

# MG CORPORATION ANNUAL REPORT 2009



Fix the past  
Fix the past  
Move to the future  
Move to the future



KIMBERLEY EXPANSION

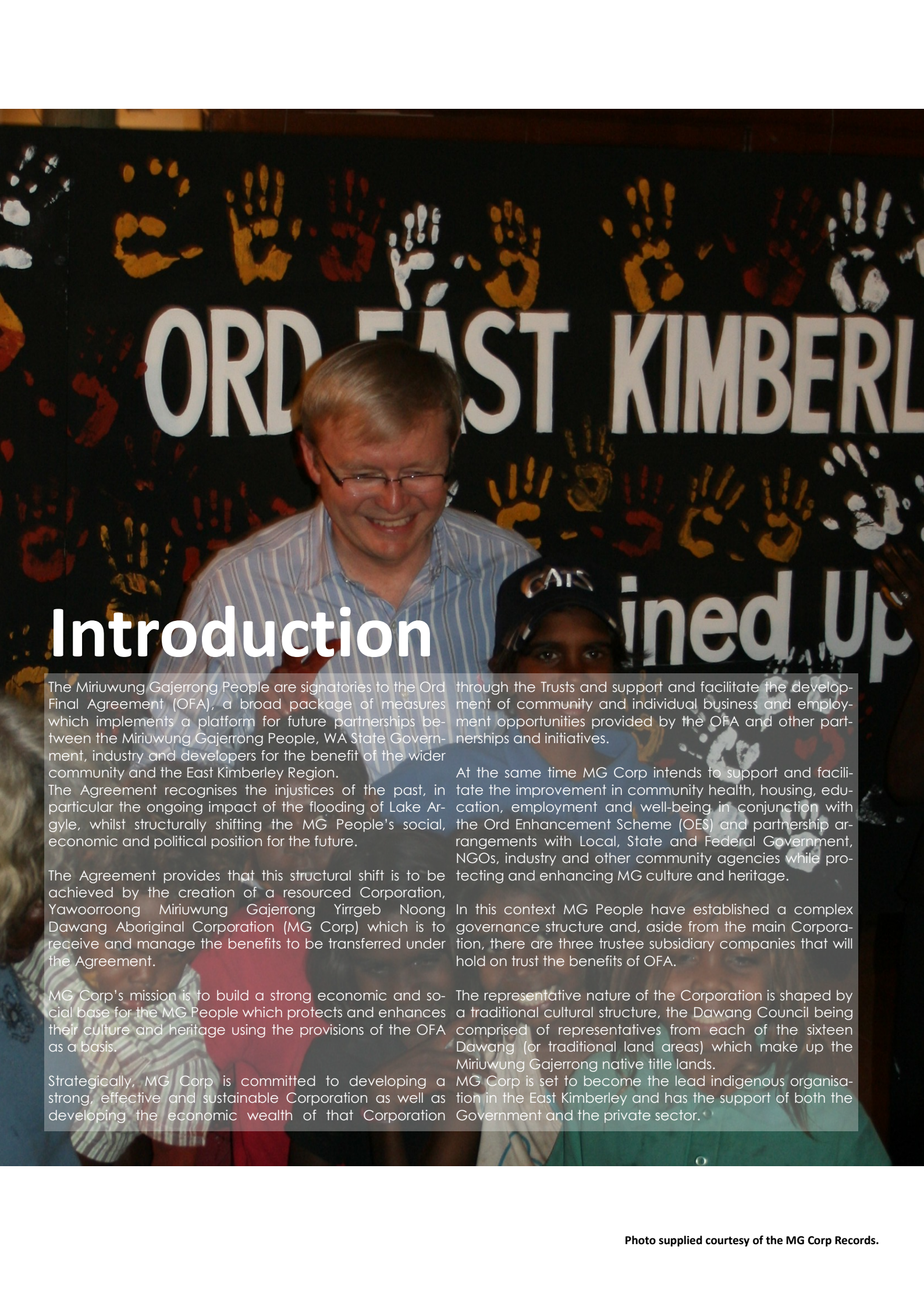
Joined Up Future

Cover Images: Alise, Granddaughter of Board Member of Edna O'Malley and Daughter of Dawang Council Representative Ephrem Kennedy; Photo supplied courtesy of Sonia Leonard.  
All other photos taken by MG Staff on location and/or are supplied courtesy of the MG Corp Records.

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# Introduction

The Miriuwung Gajerrong People are signatories to the Ord Final Agreement (OFA), a broad package of measures which implements a platform for future partnerships between the Miriuwung Gajerrong People, WA State Government, industry and developers for the benefit of the wider community and the East Kimberley Region.

The Agreement recognises the injustices of the past, in particular the ongoing impact of the flooding of Lake Argyle, whilst structurally shifting the MG People's social, economic and political position for the future.

The Agreement provides that this structural shift is to be achieved by the creation of a resourced Corporation, Yawoorroong Miriuwung Gajerrong Yirrgb Noong Dawang Aboriginal Corporation (MG Corp) which is to receive and manage the benefits to be transferred under the Agreement.

MG Corp's mission is to build a strong economic and social base for the MG People which protects and enhances their culture and heritage using the provisions of the OFA as a basis.

Strategically, MG Corp is committed to developing a strong, effective and sustainable Corporation as well as developing the economic wealth of that Corporation

through the Trusts and support and facilitate the development of community and individual business and employment opportunities provided by the OFA and other partnerships and initiatives.

At the same time MG Corp intends to support and facilitate the improvement in community health, housing, education, employment and well-being in conjunction with the Ord Enhancement Scheme (OES) and partnership arrangements with Local, State and Federal Government, NGOs, industry and other community agencies while protecting and enhancing MG culture and heritage.

In this context MG People have established a complex governance structure and, aside from the main Corporation, there are three trustee subsidiary companies that will hold on trust the benefits of OFA.

The representative nature of the Corporation is shaped by a traditional cultural structure, the Dawang Council being comprised of representatives from each of the sixteen Dawang (or traditional land areas) which make up the Miriuwung Gajerrong native title lands.

MG Corp is set to become the lead indigenous organisation in the East Kimberley and has the support of both the Government and the private sector.



# Our Vision

Our vision is for the MG Corporation to be the leading organisation in achieving a healthy, wealthy and culturally strong MG Community.



# **Mission Statement:**

The MG Corporation will build a strong economic and social base for the MG people, which protects and enhances their culture and heritage using the provisions of the Ord Final Agreement as a basis.



A photograph of three children sitting on a wooden bench outdoors. The child on the left is a young boy with dark skin, wearing a light-colored shirt, giving a thumbs up. The child in the middle is a young boy with dark skin, wearing a dark shirt, smiling broadly and giving a thumbs up. The child on the right is a young boy with light skin and curly hair, wearing a green and grey shirt, giving a thumbs up. The background is a bright, sunny outdoor setting with green foliage.

# Our Values

**The values which the Corporation will follow to carry out its' mission are:**

- **To respect the culture and heritage of the MG people**
- **To respect the Kariel rules**
- **To act with honesty, integrity and professionalism.**
- **To work together to make each other strong and build MG pride, independence and wealth.**
- **To promote relationships and partnerships with local services and businesses.**

# Corporation Contact Details

**Yawoorroong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation  
(MG Corp) ABN 79 270 210 553  
Incorporated under the Aboriginal Councils and Associations Act (1976)  
on 2nd February 2006**

## **POSTAL ADDRESS**

PO BOX 2110  
Kununurra WA 6743

## **BANKERS**

Westpac Banking Corporation  
BROOME WA 6725

## **AUDITORS**

Fong Richards CPA's  
Box 328 Ravensthorpe 6346

## **BOARD OF DIRECTORS**

Helen Gerrard  
Donald (Duck) Chulung  
Edna O'Malley (Deputy Chairperson)  
Ted Carlton (Chairperson)

## **DAWANG COUNCIL MEMBERS**

Dolly Thompson	Balaburr
Stephanie Boombi	Bigainybeng
Natalie Rogers	Bilbidjing
Annette Chunama	Djanaiwan
Dora Griffiths	Djandami
Lola Taylor	Dulbung
Lucilla Martin	Dun Dun
Tanya Hill	Kalamunda
bernadette Simon Hall	Mandangala- No name
Helen Carlton	Nyawanyawam
Ephrem Kennedy	Tjigilmiri
Donna Birch	Wadainybeng
Georgina Wilson	Wirram
	Yardungarll
Ms C Hapke	Yirralalem
Neil Yaranguli	Yunurr/Yalangga



# Chairperson's Message



Miriuwung and Gajerrong people signed the Ord Final Agreement (OFA) 4 years ago and this opened the door for the expansion of the Ord Irrigation Project.

This agreement made use of our Native Title rights to achieve better employment, business opportunities on social outcomes for the Traditional Owners of this country.

With the imminent expansion of the Ord Irrigation Project, we are now on the verge of that agreement turning into practical reality and we, as local Indigenous people must step up and grab hold of this once in a generation opportunity.

This year, in 2009, MG Corp negotiated the Aboriginal Development Package (ADP) to help us embrace this opportunity.

Many people have been working together to finalise the ADP. I thank Minister Grylls, staff of the Office of Native Title, the Department of Regional Development and Lands, the Kimberley Development Commission and MG Corp for the support they have demonstrated in this process.

Another benefit of the OFA is that Miriuwung Gajerrong people will hold up to 10% of the new land released making us a significant landholder in the new Ord irrigation project.

As leaders in our community we have a duty of care to support and encourage our people from the ground up to embrace these opportunities for a better future for us all.

This is a responsibility we must take very seriously.

Success will mean that Miriuwung and Gajerrong people will be proud to be partners, contributing to the development of the Kununurra and the East Kimberley community.

Success will mean a better future for us all and open the door for future prosperity.

Ted Carlton  
Chairperson, MG Corporation

Photo supplied courtesy of the MG Corp Records.

## Deputy Chairperson's Message



It was my honour to serve MG Corporation as Chairperson from 1 July 2008 to the Annual General Meeting in mid December. In January I handed the reins over to Ted Carlton and have acted in the role of Deputy Chairperson since that time.

During my time as Chairperson I saw the Corporation make strides forward in terms of capacity and effectiveness that will stand it in good stead to face the challenges and benefit from the opportunities of 2009 and 2010.

The Corporation received a commendation (Organisations less than 10 years old) in the Indigenous Corporations Governance Awards sponsored by Reconciliation Australia and I travelled to Melbourne with the CEO to receive that award.

Due to the winner of that award being unable to go, I also went to Arizona in the United States to see first - hand how the Native American Apache people are dealing with the issues facing them, many of which are the same as those facing the Miriwung and Gajerrong people here in the East Kimberley.

A visit from the Prime Minister of Australia, the honourable Kevin Rudd, finished the 2008 year on a high note with promises to 'make a difference' and we now know that considerable federal and state government resources are being spent in the East Kimberley region in an effort to address the problems we face, I believe it is up to us to make the most of all the marvellous opportunities that will be offered in the near future and make our way forward to contribute to our land and people, only we can do it.

Edna O'Malley  
Deputy Chairperson, MG Corporation

Photo supplied courtesy of the MG Corp Records.

## Chief Executive Officer's Message

The year has been brimming with challenges and achievements, ranging from the financial crisis, establishing relationships with the new State Government, implementing the complex changes required under the CATSI Act and the promise of the Aboriginal Development Package. At times it has been unpredictable and with a buildup of expectations, aspirations and hope, a bit like the build up to the wet. We can see the vision and the need for change before us but like the recent thunderstorm activity we have yet to see the change in the season realised in its fullest.



It was with a great sigh of relief that we implemented the necessary changes to the CATSI act with the hard work of Julie Melbourne and finally signed off on the constitutional changes in January of this year. This means a much more streamlined governance structure enabling the Organisation to enter negotiations with Government and private investors in a more businesslike manner as well as reduction in costs and resources.

Also at the beginning of this year we saw the development of the Innovative Housing Development Proposal entitled Constructing Futures. This proposal covered a mixture of housing options, training and development package and a systematic roll out of up to 200 social and private housing options. Stage one of the packages has been supported by the Commonwealth Government which will see housing soon to be constructed on identified MG Sites. Although the document was positively received by State and Commonwealth Ministers and showed that MG Corp had reached a level of maturity in presenting a vision to address housing issues for MG people it has not been taken up as yet. Involvement of MG people in the design and construction of their own homes was a key feature of the proposal. Since then MG Corp has met with a number of private investors to develop innovative housing design and strategic partnerships to make this vision a reality.

The first innovatively designed house is due for commencement in a matter of weeks.

Although the Aboriginal Development Package (ADP) was not signed off until recently the hard work behind the scenes which needed maximum commitment from the council and board at a time when we were grappling with the CATSI Act changes is testament to dedication of the board members for which I am deeply thankful.

Another highlight for the year was the guaranteed funding for a new MG Corp office. Under the Commonwealth component of the East Kimberley Development Package we can look forward to increasing our professional image through a new office to be collocated with Gelganyem Trust. A site is yet to be located.

Negotiations with Tourism WA and the makers of the film Australia saw the dismantling of the Carlton Station set. A feasibility study has been completed by Gunya Australia to investigate the potential to develop an eco tourist centre at the foot of Kelly's knob. This venture is yet to be finalised.

Despite a shaky start to the financial year with MG Investment as a result of the Global Financial Squeeze I am happy to report that we have since recovered our losses and are heading back into the black again. This is good news in terms of now being able to look seriously at investment opportunities with our corporate partners. The wisdom and perseverance of our Trust Directors has contributed to this positive showing.

Successful Lotterywest funding applications saw the purchase of a new Troop Carrier and the development of a new Information Technology system.

After a very intense year of consultation with the development and the negotiations of the ADP, the development of the Constructing Futures documentation, and the additional demands on directors to attend director training courses and personal development course we can now move forward to delivering on key outcomes. We are moving in a new area, the MG Corporation is getting ready to fully commercialize its direction, the private sector and business opportunities are plentiful, whilst working through the joint commitment of both MG and government we have been able to build strong partnerships with some positive and assertive ministers and government departments.

Some of the key deliverables for the coming year include:

Implementation of 305 MG jobs under the ADP in a range of Industries linked to Ord Stage 2

Instigation of a new professional team to oversee the employment strategy, human resources and business development.

