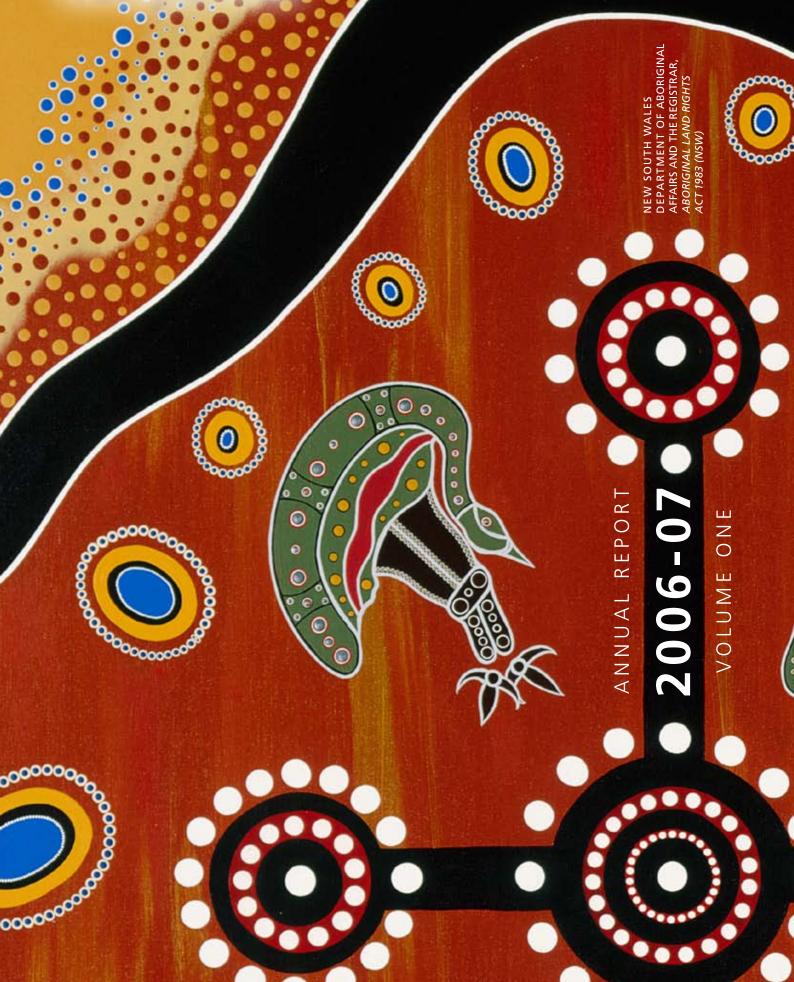
New South Wales Department of Aboriginal Affairs





#### Cover

The cover of the 2006-07 Annual Report is taken from a painting on canvas, by John Hilton Green, *Wiradjuri Wagaji* – Wiradjuri Dance: "This is my peoples' story of hunting, the land and the many mobs that make up the Wiradjuri as a people. We are the largest mob in New South Wales and come from the Cowra and Bathurst area in the central west of the State.

"This painting shows us as a people (centrepiece) and the offshoot tribes forking out from the centre. I have put in representations of our water holes, meeting places, trails (both animal and tribal) and two of our greatest meat providers – kangaroo and emu (Wambuuwayn and Nguurruuyn). This painting is very symbolic and colourful. It is full of our ochres (traditional) and vibrant blues and red.

"My pride is my Wiradjuri culture and heritage.

"Thank you for sharing a small piece of my culture and my pride there-in."



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## Volume 2 – Financial Report

# Contents



Level 13, Tower B Centennial Plaza 280 Elizabeth St Surry Hills NSW 2010 Telephone: (02) 9219 0700 Fax: (02) 9219 0790

The Hon. Paul Lynch MP Minister for Aboriginal Affairs Parliament House Macquarie St Sydney NSW 2000

Dear Minister

I have pleasure in forwarding for presentation to Parliament the 2006-2007 Annual Report of the New South Wales Department of Aboriginal Affairs and the Registrar, *Aboriginal Land Rights Act 1983 (NSW)*. The report has been prepared in accordance with the requirements of the *Annual Reports (Departments) Act 1985*.

Yours sincerely

Jody Broun Director-General

31 October 2007

waramai ... ... it's good to see you

Introduction to the Department

## Introduction to the Department

## 1.1 Charter

The Department of Aboriginal Affairs was established in March 1994, replacing the Office of Aboriginal Affairs within the Premier's Department. The Department of Aboriginal Affairs:

- advocates for the voice of Aboriginal people in New South Wales to be heard in the development of New South Wales Government policies and services;
- administers the Aboriginal Land Rights Act 1983 (NSW) on behalf of the Minister for Aboriginal Affairs;
- leads and influences New South Wales government agencies on Aboriginal affairs;
- monitors, supports and reports on the effectiveness of New South Wales government agencies in their development and delivery of policies and services affecting Aboriginal people;
- supports and monitors non-government and business initiatives aimed at helping Aboriginal people to
  establish and maintain their rights and overcome ongoing social and economic disadvantage; and
- provides expert specialist knowledge of Aboriginal affairs within the New South Wales Government.

### 1.2 Aims and objectives

#### **Our vision**

#### Social, economic and cultural strength for Aboriginal people in New South Wales.

The policies and programs of the Department of Aboriginal Affairs and the Registrar, *Aboriginal Land Rights Act 1983 (NSW)*, are designed to help Aboriginal people to establish and maintain their rights, and to overcome the ongoing social and economic disadvantage faced since European occupation.

We are committed to developing and implementing policies and programs, and working with other government departments, in a way that involves Aboriginal people and communities as equal partners.

The priorities of our Department and the Registrar, *Aboriginal Land Rights Act 1983 (NSW)*, are grounded in a commitment to social justice and Aboriginal self-determination, and recognition and respect for the diverse cultures of the Aboriginal people of New South Wales.

## 1.3 Our operations

The Department of Aboriginal Affairs seeks to improve the lives of Aboriginal people living in New South Wales in the following ways:

- Leading actions to support the NSW Government's State Plan Priority F1: Improved health, education and social outcomes for Aboriginal people;
- Two Ways Together coordination, planning, reporting, portfolio support, State, regional and local plans;
- National/State representation and policy integration;
- Regional support program;
- Strategic policy advice;
- Monitoring, compliance and reporting;
- New South Wales Aboriginal Languages Research and Resource Centre;
- Assistance and support for the protection of Aboriginal cultural heritage;
- Administration of the Aboriginal Land Rights Act 1983 (NSW);
- Development of community engagement strategies;
- Aboriginal Communities Development Program; and
- Family History Records Program.



## 1.4 Our values

We, at the Department of Aboriginal Affairs have established shared values, which drive our work, our interactions with Aboriginal people and our many stakeholders and with each other.

A small team at all levels of the Department of Aboriginal Affairs developed these values and beliefs, recognising the same values helped us to successfully implement our corporate plan during the financial year.

Our values are:

Culture – we have a strong commitment to, and celebrate Aboriginal culture
 Leadership – we are at the forefront of all we do with our clients, colleagues and each other
 Excellence – we are highly professional, innovative and focussed on delivering the best
 Celebration – we celebrate our successes, the contribution we make and have fun
 Team spirit – we work together to achieve our goals and support each other to deliver the best.

NEW SOUTH WALES DEPARTMENT OF ABORIGINAL AFFAIRS AND THE REGISTRAR, ABORIGINAL LAND RIGHTS ACT 1983 (NSW)

Introduction

5

## ... Lets walk together singing and dancing





(From left) Thomas Flanders, Barega Knox and Athol Munro dance in Tamworth to celebrate a screening of four films to mark the fortieth anniversary of the 1967 Referendum that gave Aboriginal people the rights of full citizenship.





Liana Levin, Kaylene McLeod and Kelly Jackman gain a sense of achievement from working for the Department.

## 2.1 Director-General's year in review

During my fourth year as Director-General, the Department of Aboriginal Affairs introduced significant refinements to the delivery of our programs and services.

The activities of the Department were formally linked to a State Plan Priority – F1 which aims to improve health and education for Aboriginal people, and social outcomes, by delivering important results through all government departments.

The Department of Aboriginal Affairs played a vital role across Government by monitoring a wide range of policies and legislation. We continued to lead *Two Ways Together*, the NSW Government's Aboriginal Affairs Plan.

The Department also provided input for changes to the *Aboriginal Land Rights Amendment Act*; funds to aid the revitalisation of Aboriginal community languages, and the first ever CD-ROM dedicated to preserving Aboriginal languages in NSW.

We expanded the Family Records Unit, and took appropriate steps to ensure the work of indexing historical records is completed in the shortest possible time. Access to these records provides the evidence to help Aboriginal people verify their claims to the Aboriginal Trust Fund Repayment Scheme, which is administered by the New South Wales Department of Premier and Cabinet.

We helped the Aboriginal communities at Stockton Bight near Newcastle gain ownership of their land, by providing information on policy and legislation.

We supported the Aboriginal people of New South Wales celebrate the fortieth anniversary of the 1967 Referendum and NAIDOC week.

Our Department also built on the foundations of strong community structures to help establish recognition of Aboriginal communities' rights to representation and self-determination.

Community Engagement Days once again brought Aboriginal communities and Government agencies together to discuss and resolve a wide range of issues. We achieved our goal of seeing more than 30 per cent of communities implement governance structures.

A regular income from a meaningful job is one of the most important elements of belonging and wellbeing. The Department of Aboriginal Affairs continued to strive for employment opportunities for Aboriginal people through Job Compacts, training and work in the Aboriginal Communities Development Program, and through the promotion of Aboriginal peoples' employment through NSW Government construction and related works.

The Department also encouraged other government departments to actively seek opportunities to create jobs for Aboriginal people.

This on-going process of building opportunities for employment coincided with immediate improvements through the Housing for Health program.

Many communities received sewerage systems, homes built by Aboriginal companies, and clean drinking water; assets guaranteed by Aboriginal tradespersons.

We continued to build the Department's team and capacity when we welcomed Ms Kerry Pearse who took over the position of Executive Director, Communities and Programs.

Lindon Coombes was also permanently appointed to the position of Executive Director, Policy and Regulation.

I commend the 2007 Department of Aboriginal Affairs Annual Report to you.

Jody Broun Director General The Department of Aboriginal Affairs

## 2.2 Our people – management and structure



#### **Director-General, Jody Broun**

Jody Broun is a Yindjibarndi woman, born in Perth. Her family comes from the Pilbara region in North-West Australia.

Jody was appointed as the Director-General of the New South Wales Department of Aboriginal Affairs in October 2003. Before becoming Deputy-Director of the Department of Aboriginal Affairs, Jody was Executive Director of Aboriginal Housing and Infrastructure and the Director of Equal Opportunity in Public Employment, both in Western Australia. For eight years before that, Jody was a teacher at an Aboriginal college.

A respected artist, Jody's work has been exhibited around Australia and internationally in Kyoto, Japan and London, England. In 1998 she won the Telstra National Aboriginal and Torres Strait Islander Art Award for her painting 'Whitefellas Come to Talk 'Bout Land'. In October 2005, Jody won the Canberra Art Prize for 'Half-Time Game'.

Jody has a Diploma of Teaching, Bachelor of Education and Master of Philosophy (Honours).



#### Executive Director – Policy and Regulation, Lindon Coombes

Lindon Coombes joined the Department of Aboriginal Affairs in January 1998. Between then and July 2003, he served a six-month secondment to the Aboriginal and Torres Strait Islander Commission's (ATSIC) Policy Office.

In July 2003, he was seconded to work for the then Minister for Aboriginal Affairs, Deputy Premier, the Hon. Andrew Refshauge MP, before joining the staff of the new Minister for Aboriginal Affairs, where he served until returning to the Department as an Executive Director.

Lindon brings to the position a high level of expertise in the formulation and administration of government policy. And, as an Aboriginal man, he brings an understanding of the complex issues relating to them.

He has a Diploma in Aboriginal Studies and a Bachelor of Arts Degree.

nginda-gu guwaaldanha Yuwaaliyaay gaay maaynjul

Yuwaaliyaay



#### Executive Director – Business Strategy, Jonathan Wassell

In April 2005, Jonathan Wassell joined the Department's Executive Team. For the previous five years, he was Executive Director, Business Support Branch at the Aboriginal Housing Office.

As he came to the Department of Aboriginal Affairs with considerable expertise in the administration of government programs for Aboriginal communities, Jonathan quickly introduced major improvements to the Department's business processes. His extensive administrative experience is supplemented by a Bachelor of Commerce and Master of Business Administration (Executive).



#### Executive Director – Communities and Programs, Kerry Pearse

Kerry Pearse joined the Department's Executive on 11 December 2006, filling the position vacated by Ross Hampton who filled the position in a caretaker capacity.

Before joining the Department, Kerry was a senior executive in the Commonwealth Public Service, most recently as the New South Wales State Manager for the Department of Family and Community Services. Kerry has had a long-standing interest in Aboriginal affairs, particularly in relation to Aboriginal housing. She has also held senior positions in family and communities policy and program management, and in corporate strategy, leadership and change management. Kerry spent 15 years working in the non-government community sector before becoming a public servant in 1995.

As Executive Director, Communities and Programs, Kerry brings a keen interest in developing partnerships between Aboriginal communities and government to reduce disadvantage in practical and tangible ways. THE NEW SOUTH WALES DEPARTMENT OF ABORIGINAL AFFAIRS AND THE REGISTRAR, ABORIGINAL LAND RIGHTS ACT 1983 (NSW)

Overview

... Talking Yuwaaliyaay is very good for you

## 2.3 Departmental divisions

## Executive and business strategy

#### **Director-General's Office**

Providing support and advice to the Director-General, the Office also acts as the link between the Department and the Office of the New South Wales Minister for Aboriginal Affairs, the Hon. Paul Lynch MP, and other agencies at state and national levels. For publications and the media, the office is the first point of contact for requests. It is responsible for coordinating departmental briefings and correspondence.

#### **Corporate Services Unit**

The Corporate Services Unit is responsible for the smooth operation of all departmental business support functions. It ensures that the Department's recruitment, salaries, performance management and development systems are in place and that the work environment is healthy and safe and has the skills to deliver on the Department's priorities. The Unit has strategic responsibility for financial systems and processes and tracks budgets and day-to-day finances. It supports the organisation with the appropriate technology and procedures to manage documents and information management; meets its legislative requirement for Privacy and Freedom of Information; and provides suitable information and record systems to meet changing needs. The Unit also provides building services and administrative and receptionist support.

## Policy and regulation

#### **Policy and Regulation Division**

The Policy and Regulation Division provides advice to ensure that New South Wales government policies, programs and activities for Aboriginal people are responsive, relevant and timely. The Division provides strategic advice, analysis and support to the Two Ways Together Cluster Groups, and has an important monitoring role. It also leads the Economic Development Cluster Group, under which senior officers of key government agencies, such as the Departments of Commerce, Education and Training, Tourism, Natural Resources and State and Regional Development monitor implementation of action plans and measure their performance against key indicators.

The Division advises the New South Wales Government on cross-agency collaboration, policy and legislative matters affecting Aboriginal people. It is also an advocate in government for Aboriginal people, recognising that Aboriginal people know best the needs of their communities. Its priority is to help agencies engage more effectively with Aboriginal issues.

#### **Strategic Coordination Unit**

The Strategic Coordination Unit is responsible for the implementation of State Plan priority F1 *Improved health, education and social outcomes for Aboriginal people* and for coordinating the Department's input to other State Plan priorities of relevance to Aboriginal people.

The Unit oversees the implementation of *Two Ways Together* and is responsible for evaluating, monitoring and reporting on progress. The *Two Ways Together* Secretariat sits within the Unit and manages the *Two Ways Together* committee structure and the former Chief Officers' Group on Aboriginal Affairs.

