortisation	240	216
Asset write-offs/write-downs	0	0
Asset donations/gifts	0	0
Gain/loss on disposal of assets	0	0
<i>Changes in assets and liabilities:</i>		
Decrease/increase in receivables	(251)	(49)
Decrease/increase in inventories	0	0
Decrease/increase in prepayments	(1)	(8)
Decrease/increase in other assets	0	0
Decrease/increase in payables	7	(25)
Decrease/increase in provision for employee benefits	40	(44)
Decrease/increase in other provisions	(82)	48
Decrease/increase in other Deferred income	0	(95)
<b>Net cash from operating activities</b>	<b>(395)</b>	<b>846</b>

## 10. RECEIVABLES

	2020	2019
	\$000	\$000
<b>Current</b>		
Accounts receivable	387	170
Less: loss allowance	(5)	(5)
GST receivables	(24)	3
Accrued revenue	61	0
<b>Non current</b>		
Other receivables	0	0
<b>Total receivables</b>	<b>419</b>	<b>168</b>

Receivables are initially recognised when the Authority becomes a party to the contractual provisions of the instrument and are measured at fair value less any directly attributable transaction costs. Receivables include contract receivables, accounts receivable, accrued contract revenue and other receivables.

Receivables are subsequently measured at amortised cost using the effective interest method, less any impairments.

Accounts receivable and contract receivables are generally settled within 30 days and other receivables within 60 days.

The loss allowance reflects lifetime expected credit losses and represents the amount of receivables the agency estimates are likely to be uncollectible and are considered doubtful.

### Credit risk exposure of receivables

Receivables are monitored on an ongoing basis to ensure exposure to bad debts is not significant. The entity applies the simplified approach to measuring expected credit losses. This approach recognises a loss allowance based on lifetime expected credit losses for all accounts receivables, contracts receivables and accrued contract revenue. To measure expected credit losses, receivables have been grouped based on shared risk characteristics and days past due.

The expected loss rates are based on historical observed loss rates and business processes where client credit management is rigorously monitored. A provision of about \$5,000 is maintained in the unlikely event of a significant write-off which is sufficient to cover any risk. The loss rate is considered to be almost zero.

In accordance with the provisions of the FMA, receivables are written-off when there is no reasonable expectation of recovery. Indicators that there is no reasonable expectation of recovery includes a failure to make contractual payments for a period greater than 120 days past due.

Due to COVID-19, the Authority's credit risk exposure did not increase and is reflected in the expected credit losses reported. To ease financial hardship faced by individuals and businesses as a result of the COVID-19, the Territory Government modified its debt recovery process and postponed the payment date for a number of regulatory fees and charges. The Authority has not experienced and is not expecting to experience any loss allowances for receivables due to its client base.

The loss allowance for receivables and reconciliation as at the reporting date is disclosed below.

### Loss allowance for receivables

Internal receivables(a)	2020				2019			
	Gross receivables \$000	Loss rate %	Expected credit losses \$000	Net receivables \$000	Gross receivables \$000	Loss rate %	Expected credit losses \$000	Net receivables \$000
Not overdue	152	0	0	152	63	0	0	63
Overdue for less than 30 days	0	0	0	0	0	0	0	0
Overdue for 30 to 60 days	0	0	0	0	0	0	0	0
Overdue for more than 60 days	0	0	0	0	0	0	0	0
<b>Total internal receivables</b>	<b>152</b>	<b>0</b>	<b>0</b>	<b>152</b>	<b>63</b>	<b>0</b>	<b>0</b>	<b>63</b>
External receivables								
Not overdue	234	0	0	234	43	0	0	43
Overdue for less than 30 days	0	0	0	0	63	0	0	63
Overdue for 30 to 60 days	0	0	0	0	0	0	0	0
Overdue for more than 60 days	0	0	0	0	0	0	0	0
<b>Total external receivables</b>	<b>234</b>	<b>0</b>	<b>0</b>	<b>234</b>	<b>109</b>	<b>0</b>	<b>0</b>	<b>109</b>

Total amounts disclosed exclude statutory amounts and include contract receivables and accrued contract revenue.

## Reconciliation of loss allowance for receivables

	2020	2019
	\$000	\$000
<b>Internal receivables</b>		
Opening balance	0	0
Written off during the year	0	0
Recovered during the year	0	0
Increase/decrease in allowance recognised in profit or loss	0	0
<b>Total internal receivables</b>	<b>0</b>	<b>0</b>
<b>External receivables</b>		
Opening balance	5	5
Written off during the year	0	0
Recovered during the year		
Increase/decrease in allowance recognised in profit or loss		
<b>Total external receivables</b>	<b>5</b>	<b>5</b>

### Prepayments

Prepayments represent payments in advance of receipt of goods and services or that part of expenditure made in one accounting period covering a term extending beyond that period.