Finalisation of the MOU with Strong wall and MHI Construction to start to deliver on the Constructing Futures vision.

Constructing a new office having secured \$4.5M under the East Kimberley Development Package funded under the Commonwealth Government's Infrastructure Package.

There are still around 24 outstanding issues and projects that have come from the Ord Final Agreement that have to be resolved, some issues are legally structured and some are tied up in bureaucratic process. We would hope to have all these outstanding benefits cleared as soon as possible, so the corporation can focus on the ADP, and the job creation and business opportunities they are offering.

The year gone with all its achievements and challenges would not have been possible without the hard work of the MG team, the board and our funding partners Office of Native Title. To all of you I thank you.

All Miriuwung Gajerrong people need to focus on the year ahead as we roll out business opportunities, employment and a better future for MG People as we all work together to create and capture the opportunities that have been long overdue.

Photo supplied courtesy of the MG Corp Records.

David Saunders

# MG Corporation Board of Directors



**Ted Carlton**  
Chairperson



**Edna O'Malley**  
Deputy Chairperson



**Helen Gerrard**



**Duck Chulung**



Photo supplied courtesy of the MG Corp Records.

## MG Management & Project Staff



### David Saunders, CEO

This is David's second annual report that he has delivered. David is Jawoyn from his mother's side and Gunditjamara on his father's side. David was living in Brisbane prior to coming to take on the role of CEO. David has over 32 years working in Private Enterprise mostly as a National Marketing Manager and has lived and travelled extensively throughout Australia. David has set up many businesses and has worked for both Private and Public Listed Companies. Also, David has won Australia Day Awards for community services in Brisbane and worked also with the Queensland Chamber of Commerce and the Greater Brisbane Area Consultative Committee where he was responsible for employment policy and community engagement throughout Queensland.



### Tania Warry, Company Secretary

Tania's has been with MG Corporation for 15 months, since she moved here from Maryborough in Queensland after visiting the area when she was travelling around Australia. Tania has since become a Kununurra local and was appointed to the Company Secretary role in early 2009. In between managing her busy role, Tania is studying Small Business Management and enjoys getting out for a spot of fishing and photography.



### Michael Hyde, ADP Manager

Michael has worked in a community development role in the Kimberley for the past 15 years. He brings to MG Corporation a wealth of experience in Community and Regional Development Policy. In 2009, Michael was appointed to implement the Miriwung Gajerrong Aboriginal Development Package. Michael has also been instrumental in the establishment of IT Systems Management during his time at MG Corporation.



### Des Hill, Future Acts Officer

This year brings up 5 years that Des has been employed by MG Corporation. Initially he was a member of the MG Global Negotiations Team that met with the WA State government to come up with the Ord Final Agreement before being approached by the Negotiation Committee to take on the role of ASEIA Coordinator in 2004. In 2006, once the OFA was signed off and the Corporation was set up, Des was appointed the OFA Projects Implementation Officer that had him working on setting up of the New Conservation areas Joint Management Committee, and again with the R31165 JMC for the water reserve at the southern end of Lake Argyle. Since then his role has evolved to also include Native Title Future Acts work with the PBC #1 & PBC #4 Committees that deal with all MG land related matters. Des also represents MG Corporation on other boards across Northern Australia that deal with various issues that may in future have impact on MG peoples rights and country.







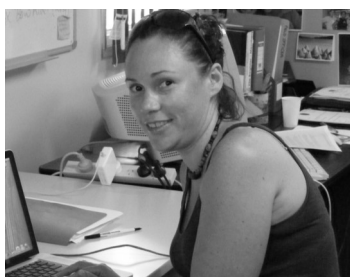
### **John Gault, Manager of Economic Development Unit**

Kununurra Resident for 9 years, and formerly employed in management roles with the Department of Environment and Conservation, and the Commonwealth Bank. Manager of the Economic Development Unit, John has played an important role in team negotiation in the State Government and looks forward to implementing the ADP. Currently Honorary Secretary for Kimberley Chamber of Commerce and Industry, John is heavily involved with community and small business development. John has a Economics Degree from UWA and a Diploma of Management from Fremantle TAFE.



### **John Nelson, Project Officer, Weeds & Waterways**

Arriving in 2004 from Alice Springs, John Nelson embarked on local employment with the Waringarri Drug and Alcohol Intervention program. After several years of local employment, John was asked to join the MG Corporation team as a Project Officer and mentor to young employees with the Weeds & Waterways Project. John brings to his role a good knowledge of communications and has assisted with further education and development within his team. He also has completed his chemical handling certificate through Charles Darwin University and holds a Bachelor of Environmental Health through Batchelor College, NT.



### **Sonia Leonard, Indigenous Community Water Facilitator & NAILSMA Representative**

International River Symposium Young Water Scientist of the Year Sonia Leonard has been with the Corporation since March 2009. She comes from working for James Cook University (Cairns) and brings with her a vast knowledge of tropical river systems. Her qualifications include a Bachelor of Applied Science, Majoring in River Management. Sonia is currently finishing her PhD in Fluvial Geomorphology (the evolution of River Systems) and is a valued member of the Corporation.



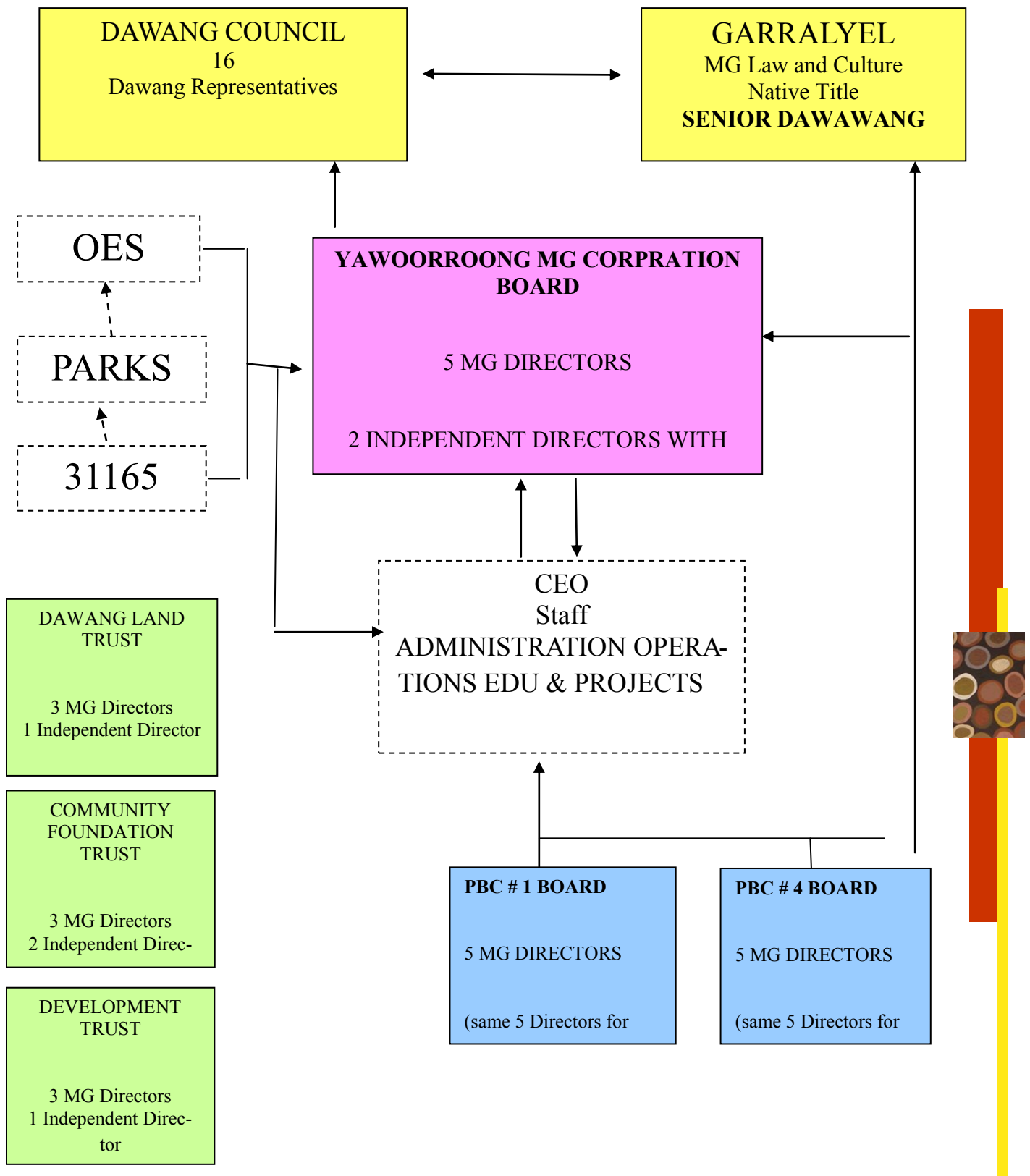
### **Elisabeth Dessert-Stewart, Accounts Manager**

Elisabeth is a long term Kununurra resident who moved to the Ord Valley from the USA with her pioneering family in 1973. She spent the last 20 years working in her family's business in the Agricultural Industry before moving to MG Corp 3 years ago. She lives in Kununurra with her husband and three sons who all attend Kununurra District High School. Elisabeth is an active member of KDHS P&C and holds a two year term on the KDHS School Council. She is also a member of the Community Library Management Committee, a member of the Country Women's Association, a member of the Ivanhoe Volunteer Bush Fire Brigade, an executive member of the Kununurra Tennis Club and a volunteer Junior Tennis Coach. She enjoys reading and gardening in her spare time, as well as camping and boating with her family.



Des Hill—Photo supplied courtesy of Tania Warry.  
All other photos supplied courtesy of the MG Corp Records.

# Organisational Chart



## 2008/9 has been a busy year for the Economic Development Unit.

The major focus for 2008 was on resurrecting the Weeds and Waterways project and progressing the economic opportunities that were in train when I commenced in September last year.

The Weeds and Waterways project was struggling for want of a Project Officer and some effective record keeping and reporting and in danger of having the funding withdrawn by ILC when I arrived. The appointment of John Nelson as Project Officer, Des Hill as Project Manager and myself as Project Administrator allowed the project to progress and start to achieve some of the milestones required under the funding arrangements. With help from the Steering Committee and a lot of work by the Project Officer and trainees the project got back on track by December and made significant progress in 2009, to the point where it was completely 'up to date' with its milestones and timelines by the end of the financial year.

Aquaculture on Lake Argyle, residential housing in Lakeside, cost effective construction methods, tourism ventures, small business opportunities for Dawangs, various agricultural propositions, and the development possibilities of the Bandicoot Drive property were among the economic opportunities I pursued leading up to Christmas.

In 2009 it was immediately evident that the expansion of the Ord Irrigation Area was likely to come about and this triggered the Aboriginal Development Package requirements of the Ord Final Agreement. As the ADP was likely to involve significant opportunities for Miriuwung and Gajerrong people, the Board decided early in 2009 to allocate substantial internal resources to developing the Corporation's negotiating position on the ADP in preparation for discussions with the Department of Regional Development and Lands representatives. Almost all the Economic Development Unit's time from January to June was spent evaluating the Ord Final Agreement provisions for an Aboriginal Development Package and formulating a position for the Corporation to adopt in negotiations.

Negotiations with the State commenced in May and went on for some time, with many revisions to the Corporation's initial position on the ADP, finally, the ADP Heads of Agreement was signed in early September 2009 giving MG Corporation access to \$12.5 million funding over three years to advance employment, training and business outcomes for MG people, all in all a satisfactory outcome.

**2009/10 and onwards will provide significant employment, training and business opportunities for MG people and the MG Corporation, but these opportunities will only be worthwhile if MG people grab them with both hands and make the most of them.**

The Corporation and the Corporation staff can highlight the opportunities and assist in helping MG people take advantage of them but the only people who can make them meaningful, long term changes to the way things have been are the MG people themselves, it is over to you!



# OFA Implementation & Future Acts Report Des Hill

## **MG & DEC Conservation Areas Joint Management**

After many on- country trips during the year with Dawangs, the Joint Management Plan is almost ready to be finalised. There have also been trips onto country to see where some tourism ventures can be set up.

**There will be plenty of on country trips next year for infrastructure and tourism work so is going to be a busy one for the Parks Council & Dawangs.**

After a slow start, the MG Rangers are now in full swing and have all been doing very well. (see Parks Report)

## **Reserve 31165 Joint Management**

Progress on this project has been a little slow due to the lack of funding but hopefully, now that there is funding for the Rangers, things like on-country trips will be forthcoming. Hopefully that after the wet, the Rangers can start going out on country to look at putting in some camps and fencing off Springs from cattle. The Interim Management Plan should also begin to be implemented. (see DoW Report)

## **Indigenous Water Policy Group (IWPG)**

There have been four (4) meetings & one (1) Water Forum held over the year. The IWPG has been working toward policy changes that will enable Indigenous people an allocation of water from the consumptive pool for commercial purposes. The policy process has been a long one and was supported by many Indigenous people from Broome to Cape York at the Mary River forum in the N.T & was finally endorsed by the Northern Australia Indigenous Land & Sea Management Alliance (NAISMA) at it's last meeting and will be forwarded to Government along with the Northern Water Taskforce Report. It is the hope of Indigenous Peoples from across Australia that Federal & State governments will take our Rights seriously now with regard to our water allocation for both Cultural & Commercial usage.

## **Eco-Trust Australia**

The Board & Members of Eco-Trust are still interested in working with MG Dawangs on a Pilot Project to assist them in business set-ups. They are also interested in working with MG Corporation on larger scale business that may arise. Once the Ord Stage 2 starts, staff of MG may have some more time to start forming proposed businesses with Dawang Groups and then bring in Eco-Trust to assist with finance & business plans. Eco-trust is a Philanthropic Institution that was set up on the model of Eco-Trust Canada that Des went & saw in 2006.

## **MG #1 & #4 PBCs**

Although there were a lot of Mining & Exploration applications processed by Department of Industry & Resources (DoIR), because of the stock market falls, not much activity has happened on the ground. There have been some clearances occurring with Main Roads for gravel pits and by-pass road and other non – mining interests, but nothing big with companies. Next year will see a lot of Clearances happening and there is the belief that there could be a few mines starting up in MG Country within the next 3 – 5 years.