The Unit also manages the participation of the New South Wales Government on national bodies, such as the Ministerial Council of Aboriginal and Torres Strait Islander Affairs, and ensures integration between state and national processes.

#### **Compliance and Regulation Unit**

The Compliance and Regulation Unit is responsible for providing support to the Minister for Aboriginal Affairs in his responsibilities under the *Aboriginal Land Rights Act 1983 (ALRA)*. Those responsibilities include monitoring the compliance of Aboriginal Land Councils with the ALRA, particularly in relation to corporate governance, financial reporting, land acquisition and management, and the equitable

distribution of benefits to the community. The Unit thereby contributes to the effective functioning of the Aboriginal Land Council network to meet the economic, social and cultural needs of Aboriginal people. The effectiveness of the network relies on coordination between the key stakeholders in the land council network who include the New South Wales Aboriginal Land Council, the Registrar ALRA and the Department of Aboriginal Affairs.

#### New South Wales Aboriginal Languages Research and Resource Centre

The New South Wales Aboriginal Languages Research and Resource Centre helps Aboriginal communities to revitalise their languages by providing:

- technical advice such as linguistic, teaching and other technical advice;
- research assistance;
- assistance to record language speakers;
- relevant language revival-related training tailored to community needs;
- mentoring of, networking and collaboration between language initiatives across NSW;
- advice regarding sources of funding available to language projects; and
- strong advocacy for the revival of Aboriginal languages.

The Centre is also a central point of contact for members of the public seeking information about Aboriginal languages in New South Wales.

## Communities and programs

#### **Statewide Services Unit**

The Statewide Services Team is based in Sydney and performs a number of strategic and operational functions that include:

- monitoring and managing a number of departmental programs around the State; including the Aboriginal Communities Development Program and projects funded through the Aborigines Assistance Fund, such as Job Compacts, NAIDOC events, local responses and significant Aboriginal community sponsorship;
- developing policies for regional implementation of *Two Ways Together* at the regional and local level; and
- research, writing and management of correspondence and briefs for the Minister for Aboriginal Affairs and the Department's Director-General.

#### **Regional Offices**

The regional structure established to assist the delivery of *Two Ways Together* was further developed to assist enhanced Aboriginal governance. The Department's regional offices in Bourke, Tamworth, Narooma, Coffs Harbour and Wagga Wagga strengthen links with Aboriginal communities.

The regional offices lead Regional Engagement Groups, which represent Aboriginal communities and NSW and Australian government agencies, in developing regional action plans in response to community-identified needs.

The offices are instrumental in gathering data for the Regional Reports, which were used to develop Regional Plans that systematically targeting the areas of greatest need in Aboriginal communities. The *Two Ways Together* Regional Reports: Public Report November 2006 is attached as a supplement to this annual report and appears on the inside back cover.

During the reporting period the Department undertook to create a Sydney region with a similar staffing profile to the other regions. The Sydney region will engage at a local level with the large population of Aboriginal people living in the Greater Sydney area, giving them more visible representation under *Two Ways Together*. Although the Statewide Services Unit supported the Aboriginal people of Sydney, the Department decided that the Greater Sydney area would be better served as a region with its own structure, staffing and budget. This region will be a very significant new unit of the Department, because the Greater Western Sydney area alone has a third of the Australian Aboriginal population.

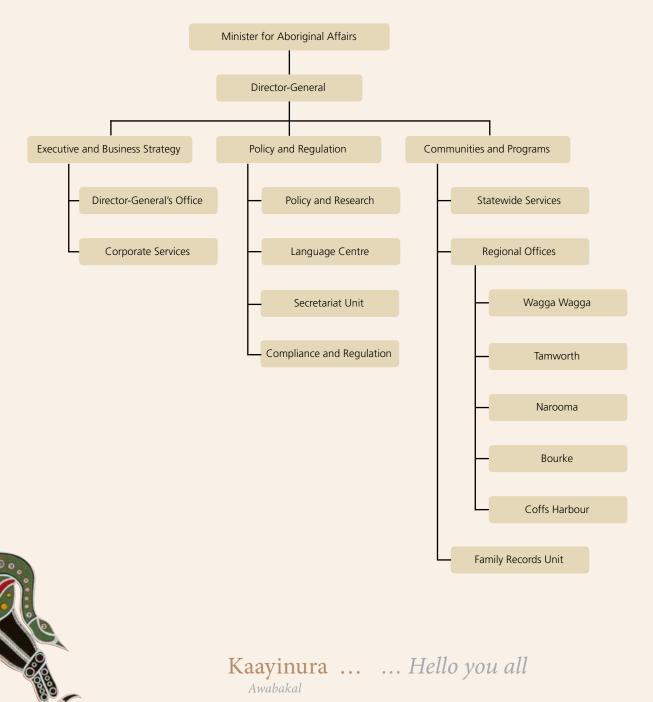
#### Family Records Unit

The Family Records Unit was set up to help Aboriginal people who were affected by the policies of the Aborigines Protection Board and Aborigines Welfare Board gaining access to records relating to themselves and their families. The Unit is especially helpful to members of the Stolen Generations who have lost connection with their families and communities.

The Department of Aboriginal Affairs controls access to the records of the Aborigines Welfare Board and Aborigines Protection Board, which are physically housed at State Records NSW. Many of these records are closed to public access because of the personal and confidential information contained in them. As a result, they can only be viewed with the permission of the Department of Aboriginal Affairs.

People can request access to the Board's records, such as photographs and correspondence, by contacting the Family Records Unit. The records are also used to provide evidence to help Aboriginal people verify their claims to the Aboriginal Trust Fund Repayment Scheme, which is administered by the New South Wales Department of Premier and Cabinet.

## 2.4 Organisational chart



# Performance report

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## 3.1 Introduction

Working in partnership with the Government and Aboriginal people of New South Wales, the Department of Aboriginal Affairs is the lead agency for driving positive change and achievements in Aboriginal affairs, and strengthening Aboriginal communities. The Department is also responsible for the administration of the *Aboriginal Land Rights Act 1983 (NSW)*.

This performance report demonstrates the relationship between services delivered and the Department's goals. It is based on the Department of Aboriginal Affairs' 2006-07 Results and Services Plan (RSP), which is used to ensure that there is an effective link between the Department's activities and what it aims to achieve. In other words, the RSP is the planning tool used to achieve its goal of contributing to the increased social, economic and cultural strength of the Aboriginal people of New South Wales.

The Department achieves its objectives through:

- increased understanding of Aboriginal issues by NSW government agencies;
- improving understanding of Aboriginal culture by the general population;
- monitoring government agencies; and linking them to community priorities to strengthen community governance, and linking government's direction to community expectations;
- joint planning and reducing duplication to increase agency cooperation on Aboriginal issues and develop innovative multi-agency responses.

The Department aims to meet its targets and achievements in these interrelated areas of focus:

- clear and appropriate policy advice on Aboriginal issues;
- promotion and advocacy for Aboriginal culture;
- facilitated community engagement and partnerships;
- whole-of-government leadership; and

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- improve access to and planning of government services.

## 3.2. Clear and appropriate policy advice on Aboriginal issues

The Department's experienced team of Aboriginal affairs policy experts worked to ensure that the Department's advice on policy and service delivery of other agencies was accurate, timely and comprehensive. The Department coordinated and led government policy development and service delivery by:

- leading the State Plan goal of strengthening Aboriginal communities; Priority F1 improved health, education and social outcomes for Aboriginal people – and providing input into a number of others;
- providing timely and accurate advice to the Minister for Aboriginal Affairs;
- providing advice to Regional Coordinating Management Groups (RCMG) and providing leadership for Regional Engagement Groups that involved Aboriginal peak bodies and government agencies in planning to improve government service provision;
- coordinating stakeholder input and providing advice to the Minister on the drafting and passage through Parliament of the Aboriginal Land Rights Amendment Act 2006;
- representing the interests of Aboriginal people through a bilateral agreement with the Australian Government;
- supporting the Minister for Aboriginal Affairs on the Ministerial Council on Aboriginal and Torres Strait Islander Affairs;

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- monitoring 59 (as of February 2007) Shared Responsibility Agreements developed in the 2006-07 financial year between the Commonwealth Government and Aboriginal people in NSW;
- writing submissions to inquiries, including those relating to:
  - impacts of the Family Law Amendments (Shared Responsibility) Act;
  - reforms to the CDEP Program;
  - sports Management in NSW;
  - death in custody on Palm Island;
  - Native Title Amendment (Technical Amendments) Bill 2007;
  - impact of the Family Law Amendments Act 2006; and
  - public disturbances at Macquarie Fields.
- advising government agencies on Aboriginal issues;
- monitoring all CEO contracts to ensure that performance in Aboriginal Affairs are an important component;
- developing and supporting forums that drive agency collaboration;
- advising the government on the likely impact of its policy and legislation;
- ensuring that the needs of Aboriginal people remain a priority of all government agencies.

#### The State Plan and Two Ways Together

The State Plan sets a ten year direction for the NSW Government. There are 34 priorities under the State Plan in the areas of rights, respect and responsibility; delivering better services; fairness and opportunity; growing prosperity across NSW; and environment for living.

The Department leads the implementation of priority F1 *Improved health, education and social outcomes for Aboriginal people. Two Ways Together* is the vehicle by which the NSW Government will deliver on State Plan priority F1.

Through *Two Ways Together* the Department has introduced a new model for working in Aboriginal affairs in NSW, formalising an integrated approach to planning, monitoring and implementing initiatives relating to Aboriginal affairs, involving NSW and Australian government agencies and peak Aboriginal organisations. In early 2007 this model was reviewed and changes were introduced to ensure alignment with the State Plan.

As a result, the four *Two Ways Together* Cluster Groups working in the areas of economic development, culture and heritage, families and communities, and justice were discontinued on 30 June 2007 and groups specifically focused on delivering on the objectives in State Plan priority F1 were formed.

In addition to managing progress under Priority F1, the *Two Ways Together* Coordinating Committee tracks other State Plan priorities of relevance to Aboriginal people to ensure that Aboriginal issues are specifically addressed.

#### Service Measures

One hundred per cent of Cabinet Minutes analysed with advice and delivered on time.

Minister is well informed, with timely, quality, accurate advice 100 per cent of the time.

#### **Result:**

All Cabinet Minutes were analysed. Advice was provided and delivered on time.

The Department kept the Minister well informed with timely, quality, accurate advice at all times.



Performance report

## 3.3. Promotion and advocacy for Aboriginal culture

Stronger cultural ties confirm and enhance Aboriginal people's personal sense of identity and pride, which provides a barrier against negative social influences. Connection with culture strengthens communities and contributes to stronger families and a positive sense of self. As a result, promotion of and advocacy for Aboriginal culture is a major focus of the Department.

The cultural, spiritual, social and economic connection to the land and waters can provide economic benefits. However, it is also a major contributor to a sense of belonging and is therefore a priority of *Two Ways Together*.

The Department strengthened the provisions of the *Aboriginal Land Rights Act 1983 (NSW)* to ensure that Aboriginal people are able to maximise the benefits of land assets acquired and held by Aboriginal Land Councils.

Support for protection of Aboriginal heritage through the *National Parks and Wildlife Act 1974 (NSW)* reunited Aboriginal people with their land by handing back National Parks. In NSW, this was also assisted by the Registrar's *Aboriginal Land Rights Act 1983 (NSW)* maintenance of the Register of Aboriginal Owners.

The Department continued to help people to access the records of the former Aborigines Welfare Board and Aborigines Protection Board. Those assisted were primarily people of the Stolen Generations who lost connection with their families and communities because of past government policies and practices. This service also assisted these people to verify their claims for stolen wages.

The Department also provided \$281,034 to support sponsorship of regional and cultural events across the State. These included Yabun, as well as NAIDOC events, commemoration of the 1967 referendum and other events that brought members of diverse Aboriginal communities together. It also provided \$21,300 in one-off grants to help families meet funeral expenses.

#### Passage of the Amendments to the Aboriginal Land Rights Act 1983

The 2006-2007 financial year was one of significant milestones for the Department and its role in monitoring the Minister for Aboriginal Affairs' responsibilities under the *Aboriginal Land Rights Act 1983* (*ALRA*).

Landmark amendments to the Act were passed by the NSW Parliament on 22 November 2006 in the form of the *Aboriginal Land Rights Amendment Act 2006* (the Amendment Act).

The Amendment Act was the culmination of an extensive review of the *Aboriginal Land Rights Act 1983* (*NSW*) by the ALRA Review Task Force established by the NSW Government in 2004. The Department's Director-General was a member of the three-person Task Force. The Amendment Act provisions were the subject of extensive community and stakeholder consultations by the NSW Government across the State.

The Department provided information at nine community workshops in regional centres to brief Local Aboriginal Land Councils on amendments to the *Aboriginal Land Rights Act 1983 (ALRA)*.

During January and February 2007, departmental staff participated in a series of regional information workshops on the amendments that were conducted by the NSW Aboriginal Land Council. Overall, the reporting year was marked by the ongoing process of finalising the draft Amendment Bill. There was comprehensive input from a range of stakeholders including numerous government agencies, the NSW Aboriginal Land Council, and the Registrar ALRA.

The Amendment Act provides for changes to the governance and the structure of Aboriginal Land Councils, including the NSW Aboriginal Land Council. It also enacts provisions for improved Aboriginal Land Council planning, in particular, for the best use of assets in achieving economic development for Aboriginal communities.

On 2 February 2007, sections of the Amendment Act came into force to facilitate the election for NSW Aboriginal Land Council (NSWALC) councillors, and strengthen future self-governance. These provisions abolished Regional Aboriginal Land Councils (RALCs), reduced the number of regions and councillors from thirteen to nine, and clarified the roles of NSWALC's elected councillors and Chief Executive Officer.

All remaining provisions of the Amendment Act commenced on 1 July 2007. These remaining sections

introduce provisions for the election of Boards to Local Aboriginal Land Councils for the first time, and introduce a range of further amendments to strengthen Local Aboriginal Land Council governance and structures.

During the year, the Department provided ongoing policy advice to the Minister. Advice was provided on the monitoring of investigators and administrators appointed under the ALRA by the Minister and measures to improve governance and decision making in Aboriginal Land Councils for inclusion in the Amendment Act.

The provisions for strengthened governance in the Amendment Act have been supplemented by new powers of early intervention in the affairs of Local Aboriginal Land Councils (LALCs) (for example, the power to appoint advisors) to avoid the costly appointment of administrators, and to provide greater ongoing support to LALCs.

#### Case Study – How the ALRA amendments help Aboriginal communities

As a result of the amendments, all Local Aboriginal Land Councils (LALCs) and the NSW Aboriginal Land Council (NSWALC), must develop and implement periodic 'community land and business plans'. This will strengthen their operational performance by ensuring they plan how they use their resources more effectively. NSWALC may only approve plans for Local Aboriginal Land Councils (LALCs) if they have been developed and approved by LALC members.

Land councils were given the capacity to provide 'community benefit schemes', such as social housing, education, training and scholarships, funeral funds, cultural activities, child care and aged care, as elements of their 'community land and business plans'. However, these benefits must be approved by the NSWALC and must not impact upon the financial viability of the land council.

These provisions, in tandem with the innovation of elected Boards for LALCs, will make the decisionmaking and operations of LALCs much more transparent. They will also increase confidence and participation in the land council network.

The restructured network will be much better placed to deliver benefits to Aboriginal people, particularly by more effective use of the considerable land assets held by land councils.

LALCs have always been able to run enterprises, and to sell, lease and mortgage land. However, the amendments also improve the governance and structure of LALCs so that business planning will be more rigorous, and will lead to a more effective use of assets.

Using land to grow trees for carbon sequestration is a new type of enterprise LALCs may pursue with the growing awareness of the impact of global warming.