## 11. OTHER ASSETS

### a. Agency as a lessor

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

From 1 July 2019, subleases are classified by reference to the right-of-use asset arising from the head lease, rather than by reference to the underlying asset. A sublease is an arrangement where the underlying asset is re-leased by a lessee (intermediate lessor) to another party, and the lease (head lease) between the head lessor and original lessee remains in effect.

#### Finance leases

At the lease commencement date, the entity recognises a receivable for assets held under a finance lease in its statement of financial position at an amount equal to the net investment in the lease. The net investment in leases is classified as financial assets amortised cost and equals the lease payments receivable by a lessor and the unguaranteed residual value, plus initial direct costs, discounted using the interest rate implicit in the lease Initial direct costs.

Finance income arising from finance leases is recognised over the lease term, based on a pattern reflecting a constant periodic rate of return on the lessor's net investment in the lease.

The Authority does not have any finance lease or sublease arrangements.

#### Operating leases

An operating lease is a lease other than a finance lease. Rental income arising is accounted for on a straight-line basis over the lease terms and is included in revenue in the statement of comprehensive income due to its operating nature. Initial direct costs incurred in negotiating and arranging an operating lease are added to the carrying amount of the underlying asset and recognised over the lease term on the same basis as rental income. Contingent rents are recognised as revenue in the period in which they are earned.

The Authority does not have any operating lease arrangements.

### b. Contract cost asset

Costs to obtain a contract are expensed where goods and services will be transferred within one year or less and only capitalised if deemed material. Territory Government employee costs that satisfy the criteria for recognition as a cost to fulfil a contract are not capitalised and expensed immediately. Other costs to fulfil a contract are accounted for as a contract cost asset if deemed material. For the 2019-20 reporting period, no costs were capitalised as a contract cost asset



## 12. PROPERTY, PLANT AND EQUIPMENT

### a) Total property, plant and equipment

	2020	2019
	\$000	\$000
<b>Plant and equipment</b>		
At fair value	1,376	1,483
<i>Less: accumulated depreciation</i>	(1,213)	(1,080)
	<b>163</b>	<b>403</b>
<b>Computer Software</b>		
At cost	586	470
<i>Less: accumulated depreciation</i>	(333)	(227)
	<b>252</b>	<b>242</b>
<b>Computer Hardware</b>		
At cost	36	32
<i>Less: accumulated depreciation</i>	(21)	(32)
	<b>15</b>	<b>0</b>
<b>Total Property, Plant and Equipment</b>	<b>430</b>	<b>645</b>

## 2020 Property, plant and equipment reconciliations

From 1 July 2019, property, plant and equipment includes right-of-use assets under AASB 16 Leases, effective from that date. This is not applicable to the Authority for 2019-20. A reconciliation of the carrying amount of property, plant and equipment at the beginning and end of 2019-20 is set out below:

	LAND	BUILDINGS	INFRA- STRUC- TURE	PLANT AND EQUIP- MENT	COMPUTER SOFTWARE	COMPUTER HARDWARE	TOTAL
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying amount as at 1 July 2019				403	242	0	645
Additions				(107)	116	17	26
Disposals							
Depreciation expense – asset owned				(133)	(106)	(2)	(240)
<b>Carrying amount as at 30 June 2020</b>				<b>163</b>	<b>252</b>	<b>15</b>	<b>430</b>

## 2019 Property, plant and equipment reconciliations

A reconciliation of the carrying amount of property, plant and equipment at the beginning and end of 2018-19 is set out below:

	LAND	BUILDINGS	INFRA- STRUC- TURE	PLANT AND EQUIP- MENT	COMPUTER SOFTWARE	COMPUTER HARDWARE	TOTAL
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying amount as at 1 July 2018				444	326	0	770
Additions				91	0	0	91
Disposals							
Depreciation expense				(131)	(84)	0	(216)
<b>Carrying amount as at 30 June 2020</b>				<b>403</b>	<b>242</b>	<b>0</b>	<b>645</b>

## Acquisitions

Property, plant and equipment are initially recognised at cost and subsequently revalued at fair value less accumulated depreciation and impairment. Cost is the amount of cash or cash equivalents paid or the fair value of the other consideration given to acquire the asset at the time of its acquisition or construction or, where applicable, the amount attributed to that asset when initially recognised in accordance with the requirements of other accounting standards.