MG Corporation will need to keep a close eye on these as there could be plenty of employment & business opportunities arising out of all that for MG People.

The Tidal Power people are also still looking at putting in a hydro plant down on the lower Ord near Limpett Island. These mob have been speaking to Balangarra # 3 claimants about putting it there so MG have requested that KLC organize a meeting between the Balangarra # 3 & MG #1 claimants with the Tidal Power group to come to an agreement of whether to go ahead and where to put the plant. If this does go ahead, both the MG #1 & MG # 4 determination areas will be impacted upon so again, there could be further employment & business opportunities for MG People.



# Aboriginal Development Package Report Michael Hyde

**2009 saw the agreement with the State Government on the contents of the Aboriginal Development Package (ADP). The ADP will provide MG Corp with some resources to maximise opportunities for employment, training and MG business in the works around the Ord Irrigation Expansion. The ADP will offer the following to Miriuwung and Gajerrong people.**

## **Employment Support**

MG Corp will have dedicated employment officers to match people with work and assist people find suitable training and support to get and keep a job. MG Corp will have a special relationship with the Ord Expansion contractor to provide additional employment support for MG workers.

## **Mentoring Program**

A mentoring program is being put in place support MG people in joining and staying in the workforce. Mentoring is about giving people skills to support their own communities with life coaching techniques.

## **Labour Market Information**

Relevant information about the Kununurra labour market will be gathered by MG Corp. This information will include a summary of Miriuwung and Gajerrong people and level of job readiness; an audit of jobs that will become available and a survey of training and employment services in Kununurra.

## **Business Development**

There will be a Business Development Officer to assist individuals and family groups to start a small business. They will assist in business planning obtaining finance and training and support to get the business up and running. Business opportunities will arise out of the Ord expansion, the Commonwealth East Kimberley Development package as well as parks and tourism. The State will also provide assistance to MG Businesses and joint ventures to tender for contracts to provide goods and services.

## **Aboriginal Heritage and Culture**

People supervising MG workers will be required to undergo Cultural awareness training through the Mirima Language Centre. Heritage procedures will be adopted by contractors working in the Ord M2 development area to ensure MG heritage sites are protected. Seeds from native plants and other bush tucker plants will be collected by an MG Corp project team for later planting and regeneration. There may be some additional business opportunities that arise from this.

## **M2 Farmlands**

Provision was made under the Ord Final Agreement for 5% of developed lands to be granted to MG Corp, with an option to purchase an additional 7½%, giving MG Corp 1,000 hectares of the 8,000 hectare development. MG Corp will undertake studies to ensure the best use is made of these new farmlands which will provide further opportunities for work for MG people and possibilities for joint ventures for agricultural and forestry projects.

## **Facilitation**

The ADP will place a burden on the corporation to provide these additional services and the State has agreed to provide funding for a number of positions to ensure the Corporation can deliver the best possible services to the MG people.

**There will be funding for an ADP Facilitator, Employment Support Officers, Heritage Officer, Administrative Officer and Human Resources Development Officer and a Business Development Officer.**

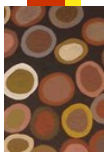
There will also be additional resources to ensure the Board can meet to manage the Corporation. The Corporation has already moved to a new office at 10 Coolibah to cater for the expanded staff.

## **Workcamp**

The State also acknowledges that housing for people working on the new projects is an issue and in partnership with the Landcorp and the Shire of Wyndham East/Kimberley, MG Corp will be developing a camp to accommodate workers for the duration of developments in the region.

## **MG Future through Employment and Business**

The Aboriginal Development Package provides a unique window for Miriuwung and Gajerrong people to step up and take advantage of the opportunities available and provide a better future for their families and communities.



# Company Secretary's Report Tania Warry

**2008-2009 has been a busy year for MG Corporation with the change to the MG corporate structure under the Corporations Aboriginal Torres Strait Islander Act 2007 (CATSI Act). This has also resulted in new Constitutions for the MG Corporation Registered Native Title Prescribed Body Corporate (MG PBC #1 and #4).**

When the Directors were appointed in February this year I was appointed as the Corporate Secretary and Contact person by the Directors under the Constitutions of MG Corporation and the MG PBC #1 and MG PBC # 4 Corporations- under the CATSI Act.

The CATSI Act amendments have increased the level of legal liability and responsibility for the Directors of the MG Companies and the CEO, and therefore there has been a series of Governance training workshops to assist the Corporation to improve its governance.

Directors and Dawang representatives are also learning the processes of the new structure.

The role of the Secretary/Contact person is an important one. It is to assist the Directors to make sure the MG Corporations run properly. However, the Directors cannot pass on their liability and responsibility as Directors to the Secretary/Contact Person.

## **The Secretary/Contact Person is appointed**

One of the important legal responsibilities of the Secretary/Contact Person under the Constitutions is to make sure that all communications and correspondence to a Corporation are passed on to the Directors of the relevant Corporation within a certain time. This is 14 days for the PBC and MG Corporation. The Directors, together with support from the CEO and the Secretary are responsible for responding to all communications to the Corporation .

The Secretary /Contact person is generally responsible for all the rules and procedural aspects of the running of the Corporations. e.g. Ensuring procedures for holding meetings are complied with:-

- **Notices and time requirements**
- **Keeping Members register up dated at all times**
- **Servicing the Board (At the moment Michael Hyde is assisting the Community Foundation Trust, John Gault the Development Trust and Julie Melbourne the Dawang Land Trust. CEO David Saunders is working with the MG Board and Des Hill assists PBC Boards.)**
  - \* Ensuring Board papers are prepared within time before meeting and distributed to Directors.
  - \* Subcommittees
  - \* Preparing Agendas with the direction of the CEO and Chairperson.
- **Ensuring Proxies and proxy notices or Alternate Directors and notices are completed when necessary**

## • **Minutes**

- \* Ensure minutes are taken at all Corporation meetings
- \* Circulation of minutes to Directors within time frame.
- \* Obtain Trust Meeting minutes and provide to the MG Board for review and discussion.
- \* Ensure all minutes approved at the next Board meeting and signed by Chair
- \* Filing (hard file and on the Server)

## • **Annual legal reporting requirements to regulatory bodies (ORATSI)**

## • **Co-ordinate AGM requirements**

## • **Co-ordinating new nominations and appointment process for the Boards with appropriate legal advice about the process and constitutional requirements.**

## • **Maintaining Company Registers**

## • **Responding to Regulatory bodies**

## • **Risk Management awareness**

## • **Other tasks as required relating to the functioning of the Boards**

I would also like to welcome Katie Innes to our administration team.

If you would like any further information about the MG Corporation and the other MG Corporations please contact me on 91664800.

## Weeds and Waterways Report John Nelson

Working with this project since 8 October last year has been a real experience for me. I now understand that vegetation we took for granted are actually weeds that are a menace to our peoples country.

The weeds and waterways team and I have undertaken chemical certification training in Katherine that lets us access the chemicals we need to try and control the weeds.

One of the aims of the weeds and waterways project was to create employment for young indigenous men and I have been responsible for recruiting them, training in weed management skills has enabled these young men to work on country.

In the last year the project team has achieved all the weed treatment milestones that were set for the project as well as a number of training outcomes for the team members.

The project team has also undertaken some contract work for the Department of Agriculture and Food in weed management and will look to make the operation more commercial, looking to establish a Rangers business venture for MG Corporation.

**To further this idea, IBA (Indigenous Business Australia) has helped us put together a business workshop which will give the team a clearer picture of where the project can go from here.**



Top Right — The Weeds and Waterways Team, July 2008. All other photos— The first Weeds and Waterways contract at Nulla Nulla. Top left—Dennis out spraying Acacias and Neem Trees. Bottom Left—Brendon and Douglas filling up a spray pack with Garlon and Diesel. Bottom Right- Some of the Weeds and Waterways team; Left to right—Douglas Gerrard, Brendon Wallaby, Dennis Ward and Ambrose Dann. Photos supplied courtesy of the MG Corp Records.

# Trusts Report **Angela Riley, Independent Director**

## CHALLENGES AND OPPORTUNITIES

2009 has been another challenging year for each of the MG Trusts. During the year, the Trusts did not always have the necessary dedicated staff to support them with their work. The Trusts look forward to additional administrative staff support in 2010, which will be made possible through the benefits of the ADP. With this additional support the Trusts will be able to make progress in a number of areas in 2010; including the finalisation of a Distribution Policy for the Community Foundation Trust and increased activity in the area of economic development with the Developments Trust.

The information in this report is only a brief picture of the Trusts' activities for the year and the Trust Directors encourage each of the MG Corporation members to discuss any matters or concerns with us at any of our upcoming meetings. MG people are also always welcome to attend the Trust meetings.

### Meetings

The MG Trusts met the following dates during 2008 & 2009:

Date	Developments Trust	Community Foundation Trust	Dawang Land Trust
July 2008	x	x	x
October 2008	x	x	x
November 2008	x	x	
March 2009	x	x	x
June 2009		x	x
September 2009	x	x	x

### Open Director Positions

During 2009 it has been difficult to hold Community Foundation and Developments Trust meetings because we have a number of open MG Directors positions and reaching a quorum has sometimes been difficult. The Trusts appreciate the participation of Edna O'Malley and Teddy Carlton as proxies during the year. Without their commitment and support some of our meetings could not have been held.

It is critical that all open Director vacancies are filled as soon as possible so that the Trusts can continue to do their work. We encourage all MG Members to consider taking on one of these important roles and we look forward to the appointment of new MG Directors to these positions so that we can get on with the very important business of the Trusts.

### Communication Plan

During 2009 a new communication process was put in place for the Trusts. The key parts of this process are:

- Draft Trust Minutes are prepared and provided to the MG Board soon after each Trust meeting.
- Draft lists of open business (Matters Arising Schedule) are prepared and provided to the MG Board soon after each Trust Meeting.
- A summary report from each Trust is provided to the MG Board and Dawang Council after each Trust Meeting.



We will continue to look for additional ways to keep the Corporation informed of the business of the Trusts as we move forward. We also look forward to the MG Directors getting access to computers and e-mail so that Trust business can be conducted in an efficient manner with all Directors being involved in the Trust decision making.

### Dawang Land Trust

The Trust continues to work towards the transfer of freehold titles for the conservation areas, buffer lands and community living areas into the protection of the Trust structure. The Trust has spent much time during 2009 discussing ways to minimize and manage risk related to the holding of these titles.

The Trust anticipates that the two Kurrajong ALT blocks will be transferred to the Trust before Christmas.

### Developments Trust

The Trust is working closely with MG Corporation staff to make sure that all the commercial activities of the Corporation are appropriately managed for the benefit of the MG people. There will be more work done soon regarding the processes and structure of the Corporation's economic development activities.

At the September 2009 meeting, the Directors spent much time evaluating the current opportunities and there will be much work to do in 2010 in the following areas:

- Joint management with the Shire of a work camp
- Development of housing blocks owned/held by MG
- Progression of the M2 agricultural assets

Each of these project areas are time critical, are complex and require the development of important partnership relationships in order to maximize the benefits for MG People.

Longer term projects may also include:

- Agriculture
- Other commercial development
- Tourism

### Community Foundation Trust (CFT)

2009 has been a very challenging year for the world's financial markets. The good news is that the investments held by the CFT are again making money and have increased in value by more than \$120,000 between September and October, 2009! At 15 October 2009 our portfolio was valued at \$7,184,386. The Trust is hopeful that all losses that we experienced during the global financial crisis will be recovered in 2010.

The Trust Directors are pleased to announce that we have made a commitment to the ongoing funding of women's and men's cultural activities wherever possible (i.e., when there is available income to distribute). Because the Trust may earn more distributable income in 2010, there is a priority to finalize a distribution policy so that all MG people will understand what benefits will be available in the future. A distribution policy and grant process will be announced in 2010.

### Conclusion

Each of the Trust Directors has worked hard during 2009 for the MG people and we look forward to an even more productive 2010. We welcome any feedback that you may have. We would also like to encourage each of you to attend any of our meetings as an observer. The Corporation staff can provide you with meeting information and schedules.

# E.K. Indigenous Community Water

## Facilitator Report

Sonia Leonard, NAILSMA Representative

**In March this year (2009) the Yawoorroong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation (MG Corp) signed an agreement to host an East Kimberley Indigenous Community Water Facilitator (ICWF). The ICWF position is one of 6 water facilitators in key regional areas forming a network across northern Australia.**

The network is coordinated through the Northern Australia Indigenous Land and Sea Management Alliance (NAILSMA) and funded through the National Water Commissions Raising National Water Standards Program. The project is funded for 2.5 years and is due for completion in June 2011. The main aim of the project is to help Indigenous people understand the implications of the National water Initiative and help articulate Indigenous peoples cultural and economic aspirations to be involved in water reform.

The ICWF for the East Kimberley has a two year schedule to work with Indigenous communities from Kulubaru to Lake Gregory. In 2009 the project has focussed on Miriuwung Gajerrong Communities, with 2010 the focus will be extending across the East Kimberley. The project uses back to country trips and community visits as a conduit for engagement activities. In addition the project is working in conjunction with a number of organisations to facilitate planning and capacity building opportunities. Below is a summary of some of the main activities the project has engaged in the first 8 months.

### **Water Workshop with Professor Marcia Langton**

On the 21<sup>st</sup> of May 2009 a workshop was organised by the ICWF in conjunction with Professor Marcia Langton from Melbourne University to introduce MG people to the national debate on water reform and Indigenous people. Over 30 traditional owners attended the meeting that was held at Waringarri Arts Centre. The meeting highlighted the fact that Indigenous people (irrespective of Native Title Determination) do not have rights to water resources under current state and commonwealth legislation. Marcia Langton presented to TOs her perspective of the current issues and expressed her intention to undertake a research project looking at the Ord Final Agreement and rights to water. This was the first time many TOs had heard that they did not own water and this caused much concern. After vigorous debate participants of the meeting decided that they would like the ICWF to work with individual Dawangs further on this issue before bringing the group back together to discuss a course of future action. It is intended to have a follow up workshop in early 2010.