In assisting the process of reviewing and amending the ALRA, the Department promoted a model for land council governance and structure that encourages community engagement and participation in the land council network. This is reflected in statutory requirements for community roles in developing and approving Land Councils' community land and business plans. It is also reflected in the introduction of elected Boards, which will now direct and control the affairs of LALCs.

#### Case Study – Aboriginal Language Research and Resource Centre

The Aboriginal Language Research and Resource Centre oversees funding provided under the Aboriginal Community Language Assistance Program. The Centre used this funding to strengthen Aboriginal communities by supporting people in communities to come together to share and celebrate their language and culture. Community language revitalisation projects help to reduce the social and cultural dislocation caused by the loss of language.

The Department funded the State's first adult Summer School in two Aboriginal languages - Gamilaraay and Gumbaynggirr. The school was held in January at the University of Sydney's Koori Centre. Students were taught by a teacher-linguist and Indigenous language teachers-researchers. Twenty-seven students successfully completed the intense language course and received a Certificate of Attainment.

The program funds projects which support practical and community focussed community language revitalisation. For example, in one of the twelve smaller projects to be funded, Auntie June and Uncle Roy Barker of Lightning Ridge were given \$11,300 to help revive the Murrawarri language. Auntie June and

Performance report Uncle Roy found it difficult to make the journeys or buy materials to share their knowledge.

They were among a very few who knew the language, and had heard others speak it. They used the translations Roy's father had made to share their knowledge of the language with the Weilmoringle Aboriginal community and with inmates at Brewarrina (Yetta Dhinnakkal) Correctional Centre.

The Department's grant helped Uncle Roy and Auntie June to cover the cost of travel to Brewarrina to help Aboriginal inmates regain their cultural links with language. Uncle Roy and Auntie June ran Murrawarri classes, produced an oral history CD, and set of flashcards to assist learning.

The Department also released the first ever CD-ROM dedicated to preserving the State's Aboriginal languages. With potential to increase the teaching of Aboriginal languages in schools across the State, it will help the increasing number of Aboriginal people yearning to reconnect with their traditional language.

Aboriginal Languages of NSW: an introduction for Schools and Communities, portrays the geographical and cultural features of 20 Aboriginal languages. The CD-ROM introduces key features of NSW Aboriginal languages including sounds, spellings, grammar patterns, and the pronunciation and meanings for more than 100 words per language. It also includes links to other helpful language-related resources for continued learning.

This aid to learning, produced in conjunction with the NSW Board of Studies, linguists, and representatives of several Aboriginal communities, supported, strengthened and promoted culture and heritage.

During the 2006-07 financial year, the Department also funded the following projects which will be completed in 2007-08:

- publication of a linguistic handbook of NSW and ACT languages; beginners' courses in Gumbaynggirr, Gamilaraay and Wiradjuri in Newcastle, Kempsey and Nambucca Heads;
- pilot projects for adults at local community colleges in "How to design a community language project", in 11 NSW regional towns;
- a dictionary, posters, flash cards and training manual in Dharwawal at La Perouse;
- three weekend community language workshops and an audio CD of conversational Wiradjuri, at Orange:
- 'Train-the-Trainers' workshops and four Wiradjuri audio CDs, at Kooringal;
- at Batchelor Institute and Murdi Paaki Regional Enterprise, copies of four story books and accompanying CDs in Murrawarri, Ngiyampaa and Yuwaralaay;
- audio CD of conversational Gamilaraay, at Tingha;
- Dharug multi-media dictionary, at Windsor; and
- 'What's That' DVD for preschools, in Gamilaraay, at Tamworth;

The Department also received Australian Government funding from the Department of Communication, Information Technology and the Arts to upgrade the Aboriginal Language Research and Resource Centre website and archive containing references to more than 70 original NSW languages, with 25 referred to in some detail. The website can also be used to browse grammars, dictionaries, field notes and other research notes compiled by linguists and other researchers. It lists organisations, school programs and resources for all areas of NSW.

#### **Case Study – Family Records Unit**

The Family Records Unit within the Department of Aboriginal Affairs continued to work closely with the Department of Premier and Cabinet and State Records NSW on the Aboriginal Trust Fund Repayment Scheme. The scheme was established to repay wages and other monies paid into Aboriginal Trust Funds between 1900 and 1969. The Family Records Unit provided input into the structure, development and implementation of the scheme, administered by the Department of Premier and Cabinet and the responsibility of the Finance Minister, the Hon. John Watkins MP.

The Family Records Unit helped people applying to the Scheme to access records of the former Aborigines Protection Board and Aborigines Welfare Board. The Unit's employees were involved in the indexing of the records of the Aborigines Protection Board and Aborigines Welfare Board, and the maintenance of a database. A Memorandum of Understanding was signed by the Department of Aboriginal Affairs, State Records NSW and the Department of Premier and Cabinet to move indexing to State Records NSW for a period of six months.

Gaguwa, ngaya 'ang garu guuyanigurayi! Dhanggati

Throughout the year, the Unit's staff attended regular Aboriginal Trust Fund Repayment Scheme interagency meetings, and spoke about the Department's role in the scheme at numerous workshops and seminars.

#### **Case Study – Aboriginal Ownership of Stockton Bight**

The Department continued to build on its achievements with the hand-back of areas of Stockton Bight, north of Newcastle to the original custodians of the area, the Worimi people. This area is of special significance to the Worimi people. To help the Aboriginal people with a cultural association with these lands, the Department advised the Minister on appointing members of the Stockton Bight Aboriginal Negotiating Panel, negotiated with the Worimi Aboriginal Land Council and the Department of Environment and Conservation (Department of Environment and Climate Change).

The Department managed the Stockton Bight Aboriginal Negotiating Panel's budget, and gave them information on the interpretation of policy and legislation.

On 19 December 2006, the three parties signed off on a lease to govern the leaseback of Worimi Conservation Areas at Stockton Bight. The lease describes the roles and responsibilities of the new landowners, Worimi LALC, the land manager, Worimi Conservation Land's Board of Management, and the Minister for the Environment, the lessee.

As part of the negotiations, the NSW Government approved a \$2 million package to be paid under the lease. These included \$575,000 as the rental payment, separate monies for park management and preparation of planning documents, as well as employment and training for the Worimi people.

The lease also gave the Worimi Board of Management permission to raise money through park entry fees and commercial licenses for filming, tourism and recreation.

#### Case Study - Celebration of the 40th Anniversary of the 1967 Referendum

Sunday, 27 May, 2007, marked the 40th anniversary of the 1967 Referendum that gave Aboriginal people the full rights of Australian citizenship. This event was a milestone for all Australians, and to commemorate this, the Department hosted eight regional film nights during Reconciliation Week.

The film nights were also supported by the NSW Reconciliation Council, local councils and schools. These partners made in-kind and financial contributions – for example reduced or free venue hire, assistance with catering and publicity.

The Department secured copyright permission to screen *Vote Yes For Aborigines; The Foundation; This Is Their Land*, and *Lousy Little Sixpence*. The screening of *Vote Yes for Aborigines* was the world premier, and it was subsequently screened on SBS during Reconciliation Week. The films were shown at three locations in Sydney, and at Ourimbah, Lightning Ridge, Coffs Harbour, Moruya, and Orange.

For many Aboriginal people, coming together to see these films generated strong emotions. The screenings also gave people the opportunity to learn what had happened in 1967.

#### **Case Study – Aboriginal Employment Strategy**

The Department recognised that it is vital to engage with Aboriginal communities in a culturally appropriate way. Almost half of the Department's staff members identified as being of Aboriginal descent and the Department's Aboriginal Employment Strategy (AES) was developed by bringing together the Department's previous Aboriginal employment initiatives as well as identifying Aboriginal positions, establishing recruitment, training and selection policies and peer support and career development programs.

report

... Hang on, I'll say it again!

#### Service Measures

In 2006-07, the Family Records Unit continued to receive family history research requests from every Australian State, and from applicants overseas. Between July 2006 and June 2007, it received more than 500 phone calls and 300 emails seeking assistance and advice. The Unit completed 120 enquiries, received a number of personal visits from clients, gave several presentations at conferences and community events, and visited key Aboriginal communities throughout the State.

The Department met its target to fund 20 community language projects through the Aboriginal Languages Research and Resource Centre. An additional 12 community language projects received approval for funding in 2006-07 in preparation for the 2007-08 financial year.

Another Service Measure, the percentage of land claims processed, is treated in depth in the Annual Report of the *Registrar, Aboriginal Land Rights Act 1983 (NSW*).



Gayle Caldwell and Tristan Tipps examine some of the Aboriginal language teaching tools developed as a result of the Community Language Assistance Program.

## 3.4 Facilitate community engagement and partnerships: promote Aboriginal participation and engagement in decision-making

The NSW Government recognises the importance of Aboriginal participation in decision making at all levels of implementation of *Two Ways Together*, the NSW Government's 10-year Aboriginal affairs plan. This is because improved outcomes are most likely to be achieved if Aboriginal people are involved in decisions about policy development and service delivery improvements. This approach is also underpinned by the NSW Government's commitment to self determination.

At the regional level, the Department established *Two Ways Together* Regional Engagement Groups to plan improvements to government service provision across NSW. These groups are chaired by the Department and include community representatives from peak bodies and local organisations as well as government representatives from the Department of Premier and Cabinet; the Australian Government's ICC Manager and the Chair of the local Regional Coordination Management Group.

In November 2006, the Department published ten Regional Reports, which brought together data about Aboriginal people and the government services for each of the Regional Coordination Management Group (RCMG) regions of NSW. (CD-ROM copies of these reports are attached to the inside back cover of this annual report.)

These reports have been developed by the Department as part of the regional implementation of *Two Ways Together*. The purpose of the Regional Reports is to provide a "snapshot" of demographic and service information about Aboriginal communities in each region. This information will assist in service delivery, planning and monitoring under *Two Ways Together*. The regional reports will also be used to inform the development of regional action plans.

*Two Ways Together* Regional Action Plans are linked to the NSW State Plan through the F1 Priority and they focus cross-agency effort on a small number of priority goals in each region. They are intended to make a practical difference on the ground and cover a two year horizon with annual reviews.

Several NSW government agencies, the Australian Government Indigenous Coordination Centre Managers, various community representatives and some Aboriginal peak body representatives participated in the development of the plans. All of the plans, with the exception of Greater Western Sydney, were finalised at the regional level.

The Regional Engagement Groups invited other key stakeholders from their regions to help develop Regional Action Plans during February and March this year. Using the regional reports as their basis, these plans are linked to the F1 Priority and they focus on a small number of priority actions where whole of government effort will improve outcomes for Aboriginal people across the region.

At the local level the Department is working with 40 communities across NSW as *Two Ways Together* Partnership Communities. These locations were agreed by the CEO Group on Aboriginal Affairs, as well as the Australian Government as part of the bi-lateral agreement. They were determined by looking at a combination of need indicators and community strengths. The most critical criteria was the community's willingness to work closely with government in partnership to improve outcomes together.

Partnership communities will change over time as work proceeds and needs are met.

The following table includes the current Two Ways Together Partnership Communities:

Region	Partnership Community
Coastal Sydney	La Perouse Redfern (through RWA)
Western/South Western Sydney	Cambelltown/Macarthur Region Greater Mt Druitt area
Central Coast	Central Coast
Hunter	Gloucester Lake Macquarie Taree

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Region	Partnership Community
North Coast	Tabulam Bowraville Ballina
New England/North West	Toomelah/Boggabilla Moree Tamworth
Riverina Murray NSW	Albury Balranald Tumut/Brungle
Mid-Western NSW	Orange Bathurst Wellington Dubbo (through Dubbo 20/20 Vision Plan)
Illawarra/South East	Greater Wollongong Shoalhaven Wallaga Lake
Western NSW/Murdi Paaki (to become partnership communities post COAG trial)	Bourke Brewarrina Broken Hill Cobar Collarenebri Coonamble Dareton/Wentworth Enngonia Goodooga Gulargambone Ivanhoe Lightning Ridge Menindee Walgett Weilmoringle

Community Engagement Days were held in a number of locations to start the Partnership Community work. These days were opportunities for people from the local community to meet directly with people from a range of government agencies to identify the local priorities and start planning to prioritise effort. These days also provided an opportunity for the community to establish a local representative body, such as a community council or working party, to help drive community decision making and planning. The Department continued to support those communities that already had local decision making groups in place so that they became viable and sustainable. As groups started to form, take leadership and organise planning responsibilities, an increasing demand for resourcing became apparent. Securing agency support for this work will be a challenge for the Department in the coming year.

#### Case Study – Working with Community Working Party in Dubbo

The Department's regional officers in Wagga Wagga helped the progress of a Memorandum of Understanding between Dubbo City Council and the Dubbo Aboriginal Community Working Party.

The Community Working Party is comprised of eight Aboriginal persons, each from a different Nation, language or family group in Dubbo. In 2006-07, various government agencies were invited to attend the meetings. However, the Department was the only agency with an ongoing invitation. Matt Rose, a regional project officer for the Department, attended most meetings throughout the year to advise the Community Working Party on departmental policy and to act as a referral point to other government agencies and services. Matt also played a crucial role in monitoring and reporting the concerns of the Dubbo Aboriginal Community Working Party.

The signing of the Memorandum of Understanding on 27 May highlighted Dubbo's celebrations of the 40th anniversary of the 1967 Referendum. The Memorandum is a milestone in relationships between the Dubbo City Council and the Community Working Party, and symbolises the desire of both parties to form a closer and more co-operative relationship.

It outlines the approach to be taken by the Council and the city's Aboriginal Community Working Party to fulfil the aspirations of Aboriginal people in the local community.

The principles of the Memorandum of Understanding include involving the Aboriginal Community Working Party more closely in Council decision making, and a commitment to fine-tune and improve services provided to Aboriginal people by both Council and the wider Dubbo community.

The Community Working Party now advises the Council on cultural matters and plays a designated ceremonial role such as 'Welcome to Country' in official events. It also works collaboratively with Council to enhance job availability and business opportunities for Aboriginal people.

The Memorandum of Understanding outlines the way both parties interact to achieve better outcomes for local Aboriginal people, who remain over-represented in many areas of disadvantage.

The Wagga Wagga regional office also participated in the development and implementation of Dubbo's Vision. One of the main strategies in the plan is for the Community Working Party to collaborate with Aboriginal communities to develop partnerships which improve cultural diversity, inclusiveness, employment, education and health outcomes for the city in its vision for the year 2020. In addition, the Community Working Party joined the Department on the steering committee for the Dubbo 20/20 Job Compact to generate better employment prospects for Aboriginal people. The Department and Community Working Party also arranged a public meeting, which was designed to improve outcomes and service provision for the East Dubbo Aboriginal community.

#### **Case Study – Community Engagement**

Community Engagement Days have been held in some *Two Ways Together* partnership communities across NSW. Partnership communities are communities which were identified as having special needs. The purpose of Community Engagement Days is to bring together Aboriginal communities and government agencies to discuss a wide range of issues relevant to all parties. They were developed to eliminate duplication in discussions with Aboriginal communities and delivery of government services.

The Department worked with the Tabulam Aboriginal community to set up a leadership group, which the community called a Community Working Party (CWP). The CWP and the Department then arranged the Tabulam engagement day to bring Aboriginal communities and government agencies together to discuss issues that most concerned the community.

In February 2006, the Community Engagement Day resulted in the identification of 16 priorities that received funding and other action by State and Australian government agencies. These priorities included education for young people, transport to work, school, health providers, access to goods and services, family violence, employment and a safer community.

Through the Community Engagement Day, the Tabulam community developed a partnership with the NSW Department of Employment and Training to get more parents involved in schooling with the aim of reducing the incidence of truancy. Through this partnership, Elders became involved in curriculum delivery and support for students.