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 and 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 separately depreciated over their expected useful lives.

## 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 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
- 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 or whenever there is indication of impairment. 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 current 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 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.

Agency property, plant and equipment assets were assessed for impairment as at 30 June 2020. No impairment adjustments were required as a result of this review.

### 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:

	2020	2019
Plant and equipment	10 years	10 years
Computer Software	5 years	5 years
Computer Hardware	5 years	n/a

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

## 13. PAYABLES

	2020	2019
	\$000	\$000
Accounts payable	4	4
Accrued expenses	70	63
Other payables	0	0
<b>Total payables</b>	<b>74</b>	<b>67</b>

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 20 days from receipt of valid invoices under \$1 million or 30 days for invoices over \$1 million.

## 14. PROVISIONS

	2020	2019
	\$000	\$000
<b>Current</b>		
<i>Employee benefits</i>		
Recreation leave	335	301
Leave loading	56	42
Other employee benefits	3	10
<i>Other current provisions</i>		
<i>Other provisions – Payroll Tax and Superannuation Contribution</i>	66	147
<b>Total provisions</b>	<b>459</b>	<b>500</b>
<b>Balance as at 30 June</b>	<b>459</b>	<b>500</b>

The Authority employed 32.54 employees as at 30 June 2020 (27.35 employees as at 30 June 2019).

## 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 and other leave entitlements
- 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 therefore no long service leave liability is recognised in the Authority's financial statements.

## 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 Authority 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 therefore not recognised in the Authority financial statements.

## 15. 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 Authority becomes a party to the contractual provisions of the financial instrument. The Authority's financial instruments include cash and deposits; receivables; advances paid; payables and advances received.

Due to the nature of operating activities, certain financial assets and financial liabilities arise under statutory obligations rather than a contract. Such financial assets and liabilities do not meet the definition of financial instruments as per AASB 132 Financial Instruments: Presentation. These include statutory receivables arising from taxes including GST and penalties.

The Authority does not have any exposure to interest rate risk, foreign exchange risk, credit risk, or price risk and liquidity risk is minimal in the normal course of activities. The Territory Government's investments, loans and placements, and borrowings are predominantly managed through the Northern Territory Treasury Corporation (NTTC) adopting strategies to minimise the risk.

## a) Categories of financial instruments

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

	Fair value through profit or loss		Amortised cost	Fair value through other comprehensive income	Total
	Mandatorily at fair value	Designated at fair value			
	\$000	\$000	\$000	\$000	\$000
<b>2019-20</b>					
Cash and deposits		2,942			2,942
Receivables <sup>1</sup>		419			419
Prepayments		10			10
<b>Total financial assets</b>		<b>3,371</b>			<b>3,371</b>
Payables <sup>1</sup>		74			74
Provisions		459			459
<b>Total financial liabilities</b>		<b>533</b>			<b>533</b>
<b>2018-19</b>					
Cash and deposits		3,362			3,362
Receivables <sup>1</sup>		168			168
Prepayments		8			8
<b>Total financial assets</b>		<b>3,539</b>			<b>3,539</b>
Payables <sup>1</sup>		67			67
Provisions		500			500
<b>Total financial liabilities</b>		<b>567</b>			<b>567</b>

<sup>1</sup> Total amounts disclosed here exclude statutory amounts and accrued contract revenue

## Categories of financial instruments

The Authority's financial instruments are classified in accordance with AASB 9.

Financial assets are classified under the following categories:

- amortised cost
- FVOCI
- FVTPL.

Financial liabilities are classified under the following categories:

- amortised cost
- FVTPL.

These classification are based on the Authority's business model for managing the financial assets and the contractual terms of the cash flows. Where assets are measured at fair value, gains and losses will either be recorded in profit or loss, or other comprehensive income.

Financial instruments are reclassified when and only when the Authority's business model for managing those assets changes.

Financial assets with embedded derivatives are considered in their entirety when determining whether their cash flows are solely payment of principal and interest.

### Financial assets at amortised cost

Financial assets are classified at amortised cost when they are held by the Authority to collect the contractual cash flows and the contractual cash flows are solely payments of principal and interest.

These assets are initially recognised at fair value and subsequently measured at amortised cost using the effective interest method, less impairment.