### **Mandangala (Glen Hill) Community Water Plan**

Mandangala was chosen by the Centre of Appropriate Technology (CAT) to be one of four Indigenous Communities from across Australia to participate in a pilot project for the development of a 'Community Water Planner'. The tool is being developed for people who manage water supplies in remote Indigenous Communities. The project is part of an Australian Government initiative under the National Water Commission's, Raising National Water Standards Program. In May and June this year staff from CATs Alice Springs office held workshops with community members to produce a Mandangala Community Water Plan. This plan is due for completion by the end of December 2009. The planning tool has been very successful at identifying a number of potential health risks to the community's drinking water supply that has now been followed up with the relevant government departments. It is hoped in 2010 once the 'Community Water Planner' has been officially launched the ICWF will be able to start water-planning activities with all MG communities.

### **Mandangala (Glen Hill) - Cultural Day**

A back to country trip was held in conjunction with the Mirima Dawang Woollabgerring Language and Culture Centre on the 31<sup>st</sup> July 2009 to Second Gorge. The event was organised by Mandangala's representative to MG's Reserve 31165 committee to be a cultural education day for the children at Jungdranung Remote Community School. The focus of the day was cultural stories of the many Gorges and Springs that surround the Mandangala community. Children from the school, also participated in Miriwoong language and dancing classes. The day was a huge success with dancing and singing well into the night. Over 20 elders from Kununurra participated and a 10 minute DVD has now been produced showcasing the highlights of the event. It is hoped that the Mandangala cultural day will become an annual community event.



## Mary River Forum

**The North Australian Indigenous Experts Water Forum was held at the Mary River, NT from 5-6<sup>th</sup> August 2009. The forum was commissioned by the Northern Australia Land and Water Taskforce to bring together key Indigenous water experts from across Northern Australia to discuss indigenous interests and concerns for economic development of water resources.**

The forum brought together 80 Aboriginal people from across northern Australia. The ICWF and 5 MG TO's attended the forum. MG TO's were actively involved in a Indigenous closed session and worked extremely hard in a Kimberley workshop group discussing the cultural importance water plays to MG people. The out come of the forum was a Mary River Statement that will be presented to the federal government in December 2009.

## Keep River – Lets Talk About Water Back on Country Trip

In July 2009 the ICWF was successful in obtaining a \$20,000 grant from NAILSMA to undertake an Indigenous Ecological Knowledge (IEK) project in the Keep River National Park. The project was entitled "Lets go talk about water back on country". The project is being run in conjunction with the Kimberley Interpretive Service, the Mirima Dawang Woollab-gerring Language and Culture Centre and the ICWF project with in-kind support from WA Department of Environment and Conservation, MG Corp and Northern Territory National Parks. The aim of the project was to make a 20min DVD on the cultural significance of water and the traditional Knowledge that has managed and protected water resources over 1000s of years. The back to country trip was held from the 28<sup>th</sup> -30<sup>th</sup> October 2009 and was an overwhelming success with over 60 people participating in the three day event at Police hole. Over the three days a number of important sites were visited in the park with the highlight a rugged trip out to Bubble Springs where people were elated to be back on country for the first time in 5 -8 years. TO's gave an emotional account of the cultural significance of water and why its important that water and land can not be separated in Native Title Determinations. In addition TO's recorded their concerns of how governments use and manage water and articulately stated their aspirations for future water reform. It was decided by the TOs that they would like to personally deliver the DVD of the trip to Government. The ICWF is currently negotiating with both state and commonwealth government representatives to facilitate this to happen early 2010.

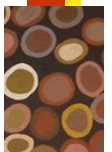
## Molly Springs Water Quality – National Risk Assessment Planning Tool

In addition to the pilot 'Community Water Planner' being worked on at Mandangala, the ICWF has facilitated Molly Springs community to participate in an National Risk Assessment Planning Tool pilot project called 'Community Water Planner: Physical and Chemical'. When this tool is released it will be used in conjunction with the above mentioned 'Community Water Planner'. The project is being coordinated by ARUP in Perth and the tool will be piloted by the ICWF in November 2009. It is hoped that the tool will identify potential environmental threats to water supply catchments. The project is due for completion by December 2009.

## A final Comment

In conclusion after a slow start to the water project it is pleasing to report that the last 6 months has seen water issues brought to the forefront of conversation. Water reform in Northern Australia is inevitable within 2 years and its important that Indigenous people of the East Kimberley are adequately informed and engaged in this process. It is hoped that in 2010 the ICWF project can provide Traditional Owners a platform to articulate their aspirations to government and be at the centre of the water debate.

**“Water and land are  
one....water is our life”  
(Keep River TO  
30/10/2009)**





"Lets talk about water back on Country" - Agnes and Phyllis making dancing sticks 28th October 2008  
Photo supplied courtesy of Sonia Leonard.



Edna & MG Delegates talking with Hugh Wallace-Smith (NAISMA) at the Northern Australia Indigenous Experts Water Forum, 5-6th August 2009  
Photo supplied courtesy of Sonia Leonard.





Left Photo—KJ Olawsky of the Mirima Language Centre & MG Staff Member Michael Hyde getting involved in a momentous occasion. Top Photo—Kevin Rudd & Traditional Owner and long term Kununurra resident Frank Chulung.



Above Photo—Button Jones and other Traditional Owners awaiting Kevin Rudd's speech. Right Photo— Colin Barnett and local children partaking in a game of football. Photos supplied courtesy of MG Corp Records.



# Parks and Councils Report **Scott Goodson, DEC, Kununurra**

## **CURRENT PRIORITIES:**

- **Completion of the YDRP Management Plan**
- **Training of existing MG Rangers to assume permanent positions for long term management of the New Conservation Areas (NCA).**
- **Implementation of works and capital works programs.**
- **On Country Trips program**
- **Investigation and development of potential tourism sites**
- **Implementation of Community relation programs**

### **PLANNING:**

#### **Yoorrooyang Dawang Regional Parks Management Plan**

The YDRPC endorsed the Joint Planning Guidelines in September 2009. The guidelines brings together DEC, CCWA statutory responsibilities and MG peoples aspirations and cultural law. The Guidelines replace the Interim Guidelines for the preparation of Management Plans for Terrestrial Conservation Reserves (known as the Western Australian Government Planning Guidelines) and will guide the development of the final Management Plan.

#### **Management Plan**

The plan is well in progress. The YDRPC endorsed a draft outline at its September meeting. The first draft of the management plan is scheduled to be tabled in mid December. The final plan is expected to be finalized by May 2010.

### **EMPLOYMENT AND TRAINING:**

#### **MG Ranger Program**

Training continues for existing MG Rangers in Certificates II and III in Conservation and Land Management. It's expected that they will have completed their Certificate II by the end of December 2009 and will have completed a third of their Certificate III. It's hoped that on completion and at the end of their three year traineeship that they will assume permanent positions for long management of the New Conservation Areas (NCA).

The MG Rangers recently commenced Culture and Language Course at the Mirima Language Center that has been specifically developed around the ranger program and working on country for the New Conservation Areas

Two of the MG Rangers have received specialised training in law enforcement and are now have authorities under the CALM and Wildlife Acts. This will provide enforcement capability as part of the overall management of the six new conservation areas.

The program has retained the existing six MG Rangers from a total of eight. Attendance and reliability has continued to improve. Average attendance rate for the last six months has been around 93.5% compared with the first six months of around 77%. The Rangers have been involved in a range of projects and programs which have earned them quiet a positive reputation in both their quality of work and completing projects ahead of schedule.

Housing accommodation is being provided for three Rangers through Wunan House and through Government Regional Officers Housing (GROH) where possible for the short to medium term. Longer term options are being looked at through the MG Corp's housing initiative.

### **PARK OPERATIONS**

#### **Works Programs**

The last twelve months has seen the development of an interim works program and has included management of Molly Spring day use area and on country planning support.

#### **A works maintenance and capital works programs has been developed for each Park.**

2010 will see the development of site concept plans for Ngamoowalem and Goomig Parks and will include implementation of on ground works and infrastructure such as interpretive signage and walk trails as part of an overall visitor management strategy.

Site investigation and preparation for potential Tourism development will also be included as part of the overall works program. *(See special projects Tourism)*



### Fauna surveys

Fauna surveys have been conducted on five of the six parks as part of a joint partnership with the Cane Toad Program. The objective is to ascertain the diversity and species in the parks pre Cane Toad invasion. The MG Rangers have had a key involvement in the program and have gained significant technical skills in the Process. YDRPC members including relevant Dawang have been involved as part of the on country trips which provides for sharing of traditional and contemporary knowledge.

### On Country Trips program

A number of on country trips were undertaken over the past year. Many have been associated as part of the planning process, operational works and as part of the Tourism Recreational study. In 2010 on country trips will be scheduled consistent with operational works and around school holiday periods as requested by each Dawang group.

### Community Relations

A number of community relations activities have been undertaken during 2009.

- NADOC week display
- Kununurra Agricultural Show display
- School visits and interpretive walk and talks at Mirima National park
- Supporting Bush Rangers program
- Joint Management forum Northern Territory Parks.

### Tourism Recreational study

A Tourism Recreation study was commissioned in August. The objective of the study was to look at the tourism economic development potential of the six new conservation areas.

**A number of on country trips as part of initial site investigations were undertaken both on ground and by helicopter with the relevant Dawang groups.**

The draft report has identified a number of tourism development opportunities that will require further investigation and consultation with relevant Dawang groups and MG Corporation. It's expected that the final report will be finalised in late December.



## Yoorrooyang Dawang Regional Parks



Department of Environment and Conservation



### SPECIAL PROJECTS:

#### Australian Quarantine Inspection Service (AQIS) Program

The program has continued with the annual contract with AQIS in providing a service in collection and monitoring of exotic plants, insects and avian influenza. The MG Rangers have gained further skills in this area.





MG DEC Rangers . Left to right— Leslie Moore, Andy Reid, Vincent Kennedy, Jonothan Boombi, Jeremiah Hester and Chris Retsas.  
Photo supplied courtesy of Scott Goosdon.



Yoorrooyang Dawang Regional Park Council and Dr Rosemary Hill consultant from CSIRO after the endorsing the Yoorrooyang Dawang Joint Planning Guidelines.  
Photo supplied courtesy of Scott Goosdon.





Chairperson of the YDRPC Mrs Hapke, and Vice chair of MG Corp Edna Omalley visiting a potential tourism development site in Ngamoowalem New Conservation Area. Photo supplied courtesy of Scott Goosdon.



MG DEC Rangers with the Minister for Environment, Donna Faragher. Photo supplied courtesy of Scott Goosdon.

# O.E.S. Report Anna Moulton, Program Manager, O.E.S.

**The MG Ord Enhancement Scheme (OES) was established in 2006 as a new partnership program pursuant to the Ord Final Agreement between the State Government and the Miriung Gajerrong Traditional Owners. Its Management Committee comprises seven representatives of the Yawoorroong Miriung Gajerrong Yirrgb Noong Dawang Aboriginal Corporation and the Kimberley Development Commission's Chief Executive as the State Representative. OES has two Members of Staff and is administered through the Kimberley Development Commission (KDC).**

OES Management Committee Members are Helen Gerrard (Chairperson), Carol Hapke, Erica Ward, Edna O'Malley, Ephrem Kennedy, Merle Carter and Jeff Gooding. Ben Ward, Chris Griffiths and Margaret Moore were also members for a short time during 2008/2009.

The purpose of the scheme is, with leverage funding of \$11.195 million over four years, to improve service delivery to Miriung Gajerrong (MG) people by addressing the recommendations of an Aboriginal Social and Economic Impact Assessment compiled by the Kimberley Land Council in 2004, as part of the global negotiations which culminated in the Ord Final Agreement. The provision of leverage funds, empowering traditional owners to take the lead in driving social change, is a critical component of the OES.

## MAJOR ACHIEVEMENTS

### Health

Seeking to reduce the devastating impact of high prevalence, chronic (especially renal) disease on MG people, OES has played a major role with stakeholders in funding and developing primary health care initiatives:

#### MG Health Education Unit

- The OES and the Ord Valley Aboriginal Medical Services (OVAHS) secured \$1.7 million of funding for capital works to establish a comprehensive health education unit in a new purpose built OVAHS building.
- The OES has also committed funds to cover the operational costs of the Health Education Unit project for 12 months and is working with OVAHS to secure State and Commonwealth Government funding to match the OES funds. This project will create 2 new positions for Aboriginal support workers.

#### Foetal Alcohol Spectrum Disorder (FASD) Strategic Intervention

- OES has committed seed funding to a ground breaking new FASD program at OVAHS. This project is of national significance and is providing cutting edge experience in the roll-out of a new branch of Indigenous preventative medicine. OES support will enable the program to start with intensive community education about the dangers of drinking during pregnancy, and will support data collection so that the scale of the problem in this area can be assessed at a level that is local and meaningful to MG people.
- OES is working with OVAHS to obtain State and Commonwealth Government funding to match the OES funding. This will create 1 new position for an Aboriginal Support Worker who will work with a registered nurse.

### MG Language Survival and Revitalisation Project

OES recognises the crucial role that language preservation plays in maintain and developing culture. OES is worked in partnership with the Mirima Dawang Woortlab-Gerring Language Centre to:

- build the Language Centre's capacity in the long term, which includes a capital works project for a recording room, additional office and meeting space for which the Language Centre;
- develop an action plan to support the survival of MG languages and long term sustainability of the Mirima Language Centre, including an intensive master / apprentice program working with elders and creating up to 12 positions for MG people.

### MG Youth Worker Project

The OES Committee is focussed on building youth skills and addressing the needs of youth, particularly the disproportionate levels of MG at risk youth. The OES successfully leveraged funding from the Commonwealth Attorney General's Department to establish 2 MG Youth Worker positions. These positions will be recruited in the next financial year.



## OTHER ACHIVEMENTS

### MG Housing and Infrastructure Project

The audit of MG houses, including urgent plumbing and electrical safety works was completed this year. To complement this report OES negotiated with Horizon Power and the Department of Water to conduct a preliminary assessment of power and water infrastructure on MG community living areas. The information contained in these reports assists ongoing negotiations with the Department of Housing to improve the standard of living on MG communities and town reserves.