One in four eligible adult Aboriginal people have their drivers' licence compared with three in four in the mainstream community. As the need to help Aboriginal people gain their drivers' licences helped them gain employment away from the isolated town, the Department was involved in setting up a 'Train-the-Trainers' program with TAFE NSW and the Ministry of Transport. This was especially important in Tabulam where people do not have access to taxis or public transport, so people's chances of getting a job were limited by being unable to drive.

To plan and support this initiative, the Department worked with Moree, Inverell and Tamworth Transport Working Groups, South Inverell Residents Association, Tamworth Indigenous Coordination Centre (ICC), Road Safety Officers – Tamworth / Moree, Road & Traffic Authority and RTA Aboriginal Program Advisors, TAFE – Tamworth/Moree/Boggabilla, State Debt Recovery Office, Hunter New England Area Health Service, Tamworth Aboriginal Medical Service, Probation and Parole (Corrective Services), Job Network Agencies,

Performance report Moree Plaines Shire Council, Inverell Shire Council, Tamworth Regional Council and Gunnedah Shire Council.

Eight people were selected to receive training so they can conduct future programs for groups of ten participants. This project was aimed at rolling out the 'Train the Trainer' to locations across the New England North West targeting fifty people (ten from each location). This project trained them to deliver the driver training program to disadvantaged people across the region utilising Job Network funding.

Local and Community Transport has built a relationship with the State Debt Recovery Office, developed partnerships and secured funding (cash/in kind). The ICC, Department of Aboriginal Affairs and TAFE developed the project on a regional scale.

The protocols for the Community Engagement Days developed through the Coffs Harbour regional office were duplicated in Tamworth. In addition to the engagement day at Tabulam, the Coffs Harbour regional office also hosted similar events at Ballina, Lake Macquarie, Gloucester and Taree to give the Aboriginal people a voice and a relationship with other government agencies towards a true partnership.



Students spray painting an Aboriginal design on a State Transit Authority bus at Yarra Oval in La Perouse.

Jing-gee Walla. Ngalling-gah wandardan galla nganyah ngoymalair

Bundjalung

#### **Service Measures**

In 2006-07, the Department's target was for 30 per cent of communities to be covered by community governance structures.

#### Bourke

In the Bourke region, there were 16 communities: all with Community Working Parties. There was also a regional Governance Structure, the Murdi Paaki Regional Assembly. All receive and participate in Governance training and most "refresh" every 12 to 24 months.

A community governance structure is a leadership group established by the local community with representatives from across the community. They have a charter or terms of reference and are accepted by the Department of Aboriginal Affairs and the community as credible local decision-making structures.

The purpose of the community governance structure is to build community strength and capacity and to work with government to improve service provision and outcomes for Aboriginal people in that community.

#### Coffs Harbour

The Coffs Harbour Region had six partnership communities operating under *Two Ways Together*. These were Ballina, Tabulam, Bowraville, Taree, Gloucester and LakeMacquarie. Within the Region there are Aboriginal Communities Development Program sites at Kempsey (Mulli Mulli), Tabulam and Cabbage Tree Island. Each of these sites was governed by local governance structures such as Community Working Parties. The Community Working Parties were at different stages of evolution. Several already had Codes of Conduct and Terms of Reference.

The *Two Ways Together* Partnership Communities within the region were progressing with support from their communities. They also received support from the non-government organisations that sometimes played a pivotal role as secretariats. In some cases, working parties operated on a voluntary basis with an unpaid community coordinator.

#### Tamworth

The Tamworth Region concentrates its efforts on four Partnership Communities that are Toomelah-Boggabilla, Moree and Tamworth as well as Aboriginal Communities Development Program projects that are Toomelah-Boggabilla (combined), Moree and Armidale.

There are community governance structures in Toomelah-Boggabilla, Moree and Armidale and the Department will work with the three communities to strengthen their structures. In Tamworth, the Department has also begun working with the Northern Tablelands Aboriginal Sovereign Elders Authority, which has membership across nine communities in the Northern Tablelands.

#### Riverina/Murray and Midwest (Wagga Wagga)

In Wagga Wagga, community governance structures exist in the Department's partnership communities of Dubbo, Orange, Bathurst, Wellington, Albury and Tumut/Brungle. The only Partnership Community without a community governance structure was Balranald.

#### Narooma

In the Narooma Region, two of three Partnership Communities had community governance structures. These were Illawarra Aboriginal Community Based Working Group, in Wollongong, and Shoalhaven Safe Community Aboriginal Partnership, in Nowra.

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... Welcome to our learning place, where we speak our language

## 3.5 Improve access to and planning of government services

A key to reducing the current level of Aboriginal disadvantage is to ensure services offered by government are readily accessible and are monitored to ensure they are reaching the people who need them. As a result, the Department worked with government agencies to ensure that their services were accessible and appropriately focussed and sensitive to the needs of Aboriginal people.

The Department brought government and non-government agencies and industry groups together to cooperate on the generation of employment specifically for Aboriginal people through Job Compacts. Having the regular income from a job is one of the most important contributors to a sense of well-being.

Job Compacts are agreements that identify ways for signatories to provide job opportunities for Aboriginal people. These Compacts recognise that government agencies, businesses and industry groups can work together to help Aboriginal people find jobs and keep them.

The Department also led the work of the Aboriginal Communities Development Program to provide opportunities for employment and training, and to improve community health and infrastructure. Access to improved water, sewerage and employment and training were promoted through the Aboriginal Communities Development Program. The Aboriginal Communities Development Program is a \$240 million government program to improve living conditions for Aboriginal people in designated priority communities around the State. As well as upgrading housing, a key part of the program is offering employment and training opportunities to local Aboriginal people where possible.

The Department, in partnership with the Department of Commerce, provided a whole of government approach to generation of jobs through *Aboriginal Participation in Construction – Implementation Guidelines*. These Guidelines created and extended employment opportunities for Aboriginal people by mandating participation as a condition of tender when procuring government construction projects. The construction projects could include demolition, building, landscaping, maintenance, civil engineering, mining and heavy machinery, and those with private sector participation.

#### Job Compacts – Case Study

To provide a forum for the development of Job Compacts, the Department engaged industry groups, chambers of commerce, NSW government agencies, key Aboriginal organisations, and local governments to increase the employment of Aboriginal people. The Department also brought in key peak bodies including Australian Business Limited, Unions NSW and the Local Government and Shires Associations of NSW. An important part of this work focussed on building strong relationships between employers and Aboriginal communities.

Negotiations commenced in Tamworth and Dubbo.

Negotiations will soon commence in the Illawarra, Newcastle-Hunter area, the St Marys-Blacktown-Mt Druitt area in Western Sydney, the Campbelltown area in South-West Sydney, Eastern Sydney, Wagga Wagga and Tweed Heads.

Showing employers the benefits of recruiting more Aboriginal people is fundamental to this work. Job Compacts present opportunities to overcome labour market shortages, enhance access to the range of employment and training services available through various government programs, and can support employers to build a diverse workforce that is not only reflective of their client base, but also expands the cultural perspective of their organisation.

The activities during this financial year build on work done to develop Job Compacts in the previous financial year, and the NSW Premier's commitment to develop 12 across the State. Three organisations were engaged to work with the Department to develop these Job Compacts:

- Yarn'n Employment, Training and Consulting Services will develop Job Compacts in Blacktown/Mt Druitt, Campbelltown-Macarthur, Wagga Wagga, Dubbo, Eastern Sydney and Tweed Heads.
- Illawarra Aboriginal Corporation will develop a Job Compact in the Illawarra.
- Youloe-ta Indigenous Development Association Incorporated will develop a Job Compact in the Hunter-Newcastle area.

The Department's funding of \$58,746 to Gannambarra Enterprises in the previous year, produced strong results in the 2006-007 financial year. This investment in employment of Aboriginal people was used to

provide mentoring to help Aboriginal people find jobs in Wagga Wagga. The mentor engaged part-time under this funding helped 407 people to look for work and saw more than 16 individuals and businesses per week.

To support the development of Job Compacts the NSW Government and key umbrella organisations including Australian Business Limited (State Chamber of Commerce), NSW Local Government and Shires Association, Unions NSW and the NSW Aboriginal Land Council, negotiated an overarching Memorandum of Understanding. This agreement and accompanying action plan sets out key principles for parties to work together and outlines the roles and responsibilities for each party to progress regional and industry job compacts.

#### Case Study – The Aboriginal Communities Development Program (ACDP)

A major departmental achievement has been the continued implementation of the ACDP, which has improved the health and living conditions of Aboriginal people through building, repairing and buying houses, providing sustainable water and sewerage infrastructure, and opportunities to participate in paid employment, education and training. Most of the work has targeted 22 priority communities, selected for their significant level of need. Since the program began, fewer Aboriginal people seem to have suffered from environmental health related conditions.

The ACDP has helped local Aboriginal building companies to become self-sustaining.

The Department worked with some of these Aboriginal communities by involving more people in education and training projects. This was achieved while contributing to stronger regional economies through support for Aboriginal building companies. Through these companies, the Department provided houses to live in, clean water to drink and efficient sewerage systems.

While the Department of Commerce managed the broader programs and outsourced projects, the Department of Aboriginal Affairs undertook community development, administered payments, ran training programs and oversaw housing allocations.

Program management across the 22 priority communities and the water and sewerage initiative is done by the NSW Department of Commerce. NSW Health is the program manager for the Housing for Health component of the program.

The Department of Aboriginal Affairs supported planning for the ACDP through the ACDP community working parties. These continued to advise the Department on the most appropriate housing allocations and participated in decision-making in relation to the local housing program.

The priority communities are: Armidale, Boggabilla/Toomelah, Bourke, Brewarrina, Cabbage Tree Island, Collarenabri, Condobolin, Dareton, Engonia, Goodooga, Gulargambone, Kempsey, Lightning Ridge, Coonamble, Menindee, Moree, Muli Muli, Murrin Bridge, Tabulam, Walgett, Weilmoringle and Wilcannia.

At the end of 2006-07, 13 Aboriginal building companies had been established. Two operating companies were wound up. Between them, the existing companies have had more than 250 Aboriginal employees. Of 222 apprentices and trainees who started, 70 had graduated and 110 were still involved in training at the end of the financial year.

#### ACDP water and sewerage

On 30 November 2006, seven Aboriginal students received TAFE qualifications to help in the maintenance of a clean water and sewerage treatment project at the small and remote Aboriginal community of Malabugilmah. The total cost of the program was over \$1,000,000, with the Department of Aboriginal Affairs contributing \$400,000 of this.

The work at Malabugilmah made a great contribution to the health and wellbeing of this Aboriginal community.

Malabugilmah is one of 42 communities across NSW to receive new or improved water and sewerage systems.

The seven Aboriginal people who trained through Grafton TAFE and contributed to the work in Malabugilmah village, received Rural Operation Certificate III. This provided them with a very useful qualification in tractor operation and horticulture.

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As a result of their training, the community has the skills to maintain and operate the waste-water facility. This occurs through cyclical testing of water quality, pruning trees, mowing, maintaining pumps and coordinating licensed trades to meet the maintenance schedules.

This is an important project because the previous sewerage treatment facility was discharging poorly treated sewage effluent into the local creek.

The upgraded facility uses environmentally-friendly technology. The community will continue to clean up community areas, and can hold regular sporting and social activities on the oval that is kept green with waste water recycled through constructed wetlands.

#### **ACDP Education and Training**

Years of sustained work in ACDP-priority communities have provided apprenticeships in the construction trades and built Aboriginal enterprise companies.

Many of the Aboriginal people receiving the benefits of these traineeships had had partly completed trades. However, the Department helped them to gain higher level qualifications that can be used anywhere in Australia.

Some apprentices, however, had started without any training and experience, so the Department has assisted Aboriginal building companies to bridge the gap between being profitable and using inexperienced labour.

To achieve this, the Department negotiated an agreement with the Australian Government Department of Employment and Workplace Relations and NSW TAFE. This typifies the Department's role in bringing government agencies together to improve the lives of Aboriginal people.

The agreement recognised that the people were relying on Community Development Employment Projects program payments for two days work a week. Under the agreement, the Australian Government paid for four days a week through various programs, which was equivalent to an apprentice's salary.

The Department subsidised Aboriginal building companies at the rate of \$10,000 per person to cover the cost of supervising unskilled apprentices because of the more intensive supervision required.

Aboriginal corporations were given a one-off grant of \$100,000 to pay for sheds, tools and equipment needed to get started.

To ensure that quality standards were met and to make sure value for money was achieved, the Department of Commerce was engaged to provide an independent assessment of the quality of work being done. Thus, the Aboriginal building companies have been operating in a semi-commercial environment.

The Department signed a Memorandum of Understanding with NSW TAFE to provide training in more remote locations, as it was not always practical for trainees to travel from remote towns such as Bourke or Goodooga to Dubbo to learn in classrooms. Under the Memorandum, TAFE agreed to send a teacher to work on building sites for 360 hours a year. Providing training on the work sites has proved to be one of the best ways to help the trainees learn as they could apply their lessons directly to work responsibilities. If they needed to gain numeracy skills, for example, they were taught how to calculate the lengths, spacing and angles of joists.

By 2006-07, many of the trainees were reaching their third or fourth year and gaining their qualifications. Most trainees stayed on because they had practical training, a supportive network of other people, and fair wages. At least 222 trainees had reliable jobs for a fixed period of time in communities where long-term employment was usually unavailable.

The communities gained an improved skills base and some trainees have graduated as full tradespeople. In Armidale, for example, many of the graduates are now working in the private sector. Many trainees have turned their lives around. For example, under the ACDP, the Armidale Building Aboriginal Company (ABAC) was formed to provide Aboriginal employment and training. The ABAC started with 18 apprentices, most of whom had partly completed qualifications, and therefore, had shortened apprenticeships through recognised prior learning. Of nine who are now qualified apprentices, six have obtained mainstream jobs and three have been employed as tradespersons (carpenters) by ABAC. ABAC employs a total of 14 staff.

Yaarri yarrang

Gumbaynggirr

In Toomelah/Boggabilla, the Department's partnership with a private enterprise commenced effective operations immediately without the Department's subsidy.

Some Aboriginal building companies obtained contracts by tendering for work and showed that they can compete independently in the open market.

The Department levered government work for building companies in areas suffering from economic decline and the effects of the drought. These companies didn't have the consistent demand seen by companies working in growth areas.

Feedback on trainees across the ACDP is that they are as good, or better, than the tradespersons coming out of the mainstream.

#### Case Study – Aboriginal Participation in Construction Guidelines

NSW Government investment in the construction industry, which amounts to around \$7 billion annually, has the potential to play an important role in supporting long term improvements to the employment and economic status of Aboriginal people.

Depending on the region, between 10 and 17 per cent of Aboriginal men in NSW are employed in construction and a growing number of Aboriginal women are also making it one of the main employers of Aboriginal people in the State.

Published by the Department of Aboriginal Affairs, Department of State and Regional Development and Department of Commerce, the *Aboriginal Participation in Construction Guidelines* apply to projects commencing 1 January 2007, and are aimed at supporting and encouraging more employment and business opportunities for Aboriginal people in government construction projects. These Guidelines were updated and simplified from those first issued in January 2001.

There has been no consistent means of determining how many equivalent full-time positions were created on government construction contracts or related projects. However, the Department of Aboriginal Affairs and Department of Commerce proposed changes to several key procurement documents to enable the measurement of equivalent full time positions on contracts, including Aboriginal-specific positions.

When these changes are implemented, it will be possible to measure Aboriginal employment outcomes across a broad range of contracts.

#### Service Measures

Target: By the end of June, 70 per cent of ACDP-priority Aboriginal communities will have access to satisfactory environmental health infrastructure. Result: By the end of June 2007, all 22 ACDP priority communities had had significant work commenced on their housing and infrastructure programs.