### Financial assets at fair value through other comprehensive income

Financial assets are classified at fair value through other comprehensive income when they are held by the Authority to both collect contractual cash flows and sell the financial assets, and the contractual cash flows are solely payments of principal and interest.

These assets are initially and subsequently recognised at fair value. Changes in the fair value are recognised in other comprehensive income, except for the recognition of impairment gains or losses and interest income which are recognised in the operating result in the comprehensive operating statement. When financial assets are derecognised, the cumulative gain or loss previously recognised in other comprehensive income is reclassified from equity to the comprehensive operating statement.

For equity instruments elected to be categorised at FVOCI, changes in fair value recognised in other comprehensive income are not reclassified to profit or loss on derecognition of the asset. Dividends from such instruments continue to be recognised in the comprehensive operating statement as other income when the agency's right to receive payments is established.

The Authority does not have any financial assets under this category.

### Financial assets at fair value through profit or loss

Financial assets are classified at FVTPL where they do not meet the criteria for amortised cost or FVOCI. These assets are initially and subsequently recognised at fair value with gains or losses recognised in the net result for the year.

The Authority's financial assets categorised at FVTPL include investments in managed unit trusts and certain debt instruments. Unrealised gains in relation to these investments are recognised in other economic flows in the comprehensive operating statement, however realised gains are recognised in the net result.



### Financial liabilities at amortised cost

Financial liabilities at amortised cost are measured at amortised cost using the effective interest rate method. The Authority's financial liabilities categorised at amortised cost include all accounts payable, deposits held, advances received, lease liabilities and borrowings.

### Financial liabilities at fair value through profit or loss

Financial liabilities are classified at FVTPL when the liabilities are either held for trading or designated as FVTPL. Financial liabilities classified at FVTPL are initially and subsequently measured at fair value with gains or losses recognised in the net result for the year.

For financial liabilities designated at FVTPL, changes in the fair value of the liability attributable to changes in the Authority's credit risk are recognised in other comprehensive income, while remaining changes in the fair value are recognised in the net result.

### Derivatives

The Authority may enter into a variety of derivative financial instruments to manage its exposure to interest rate risk. The Authority 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.

### Netting of swap transactions

The Authority, from time to time, may facilitate certain structured finance arrangements, where a legally recognised right to set-off financial assets and liabilities exists, and the Territory intends to settle on a net basis. Where these arrangements occur, the revenues and expenses are offset and the net amount is recognised in the comprehensive operating statement.

#### b) Credit risk

The Authority has limited credit risk exposure (risk of default). In respect of any dealings with organisations external to government, the Authority 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 Authority's maximum exposure to credit risk without taking account of the value of any collateral or other security obtained.

Credit risk relating to receivables is disclosed in Note 10.

#### c) Liquidity risk

Liquidity risk is the risk the Authority will not be able to meet its financial obligations as they fall due. The Authority's approach to managing liquidity is to ensure it will always have sufficient funds to meet its liabilities when they fall due. This is achieved by ensuring minimum levels of cash are held in the Authority bank account to meet various current employee and supplier liabilities. The Authority's exposure to liquidity risk is minimal. Cash injections are available from the Central Holding Authority in the event of one-off extraordinary expenditure items arise that deplete cash to levels that compromise the Authority's ability to meet its financial obligations.

#### d) Market risk

Market risk is the risk 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. This is not relevant to the Authority's activities.

**(i) Interest rate risk**

The Authority is not exposed to interest rate risk as Authority financial assets and financial liabilities are non interest bearing.

**(ii) Price risk**

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

**(iii) Currency risk**

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

## 16. RELATED PARTIES

**(i) Related parties**

The Authority is a government administrative entity and is wholly owned and controlled by the Territory Government. Related parties of the Authority include:

- the portfolio minister and key management personnel (KMP) because they have authority and responsibility for planning, directing and controlling the activities of the department directly
- close family members of the portfolio minister or KMP including spouses, children and dependants
- all public sector entities that are controlled and consolidated into the whole of government financial statements
- any entities controlled or jointly controlled by KMP's or the portfolio minister, or controlled or jointly controlled by their close family members.

**(ii) Key management personnel (KMP)**

Key management personnel of the Authority are those persons having authority and responsibility for planning, directing and controlling the activities of the Authority. These include the Minister for Environment and Natural Resources, the Chief Executive Officer and the four members of the Executive Management Group as listed below:

- Ms Amy Dennison, Acting Chief Executive Officer (August 2019 to April 2020)
- Dr Sophie Creighton, Director Research and Land information
- Mr Che Walsh, Director Policy and Governance
- Mr Alan Buckingham Director Corporate Services

**(iii) Remuneration of key management personnel**

The details below excludes the salaries and other benefits of Minister for Environment and Natural Resources as the minister's remunerations and allowances are payable by the Department of the Legislative Assembly and consequently disclosed within the Treasurer's annual financial statements.