### Education

Concerned about the educational attendance and achievement outcomes of MG children, OES:

- has continued to fund the Clontarf Football Academy for boys at the Kununurra District High School; and
- has provided funding support for both the Bridging Girls Class at KDHS and the Connections Program which support girls who have been disengaged from education.
- is working with partners to develop a sustainable well funded alternative education program for girls;
- is engaging with the Department of Education to explore how educational outcomes for Aboriginal students can be improved.
- recognised early childhood development as a key to education, and has sought to progress work toward establishing a culturally appropriate Early Childhood Learning & Family Support Centre. OES also facilitated leasing of the Pindan Centre, owned by MG Corporation, to Gawooleng Yawoodeng Aboriginal Corporation to support early childhood programs and to operate as a mini service hub, pending the developing of expanded longer term programs. OES has also committed funding support for minor upgrades to the building.

### Environmental Health

Negotiations are underway with relevant government agencies and local stakeholders to create at least 2 positions for MG Aboriginal Environmental Health Workers.

### Governance

OES Management Committee and Staff continue to make significant progress in establishing an approach to governance which satisfies the needs of operating in a cross-cultural environment with frequently contrasting values, timelines and priorities.



# NAIDOC Report Myra Chulung, NAIDOC Week Co-Ordinator

## NAIDOC WEEK REPORT

The 2009 NAIDOC week was a week full of excitement, joy and laughter full with activities for all ages.

### Snr Ball

The Snr Ball was a great success with a total of 160 people turning up. A local band from Wyndham by the name of 'Road Worx' entertained the crowd with a delicious three course meal.

	Total attendees	Tickets sold at \$10 (Concession)	Tickets sold at \$15	Amount made
NAIDOC Snr Ball	160	90 = \$900	70 = \$1050	\$1950

The night actually had a total of 180 people, 10 of them were the band and the other 10 were helpers. The helpers were Mary Baird, Thrillby McGregor, Cassandra Chulung, Deon Cox, Lena Birch, Marika Hart, Marcia Greddon and Myra Chulung.

### Opening Day

The opening day was a big success with over 400 people attending, the march started off at 9.30am on the hospital lawn across from DIA. Peter Brandy entertained the crowd and MG Corp Rangers provided a delicious sausage sizzle throughout the day.

### Tuesday – Youth Day

Youth Day was another successful NAIDOC Day with over 300 people attending. Deadly Blokes and Kids entertained the crowd and there were plenty of fun games and activities for the children.

### Wednesday – Elders Day Out

The Elders Day Out was a perfect day for our elders who went on a boat cruise along the lake. Home and Community Care organized this day and took 27 elders on Triple J's Boat Cruise. The elders had a great day, but by the time it was over they were all tired and worn out.

### Wednesday – Indigenous Services Expo

The Indigenous Services Expo was a successful day with 10 businesses showcasing their services and providing information to the community. The day started at 10am and finished at 3pm with a free BBQ throughout the day. Johnson Family Band from Wyndham provided live entertainment throughout the day.

### Thursday – Arts & Craft Day

The Arts and Craft Day was a great success with Waringarri Arts showcasing their art and teaching people how to mix ochre, make damper and giving them a chance to create their own piece of art. The day had a turnout of around 300 people and consisted of live entertainment from Warmun Band 'Wild Turkey' and a free sausage sizzle throughout the day.

### Thursday – Jnr Ball

The Jnr Ball was a great success with a turnout of 120 children attending. The night started off with the primary school students from 5-7pm and high school students from 7.30-10pm. NAIDOC provided free finger food and drinks for the kids with a best dressed couple and belle & beau. All of the kids dressed up red carpet style.

	Total attendees	Tickets sold at \$5	Amount made
NAIDOC Jnr Ball	90	90 = 450	\$450

We had a total of 120 children attend the jnr ball, however I let twenty in for free, as they were under the age and waiting for their big sisters or brothers, or had no money and I would rather them to be inside then outside.

### **Friday – Quiz Night**

The quiz night turned out alright with Desmond Hill organizing the whole night. The turnout wasn't what I expected it to be, but it turned out to be a good night. We had a total of 6 tables and great give a ways. The quiz night started at 6.30 and finished at 10pm.

	Amount of tables	Tickets sold at \$40 per table	Amount made
NAIDOC Quiz Night	6	6 = 240	\$240

### **Sunday – Closing Ceremony**

The closing ceremony as a disaster with a total of 15 people turning up for it.

### **Overall**

Overall the week was a big, successful week. Everyone had a great time and enjoyed the celebrations, hopefully next year will be bigger then ever.

Yours truly,



Myra Chulung  
NAIDOC Coordinator



## Reserve 31165 Report Meghan Barnes, DoW, Kununurra

### **This year the Joint Management Committee for Reserve 31165 has seen a focus on securing funding for the Reserve, employment of a Project Officer and establishment of a Ranger Program.**

In April this year, applications were submitted through Caring for Our Country and Working on Country for funding to support on country work and traditional knowledge recording projects on the Reserve. The Department of Water on behalf of the Committee are working to complete a contract with the Department of Environment, Water, Heritage and the Arts. It is hoped that this process will be completed and Rangers in full time employment well before the end of the 2009 calendar year.

A Project Officer for the Reserve was appointed in January of 2009 and has been supporting the placement and coordination of the Rangers for training purposes. The project Officer supports Committee activities and implementation of the Interim Management Plan for Reserve 31165.

Early in the year, the committee identified 5 Dawang Members who were interested in becoming Rangers and these 5 Dawang were enrolled in the East Kimberley CDEP Work Readiness Program. They graduated from the course in early June and 4 of the graduates will be employed as full time Rangers for the Reserve when funding is received.

The Committee and the Rangers have undertaken trips to the Reserve this dry season to meet with Pastoralists and start development of on country work plans for the Rangers. The four Rangers have been busy over the last 3 months with a trip to Canberra for Leadership training and other work volunteer placements with both DEC and Weeds and Waterways. This has included crocodile and turtle surveys with DEC and weed eradication trips to Nulla Nulla and Doon Doon Community with Weeds and Waterways, amongst other work. The Committee have been grateful for the support provided by other organisations and groups in this interim period.

Once funding approval is received, the Joint Management Committee will be looking to arrange full-time placement of the Rangers. This will most likely be within the DEC Ranger Program under a Reserve 31165 Ranger Supervisor, giving the Rangers access to strong training opportunities and employment to support the aspirations of the Dawang and Department of Water for current and future management of Reserve 31165.

The Reserve Project Officer and the Committee will be looking to undertake on country trips with Dawang representatives in the near future, together with development of cultural and station access protocols working closely with both pastoralists and Dawang.





# Financial Report

“Gerany is also the  
word for money.”

-Phyllis Ningamarra, Traditional  
Owner and Artist of the MG  
Corporation logo

**YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG  
ABORIGINAL CORPORATION  
ICN 4597**

**INCOME STATEMENT  
FOR THE YEAR ENDED 30TH JUNE 2009**

	Note	Consolidated Group		Parent Entity	
		2009 \$	2008 \$	2009 \$	2008 \$
<b>Income</b>					
Revenue from government grants and other grants	2	3,269,668	2,896,590	2,269,668	1,896,590
Contributed assets		-	2,600,589	-	2,600,588
Other revenue		838,334	562,221	504,461	231,611
Employee benefits expense		(789,548)	(519,562)	(789,548)	(519,562)
Depreciation and amortisation		(40,668)	(39,622)	(40,668)	(39,622)
Net loss on investments		(850,255)	(1,548,895)	-	-
Finance costs	3	(74,533)	(1,717)	(832)	(1,717)
Consultants		(408,774)	(359,353)	(408,774)	(359,353)
Independent Directors fees		(58,578)	(56,848)	(58,578)	(56,848)
Operational Expenses		(527,772)	(196,133)	(527,652)	(196,066)
Rental property expenses		(36,172)	(15,898)	(36,172)	(15,898)
Dawang meetings		(5,213)	(23,901)	(5,213)	(23,901)
Governance		(227,598)	(92,599)	(227,598)	(92,599)
Surplus before income tax		1,088,891	3,204,872	679,094	3,423,223
Income tax expense	4	-	-	-	-
<b>Surplus after income tax</b>		<b>1,088,891</b>	<b>3,204,872</b>	<b>679,094</b>	<b>3,423,223</b>
Allocated as follows:-					
Transfer to Unexpended Grants		544,063	595,553	544,063	595,553
Transfer to Unexpended Projects		83,591	47,441	83,591	47,441
Distribution to beneficiaries		-	20,000	-	-
Surplus to Members' Funds		461,237	2,541,877	51,440	2,780,229
		<b>1,088,891</b>	<b>3,204,872</b>	<b>679,094</b>	<b>3,423,223</b>

The accompanying notes form part of these financial statements.



YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG  
ABORIGINAL CORPORATION  
ICN 4597

BALANCE SHEET  
AS AT 30TH JUNE 2009

	Note	Consolidated Group		Parent Entity	
		2009	2008	2009	2008
		\$	\$	\$	\$
<b>ASSETS</b>					
<b>Current Assets</b>					
Cash and cash equivalents	6	1,164,336	927,717	958,017	772,044
Trade and other receivables	7	745,791	149,426	798,120	174,530
Financial assets	8	5,306,933	4,913,891	-	-
Other current assets	9	5,590	7,287	5,590	7,287
<b>Total Current Assets</b>		<u>7,222,650</u>	<u>5,998,321</u>	<u>1,761,728</u>	<u>953,861</u>
<b>Non-Current Assets</b>					
Trade and other receivables	7	-	-	27,941	27,941
Property, plant and equipment	10	4,297,461	4,099,462	4,297,460	4,099,461
<b>Total Non-Current Assets</b>		<u>4,297,461</u>	<u>4,099,462</u>	<u>4,325,401</u>	<u>4,127,402</u>
<b>TOTAL ASSETS</b>		<u>11,520,111</u>	<u>10,097,783</u>	<u>6,087,129</u>	<u>5,081,263</u>
<b>LIABILITIES</b>					
<b>Current Liabilities</b>					
Trade and other payables	11	1,218,630	245,204	1,220,382	253,621
Financial liabilities	12	39,627	472	39,627	472
Unexpended Grants	13	544,063	595,553	544,063	595,553
<b>Total Current Liabilities</b>		<u>1,802,320</u>	<u>841,229</u>	<u>1,804,072</u>	<u>849,646</u>
<b>Non-Current Liabilities</b>					
Unexpended Grants	13	1,066,082	1,066,082	1,066,082	1,066,082
<b>Total Non-Current Liabilities</b>		<u>1,066,082</u>	<u>1,066,082</u>	<u>1,066,082</u>	<u>1,066,082</u>
<b>TOTAL LIABILITIES</b>		<u>2,868,402</u>	<u>1,907,311</u>	<u>2,870,154</u>	<u>1,915,728</u>
<b>NET ASSETS</b>		<u>8,651,709</u>	<u>8,190,472</u>	<u>3,216,975</u>	<u>3,165,536</u>
<b>EQUITY</b>					
Retained Earnings		<u>8,651,709</u>	<u>8,190,472</u>	<u>3,216,975</u>	<u>3,165,536</u>
<b>TOTAL EQUITY</b>		<u>8,651,709</u>	<u>8,190,472</u>	<u>3,216,975</u>	<u>3,165,536</u>

The accompanying notes form part of these financial statements.

**YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG  
ABORIGINAL CORPORATION  
ICN 4597**

**STATEMENT OF RECOGNISED INCOME AND EXPENDITURE  
FOR THE YEAR ENDED 30TH JUNE 2009**

	<b>Consolidated Group Retained Earnings \$</b>	<b>Parent Entity Retained Earnings \$</b>
<b>Balance at 1 July 2007</b>	5,648,595	385,307
Surplus attributable to the entity	2,780,227	2,780,229
Surplus attributable to MG Community Foundation	(238,351)	-
Surplus attributable to MG Dawang Land Trust	1	-
Surplus attributable to MG Developments Trust	<u>-</u>	<u>-</u>
	2,541,877	2,780,229
<b>Balance at 30 June 2008</b>	<b>8,190,472</b>	<b>3,165,536</b>
Surplus attributable to the entity	51,440	51,440
Surplus attributable to MG Community Foundation	409,797	-
Surplus attributable to MG Dawang Land Trust	-	-
Surplus attributable to MG Developments Trust	<u>-</u>	<u>-</u>
	<u>461,237</u>	<u>51,440</u>
<b>Balance at 30 June 2009</b>	<b><u>8,651,709</u></b>	<b><u>3,216,975</u></b>

The accompanying notes form part of these financial statements.

**YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG  
ABORIGINAL CORPORATION  
ICN 4597**

**CASH FLOW STATEMENT  
FOR THE YEAR ENDED 30TH JUNE 2009**

	Note	Consolidated Group		Parent Entity	
		2009	2008	2009	2008
		\$	\$	\$	\$
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>	14				
Receipts from customers		3,167,538	3,370,875	2,133,323	2,349,448
Payments to suppliers and employees		(1,776,459)	(1,852,282)	(1,790,374)	(1,830,790)
Interest received		73,219	101,911	44,023	57,458
Interest paid		(833)	(1,717)	(832)	(1,717)
Net cash provided by operating activities		<u>1,463,465</u>	<u>1,618,787</u>	<u>386,140</u>	<u>574,399</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>					
Payment for property, plant & equipment		(238,667)	(1,173,710)	(238,667)	(1,173,710)
Payment for investments		(1,026,679)	(6,194,227)	-	-
Net cash provided by investing activities		<u>(1,265,346)</u>	<u>(7,367,937)</u>	<u>(238,667)</u>	<u>(1,173,710)</u>
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>					
Repayment of borrowings		38,500	(55,129)	38,500	(55,129)
Net cash provided by financing activities		<u>38,500</u>	<u>(55,129)</u>	<u>38,500</u>	<u>(55,129)</u>
<b>Net decrease in cash held</b>		236,619	(5,804,279)	185,973	(654,440)
<b>Cash at beginning of financial year</b>		927,717	6,731,996	772,044	1,426,484
<b>Cash at end of financial year</b>		<u>1,164,336</u>	<u>927,717</u>	<u>958,017</u>	<u>772,044</u>

The accompanying notes form part of these financial statements.

**YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG  
ABORIGINAL CORPORATION  
ICN 4597  
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2009**

**1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES**

The financial report is for MG Corporation and its subsidiaries, incorporated and domiciled in Australia. MG Corporation is an Aboriginal Corporation, incorporated under the Corporations (Aboriginal and Torres Strait Islander) Act 2006.

**Basis of Preparation**

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

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

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

**a. Revenue**

Revenue from the sale of goods is recognised upon the delivery of goods to customers.

Grant revenue is recognised in the income statement when it is controlled. When there are conditions attached to grant revenue relating to the use of those grants for specific purposes it is recognised in the balance sheet as a liability until such conditions are met or services provided.

Donations and bequests are recognised as revenue when received unless they are designated for a specific purpose, where they are carried forward as prepaid income/unexpended project funds on the balance sheet.

Interest revenue is recognised using the effective interest rate method, which for floating rate financial assets is the rate inherent in the instrument.

Dividend revenue is recognised when the right to receive a dividend has been established.

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

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

**b. Inventories**

Inventories are measured at cost, adjusted when applicable for any loss of service potential.

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

**c. Property, Plant and Equipment**

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

**Property**

Freehold land and buildings are shown at their fair value based on periodic, but at least triennial, valuations by external independent valuers, less subsequent depreciation for buildings.

Increases in the carrying amount arising on revaluation of land and buildings are credited to a revaluation reserve in equity.

Decreases that offset previous increases of the same classes of assets are charged against fair value reserves directly in equity; all other decreases are charged to the income statement. Each year the difference between depreciation based on the revalued carrying amount of the asset charged to the income statement and depreciation based on the asset's original cost is transferred from the revaluation reserve to retained earnings.

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

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

**YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG  
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FOR THE YEAR ENDED 30 JUNE 2009**

**Plant and Equipment**

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

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

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

**Depreciation**

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

The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at each balance sheet date.

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

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

**d. Leases**

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

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

Leased assets are depreciated on a straight line basis over their estimated useful lives where it is likely that the entity will obtain ownership of the asset. Lease payments are allocated between the reduction of the lease liability and the lease interest expense for the period.

Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are charged as expenses in the period in which they are incurred.

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

**c. Financial Instruments**

*Recognition and Initial Measurement*

Financial instruments, incorporating financial assets and financial liabilities, are recognised when the entity becomes a party to the contractual provisions of the instrument. Trade date accounting is adopted for financial assets that are delivered within timeframes established by marketplace convention.

Financial instruments are initially measured at fair value plus transactions costs where the instrument is not classified at fair value through profit or loss. Transaction costs related to instruments classified as at fair value through profit or loss are expensed to profit or loss immediately. Financial instruments are classified and measured as set out below.

*Derecognition*

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

*Classification and Subsequent Measurement*

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

Financial assets are classified at fair value through profit or loss when they are held for trading for the purpose of short term profit taking, where they are derivatives not held for hedging purposes, or designated as such to avoid an accounting mismatch or to enable performance evaluation where a group of financial assets is managed by key management personnel on a fair value basis in accordance with a documented risk management or investment strategy. Realised and unrealised gains and losses arising from changes in fair value are included in profit or loss in the period in which they arise.



**YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG  
ABORIGINAL CORPORATION  
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NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2009**

*(ii) Loans and receivables*

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

*(iii) Held-to-maturity investments*

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

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

Available-for-sale financial assets are non-derivative financial assets that are either designated as such or that are not classified in any of the other categories. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments.

*(v) Financial liabilities*

Non-derivative financial liabilities (excluding financial guarantees) are subsequently measured at amortised cost using the effective interest rate method.

Non-derivative financial liabilities (excluding financial guarantees) are subsequently measured at amortised cost using the effective interest rate method.

**Fair value**

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

**Impairment**

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

**f. Impairment of Assets**

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

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

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

**g. Employee Benefits**

Provision is made for the entity's liability for employee benefits arising from services rendered by employees to Balance Sheet date. Employee benefits expected to be settled within one year together with benefits arising from wages, salaries and annual leave which may be settled after one year, have been measured at the amounts expected to be paid when the liability is settled. Other employee benefits payable later than one year have been measured at the net present value.

Contributions are made by the entity to an employee superannuation fund and are charged as expenses when incurred.

**h. Cash and Cash Equivalents**

Cash and cash equivalents include cash on hand, deposits held at-call with banks, other short-term highly liquid investments with original maturities of three months or less, and bank overdrafts.



**YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG  
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FOR THE YEAR ENDED 30 JUNE 2009**

- i. **Goods and Services Tax (GST)**  
Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of expense. Receivables and payables in the Balance Sheet are shown inclusive of GST.
- Cash flows are presented in the Cash flow Statement on a gross basis, except for the GST component of investing and financing activities, which are disclosed as operating cash flows.
- j. **Unexpended Grants**  
The entity receives grant monies to fund projects either for contracted periods of time or for specific projects irrespective of the period of time required to complete those projects. It is the policy of the entity to treat grants monies as unexpended grants in the balance sheet where the entity is contractually obliged to provide the services in a subsequent financial period to when the grant is received, to refund unexpended grant funds at the end of a period, or in the case of specific project grants where the project has not been completed.
- k. **Contributions**  
Income from the contribution of an asset is measured at the fair value of the contribution received or receivable. Income is recognised when the corporation obtains control of the contribution or the right to receive the contribution.
- l. **Income Tax**  
No provision for income tax has been raised as the entity is exempt from income tax under Division 50 of the *Income Tax Assessment Act 1997*.
- m. **Intangibles**  
**Software**  
Software is recorded at cost. Software has a finite life and is carried at cost less any accumulated amortisation and impairment losses. It has an estimated useful life of between one and two years. It is assessed annually for impairment.
- n. **Provisions**  
Provisions are recognised when the entity has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.
- o. **Comparative Figures**  
Where required by Accounting Standards comparative figures have been adjusted to conform with changes in presentation for the current financial year.
- p. **Critical Accounting Estimates and Judgments**  
The directors evaluate estimates and judgments incorporated into the financial report based on historical knowledge and best available current information. Estimates assume a reasonable expectation of future events and are based on current trends and economic data, obtained both externally and within the group.  
*Key estimates — Impairment*  
The entity assesses impairment at each reporting date by evaluating conditions specific to the entity that may lead to impairment of assets. Where an impairment trigger exists, the recoverable amount of the asset is determined. Fair value less costs to sell or current replacement cost calculations performed in assessing recoverable amounts incorporate a number of key estimates.
- q. **Economic Dependence**  
The Entity is dependent on the grants from Government, under the provisions of the Ord Final Agreement, for the majority of its revenue used to operate the business. This Agreement has 8 years further to run.
- r. **New Accounting Standards for Application for Future Periods**  
The AASB has issued new, revised and amended Standards and Interpretations that have mandatory application dates for future reporting periods and which the corporation has decided not to adopt early. A discussion of those future requirements and their impact on the corporation has not been provided.

YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG ABORIGINAL CORPORATION  
ICN 4597

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2009

2. REVENUE	Consolidated Group		Parent Entity	
	2009	2008	2009	2008
	\$	\$	\$	\$
<b>Revenue from Government and Other Grants</b>				
State/federal government grants	3,269,668	2,896,590	2,269,668	1,896,590
	<u>3,269,668</u>	<u>2,896,590</u>	<u>2,269,668</u>	<u>1,896,590</u>
<b>Other Revenue</b>				
Charitable income and fundraising	-	6,268	-	6,268
Interest received from :				
Westpac	73,219	101,911	44,165	57,458
Macquarie investments	46,488	43,295	-	-
Dividends received	251,201	166,269	-	-
Realised capital gain on investments	67,541	50,569	-	-
Contributed assets	-	2,600,589	-	2,600,588
Rental income	67,045	34,214	67,045	34,214
TNG Royalties	254,294	-	254,294	-
Landcorp sales income	119,064	-	119,064	-
Other	(40,518)	158,520	19,893	133,671
	<u>838,334</u>	<u>3,161,635</u>	<u>504,461</u>	<u>2,832,199</u>
<b>Total Revenue</b>	<u>4,108,002</u>	<u>6,058,225</u>	<u>2,774,129</u>	<u>4,728,789</u>

3. SIGNIFICANT EXPENSES	Consolidated Group		Parent Entity	
	2009	2008	2009	2008
	\$	\$	\$	\$
a. <b>Expenses</b>				
Depreciation and Amortisation				
land and buildings	-	-	-	-
motor vehicle	24,395	24,395	24,395	24,395
furniture, plant and equipment	16,273	15,227	16,273	15,227
Total Depreciation and Amortisation	<u>40,668</u>	<u>39,622</u>	<u>40,668</u>	<u>39,622</u>
Finance costs — External	832	1717	832	1,717
Macquarie Expenses				
management fee	49,484	33,297	-	-
brokerage paid	24,217	36,595	-	-
Total Macquarie Expenses	<u>73,701</u>	<u>69,892</u>	<u>-</u>	<u>-</u>
Total Employee Benefits Expense	789,548	562,831	789,548	562,831
Transfers to unexpended grants	544,063	595,554	544,063	595,554
Net loss on investments	850,255	1,548,895	-	-
Auditor Remuneration				
audit services	38,612	10,430	32,612	10,430
other services	-	-	-	-
Total Audit Remuneration	<u>38,612</u>	<u>10,430</u>	<u>32,612</u>	<u>10,430</u>

4. INCOME TAX

No provision for income tax has been raised as the entity is exempt from income tax under Division 50 of the *Income Tax Assessment Act 1*

5. KEY MANAGEMENT PERSONNEL COMPENSATION	Consolidated Group		Parent Entity	
	2009	2008	2009	2008
	\$	\$	\$	\$
Total short term benefit compensation	404,101	291,958	404,101	291,958
Post employment benefit compensation	-	-	-	-
	<u>404,101</u>	<u>291,958</u>	<u>404,101</u>	<u>291,958</u>



YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG ABORIGINAL CORPORATION  
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NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2009

6. CASH AND CASH EQUIVALENTS

	Consolidated Group		Parent Entity	
	2009	2008	2009	2008
	\$	\$	\$	\$
Cash at bank	1,164,336	927,526	958,017	771,853
Cash on hand	-	191	-	191
	<u>1,164,336</u>	<u>927,717</u>	<u>958,017</u>	<u>772,044</u>

Cash at Bank is a "restricted asset" in that amounts representing unexpended grants and funds held in trust may only be applied for the purposes specified in conditions of grants.

7. TRADE & OTHER RECEIVABLES

	Consolidated Group		Parent Entity	
	2009	2008	2009	2008
	\$	\$	\$	\$
<b>Current</b>				
Trade receivables	53,720	104,498	113,004	140,209
Provision for impairment of receivables (i)	-	-	-	-
Amount receivable from MG Community Foundation	-	-	42,924	21,430
Packsaddle and river farm lots owing	550,000	-	550,000	-
Other sundry debtors	142,071	44,928	92,192	12,891
	<u>745,791</u>	<u>149,426</u>	<u>798,120</u>	<u>174,530</u>
<b>Non-Current</b>				
Amount receivable from MG Dawang Land Trust	-	-	17,576	17,576
Amount receivable from Developments Trust	-	-	10,365	10,365
	<u>-</u>	<u>-</u>	<u>27,941</u>	<u>27,941</u>

a. Provision for impairment of receivables

Current trade receivables are generally on 30 day terms. These receivables are assessed for recoverability and a provision for impairment is recognised when there is objective evidence that an individual trade receivable is impaired. These amounts have been included in other expense items. To date no provision for impairment has been raised.

Note	Consolidated Group		Parent Entity	
	2009	2008	2009	2008
	\$	\$	\$	\$
<b>b. Financial assets classified as loans and receivables</b>				
Trade and other receivables:				
- Current	745,791	149,426	798,120	174,530
- Non Current	-	-	27,941	27,941
	<u>745,791</u>	<u>149,426</u>	<u>826,061</u>	<u>202,471</u>
Financial assets	13	<u>745,791</u>	<u>826,061</u>	<u>202,471</u>

8. OTHER FINANCIAL ASSETS

	Consolidated Group		Parent Entity	
	2009	2008	2009	2008
	\$	\$	\$	\$
Available for sale financial assets (i)	5,306,933	4,913,891	-	-
a. Available for sale financial assets comprise:				
Listed investments, managed by Macquarie bank, at fair value:				
- Australian & international equities, fixed interest securities, property, cash at market value	5,306,933	4,913,891	-	-
Total available for sale financial assets	<u>5,306,933</u>	<u>4,913,891</u>	<u>-</u>	<u>-</u>

(i) This is per market valuation at 30 June 2009. The market value at the date of this report, 19th August 2009 is \$6,680,335. Readers should appraise themselves of the current fair value of the share portfolio before relying on these financial reports for making decisions.

**YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG ABORIGINAL CORPORATION**  
**ICN 4597**

**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2009**

9. OTHER ASSETS	Consolidated Group		Parent Entity	
	2009	2008	2009	2008
	\$	\$	\$	\$
<b>CURRENT</b>				
Pre-paid insurance	5,590	7,287	5,590	7,287
	<u>5,590</u>	<u>7,287</u>	<u>5,590</u>	<u>7,287</u>
<b>10. PROPERTY, PLANT &amp; EQUIPMENT</b>				
	Consolidated Group		Parent Entity	
	2009	2008	2009	2008
	\$	\$	\$	\$
<b>FREEHOLD LAND AND BUILDINGS</b>				
Freehold land and buildings				
At fair value	(i), (ii), (iii)	4,147,001	3,965,001	4,147,000
less: accumulated depreciation		-	-	-
		<u>4,147,001</u>	<u>3,965,001</u>	<u>4,147,000</u>
		<u>4,147,001</u>	<u>3,965,001</u>	<u>4,147,000</u>
<b>PLANT &amp; EQUIPMENT</b>				
Motor Vehicles - at cost	154,278	121,973	154,278	121,973
less: accumulated depreciation	(37,857)	(27,584)	(37,857)	(27,584)
Total vehicles, net	<u>116,421</u>	<u>94,389</u>	<u>116,421</u>	<u>94,389</u>
Furniture, plant & equipment - at cost	65,659	55,419	65,659	55,419
less: accumulated depreciation	(31,620)	(15,347)	(31,620)	(15,347)
Total furniture & equipment, net	<u>34,039</u>	<u>40,072</u>	<u>34,039</u>	<u>40,072</u>
Total property, equipment & vehicles, net	<u>4,297,461</u>	<u>4,099,462</u>	<u>4,297,460</u>	<u>4,099,461</u>

- (i) Included in freehold land and buildings are properties at 6 Eucalyptus Close and 17 Woollybutt Place that were purchased with "Balance Payments". At 30 June 2009 the fair value of 5 Eucalyptus Close was \$520,000 and the fair value of 17 Woollybutt Place was \$470,000. The total fair value of these properties is \$990,000. The total balance payments to be met in year 10 is \$1,066,082 (note 12). The shortfall of \$76,082 will be met from reserves.
- (ii) Included in Freehold land and buildings are Lots 994, 995 and 996 known as "Yardungarl". These blocks belong to the MG Dawang Land Trust. An external valuation of these areas has not been performed. In the absence of such a valuation, they have been recorded at \$1
- (iii) Included in Freehold land is a property at 15 Pindan Avenue Kununurra. This block is conditional tenure land. The Minister's consent is required before the lot can be transferred. The Minister's consent is required to encumber the block.

MG Corporation has an equitable interest in blocks in the Landcorp estate. Landcorp is withholding 5% of each block sold. The amounts withheld are either paid in cash or are accumulated and paid by way of land transfer to equal value. To 30 June 2009 Landcorp has transferred 2 residential lots to MG Corporation. A further lot, being Lot 228 Ghost gum street was transferred during August 2009.

As party to the Ord Final Agreement, MG Coporation is required to arrange for any commercial projects, including related assets and liabilities, to be conducted in the MG Developments Trust. MG Corporation currently holds title to various commercial lots of land and has recorded certain assets and liabilities associated with these projects, that may be transferred to MG Developments Trust. Until these negotiations are completed, these assets remain on the balance sheet MG Corporation. The assets to be transferred may include, but are not limited to:

- Vacant land at Lot 3000 Bandicoot Drive
- Vacant Land at Lot 228 Ghost Gum
- Work-in-Progress Eco-House Lot 228 Ghost Gum
- Vacant Land at Lot 185 Corkwood
- Vacant Land at Lot 172 Siris Street

YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG ABORIGINAL CORPORATION  
ICN 4597

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2009

10. PROPERTY, PLANT & EQUIPMENT (cont'd)

**Movement in Carrying Amounts**

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

	Land & Buildings	Motor Vehicles	Furniture, Plant & Equipment	Total
<b>Consolidated Group</b>				
<b>2008</b>				
Balance at the beginning of the year	340,245	24,143	3,435	367,823
Additions at cost	1,027,205	94,641	51,864	1,173,710
Contributed assets	2,600,589	-	-	2,600,589
Revaluation decrement	(3,038)	-	-	(3,038)
Depreciation expense	-	(24,395)	(15,227)	(39,622)
Carrying amount at the end of year	<u>3,965,001</u>	<u>94,389</u>	<u>40,072</u>	<u>4,099,462</u>
<b>2009</b>				
Balance at the beginning of the year	3,965,001	94,389	40,072	4,099,462
Additions at cost	182,000	46,427	10,240	238,667
Contributed assets	-	-	-	-
Revaluation decrement	-	-	-	-
Depreciation expense	-	(24,395)	(16,273)	(40,668)
Carrying amount at the end of year	<u>4,147,001</u>	<u>116,421</u>	<u>34,039</u>	<u>4,297,461</u>
<b>Parent Entity</b>				
<b>2008</b>				
Balance at the beginning of the year	340,245	24,143	3,435	367,823
Additions at cost	1,027,205	94,641	51,864	1,173,710
Contributed assets	2,600,588	-	-	2,600,588
Revaluation decrement	(3,038)	-	-	(3,038)
Depreciation expense	-	(24,395)	(15,227)	(39,622)
Carrying amount at the end of year	<u>3,965,000</u>	<u>94,389</u>	<u>40,072</u>	<u>4,099,461</u>
<b>2009</b>				
Balance at the beginning of the year	3,965,000	94,389	40,072	4,099,461
Additions at cost	182,000	46,427	10,240	238,667
Contributed assets	-	-	-	-
Revaluation decrement	-	-	-	-
Depreciation expense	-	(24,395)	(16,273)	(40,668)
Carrying amount at the end of year	<u>4,147,000</u>	<u>116,421</u>	<u>34,039</u>	<u>4,297,460</u>

11. TRADE AND OTHER PAYABLES

	Consolidated Group		Parent Entity	
	2009	2008	2009	2008
	\$	\$	\$	\$
<b>Current</b>				
Trade payables	48,790	111,439	48,790	111,438
Other current payables	97,047	51,071	98,799	59,489
Employee benefits	37,766	15,253	37,766	15,253
Funds held in trust - Community Foundation trust beneficiaries	-	20,000	-	20,000
Landcorp funds paid in advance	147,000	-	147,000	-
Funds held in trust - Northern Land Council	254,436	-	254,436	-
Project funds carried forward	633,592	47,441	633,592	47,441
	<u>1,218,630</u>	<u>245,204</u>	<u>1,220,382</u>	<u>253,621</u>

Project funds carried forward include \$550,000 in relation to the Packsaddle river farm lot and a further \$80,971 Landcorp funds.

YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG ABORIGINAL CORPORATION  
ICN 4597

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2009

11. TRADE AND OTHER PAYABLES (cont.)	Consolidated Group		Parent Entity	
	2009	2008	2009	2008
	\$	\$	\$	\$
<b>a. Financial liabilities at amortised cost classified as trade and other payables</b>				
Trade and other payables:				
- Current	1,218,630	245,204	1,220,382	253,621
- Non Current	-	-	-	-
	<u>1,218,630</u>	<u>245,204</u>	<u>1,220,382</u>	<u>253,621</u>
Less annual leave entitlements	(37,766)	(15,253)	(37,766)	(15,253)
<b>Financial liabilities as trade and other payables</b>	<u><u>1,180,864</u></u>	<u><u>229,951</u></u>	<u><u>1,182,616</u></u>	<u><u>238,368</u></u>

12. FINANCIAL LIABILITIES	Consolidated Group		Parent Entity	
	2009	2008	2009	2008
	\$	\$	\$	\$
Westpac loan	<u>39,627</u>	<u>472</u>	<u>39,627</u>	<u>472</u>

The bank loan is secured by a registered first mortgage over the property at 34 Ironwood Drive, Kununurra.

13. SCHEDULE OF GRANT FUNDS

Consolidated Group & Parent entity - Current Unexpended Grants

	B/Fwd 2008	Release 2009	Expend 2009	C/Fwd 2009
Office Native Title 2007/08 Administration funds	-	750,000	750,000	-
Office Native Title 2007/08 EDU funds	-	250,000	250,000	-
ICC Youth Worker	-	150,000	-	150,000
Department of Commerce - Feasibility study	-	27,273	-	27,273
Kimberley Development Commission - Housing project	-	25,000	-	25,000
NAILSMA	-	110,000	65,641	44,359
Department of Regional development and lands - skills audi	-	31,000	2,818	28,182
NAIDOC 2009	-	35,500	8,756	26,744
Office Native Title 2007/08 Administration funds	132,628	-	132,628	-
Office Native Title 2007/08 EDU funds	30,747	-	30,747	-
Office Native Title 2006/07 Administration funds	16,336	-	16,336	-
Office Indigenous Affairs - EK Land Development Funds	52,000	-	-	52,000
DoIR (OAED) - Feasibility Study Bandicoot Dve #2	31,000	-	31,000	-
ILC - Water & Weeds	42,123	247,900	99,518	190,505
Rangelands NRM - Water & Weeds	86,990	-	86,990	-
DHW - Plumbing & Electrical audit	189,161	-	189,161	-
NAIDOC 2008	14,568	-	14,568	-
<b>Total current unexpended grants</b>	<u>595,553</u>	<u>247,900</u>	<u>600,948</u>	<u>544,063</u>
<b>Non-current unexpended grants - Balance payments</b>				<b>C/Fwd 2009</b>
Office Native Title 2005/06 Administration Balance Payments				597,324
Office Native Title 2005/06 EDU Balance Payments				199,108
Year 1 - Unspent funds				269,650
<b>Total non-current unexpended grants - Balance payments</b>				<u>1,066,082</u>
<b>Total unexpended grants</b>				<u><u>1,610,145</u></u>

YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG ABORIGINAL CORPORATION  
ICN 4597

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2009

14. CASH FLOW INFORMATION	Consolidated Group		Parent Entity	
	2009	2008	2009	2008
<b>Reconciliation of Cash Flow from Operations with Profit after Income Tax</b>	\$	\$	\$	\$
Operating surplus	461,237	2,516,741	51,440	2,785,620
<i>Cash flows excluded from profit attributable to operating activities</i>				
Non-cash flows in profit				
- Depreciation	40,668	39,622	40,668	39,622
- Non cash investment items	633,636	1,280,336	-	-
- Contributed assets	-	(2,600,589)	-	(2,600,588)
- Impairment of property, plant & equipment	-	3,038	-	3,038
Changes in assets and liabilities				
- (Increase)/decrease in trade and term debtors	(596,365)	(140,327)	(623,590)	(181,677)
- (Increase)/decrease in other current assets	1,695	(980)	1,697	(980)
- Increase in trade and other payables	973,428	115,398	966,761	123,816
- Increase/(decrease) in unexpended grants	(51,490)	405,548	(51,490)	405,548
Cash flow from operating activities	<u>1,462,809</u>	<u>1,618,787</u>	<u>385,485</u>	<u>574,399</u>

15. FINANCIAL RISK MANAGEMENT

a) **Financial Risk Management Policies**

The group's financial instruments consist mainly of deposits with banks, funds held on investment with Macquarie bank, accounts receivable and payable and loans to and from subsidiaries. The group does not have any derivative instruments at 30 June 2009.

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

Note	Consolidated Group		Parent Entity	
	2009	2008	2009	2008
	\$	\$	\$	\$
<b>Financial assets</b>				
Cash and cash equivalents	6	1,164,336	927,717	958,017
Loans and receivables	7	745,791	149,426	826,061
Available-for-sale financial assets				
- Managed funds with Macquarie bank	8	5,306,933	4,913,891	-
		<u>7,217,060</u>	<u>5,991,034</u>	<u>1,784,079</u>
<b>Financial liabilities</b>				
Financial liabilities at amortised cost:				
- Trade and other payables	11	1,180,864	229,951	1,182,616
- Borrowings	12	39,627	472	39,627
		<u>1,220,491</u>	<u>230,423</u>	<u>1,222,243</u>

**YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG ABORIGINAL CORPORATION**  
**ICN 4597**

**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2009**

**15. FINANCIAL RISK MANAGEMENT (cont.)**

**Financial Risk Management Policies**

The asset "Funds held with Macquarie bank" includes substantial shareholdings and investments with listed companies and funds in national and international markets. These are currently subject to significant fluctuations that could result in further impairments to this asset. Given the fluctuating nature of the current market it would be imprudent to predict the extent of this risk. Readers of these financial reports are encouraged to seek expert advice before making financial decisions that might be affected by the valuation of this asset.

The group does not have a finance committee or risk management strategy. The MG Corporation Board of Directors, a sub-committee of the Dawang Council, receives regular financial reports from its external accountant with items for attention. MG Community Foundation receives quarterly reports on investments from Macquarie bank.

**Specific Financial Risk Exposures and Management**

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

*Market risk*

The group has no strategy to manage market risk.

*Interest rate risk*

Interest rate risk is managed with a mixture of fixed and floating rate debt. At 30 June 2009 approximately 0% of debt is fixed.

*Foreign currency risk*

The group has no strategy to manage foreign currency risk.

*Liquidity risk*

The group manages liquidity risk by monitoring forecast cash flows and timing major expenditure to match grant releases.

*Credit risk*

The maximum exposure to credit risk, excluding the value of any collateral or other security, at balance date to recognised financial assets, is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. The group does not have any material credit risk exposure to any single receivable or group of receivables under financial instruments entered into by the group.

*Price risk*

The group is not aware of any exposure to material commodity price risk

**b) Financial Instrument Composition and Maturity Analysis**

The table below reflects the undiscounted contractual settlement terms for financial instruments of a fixed period of maturity, as well as management's expectations of the settlement period for all other financial instruments. As such, the amounts may not reconcile to the balance sheet.

**Aggregate net fair values and carrying amounts of financial assets and financial liabilities at balance date**

Consolidated Group only	Carrying Amount 2009	Net Fair value 2009	Carrying Amount 2008	Net Fair value 2008
	\$	\$	\$	\$
<b>Financial assets</b>				
Funds held with Macquarie bank	5,306,933	5,306,933	4,913,891	4,913,891

**YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG ABORIGINAL CORPORATION**  
ICN 4597

**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2009**

**16. COMMITMENTS**

MG Corporation entered into a contract with Hanna Construction Co. in July 2009 to construct a house at Lot 228 Ghost Gum Street, Kununurra. The contract amount is \$550,000.

**17. CORPORATION DETAILS**

The registered office of the corporation is:

Yawoorrong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation  
Button Road  
Kununurra WA 6743

The principal place of business is

Yawoorrong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation  
Button Road  
Kununurra WA 6743

**18. ECONOMIC ENTITY CONCEPT**

These financial reports combine the transactions of MG Corporation [this is called the 'Parent Entity'] and its three related Trusts. The Trusts are MG Community Foundation, MG Developments Trust and MG Dawang Land Trust. When all these are added together we arrive at the 'Consolidated Group'. However, in this combination, we also remove all transactions between the entities. So the 'Consolidated Group' is the net result.

**19. MIRIUWUNG AND GAJERRONG PBC#1 AND PBC#4**

MG Corporation has incurred legal, consulting and other administrative costs on behalf of Miriuwung and Gajerrong # (native title prescribed body corporate) Aboriginal Corporation and Miriuwung and Gajerrong #4 (native title prescribed body corporate) Aboriginal Corporation.