Upgrading of Water and sewerage infrastructure had been undertaken in 42 locations.

Eleven water and sewerage projects were completed, exceeding the Department's target for the year by three.

Thirty four homes were repaired, falling short of the Department's target of 50. This was because of slower than expected progress at Cabbage Tree Island and at Weilmoringle where ten houses were not repaired because of a lack of tradespersons able to work in this remote location.

Fifty three new houses were built, falling short of the Department's target of 60. The Department of Aboriginal Affairs is working with Aboriginal communities and community builders to develop management strategies to speed up progress to ensure that much needed improvements to housing and infrastructure are provided.



Performance report

... goodbye [I'm going]

## 3.6 Provide strategic whole-of-Government leadership on the Government's approach to Aboriginal issues

At the national level, the Department provided support and advice to key organisations such as the Ministerial Council for Aboriginal and Torres Strait Islander Affairs, and Council of Australian Governments and Intergovernmental Aboriginal Affairs Group (IAAG). In response to the report of the Aboriginal Child Sexual Assault Taskforce, the Department contributed to the development of policies to empower Local Aboriginal Reference Groups to take control of policing within their communities. Through the Indigenous Generational Reform Working Group, the Department led work on national data reform, resulting in an expansion of the Australian Bureau of Statistics' National Aboriginal and Torres Strait Islander Social Survey (NATSISS) in 2008.

At the state level, advice to the Government was provided primarily through the Chief Executive Officers' Group on Aboriginal Affairs (CEO Group), which was chaired by the Director-General of the Department of Aboriginal Affairs. Through *Two Ways Together*, the NSW Government's 10-year Aboriginal Affairs plan, several groups have been established which report directly or indirectly to the CEO Group. These included the *Two Ways Together* Coordinating Committee and Cluster Groups for economic development, culture and heritage, justice and families. Committees were also established to work on data, evaluation and research projects.

#### Two Ways Together

The Department of Aboriginal Affairs is the lead agency for *Two Ways Together*, the NSW Government's ten year plan to improve the wellbeing of Aboriginal people and their communities.

*Two Ways Together* requires government agencies to work together with Aboriginal people to ensure that services used by Aboriginal people are accessible and culturally appropriate. The plan also recognises that government services need to work in partnership and provide the best and most appropriate service.

The plan focuses on the areas of greatest need, identified by the Department of Aboriginal Affairs working with Aboriginal people. These areas are administered under the broad headings of:

- justice;
- economic development;
- culture and heritage; and
- families and communities.

Through *Two Ways Together*, NSW and Australian government agencies, Aboriginal people and Aboriginal organisations were brought together in a structured and systematic way – a first for NSW in regard to Aboriginal affairs.

The Department continued to lead Two Ways Together by:

- helping to establish a collective approach to the development of policy through the Chief Executive Officer (CEO) Group;
- providing direction to the Two Ways Together Coordinating Committee which is responsible for implementation of Two Ways Together;
- working with Senior Officers' Groups to develop and implement whole of population strategies to address Aboriginal issues;
- focussing on issues that benefit from a multi-agency approach;
- advising government departments on using existing resources more effectively; and
- establishing a structure to help Regional Engagement Groups provide advice on service delivery.

#### **Regional Engagement Groups**

To ensure that government agencies are improving service provision at the regional level, a network of Regional Engagement Groups (REGs) was established under *Two Ways Together*.

REGs include representatives from NSW and Australian government agencies and regional representatives of peak Aboriginal organisations. REGs are coordinated through the regional offices of the Department and are subcommittees of the Regional Coordination Management Groups supported by the NSW Department of Premier and Cabinet. Under *Two Ways Together* eight REGs have been established – one

for each RCMG region: Central Coast, Hunter, Illawarra/South East, Mid-Western NSW, New England/ North West, North Coast, Riverina/Murray, Western/South Western Sydney. A REG is being established in Murdi Paaki as part of the transition from the COAG Trial.

In 2006-07, the core membership of the REG consisted of:

- the Department of Aboriginal Affairs Regional Manager
- Indigenous Coordination Centre Manager (Australian Government);
- Regional Coordination Management Group (RCMG) Chairperson;
- Regional Coordinator of the RCMG (Department of Premier and Cabinet); and
- individual community and peak Aboriginal organisational representation.

In 2007-08, the REG membership is being refreshed to formalise the participation of Aboriginal peak bodies and the key NSW Government agencies.

The role of the REGs is to:

- monitor progress against goals in the state and regional action plans;
- develop priorities and oversee projects referred by the CEO Group on Aboriginal Affairs or through the State Plan;
- oversee work being undertaken in the Partnership Communities; and
- identify policy issues for consideration by the Department of Aboriginal Affairs and the Australian Government Department of Families, Community Services and Indigenous Affairs.

The Department's ten Regional Reports brought together data about Aboriginal people and the government services for each of the RCMG regions and provided a "snapshot" of demographic and service information about Aboriginal communities in each region. This information will assist in service delivery, planning and monitoring under *Two Ways Together*. The Regional Reports were also used to inform the development of Regional Action Plans.

#### **Two Ways Together Regional Action Plans**

During the course of the year, the Department worked with REGs to develop *Two Ways Together* Regional Action Plans.

The Plans identified:

- a small number of significant goals for each region for the coming financial year;
- the agency to lead the work towards each goal, in collaboration with other agencies and local Aboriginal organisations;
- the most important actions that contribute to achieving the goals;
- the agencies that will contribute to achieving the goals;
- barriers hindering progress;
- need for new or improved allocation of resources to fill gaps in service delivery; and
- monitoring and reporting that will track action and performance.

The goals varied between regions, but addressed two targets that were identified in the NSW Government's State Plan:

- Close the gap between Aboriginal and all students in primary school numeracy and literacy rates by 2016; and
- Over five years, reduce by 15 per cent hospital admissions for Aboriginal people with conditions that can be appropriately treated at home.

Each region developed its own set of four or five goals. The following are representative of these goals:

- Aboriginal babies have a healthy start to life;
- healthier families;
- Aboriginal children are ready for school;
- Aboriginal people are employed in sustainable jobs;
- implement early intervention and prevention activities that address chronic disease;
- Aboriginal mothers have their first child later in life;
- Aboriginal school students go on to further education, employment or training;
- improved prevention and access to treatment of high impact diseases;

- stronger partnership between communities and Government agencies;
- culturally appropriate service delivery;
- safer communities;
- better housing; and
- Aboriginal people have a stronger identity and culture.

#### **Case Study – Central Coast Regional Plans**

The Central Coast Aboriginal Services Action Committee (CCASAC) is the community governance structure that represents the interests of local Aboriginal people. It co-chairs the Central Coast REG with the Department of Aboriginal Affairs' Regional Manager. The CCASAC's members are members of the Aboriginal community, and members of non-government and government agencies.

The Department provided this committee with \$30,000 to pay for research on community needs across the Central Coast, which they will do early in 2007-08. The information will be used to develop the community action plans in alignment with the Central Coast Regional Action Plan and NSW State Plan.

The Department also supported the CCASAC to give it the capacity to meet with the Central Coast Regional Action Plan Partners, such as the Department of Education to develop plans for Aboriginal Learning and Knowledge Centres. This will help generate a culture of achievement in education for school aged children and their parents.



Matthew Swadling and Greg Slabb review items of interest in the ACDP results.

## OFFICE OF THE REGISTRAR ABORIGINAL LAND RIGHTS ACT 1983 (NSW)

Performance Report – 2006/07



## Performance Report – 2006/07

The priorities of the Registrar, Aboriginal Land Rights Act 1983 (NSW) ("the Registrar") include:

- the effective and efficient performance of the statutory and ancillary functions of the Registrar in accordance with the Aboriginal Land Rights Act 1983 (ALRA);
- the provision of timely and accurate advice and assistance to Aboriginal Land Councils in accordance with the ALRA;
- the provision of timely and accurate advice and assistance to persons seeking to be registered as Aboriginal owners pursuant to the ALRA;
- the provision of timely and accurate advice to the Minister administering the ALRA;
- the provision of information and the promotion of the ALRA to all relevant persons; and
- the effective performance and development of the resources available to the Registrar.

#### Background

The Registrar is a statutory office holder appointed under the *Statutory and Other Offices Remuneration Act 1975.* While the Registrar is administratively linked to the Department of Aboriginal Affairs, the independence of the Registrar is recognised by the Government, allowing the Registrar to carry out all statutory functions (as defined below) without actual or perceived influence. The Registrar's Office is located within Tranby Aboriginal College, at Glebe. The Minister administering the ALRA supervises the Registrar in relation to these statutory functions.

The Registrar is a separate legal entity from the Aboriginal Land Councils constituted under the ALRA.

#### Summary of statutory functions

The functions of the Registrar are listed in section 165 of the amended ALRA:

- to register land claims made under the ALRA by the New South Wales Aboriginal Land Council (NSWALC) or any Local Aboriginal Land Council (LALC);
- to maintain the Aboriginal Land Claims and Aboriginal Owners' Registers;
- to approve the rules of the Land Councils in the New South Wales Aboriginal Land Council network;
- to make recommendations to the Minister and carry out such other prescribed functions in relation to the constitution of LALCs and their areas including: any alteration to their areas, boundaries and the changing of their names;
- to make recommendations to the Minister and carry out such other prescribed functions in relation to the alteration of area boundaries and the changing of names of regions;
- to issue compliance directions to Aboriginal Land Councils, officers of Aboriginal Land Councils and councillors relating to the administration of the ALRA and the regulations, and to refer failures to comply with such directions to the Court;
- to mediate, conciliate or arbitrate disputes relating to the administration of Aboriginal Land Councils or to refer such disputes to independent mediators, conciliators or arbitrators;
- to investigate complaints regarding the non-disclosure of pecuniary interests, misbehaviour by councillors, Board members, members of staff and consultants to Aboriginal Land Councils and breaches of the ALRA and the regulations;
- at the request of the Minister, to provide to the Minister information as to the operation of an Aboriginal Land Council; and
- such other functions conferred or imposed on the Registrar by or under the ALRA or any other Act.

Several ancillary functions arise from the statutory functions of the Registrar. The principal ancillary functions of the Register are:

- to provide advice about the meaning and operation of the ALRA, Aboriginal Land Rights Regulation 2002 (ALRR) Aboriginal Land Rights Further Amendment Regulation 2007 and the rules of Aboriginal Land Councils;
- to provide advice about the Aboriginal land claims process;
- provide advice about the information required for a person to establish their descent and cultural association with land to enable them to be registered as an Aboriginal owner pursuant to the ALRA and regulations; and
- to provide information, education and training about the ALRA and regulations.

#### The work of the Registrar in 2006-2007

#### Aboriginal Land Rights Amendment Act 2006 and the Aboriginal Land Rights Further Amendment Regulation 2007

Over the last 23 years, land rights in New South Wales have delivered a solid economic and capital base to Aboriginal people. However, the Government and the NSW Aboriginal Land Council recognised the ALRA was deficient in enabling Aboriginal Land Councils to effectively manage and utilise their assets, promote economic independence and ensure appropriate governance of Aboriginal Land Councils.

Given these considerations, in May 2004, the then Minister for Aboriginal Affairs, Dr Andrew Refshauge, announced a review of the ALRA and appointed a Task Force to do the work. The Task Force members were Department of Aboriginal Affairs Director-General, Jody Broun; the Administrator of NSWALC, the late Murray Chapman; and the Registrar of the Aboriginal Land Rights Act 1983, Stephen Wright (Chair of the Task Force).

The Task Force worked on the ALRA review throughout 2004 and 2005 and completed two substantial issues papers:

- (i) Review of the Land Dealings provisions of the ALRA; and
- (ii) Structure, Representation, Governance and Benefits.

Both issues papers are available on the Department's website: www.nsw.daa.gov.au

Following delivery of the Task Force issues papers and a series of consultation meetings, the Minister considered the perspectives of both Government and Aboriginal Land Councils. Seventy-six recommendations made by the Task Force resulted in the *Aboriginal Land Rights Amendment Act 2006* and the *Aboriginal Land Rights Act Further Amendment Regulation 2007*.

On 22 November 2006, NSW Parliament passed the Aboriginal Land Rights Amendment Act 2006. Its aim is to improve the structure, representation and governance of Aboriginal Land Councils and enhance the range of benefits available to Aboriginal people through the New South Wales land rights system.

Due to time constraints and the complexity of the proposed land dealings amendment provisions, these were postponed to the 2007-08 financial year.

#### **Aboriginal land claims**

The ALRA provides that Aboriginal Land Councils or NSWALC may make a claim for Crown Land(s) that:

- are able to be lawfully sold or leased, or are otherwise reserved or dedicated for any purpose, under the Crown Lands Act 1989;
- are not lawfully used or occupied;
- do not compromise lands which, in the opinion of the Crown Lands Minister, are needed or likely to be needed as residential lands;
- are not needed or likely to be needed for an essential public purpose;
- do not comprise lands that are subject to an application for a determination of native title (other than a non-claimant application that is an unopposed application) that has been registered in accordance with the Commonwealth Native Title Act 1993 or the Native Title Act 1994 (NSW); and
- do not comprise lands that are the subject of an approved determination of native title (within the meaning of the *Commonwealth Native Title Act 1993*), other than an approved determination that no native title exists in the land(s).

Individual land claims must be lodged with the Registrar before they can be forwarded to the Minister administering the *Crown Lands Act 1989* for determination. The Registrar must decide whether the land claim is in a proper form for a determination to be made. One or more LALCs may lodge a land claim for land within their area. Such a land claim must clearly identify the land claimed, and if so, the Registrar is bound to register the claim. If one or more LALCs make a land claim outside their area(s) the Registrar must approve the claim before it can be registered.

Once a land claim is registered, it is referred to the Department of Lands for investigation to determine if it is 'claimable Crown Land'. The Minister administering the *Crown Lands Act 1989* determines if the land is claimable Crown Lands. If the Minister refuses a land claim, the claimant Aboriginal Land Council may appeal the decision to the Land and Environment Court.

Performance report

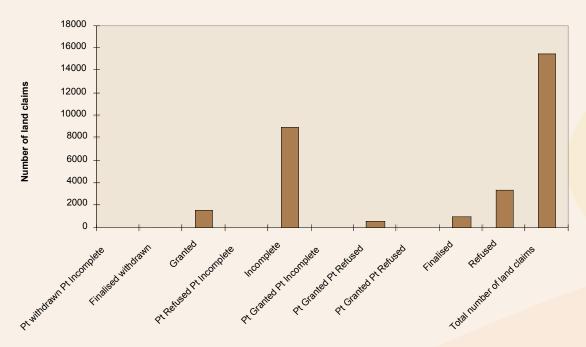
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- The total number of land claims lodged with the Registrar since the commencement of the ALRA (1983) is 15,572.
- The total number of land claims that have not yet been determined by the Minister administering the *Crown Lands Act 1983* is 8,978.
- The total number of land claims that have been determined and appealed to the Land and Environment Court is 325.

The NSW Aboriginal Land Council's systematic identification of claimable Crown Land throughout New South Wales in the previous years resulted in a higher than normal number of claims lodged. This continues to place significant administrative pressure on the Registrar and the Department of Lands.

#### **Register of Aboriginal Land Claims**



The graph above indicates the current status of the Aboriginal Land Claims Register.



Phillip Sullivan (Mount Grenfell board of Management Chairperson) sings 'thou shall not steal' at Myall Shores Worimi Conservation Lands Aboriginal owner nomination meeting (Adam Black).



Adam Mclean (Worimi Conservation Lands legal representative), Stephen Wright (Registrar, ALRA) and Ross Pearson (Manager Compliance and Regulation Unit, DAA) at the Worimi Conservation Lands hand back (Adam Black).