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

	2019-20	2018-19
	\$000	\$000
Short-term benefits	976	774
Post-employment benefits	0	0
Long-term benefits	0	0
Termination benefits	0	0
<b>Total</b>	<b>976</b>	<b>774</b>

**(iv) Related party transactions:**

Transactions with Northern Territory Government-controlled entities

The Authority's primary ongoing source of funding is received from the Central Holding Authority in the form of output and capital appropriation and on-passed Commonwealth national partnership and specific-purpose payments.

The following table provides quantitative information about related party transactions entered into during the year with all other Northern Territory Government-controlled entities.

**2020**

Related party	Revenue from related parties	Payments to related parties	Amounts owed by related parties	Amounts owed to related parties
	\$000	\$000	\$000	\$000
<i>All NTG Government departments (including local councils)</i>	1,788	1,088	221	1
<i>Australian Government</i>	268	0	0	0

**2019**

Related party	Revenue from related parties	Payments to related parties	Amounts owed by related parties	Amounts owed to related parties
	\$000	\$000	\$000	\$000
<i>All NTG Government departments (including local councils)</i>	1,022	5	87	0
<i>Australian Government</i>	0	0	0	0

The above figures do not include CHA, NTG appropriation or Free of Charge services, it relates purely to business transactions.

**17. CONTINGENT LIABILITIES AND CONTINGENT ASSETS****(a) Contingent liabilities**

The Authority had no contingent liabilities or contingent assets as at 30 June 2020 or 30 June 2019.

**18. 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.

## 19.SCHEDULE OF ADMINISTERED TERRITORY ITEMS

The following Territory items are managed by the Authority on behalf of the government and are recorded in the Central Holding Authority (refer Note 2.4).

Regulatory Fees and Charges (Administered Territory Items) - AASB 15 is effective for 2019-20 reporting period and through an assessment it is determined that the Authority has complied with this standard and as such disaggregation of revenue is not required. The regulatory charges applied through the *Northern Territory Aboriginal Sacred Sites Act* are charges and receipted on lodgment of an applications for a Request for Information or an Authority Certificate.

	2019-20	2018-19
	\$000	\$000
<b>TERRITORY INCOME AND EXPENSES</b>		
<b>Income</b>		
Fees from regulatory services	40	32
Total income	40	32
<b>Expenses</b>		
Central Holding Authority income transferred	40	32
Other administrative expenses		
<b>Total expenses</b>	<b>40</b>	<b>32</b>
<b>Territory income less expenses</b>	<b>0</b>	<b>0</b>

## 20.BUDGETARY INFORMATION

### COMPREHENSIVE OPERATING STATEMENT

	2019-20	2019-20		
	Actual	Original budget	Variance	Note
	\$000	\$000	\$000	
<b>INCOME</b>				
Appropriation				
Output	3,181	2,692	489	
Sales of goods and services	2,039	1,999	40	
Goods and services received free of charge	817	768	49	1
<b>TOTAL INCOME</b>	<b>6,037</b>	<b>5,459</b>	<b>578</b>	
<b>EXPENSES</b>				
Employee expenses	4,100	3,521	(579)	2
Administrative expenses				
Purchases of goods and services	1,229	954	(275)	3
Repairs and maintenance	0	8	8	
Depreciation and amortisation	240	180	(60)	4
Other administrative expenses	817	768	(49)	1
<b>TOTAL EXPENSES</b>	<b>6,385</b>	<b>5,431</b>	<b>(954)</b>	
<b>NET SURPLUS/(DEFICIT)</b>	<b>(348)</b>	<b>28</b>	<b>(320)</b>	
<b>COMPREHENSIVE RESULT</b>	<b>(348)</b>	<b>28</b>	<b>(320)</b>	

**Notes:**

1. Additional DCIS services.
2. employee expense exceeded original budget due to increased operational requirements.
3. additional operational expenditure relates to IT project consultancies, Alice Springs Office relocation to new premises and the engagement of Anthropological consultants due to additional demand.
4. Depreciation increased due to increased investment in software and hardware.