DIRECTOR'S REPORT

Your Director's submit the financial report of the Yawoorroong Miriuwung Gajerrong Yirrgab Noong Dawang Aboriginal Corporation (MG Corporation) for the financial year ended 30 June 2009.

**Director Members**

The names of Directors throughout the year and at the date of this report are:

- Teddy Carlton
- Edna O'Malley
- Helen Gerrard
- Donald Chulung
- Margaret Moore (ceased 26-6-09)

**Principal Activities**

The principal activities of the Corporation during the financial year were the delivery of support services under the Ord Final Agreement.

**Significant Changes**

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

**Operating Result**

The surplus after providing for income tax amounted to \$51,440.

**Directors' Declaration**

The directors of the Corporation declare that:

1. the financial statements and notes, as set out on pages 1 to 20, are in accordance with the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* and:
  - a. comply with the Accounting Standards described in Note 1 to the financial statements; and
  - b. give a true and fair view of the company's financial position as at 30 June 2009 and of its performance for the year ended on that date in accordance with the accounting policies described in Note 1 to the financial statements; and
2. in the directors' opinion there are reasonable grounds to believe that the company will be able to pay its debts as and when they become due and payable.

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

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

.....

.....

Dated this ..... day of .....2009





***Pincini Burgess*****Chartered Accountants  
Registered Tax Agents***PO Box 332  
Mirboo North VIC 3871***Ph: (03) 5668 2120  
Fax: (08) 6210 1722****YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG  
ABORIGINAL CORPORATION****Compilation report to Yawoorroong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation**

We have compiled the accompanying general purpose financial statements of Yawoorroong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation which comprise the balance sheet as at 30 June 2009, and the income and expenditure statement, statement of changes in equity and cash flow statement for the year then ended, a summary of significant accounting policies and other explanatory notes. These have been prepared in accordance with the financial reporting framework described in Note 1 to the financial statements..

*The Responsibility of the Board of Directors*

The board of Directors is solely responsible for the information contained in the general purpose financial statements and has determined that the basis of accounting adopted is appropriate to meet the needs of the committee of management for the purpose of complying with the corporation's constitution.

*Our Responsibility*

On the basis of information provided by the directors we have compiled the accompanying general purpose financial statements in accordance with the financial reporting framework and APES315 : Compilation of Financial Information.

Our procedures use accounting expertise to collect, classify and summarise the financial information, which the directors provided, in compiling the financial statements. Our procedures do not include verification or validation procedures. We have not performed an audit or review and accordingly assurance is expressed.

The general purpose financial statements were compiled exclusively for the benefit of the committee of management. We do not accept responsibility to any other person for the contents of the general purpose financial statements.

Jodie Pincini – Pincini Burgess  
Partner  
Dated this 1st day of October 2009

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**Partner: Mark Burgess CA**  
Email: [mburgess@wn.com.au](mailto:mburgess@wn.com.au)

**Partner: Jodie Pincini CA**  
Email: [Jodie.Pincini@westnet.com.au](mailto:Jodie.Pincini@westnet.com.au)

**Chartered  
Accountants**

Liability limited by a scheme approved under Professional Standards Legislation

**FONG RICHARDS**  
 Certified Practising Accountants

Ron Richards - Office  
 Box 328, Ravensthorpe 6346  
 Tel: 08 9838 1777  
 Facs: 08 9264 8280

Alison Fong - Office  
 PO Box 588, Broome 6725  
 Tel: 08 9192 1782  
 Facs: 08 9264 8215

**YAWOOROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG ABORIGINAL CORPORATION**

**AUDITOR'S INDEPENDENCE DECLARATION**

**Under Section 339-50 of the Corporations (Aboriginal and Torres Strait Islander) Act 2006**

To the Directors of Yawooroong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation,

I declare that, to the best of my knowledge and belief, during the year ended 30 June 2009, there have been:

- i. no contraventions of the auditor independence requirements as set out in the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* in relation to the audit; and
- ii. no contraventions of any applicable code of professional conduct in relation to the audit.

*Ron Richards*

R N Richards  
 Fong Richards  
 PO Box 328, Ravensthorpe, WA 6346

Dated: 22<sup>nd</sup> September 2009



**FONG RICHARDS**  
Certified Practising Accountants

Ron Richards - Office  
Box 328, Ravensthorpe 6346  
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**YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG ABORIGINAL CORPORATION**

ICN 4597  
**Independent Auditor's Report**  
2009

**To the members of Yawoorroong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation,**

**Report on the financial report**

We have audited the accompanying financial report of Yawoorroong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation for the year ended 30<sup>th</sup> June 2009. The financial report is comprised of: Income Statement; Balance Sheet; Statement of Recognised Income and Expenses; Cash Flow Statement; Notations; Statements of Grant Expenditure; Directors Report; General Report.

**The responsibility of the Directors for the financial report**

The Directors of the entity are responsible for the preparation and fair presentation of the financial report and have determined that the accounting policies described in Note 1 to the financial statements which form part of the financial report are appropriate to meet the financial reporting requirements of the Constitution and are appropriate to meet the needs of the members. The Directors responsibility also includes establishing and maintaining internal control relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

**Auditor's responsibility**

Our responsibility is to express an opinion on the financial report based on our audit. No opinion is expressed as to whether the accounting policies used, as described in Note 1, are appropriate to meet the needs of the members. We conducted our audit in accordance with Australian auditing standards. These auditing standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by Directors, as well as evaluating the overall presentation of the financial report.

The financial report has been prepared for distribution to members for the purpose of fulfilling the Directors financial reporting responsibilities under the Constitution. We disclaim any assumption of responsibility for any reliance on this report or on the financial report to which it relates to any person other than the members, or for any purpose other than that for which it was prepared. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

## YAWOORROONG MIRIUWUNG GAJERRONG YIRRGBE NOONG DAWANG ABORIGINAL CORPORATION

ICN 4597

Independent Auditor's Report

2009

[continued]

**Independence**

In conducting our audit, we have complied with the independence requirements of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*. We confirm that the independence declaration required by the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*, provided to the directors, would be in the same terms if provided to the directors as at the date of this auditor's report.

**Matters relating to the electronic presentation of the audited financial report**

The auditor's report relates to the financial report of Yawoorroong Miriuwung Gajerrong Yirrgbе Noong Dawang Aboriginal Corporation for the year ended 30<sup>th</sup> June 2009 that is likely to be included on a website. The Corporation's Directors are responsible for the integrity of Yawoorroong Miriuwung Gajerrong Yirrgbе Noong Dawang Aboriginal Corporation's website. We have not been engaged to report on the integrity of a website. The auditor's report refers only to the statements named above. It does not provide an opinion on any other information which may have been hyperlinked to the website from these statements. If users of this report are concerned with the inherent risks arising from electronic data communications they are advised to refer to the hard copy of the audited financial report to confirm the information included in the audited financial report presented on this website.

**Going concern**

The financial statements are prepared on the basis that the Corporation is a going concern. This is dependent on compliance with the terms of the Ord Final Agreement. Clause 24 of the Ord Final Agreement provides for the suspension of payments in the event of certain specified defaults.

**Emphasis of matter****Procedures Cash Payments**

Payments to Directors and members of committees for sitting fees were often not supported with signed receipts from the recipients of those fees. This is a particularly vulnerable area because cheques were cashed for purposes of these payments. It is not uncommon for cheques cashed for this purpose to be in excess of \$3,000. Fees paid to Directors and members of committees totalled \$161,890 for the year. We understand that new procedures have now been adopted which require all future payments for this purpose to be deposited directly to the payee's bank account.

**Funds in Trust**

The Corporation received the sum of \$254,293 from Tennant Creek Gold Ltd, being funds payable under the terms of an Agreement between Tennant Creek Gold Ltd and Northern Land Council. The Agreement requires that the funds are to be applied for the benefit of Indigenous people affected by exploration licences held by Tennant Creek Gold Ltd. The agreement stipulates that the funds are to be applied as determined by Northern Land Council. The funds were deposited to the bank account of MG Corporation directly from Tennant Creek Gold Ltd. We have informed the Directors of MG Corporation that the CATSI Act makes special provision for the management of Trust Funds and holds the Directors personally liable for any unsatisfied claim from the beneficiaries of those Trust Funds [refer Division 271 of *Corporations (Aboriginal and Torres Strait Islander) Act 2006*].

**Recommendation: That clear written instructions be received from Northern Land Council before any of the \$254,293 received from Tennant Creek Gold Ltd is distributed.**

## YAWOORROONG MIRIUWUNG GAJERRONG YIRRGEB NOONG DAWANG ABORIGINAL CORPORATION

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[continued]

**Auditor's opinion**

In our opinion, the financial report of Yawoorroong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation as at 30<sup>th</sup> June 2009, and its related entities being MG Community Foundation, MG Developments Trust, MG Dawang Land Trust is in accordance with *Corporations (Aboriginal and Torres Strait Islander) Act 2006*, including:

- i. giving a true and fair view of the corporation's financial position as at 30 June 2009 and of their performance for the year ended on that date; and
- ii. complying with Australian Accounting Standards (including the Australian Accounting Interpretations) and the *Corporations (Aboriginal and Torres Strait Islander) Regulations*.

**Report on other legal and regulatory requirements****Related Party Transaction**

The Constitution of the Corporation at clause 16.8 requires that, before a contract is executed with a related party of the Corporation, the approval of the members be obtained "in the way set out in Division 290 of the Act" [the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*]. The Corporation executed a contract with Wanna Work Solutions Hire Pty Ltd to conduct a skills audit at an agreed fee of \$31,000. A director of MG Corporation is a director and shareholder of Wanna Work Solutions Hire Pty Ltd which is, therefore, a related party. Approval was not sought from the members of the MG Corporation as required by the Constitution.

After examination of documentation relevant to this contract and discussions with the Board of Directors we are of the opinion that the Directors did not deliberately contravene the Constitution or the CATSI Act. It is most likely that the Directors were not aware of the provisions of the CATSI Act relating to the need for members approval prior to executing contracts with related parties who are Directors.

**Recommendation: That procedures for Directors include an alert to clause 16.8 of the Constitution and to Division 290 of the CATSI Act requiring members approval prior to execution of contracts with related parties.**

**Dawang Council Approval**

The new Constitution of the Corporation was adopted on 11<sup>th</sup> January 2009. Since that date it has been a requirement that certain matters be referred to the Dawang Council for approval. These are set out in clause 16.9.

**16.9 Dawang Council approval needed for Reserved Matters**

The directors and the corporation shall not, without the prior approval of the Dawang Council, undertake any of the following:

- (a) acquire or dispose of any interest in any real property;
- (b) create or allow to subsist any Encumbrance over all or a substantial part of all of the corporation's assets;
- (c) borrow money if as a result, the aggregate principal borrowed by the corporation would be \$1,000,000 or more;
- (d) charge any assets or business of the corporation or give any other security for a debt, liability or obligation of the corporation;
- (e) enter into, vary or terminate any contract or arrangement (whether legally binding or not) with any of its directors or any related party of a director;

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- (f) enter into any material contract or arrangement outside the ordinary course of its business or by which any director, member, Dawang Council Member or member of the Garralyel would or might receive remuneration calculated by reference to its income or profits;
- (g) undertake any material financial or capital restructuring of the corporation; and
- (h) undertake any commitment to incur expenditure in excess of 10% beyond that provided for in the Annual Operational Plan and corporation's budgets from time to time.

Since that date the following actions have been undertaken by the Directors without formal approval of the Dawang Council as required by the Constitution:

- Land at lot 228 Ghost Gum Street, purchased for a price of \$147,000.
- Execution of a building contract for the construction of a display home at lot 228 Ghost Gum Street for a price of \$500,000. There is record of this proposal being presented to the Dawang Council. However, it is unclear from the resolution record of Dawang Council meetings that Dawang Council approved the investment in this project at \$500,000 with corresponding borrowings. The minutes of the MG Corporation Directors meetings record discussion of this investment at \$305,000.
- Land at lot 108 Kentha Way, purchased for a price of \$380,000.
- The Corporation has agreed to acquire 385 hectares of land being lot 5015 in East Kununurra Freehold Area. Transfer of title is pending.

As a consequence of these actions the Directors caused expenditures in "excess of 10% beyond that provided for in the Annual Operational Plan and corporation's budget". Clause 16.9(h) of the Constitution prohibits this.

#### Commercial Investments

The operational structure of the MG Corporation Group was established by various Constitutions and Trust Deeds in 2006. These documents required that MG Corporation refrain from any investments in profit making undertakings. This arrangement was primarily established to protect the income tax exemption, the Deductible Gift Recipient and Public Benevolent Institution status of MG Corporation. The established structure required that any commercial investments and developments be undertaken through MG Developments Trust. However, the Directors have caused MG Corporation to undertake a commercial development of a display home at lot 228 Ghost Gum Street and have recently considered investments in other commercial ventures.

In our opinion, the Constitution of the Corporation prohibits the Directors of MG Corporation from allowing the Corporation to engage in any activity that "is inconsistent with the corporation's endorsement as a Deductible Gift Recipient (during any period where the corporation is endorsed as a Deductible Gift Recipient)" [clause 5.2(g).

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Pursuant to clause 23 of the Ord Final Agreement, in our opinion, for the Contribution Period Financial Year,

- i. An arrangement has been approved by the Office of Native Title whereby Clause 22.6 [dealing with unexpended moneys and interest from the First Payment Period] has not been complied with. Unexpended monies have been invested in real estate residential properties for the use of staff rather than in an "interest bearing trust account" as required by clause 22.6 of the Ord Final Agreement.
- ii. Clause 22.10 [dealing with compliance with Administration Budgets and EDU Budgets] has been complied with, except to the extent of the variations in some line items of the approved budget set out in the Grant Acquittal Statement.
- iii. Clause 22.11 [dealing with moneys not expended during the Contribution Period Financial Year] has been complied with.



Ronald Norman Richards  
Fong Richards CPA's  
Registered Company Auditor [13374]

26<sup>th</sup> September 2009



Fix the past  
Fix the past  
Move to the future  
Move to the future