Sylvie Ellsmore, Rachel Lenehan and Jody Broun (Director General, DAA) at the Worimi Conservation Lands hand back (Adam Black).

Adam Black (Senior Project Officer, Registrar's Office), Rachel Lenehan, Megan Mebberson (Senior Project Officer, Registrar's Office) on the sand at the Worimi Conservation Lands.





#### Aboriginal Land Council areas and boundary matters

Regional Aboriginal Land Councils were abolished with the commencement of the amended ALRA. The network now consists of nine regions and each has a representative on the NSWALC elected by voting members in that region. A map of these regions showing the boundaries of Aboriginal Land Councils is available from the Registrar. Copies of these maps continue to be distributed to Aboriginal organisations, Government agencies and interested parties across NSW. There were no changes to the boundaries of LALC areas in the current year.

#### **Aboriginal Land Council operations**

The Registrar continued to provide advice and assistance to Aboriginal Land Councils. Particular emphasis continues to be given to the Land Claims Register, the procedures for dispute resolution (mediation, conciliation and arbitration), the procedures for the practice of issuing compliance directions and investigations of failures to disclose pecuniary interests or other breaches of the ALRA. Throughout this past year, the Registrar has assisted in the resolution of many disputes within the Aboriginal Land Council network including major land dealing, management and governance-related disputes.

The current year has seen a sharp increase in the number and complexity of disputes involving Aboriginal Land Councils. This is due to a number of reasons, the most prominent being the increasing wealth and complexity of operations within some Aboriginal Land Councils.

Effective dispute resolution mechanisms within the ALRA will be critical to the ongoing success of the amended legislation.

#### The Register of Aboriginal Owners

In NSW there is a legal process called joint management. Joint management has been defined as 'a negotiated and legally binding agreement, usually in the form of a lease, between indigenous owners of land and a national parks agency, for the formal establishment and management of a National Park on land owned by Aboriginal people.' <sup>1</sup>

In 1996, both houses of the NSW Parliament unanimously passed laws to enable joint management of certain lands in NSW (see map on page 40). This is in line with recommendation 315 of the Royal Commission into Aboriginal Deaths in Custody that advocated for the establishment of joint management arrangements to 'protect and preserve the rights and interests of Aboriginal people with cultural, historical and traditional association with national parks'.<sup>2</sup>

Joint management in NSW involves title to the lands being vested in an Aboriginal Land Council and leased to the Minister for the Environment. The Aboriginal owners and the Department of Environment and Conservation (Department of Environment and Climate Change) then jointly manage the land. A board of management is established for each area of land under joint management and consists of a majority of Aboriginal owners. The other board members are a representative from the LALC, DECC, Shire Council, a neighbouring land holder and a person representing conservation interests.

The Registrar has a role in the joint management process by being legally required to keep a Register of Aboriginal Owners ("the Register"). Aboriginal owners are central to the joint management process and receive a range of legal rights. One of these rights is to be considered for appointment to boards of management set up for lands that are to be jointly managed.

In keeping the Register, the Registrar has the following responsibilities:

- to use his best endeavours to enter in the Register the name of every Aboriginal person with a cultural association with land in NSW;
- to only enter the name of an Aboriginal person in the Register if the Registrar is satisfied that the Aboriginal person:
  - has consented to the entry of their name in the Register;
  - is directly descended from the original Aboriginal inhabitants of the cultural area in which the land is situated; and
  - has a cultural association with the land derived from the traditions, observances, beliefs, customs or history of the original Aboriginal inhabitants of the land.

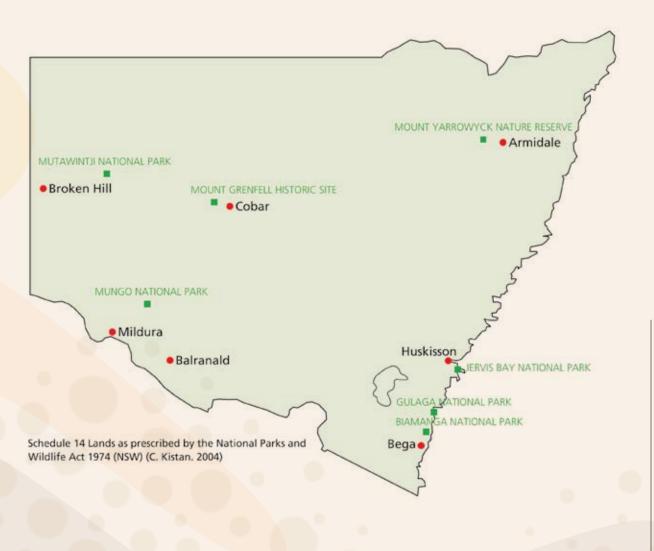
 to give priority to the entry in the Register of the names of Aboriginal people with a cultural association with land listed in Schedule 14 to the National Parks and Wildlife Act 1974 ("Schedule 14 areas") or lands that have been claimed by Aboriginal Land Councils under section 36A of the ALRA ("36A lands").

Lands listed in Schedule 14 are reserved or dedicated (eg. as a National Park or Historic Site) under the *National Parks and Wildlife Act 1974*, and have been identified as being of cultural significance to Aboriginal people.

Notes:

<sup>1</sup> D. Lawrence, Kakadu, The Making of a National Park, Melbourne University Press, Carlton South, 2000, p. 8.

<sup>2</sup> Second Reading Speech, 20 November 1996, NSW Legislative Assembly, Hansard.



REGISTRAR, ABORIGINAL LAND RIGHTS ACT 1983 (NSW)

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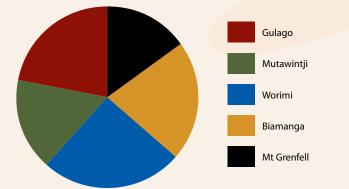
Schedule 14 areas currently jointly managed	Schedule 14 areas not yet jointly managed	Section 36A lands currently jointly managed	Section 36A lands not yet jointly managed
Mutawintji National Park (under joint management since 1998).	Mungo National Park (currently engaged with an informal co-management arrangement).	Worimi Conservation Lands (under joint management since February 2007).	South Beach near Nambucca Heads.
Mount Grenfell Historic Site (under joint management since July 2004).	Mount Yarrowyck Nature Reserve (research team engaged).		
Biamanga National Park (joint management commenced in May 2006).	Jervis Bay National Park (awaiting land claim determinations).		
Gulaga National Park (joint management commenced in May 2006).			

The table above represents the current status of Schedule 14 areas and section 36A lands.

The following table and graph indicate the number of Aboriginal people who have applied to be registered as "Aboriginal Owners" under the ALRA:

Schedule 14 areas	Number of Aboriginal owner applications received:	Section 36A lands	Number of Aboriginal owners applications received:
Mutawintji NP	101	Worimi Cons. Lands	155
Mount Grenfell HS	93	South Beach	Nil to date
Biamanga NP	132		
Gulaga NP	134		
Mungo NP	Nil to date		
Mount Yarrowyck NR	Nil to date		
Jervis Bay NP	Nil to date		

#### Number of Aboriginal owner applications for Schedule 14 and s.36A lands

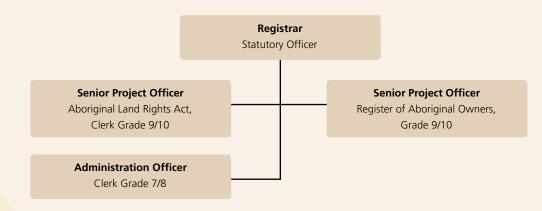




#### The Registrar's administrative arrangements

In May 2006 the former Minister for Aboriginal Affairs directed that an independent administrative office be re-established to provide assistance to the Registrar. In the 2006-07 reporting year, the Department of Aboriginal Affairs and the Registrar worked towards re-establishing the Office of the Registrar in an independent office within Tranby Aboriginal College in Glebe.

The Registrar's current staff allocation is indicated in the table below:



There continues to be a high level of activity for the Registrar. The work carried out falls into four main categories:

- (i) the implementation of the amended ALRA;
- (ii) the registration of land claims;
- (iii) the registration of Aboriginal owners and convening meetings of Aboriginal owners;
- (iv) advice and dispute resolution services for Aboriginal Land Councils.

With the implementation of the amended ALRA taking place in July 2007, the level of work increased within the office. This increase is associated with certifying that Aboriginal Land Councils and the community are given the best possible advice about the new legislation to ensure a smooth transition to the new regime. The other categories of work remain at a consistent level with the overall activity of the Registrar's Office increasing.

The number of Aboriginal land claims lodged with the Registrar has declined throughout the current year. However, the current volume of claims lodged continues to require fine management to ensure that land claim information is satisfactorily dealt with.

The Register of Aboriginal Owners will continue to grow as further lands are dedicated to joint management and more Aboriginal people become aware of their rights to registration as Aboriginal owners.

Advice and dispute resolution services for Aboriginal Land Councils will be the most dynamic part of the Registrar's work in the coming year. Some Aboriginal Land Councils are major business entities and they will require high level advice about their obligations under the ALRA. Many Aboriginal Land Councils will be changing their corporate character and will require assistance with transitional issues.

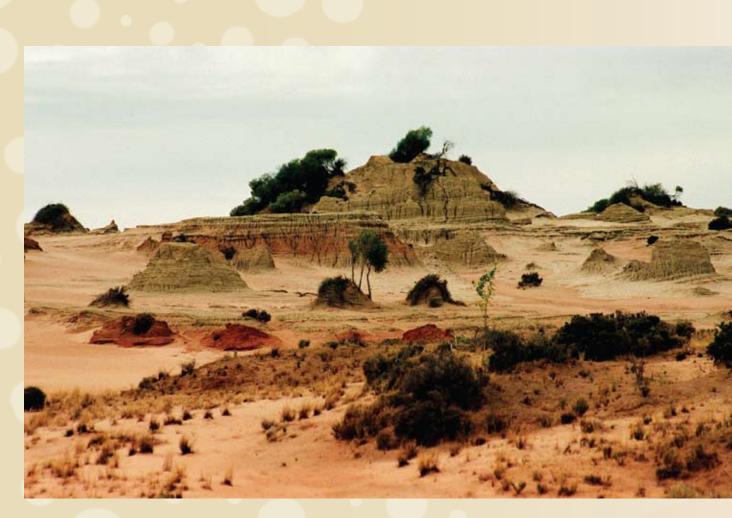
The frequency and magnitude of Aboriginal Land Council disputes will inevitably increase for the reasons already discussed. Aboriginal Land Councils are no different from other corporate entities: disputes arise within them and other parties; the key will be the Registrar's capacity to provide relevant assistance when disputes arise.

REGISTRAR, ABORIGINAL LAND RIGHTS ACT 1983 (NSW)



Performance report

## ... I am an Aboriginal woman from Goodooga



The lunette running along the eastern shores of Lake Mungo, 2007 (Adam Black).



Worimi Conservation Lands Aboriginal owners meeting at Myall Shores in 2007 to nominate future board of management members (Adam Black).





Lola Craigie (standing) and Nisha Ali ensure that the Department records all aspects of its correspondence.

## 4.1 Statement on the Director-General's performance by the Minister for Aboriginal Affairs, the Hon. Paul Lynch MP

Name:Jody BrounTitle:Director GeneralSES Level:SES 4Remuneration:\$206,076

The Director-General, Jody Broun, succeeded in meeting key accountabilities in her performance report.

As Director-General, Jody Broun provided strong leadership of the Department of Aboriginal Affairs and effective management of its resources as well as continued guidance to Aboriginal affairs policy direction in NSW.

The Director-General played a lead role across government agencies in developing targets and an action plan in support of the NSW Government's State Plan Priority F1, *Strengthening Aboriginal Communities*.

Through chairing both the CEO Group on Aboriginal Affairs and *Two Ways Together* Coordinating Committee, the Director-General played a key role in the implementation of *Two Ways Together*, the NSW Government's Aboriginal affairs plan. Key achievements in this area include the establishment of Regional Engagement Groups across the state and the development of Regional Reports and Regional Action Plans.

In the past 12 months, the Director-General has delivered presentations on NSW Aboriginal affairs policy to a number of forums, both in NSW and nationally, including the national conference of the Institute of Public Administration Australia and the Community Transport Organisation, Annual State Conference.

At a national level, the Director-General played a key role in ensuring that *Two Ways Together* provided the platform for State/Commonwealth policy development in Aboriginal affairs through participation in the Intergovernmental Aboriginal Affairs Group, as well as providing representation on the Murdi Paaki COAG Steering Group. The Director-General also played a key role in supporting the Minister on the Ministerial Council for Aboriginal and Torres Strait Islander Affairs.

The Director-General's leadership in developing the Aboriginal Employment Strategy and Koori Advisory Committee were key achievements to ensure that the Department continued to support Aboriginal staff and the review of the Department's Corporate Plan ensured that focus was maintained on key priority areas.

It is with pleasure that I endorse Jody Broun's performance during the 2006-07 financial year.

## 4.2 Management and Activities

The nature and range of activities of the Department of Aboriginal Affairs are described in the performance review.

The service measures for these activities are set in the Department's Results and Services Plan and are reproduced here with the report of progress against them. As the results and service plan methodology is now in its third year the Department has considerably improved the results logic diagram and service measures for 2007/2008 year. These will be reported in the next annual report.

The Department had a major external review by the Council on the Cost and Quality of Government (CCQG) in 2004. Many of the recommendations of this review were implemented in 2005-2006. However, further consolidation of these changes was achieved in 2006-2007, which was the reporting period for this report.

The recommendations clarify the policy role of the Department as it relates to the rest of Government through *Two Ways Together*, establishing and strengthening regional offices of the Department, and reducing the cost of corporate overheads. This work has continued in the reporting period. Departmental overheads have been reduced from 26 per cent as measured by CCQG to 11.63 per cent, as independently measured by the Department of Commerce's corporate services review team. Considerable efforts have been made to ensure that this overhead cost remains low.

## 5.1 Personnel policies and practices

The Department undertook the following activities:

- Introduced the Electronic Flexitime system to enable staff and managers to have a more efficient and reliable record of attendance connected directly to the electronic leave management system and payroll;
- Increased the Department's networks with employment agencies to provide a broader environment when recruiting for Aboriginal applicants;
- Continued the work of the Human Resources Working Party which was established with the primary purpose of:
  - developing an Aboriginal Employment Strategy;
  - defining the core competencies for all positions;
  - producing a training and development program; and
  - reviewing the performance management and monitoring system.

### 5.2 Industrial relations policies and practices

Throughout the financial year, the Department continued to hold quarterly Joint Consultative Committee (JCC) meetings with the Public Service Association (PSA) to discuss and consider industrial-related matters affecting the Department as an employer and its employees. A significant event was the signing by the Department and employee representatives of the *Dignity and Respect in the Workplace Charter*. Whole-of-Department staff meetings were held twice through the year to provide a forum for discussion and update on important matters affecting staff, including any significant industrial relations matters.

## 5.3 Equal Employment Opportunity

The Department continued implementation of Equal Employment Opportunity (EEO) initiatives to ensure that all employees of the Department were given equitable opportunities for career development, training and promotion.

The Department finalised its Aboriginal Employment Strategy (AES) which details the Department's overall policy on Aboriginal employment and career development. As part of this policy the Department also supported the establishment of the Koori Advisory Committee.

The Department also reviewed its corporate shared values which direct its work, its interactions with Aboriginal people and its many stakeholders, and integrated EEO priorities into all business planning and management activities.

The Department supported the ongoing development and formalisation of its Support Network for Aboriginal and Torres Strait Islander staff and continued its successful Spokeswomen's Program.

The Department continued to exceed the benchmark for government targets in several key areas. It employed 58 per cent of women against a benchmark of 50 per cent. Roughly fifty per cent of its employees are Aboriginal people and Torres Strait Islanders, compared with the government benchmark of two per cent.