**BALANCE SHEET**

	2019-20 Actual \$000	2019-20 Original budget \$000	Variance \$000	Note
<b>ASSETS</b>				
<b>Current assets</b>				
Cash and deposits	2,942	3,023	81	1
Receivables	419	119	(300)	2
Prepayments	10	0	(10)	
<b>Total current assets</b>	<b>3,371</b>	<b>3,142</b>	<b>(229)</b>	
<b>Non-current assets</b>				
Property, plant and equipment	178	390	(212)	3
Intangibles	252	0	252	
<b>Total non-current assets</b>	<b>430</b>	<b>390</b>	<b>40</b>	
<b>TOTAL ASSETS</b>	<b>3,801</b>	<b>3,532</b>	<b>269</b>	
<b>LIABILITIES</b>				
<b>Current liabilities</b>				
Payables	74	91	(17)	
Provisions	459	496	(37)	4
Other liabilities	0	94	(94)	
<b>Total liabilities</b>	<b>533</b>	<b>681</b>	<b>(148)</b>	
<b>NET ASSETS</b>	<b>3,268</b>	<b>2,851</b>	<b>417</b>	
<b>EQUITY</b>				
Capital	1,621	1,621	0	
Reserves				
Accumulated Funds	1,648	1,230	418	1
<b>TOTAL EQUITY</b>	<b>3,268</b>	<b>2,851</b>	<b>418</b>	

**Notes:**

1. 2019-20 saw a noticeable reduction in income related to the COVID-19 impact and this affected the Reserves due to the postponement of the work of the Authority.
2. A number of large jobs were completed in June 2020 due to the lifting of Biosecurity travel restrictions and is in line with the seasonality of the Authority's work.
3. A review of all assets in 2019-20 was undertaken to better recognise intangible assets related to information technology expenses that had previously been recognised as plant and equipment assets.
4. Provisions were reduced due to staff turnover.

## CASH FLOW STATEMENT

	2019-20 Actual \$000	2019-20 Original budget \$000	Variance \$000	Note
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>				
<b>Operating receipts</b>				
Appropriation				
Output	3,181	2,692	489	
Receipts from sales of goods and services	1,860	1,999	(139)	
<b>Total operating receipts</b>	<b>5,041</b>	<b>4,691</b>	<b>350</b>	
<b>Operating payments</b>				
Payments to employees	4,112	3,521	(591)	1
Payments for goods and services	1,324	962	(362)	2
<b>Total operating payments</b>	<b>5,436</b>	<b>4,483</b>	<b>(953)</b>	
<b>Net cash from/(used in) operating activities</b>	<b>(395)</b>	<b>208</b>	<b>(187)</b>	
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>				
Investing payments				
Purchases of assets	(26)	0	(26)	3
<b>Total investing payments</b>	<b>(26)</b>	<b>0</b>	<b>(26)</b>	
<b>Net cash from/(used in) investing activities</b>	<b>(26)</b>	<b>0</b>	<b>(26)</b>	
Net increase/(decrease) in cash held	(420)	208	(212)	
Cash at beginning of financial year	3,362	2,815	547	
<b>CASH AT END OF FINANCIAL YEAR</b>	<b>2,942</b>	<b>3,023</b>	<b>81</b>	

### Notes:

1. Provisions were reduced but an increase in staffing due to increased operational requirements.
2. additional operational expenditure due to business activity and is in line with previous years.
3. Continued investment in IT software and hardware.

## 21. BUDGETARY INFORMATION: ADMINISTERED TERRITORY ITEMS

In addition to the specific Authority operations that are included in the financial statements, the Authority administers or manages other activities and resources on behalf of the Territory such as the collection of fees. The Authority does not gain control over assets arising from these collections, consequently no income is recognised in the Authority's financial statements. The transactions relating to these activities are reported as administered items in this note.

### ADMINISTERED TERRITORY ITEMS

	2019-20 Actual \$000	2019-20 Original budget \$000	Variance \$000	Note
<b>TERRITORY INCOME AND EXPENSES</b>				
<b>Income</b>				
Taxation revenue				
Grants and subsidies revenue				
Current				
Capital				
Fees from regulatory services	40	56	16	
Royalties and rents				
Other income				
<b>Total income</b>	<b>40</b>	<b>56</b>	<b>16</b>	
<b>Expenses</b>				
Central Holding Authority income transferred	40	56	(16)	
<b>Total expenses</b>	<b>40</b>	<b>56</b>	<b>(16)</b>	
<b>Territory income less expenses</b>	<b>0</b>	<b>0</b>	<b>0</b>	

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