A commitment was given by the Department's Executive to review the number of temporary positions within the organisation with the view of converting them to permanent subject to the confirmation of funding. This process is currently underway.

Likewise the Department continued to provide flexible working conditions, including permanent part-time positions and working from home opportunities.

#### Major Planned EEO outcomes for the coming year

The Department will monitor and report on the AES targets and performance indicators.

The Department will report on the outcome of the implementation to convert temporary positions to permanent positions.

BENCHMARKS		
Representation	Department of Aboriginal Affairs	Benchmark or Govt Target
Women	58%	50%
Aboriginal People & Torres Strait Islanders	30.6%	2%
People Whose Language First Spoken as a Child was not English	51%	20%
People with a Disability	3%	12%
People with a Disability Requiring Work-related Adjustment		7%

Distribution Index	Department of Aboriginal Affairs	Benchmark
Women	93	100
Aboriginal People & Torres Strait Islanders	94	100
People Whose Language First Spoken as a Child was not English	103	100
People with a Disability	n/a	100
People with a Disability Requiring Work-related Adjustment		100

## Table 1.1 Staff Numbers by Level

		Nur	nber						
Level	Total Staff	Respondents	Men	Women	Aboriginal People & Torres Strait Islanders	People from Racial, Ethnic, Ethno- Religious Minority Groups	People Whose Language First Spoken as a Child was not English	People with a Disability	People with a Disability Requiring Work-related Adjustment
< \$32,606	1	1	1	0	0	0	1	0	0
\$32,606 - \$42,824		0	0	0	0	0	0	0	0
\$42,825 - \$47,876	1	1	0	1	1	1	0	0	0
\$47,877 - \$60,583	16	16	1	15	7	6	7	0	0
\$60,584 - \$78,344	27	27	15	12	7	5	15	2	0
\$78,345 - \$97,932	20	20	9	11	6	7	8	0	0
> \$97,932 (non SES)	5	5	3	2	0	0	4	0	0
> \$97,932 (SES)	2	2	1	1	1	0	2	0	0
TOTAL	72	72	30	42	22	19	37	2	

6 New South Wales Department of Aboriginal Affairs and THE REGISTRAR, ABORIGINAL LAND RIGHTS ACT 1983 (NSW)

... We are speaking Awabakal

### Table 1.2 Actual and Estimated Staff Numbers by Level

			Num	nber					
Level	Total Staff	Respondents	Men	Women	Aboriginal People & Torres Strait Islanders	People from Racial, Ethnic, Ethno- Religious Minority Groups	People Whose Language First Spoken as a Child was not English	People with a Disability	People with a Disability Requiring Work-related Adjustment
< \$32,606	1	1	1				1		
\$32,606 - \$42,824									
\$42,825 - \$47,876	1	1		1	1	1			
\$47,877 - \$60,583	16	16	1	15	7	6	7		
\$60,584 - \$78,344	27	27	15	12	7	5	15	2	
\$78,345 - \$97,932	20	20	9	11	6	7	8		
> \$97,932 (non SES)	5	5	3	2			4		
> \$97,932 (SES)	2	2	1	1	1		2		
TOTAL	72	72	30	42	22	19	37	2	

## Table 1.3 Percent of Total Staff by Level

0

		Perce	Subgroup asSubgroup as Estimated PercentPercent of Totalof Total Staff at each LevelStaff at eachLevel						
Level	Total Staff (Number)	Respondents (%)	Men (%)	Women (%)	Aboriginal People & Torres Strait Islanders (%)	People from Racial, Ethnic, Ethno- Religious Minority Groups (%)	People Whose Language First Spoken as a Child was not English (%)	People with a Disability (%)	People with a Disability Requiring Work-related Adjustment (%)
< \$32,606	1	100	100				100		
\$32,606 - \$42,824									
\$42,825 - \$47,876	1	100		100	100.0	100			
\$47,877 - \$60,583	16	100	6	94	43.8	38	44		
\$60,584 - \$78,344	27	100	56	44	25.9	19	56	7	
\$78,345 - \$97,932	20	100	45	55	30.0	35	40		
> \$97,932 (non SES)	5	100	60	40			80		
> \$97,932 (SES)	2	100	50	50	50.0		100		
TOTAL	72	100	42	58	30.6	26	51	3	
Estimate range (95% confidence level)				30.6 to 30.6	26.4 to 26.4	51.4 to 51.4	2.8 to 2.8		

#### Table 1.4 Percent of Subgroup by Level

	Percent of Subgroup across Levels								
Level	Total Staff (Number)	Respondents (%)	Men (%)	Women (%)	Aboriginal People & Torres Strait Islanders (%)	People from Racial, Ethnic, Ethno- Religious Minority Groups (%)	People Whose Language First Spoken as a Child was not English (%)	People with a Disability (%)	People with a Disability Requiring Work-related Adjustment (%)
< \$32,606	1	1	3				3		
\$32,606 - \$42,824									
\$42,825 - \$47,876	1	1		2	5	5			
\$47,877 - \$60,583	22	22	3	36	32	32	19		
\$60,584 - \$78,344	38	38	50	29	32	26	41	100	
\$78,345 - \$97,932	28	28	30	26	27	37	22		
> \$97,932 (non SES)	7	7	10	5			11		
> \$97,932 (SES)	3	3	3	2	5		5		
TOTAL	100	100	100	100	100	100	100	100	
Estimated number of staff (number)	72	72	30	42	22	19	37	2	
Distribution index (number)				93	94	n/a	103	n/a	

## 5.4 Disability Action Plan

The NSW Government's Disability Policy Framework is underpinned by the Commonwealth Disability Discrimination Act 1993, the NSW Anti-Discrimination Act 1977 and the NSW Disability Services Act 1993. This Framework assists agencies to systematically identify the adjustments they need to make so their services and facilities become more accessible to people with disabilities.

The Department, through the Aboriginal Communities Development Program and the Housing for Health program, constructs housing for Aboriginal Communities.

Through its Project Manager, the Department of Commerce, the Department of Aboriginal Affairs ensures that disabled access issues are a key factor in all planning and building programs.

The Department's Sydney office at Surry Hills and five regional offices provide good disabled access both externally and internally.

Extensive links from the Department's internet site continued to provide access to the Department's information for people with disabilities, and for those who are immobile for other reasons.

The Department continued to provide opportunities for professional growth for all staff members, regardless of disability.

## 5.5 Action Plan for Women

The Spokeswomen's Program is a whole-of-Government initiative to support women employed in the NSW public sector and is managed through the Department of Premier and Cabinet. The Department of Aboriginal Affairs has a long commitment to this program and annually allocates \$10,000 to the program.

During 2006-7 the Spokeswomen's Program instigated a number of initiatives including a \$4,000 Women's Incentive Grant to provide a one-off training and development scholarship to a female staff member for specific training related to the officer's area of work. A further \$1,800 was allocated for women to attend

training and conferences, and \$1200 was allocated for the UNIFEM United Nations Development Fund for Women Breakfast as part of the International Women's Day events.

In addition, the Department of Aboriginal Affairs provided \$2000 for a unique opportunity for staff development for its female employees through the Spokeswomen's 'Community Visit ' initiative. The Community Visit initiative works closely with organisations in a targeted community, such as the Liverpool region in 2006, where it coordinated a site visit for female employees of the Department, including the Director-General. This initiative provides an opportunity for Departmental staff and the Director-General to meet and hear about Aboriginal community organisations and their programs that impact on Aboriginal women in the community. This initiative enabled Aboriginal women in the community, the Director-General and female staff to speak directly about issues and challenges impacting on women and children over an informal barbeque lunch.

The Spokeswomen's Program also supported specific initiatives that respond to the needs of women in the Department. During the Financial Year, this included a Stress Management Workshop and an Anti-violence Breakfast for all staff. In 2007 the Spokeswomen's Program also instigated and organised a weekly yoga session, which is funded by participants.

In the coming financial year, the Spokeswomen's program will extend its Community Visit Initiative outside of Sydney, taking in the three Aboriginal communities of Nowra, Wreck Bay and Jerrinja on the South Coast.

## 5.6 Ethnic Affairs Priority Statement (EAPS)

The Department recognises and upholds the principles of multiculturalism and is committed to their ongoing implementation within the workplace, with clients and within the community. Where applicable, the Department will work with culturally and linguistically diverse communities in New South Wales to ensure their needs are addressed.

The Department provides its services throughout NSW through five regional offices and resources from its Sydney office located at Surry Hills. Our clients have fair and equitable opportunity to access services, and office space and locations are designed to enhance this.

The Department's EAPS Plan is also guided by the Principles of Multiculturalism, which are listed under State law (*Community Relations Commission and Principles of Multiculturalism Act 2000*) and the *NSW Government's Community Relations Plan of Action 2002*. In essence, the Principles of Multiculturalism confirm the right of individuals in NSW to:

- fully contribute and participate in the life of the State;
- respect the culture, language and religion of others (within a legal and constitutional framework where English is the common language);
- have access to government services;
- have linguistic and cultural assets in NSW recognised and promoted.

Leading from the principles, four broad objectives underpin the action plan. These are:

- leadership to encourage and value a culturally diverse society through the establishment of supportive policy, legal and planning frameworks;
- community harmony;
- access and equity within the framework of social justice obligations; and
- economic and cultural opportunities.

The Department's business plans comply with policy and legislative requirements, deliver social justice outcomes to clients and staff and recognise cultural and community needs and expectations.

### 5.7 Workplace safety and security

During the financial year, the Department received one new claim for workers' compensation following a security breach at one of the regional offices and finalised one claim that resulted from an accident outside the building.

As a result of the former claim, the Department introduced more stringent security measures, including the introduction of a visitors' log and identification labels, as well as a policy of escorting visitors at all times.

The Department also introduced numerous formal measures to ensure that no accidents or injuries occurred in the workplace.

It appointed and trained teams of fire wardens, first aid officers and members of the OHS Committee consisting of one Executive Director, one manager and five members of staff.

The committee conducted informal workplace inspections to look for risks to OHS and organise the repair or removal of those risks. The committee also conducted a formal review and made a report to management. In addition, the committee used regular emails to keep staff informed on safety issues and made two presentations to all-of-staff meetings on specific health and safety initiatives.

The workplace inspections made the OHS Committee aware of several issues, which were raised with staff and rectified:

Broken chairs were labelled and taken for repair/replacement or storage.

Workplace fatigue was dealt with by asking staff to take a short walk every hour. They were also provided with handouts on suitable stretching exercises.

Work areas and unused workstations were cleaned of clutter and broken equipment.

Emphasis was placed on reporting bullying, stress and isolation to managers or to a union delegate. Staff members were reminded of the EAPS free counselling service for any work (or personal/family) related issues affecting their work or personal effectiveness.

### 5.8 Risk management and insurance activities

During the financial year, the Department of Aboriginal Affairs undertook a further review of the Business Continuity Plan to ensure compliance with the current New South Wales State Government Standards. It is currently considering recommendations of that review.

To mitigate its risks, the Department is a member of the New South Wales Treasury Managed Fund - a selfinsurance arrangement of the New South Wales Government. The Department is provided with funding via a benchmark process and pays deposit premiums for workers' compensation, motor vehicle, liability, property and miscellaneous lines of business. The workers' compensation and motor vehicle deposit premiums are adjusted through a hindsight calculation process after five years and 18 months, respectively.

Workers' compensation and motor vehicle claims during 2006-07 were within acceptable public sector targets (determined by the Treasury Managed Fund). In addition, the Department had a low frequency of claims with a relatively low cost.

The Department of Aboriginal Affairs had a number of continuing initiatives to reduce risks and these included:

- commitment to early injury management and return to work of injured workers;
- on-going development of Occupational Health and Safety issues;
- review of the Business Continuity Plan; and
- review of Information Security Plan in accordance with AS7799.

## 5.9 Exceptional movements in wages, salaries or allowances

The Crown Employees (Salaries) Award negotiations between the New South Wales Government and the Public Service Association resulted in a four per cent salary increase, which took effect on 1 July, 2006.

The increases in the remuneration package for Executive positions have been kept within the limits set by the Statutory and Other Officers Remuneration Tribunal.

## 6.0 Promotion

The Department produced the following publications in 2006-07:

- Annual Report of the Department of Aboriginal Affairs and the Registrar, Aboriginal Land Rights Act 1983 (NSW);
- Department of Aboriginal Affairs Newsletter Summer 2007;
- The Aboriginal Languages of NSW: An introduction for schools and communities, CD-ROM;
- Aboriginal Participation in Construction Guidelines, published jointly with the Department of State and Regional Development and NSW Department of Commerce;
- The Stolen Generations: The removal of Aboriginal children in New South Wales 1883 to 1969, Sixth edition; and
- Two Ways Together posters.

#### **Availability of Annual Report**

The Annual Report for 2006-07 is available in printed format by calling into, or phoning any office of the Department of Aboriginal Affairs. It is also available in digital format on the Department's website at: www.daa.nsw.gov.au

## 6.1 Consumer response and enquiries at the Department of Aboriginal Affairs

Executive Directors managed complaints relating to their areas of responsibility, and the Director-General was advised of the complaint and the outcome.

The continual upgrading of the Department's website gave stakeholders up-to-date information on the Department's services. Feedback to help the Department's managers modify services came through letters and telephone calls to the central and regional offices.

The receptionist's position was identified for a person of Aboriginal descent, making the first point of contact more reflective of the Department's core business. The receptionist maintained a log of incoming calls and visitors to help the Department determine areas of greatest interest. Most of the inquiries related to core business, such as employment with the Department, Local Aboriginal Land Councils, Aboriginal languages, family records and the Aboriginal Trust Fund Repayment Scheme, funeral grants, Aboriginal Employment Strategy and cultural events.

In addition to providing public access to information through its Sydney office, the Department's Bourke, Tamworth, Coffs Harbour, Narooma and Wagga Wagga regional offices generated important discussions with community members on programs and services of the Department of Aboriginal Affairs and other government agencies.

The Office of the Minister for Aboriginal Affairs provided another forum for dealing with complaints and was an important barometer of customer satisfaction. Employees of the Department of Aboriginal Affairs attended regular meetings with the Minister's staff to ensure that Ministerial needs were being met.

During the 2006-2007 financial year, the Department received 2044 documents. These included correspondence to the Minister and the Director-General, Cabinet Minutes, briefing requests from the Minister's office on contentious issues and correspondence addressed directly to staff. Exactly 1209 pieces of correspondence required a written response.

Compared with the previous financial year, there was a 6.6 percent increase in correspondence received and most of it dealt with the following:

- the Government's response to "Breaking the Silence Report: Creating the Future";
- Aboriginal health;
- cultural heritage;
- amendments to and breaches of the Aboriginal Land Rights Act 1983 (NSW);
- Aboriginal Land Councils and their administrators;
- requests for funding; and
- repairs and housing allocation under the Aboriginal Communities Development Program.

Dhanggati

## 6.2 Freedom of Information

Documents held by the Department relate to policy and program development, administration of New South Wales Local Aboriginal Land Councils, land claims and heritage and natural resources issues. Policy documents, Annual Reports, Corporate Plans and other documents may be accessed by contacting the Department on 9219 0700 or by visiting the Department's website at www.daa.nsw.gov.au

Applications for access or amendment to Department of Aboriginal Affairs' documents under the *Freedom* of *Information Act 1989* should be accompanied by a \$30 application fee and directed to:

FOI Coordinator Department of Aboriginal Affairs Level 13, Tower 'B' Centennial Plaza 280 Elizabeth Street

- No Freedom of Information applications were received during the year.
- There was no significant impact on Freedom of Information requirements by any of the Department's
  operations.
- No major issues arose.

## 6.3 Privacy Management Plan

The *Privacy and Personal Information Protection Act 1998* provides for the protection of personal information, and for the protection of the privacy of individuals.

The Act does this by means of 12 information protection principles (IPPs). The Act required every department to prepare a Privacy Management Plan by 30 June, 2000, which outlines in detail how the Department of Aboriginal Affairs will incorporate the 12 information protection principles into its management policy and strategic planning. This Plan was completed as required.

The Department also has a Privacy Code of Practice which allows the modification of the 12 Information Protection Principles contained in Part 2, Division 1 of the *Privacy Act and Personal Information Protection Act 1998*.

During the reporting period the Department received no applications for review under the Act.

## 6.4 Information Technology and Communications Strategic Plan

By mid-2007, the Department had revised its Information Management, Technology and Communications Strategic Plan to more closely align it to the Department's business processes and corporate goals.

The Department purchased ten new computers during the financial year to replace failed machines that were out of warranty.

Working with the Information Technology Services Branch of CCSU and external services providers, the Department began alignment of its electronic data services with the International Security Standard, ISO 27001. The standard aims to establish and maintain an effective information management system, through continual improvement. It implements OECD (Organisation for Economic Cooperation and Development) principles, governing security of information and network systems.

Appendices

... You must come and talk to us

## 7.0 Significant committees of the Department of Aboriginal Affairs

#### **Budget Expenditure Committee**

Jody Broun, Director-General Jonathan Wassell, Executive Director, Executive and Business Strategy Kerry Pearse, Executive Director, Communities and Programs Lindon Coombes, Executive Director, Policy and Regulation Dave Rawson, Manager, Corporate Services Talaat Shanawany, Financial Analyst

#### Finance and Audit Committee

Jonathan Wassell, Executive Director, Executive and Business Strategy Dave Rawson, Manager, Corporate Services Talaat Shanawany, Financial Analyst

#### **Occupational Health and Safety Committee**

Jonathan Wassell, Executive Director, Executive and Business Strategy Barry Oliver, Senior Officer, Information Management Cheree Freeburn, Assistant Policy Officer, Human Services Maurice Stewart, Project Officer, Statewide Services Nola Williams, Project Officer Urban, Statewide Services Eva Kornits, Policy Support Officer, (Secretariat) Tristan Tipps, Manager, Aboriginal Languages Research and Resource Centre

#### Joint Consultative Committee with the Public Service Association

Jody Broun, Director-General Jonathan Wassell, Executive Director, Executive and Business Strategy Dave Rawson, Manager, Corporate Services

#### **Results and Services Planning Group**

Jonathan Wassell, Executive Director, Executive and Business Strategy Dave Rawson, Manager, Corporate Services Samantha Nolan, Executive Policy Director Gillian Barlow, Statewide Services Coordinator Peter Swain, Manager, Director-General's Office Rachel Ardler, Principal Policy Officer, Economic Development and Justice Ross Pearson, Manager, Compliance and Regulation

#### Information Management and Technology Working Group

Jonathan Wassell, Executive Director, Executive and Business Strategy Dave Rawson, Manager, Corporate Services Barry Oliver, Senior Officer, Information Management Anthony Seiver, Principal Policy Officer, Culture and Heritage Lesley Wallace, Community Support Officer, Communities and Programs Daniel Lutton, Project Officer, Research Support, Policy and Regulation Laura Cummins, Executive Support Assistant, Director-General's Office

#### **Human Resources Working Group**

Jonathan Wassell, Executive Director, Business Strategy; Dave Rawson, Manager, Corporate Services; Clive Moulstone, Senior Officer, Human Resources Administration; Gillian Barlow, Statewide Services Coordinator; Dianne Jarrett, Senior Indexing Officer, Family History Unit; Kaylene McLeod, Policy Support Officer, Human Services; Cathy Eatock, Senior Policy Officer, Culture and Heritage

## 7.1 Working with other Departments

#### Jody Broun, Director-General

Chair, Two Ways Together Coordinating Committee Chief Executive Officer, Group on Aboriginal Affairs (Chairperson) Chief Executive, Committee Chief Executive, Women Aboriginal Land Rights Act Review Task Force Co-chair, Dubbo Whole-of-Govt Senior Officers Group Intergovernmental Aboriginal Affairs Group Murdi Paaki Steering Committee Natural Resources & Environment CEO Cluster Group Joint Consultative Committee Redfern-Waterloo Authority Human Services CEO Steering Committee Natural Resources Advisory Council (ex-officio member) Aboriginal Education & Training Advisory Group Chief Executive Officer, Criminal Justice Group Human Services Chief Executive Officer Group Standing Committee for Aboriginal and Torres Strait Islander Affairs Institute of Public Administration Australia, NSW (Vice President) University of Sydney Dean's Advisory Board of the Faculty of Education and Social Work The Director-General also assists the Minister for Aboriginal Affairs on the Ministerial Council on Aboriginal and Torres Strait Islander Affairs.

#### Peter Swain, Manager, Director-General's Office

Network of Government Agencies – Gay, Lesbian and Transgender Issues

#### **Barry Oliver, Senior Information Officer**

Information Security Management in Government (ISMiG) Forum NSW Government Freedom of Information & Privacy Network

#### Nisha Ali, Corporate Systems and Governance Officer

Records Management Association of Australia Forum Records Managers Forum (State Records)

#### Tracy Bradford, Manager, Family Records Unit

Management Committee of the History Council of New South Wales

## Tristan Tipps, Manager, New South Wales Aboriginal Languages Research and Resource Centre

Aboriginal Education Initiatives Advisory Committee - NSW Board of Studies Geographical Names Board New South Wales New South Wales State Government Aboriginal Languages Policy Committee

#### Lindon Coombes, Executive Director, Policy and Regulation Division

Child Protection Senior Officers' Group Compulsory Drug Treatment Correctional Centre Taskforce Economic Development Cluster Group – (Chair) Housing and Human Services Accord Senior Officers' Group Human Services Senior Officers' Group Criminal Justice Senior Officers' Group *Two Ways Together* Coordinating Committee Human Services Working Group on NGO Support and Development Intergovernmental Aboriginal Affairs Working Group Police Aboriginal Strategic Advisory Council Department of Corrective Services Aboriginal Taskforce

#### Samantha Nolan, Executive Policy Director

Chief Executive Officers' Group on Aboriginal Affairs (Executive Officer) Indigenous Generational Reform Working Group Ministerial Council on Aboriginal and Torres Strait Islander Affairs Working Group Statistical Coordination Users Forum *Two Ways Together* Coordinating Committee *Two Ways Together* Data Working Group (Chair) *Two Ways Together* Evaluation Committee (Chair) *Two Ways Together* Cluster Groups The Executive Policy Director also assists the Director-General on the Standing Committee on Aboriginal and Torres Strait Islander Affairs

#### Tanya Bosch, Principal Policy Officer, Human Services

Aboriginal Child Sexual Assault Senior Officers' Group Families and Communities Cluster Group Joint review of Aboriginal Housing Senior Officers' Group Kids Excel/Youth Excel Working Group Compulsory Drug Treatment Centre Working Group Inebriates Implementation Taskforce *Two Ways Together* Family Violence Working Group

#### Sue Lindsay, Senior Policy Officer, Human Services

Aboriginal Education and Training Advisory Group Alcohol Free Zone Working Group Director-General's Aboriginal Education Advisory Group

#### Anthony Seiver, Principal Policy Officer, Culture and Heritage

Aboriginal Heritage Advisory Panel (Heritage Council) Aboriginal Languages Strategic Plan Steering Committee Interagency Working Group on Co-management of Conservation Reserves *Two Ways Together* Culture and Heritage Cluster Group Natural Resource Advisory Council Aboriginal Agreements Steering Committee Natural Resource and Environment Chief Executive Officers' Group Aboriginal Engagement Project Committee New South Wales Native Title Review Committee Protecting Our Places Technical Reference Group Travelling Stock Reserves Working Party

#### Rachel Ardler, Principal Policy Officer, Economic Development and Justice

Aboriginal Participation in Construction Guidelines Steering Group Department of Corrective Services Aboriginal Taskforce Liquor Accord Taskforce Youth Justice Advisory Committee *Two Ways Together* Justice Cluster *Two Ways Together* Economic Development Cluster

#### Kerry Pearse, Executive Director, Communities and Programs

*Two Ways Together* Coordinating Committee Anti-Social Behaviour Pilot Senior Officers' Group Aboriginal Child Sexual Assault Senior Officers' Group NSW Aboriginal Housing Office Sector Reform Advisory Group Murdi Paaki Steering Committee (supporting the Director-General) Murdi Paaki Transition Working Group Aboriginal Trust Fund Repayment Scheme Senior Officers Group Aboriginal Communities Development Program Steering Committee

#### Janice Constable, Senior Policy Officer, Economic Development and Justice

Criminal Justice Research Subcommittee

#### Donna Jeffries, Regional Manager, Riverina - Wagga Wagga

Midwestern Regional Engagement Group Midwestern Regional Coordination Management Group Midwestern Regional Officers' Group (Human Services Cluster) Dubbo 20/20 Job Compact Steering Committee Riverina/Murray Regional Coordination Management Group Riverina/Murray Regional Engagement Group Riverina/Murray Regional Officers' Group (Human Services Cluster) Senior Officers' Group for Wagga Wagga Indigenous Coordination Centre

#### Matt Rose, Project Officer, Riverina - Wagga Wagga

Orange Community Working Party Bathurst Community Working Party Dubbo Community Working Party Wellington Community Working Party Thubboo - Dubbo Dubbo Aboriginal Women's Group Orange Men's Group

#### Anjali Palmer, Regional Manager West - Bourke

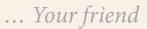
Brewarrina Women's Project Management Group Community Working Parties for the communities of Bourke, Brewarrina, Broken Hill, Cobar, Collarenebri, Coonamble, Engonnia, Goodooga, Gulargambone, Ivanhoe, Lightning Ridge, Menindee, Wentworth/ Dareton, Walgett, Weilmoringle, and Wilcannia Economic Development Strategy Group for Murdi Paaki COAG Site Murdi Paaki Regional Coordination Group Murdi Paaki Partnership Project Steering Committee Murdi Paaki Environmental Health Forum Murdi Paaki Economic Development and Employment Sub-Group Murdi Paaki Health, Housing, Families and Young People Sub-Group Murdi Paaki Environment, Culture and Heritage Sub-Group Murdi Paaki Aboriginal Tourism Business and Product Development Program Pilot Western Regional Coordination Management Group Western Tri-Strategies Regional Officers Group

#### Adrian Meredith, South East Regional Manager - Narooma

Illawarra South East Regional Coordination Management Group Illawarra South East Human Services Managers' Group Illawarra South East Program Managers' Group Illawarra South Coast Regional Aboriginal Education Consultative Committee Illawarra (South East) Regional Engagement Group Families First South East Area Managers' Group

#### Tad Kiemski, Regional Manager North-West - Tamworth

Community Working Parties for Boggabilla-Toomelah, Armidale and Moree New England North-West Regional Coordination Management Group North-West Regional Engagement Group Toomelah-Boggabilla Directors Group Regional Aboriginal Education Committee Oxley Local Area Command Aboriginal Advisory Committee Regional Officers' Group - Families NSW 6 THE REGISTRAR, ABORIGINAL AFFAIRS AND THE REGISTRAR, ABORIGINAL LAND RIGHTS ACT 1983 (NSW)



#### Gary Oliver, Regional Manager, North-East – Coffs Harbour

Hunter Aboriginal Child Youth and Family Strategy Steering Committee Hunter Regional Coordination Management Group Hunter Regional Officers Group Economic, Environment and Infrastructure Sub-group Hunter Regional Officers' Group Human Services Sub-group Hunter Two Ways Together Regional Engagement Group - (Chair) North Coast Regional Coordination Management Group North Coast Senior Officers' Group North Coast Human Services Sub-group North Coast Economic, Environment and Infrastructure Sub-group. North Coast Aboriginal Employment Strategy Committee Bowraville Steering Committee North Coast Environmental Health Committee North Coast Regional Engagement Group Tabulam Second Chance Facility Steering Committee Ferguson Cottage Negotiation panel North Coast Health Land Acquisition Committee Byron Bay Hospital Department of Lands Lot 490 Tender

#### Gillian Barlow, Manager, Statewide Services

Aboriginal Communities Development Program Steering Committee Aboriginal Communities Development Program Executive Group Climate Control Study Steering Committee Sewerage and Drinking Water Group Housing and Human Services, Senior Officers' Group

#### Greg Slabb, Senior Officer, Statewide Services

New South Wales Community Governance Committee Aboriginal Communities Development Program Steering Committee Aboriginal Communities Development Program Executive Group Climate Control Study Steering Committee Sewerage and Drinking Water Group



Multi-skilling is all part of life at the Department of Aboriginal Affairs for Jessica, seen here staffing the central office reception desk.

## 8.0 Funds granted to non-government community organisations

The Department achieved full expenditure of \$787,000 of the Aborigines Assistance Fund providing direct assistance to Aboriginal people and community groups in the areas of Aboriginal Language Projects, expanding employment opportunities, recognising contributions of Aboriginal individuals, sponsorships of community events and funeral assistance grants.

NAIDOC events held by various groups throughout NSW received a total of \$36,818.

A total of \$92,537 was given to non-government community groups as part of the program to recognise outstanding members of the Aboriginal communities in the Local Heroes program. These funds were used to provide diverse in-kind support for their nominated community organisations purposes, and included such items as new equipment for community centres and sporting groups, and were paid in kind to cover items that were identified by the community groups.

A total of \$21,300 was paid in Funeral Grants to help Aboriginal people with the cost of funeral expenses. In each case, a grant of no more than \$300 was paid to funeral directors.

Through the Aboriginal Language Research and Resource Centre, the Department paid a total of \$276,818 to help with the revitalisation of Aboriginal languages.

These moneys were paid as follows:

- Muurrbay Aboriginal Language and Culture Co-operative & Many Rivers Aboriginal Language Centre received grants to a total of \$67,000 to conduct a summer school in Gumbaynggirr, Gamilaraay and Wiradjuri at Sydney University.
- With the help of a grant of \$49,650, the Muurrbay Aboriginal Language and Culture Co-operative & Many Rivers Aboriginal Language Centre published *The Handbook of NSW and ACT languages, a linguistic resource.* The Centre also used a grant of \$17,000 from the Department to produce a booklet and CD-ROM in Aboriginal languages.
- Eastern Zone Gujaga Aboriginal Corporation received a grant of \$17,000 to conduct the Dharawal Language Project, which included posters, flash cards and a training manual.
- Orange Local Aboriginal Land Council received \$10,000 to run workshops produce an audio CD of conversational Wiradjuri.
- Wiradjuri Christian Development Ministries Inc Ltd used its grant of \$15,000 to run 'Train-the-Trainers' workshops and produce four audio CDs in Wiradjuri.
- Woganurra Aboriginal Corporation assisted the Murrwarri Language Revival with a grant of \$12,500, which was used to run classes, and produce a CD of oral histories, a CD of Dreamtime stories, a map of stars and constellations, flashcards and a book for children.
- Batchelor Institute & Murdi Paaki Regional Enterprise was assisted with a grant of \$20,000 for the Western Rivers Endangered Language Resource Production Project, which involved printing copies of four books and accompanying CDs.
- Papagunya Inc used the Department's grant of \$20,000 to run the Gamilaraay Region Community Language Sound File Development Project, with an audio CD of Sound Files of conversational sentences in Gamilaraay.
- Dharug Custodian Aboriginal Corporation ran their Dharug multi-media dictionary project with the Department's grant of \$23,000.
- Birrelee Multifunctional Aboriginal Children's Service used their grant of \$15,000 to run Gamilaraay: Minya Nhalay? What's that?, which was a DVD for preschools.
- In addition to these grants to non-government community organisations, \$15,000 was provided in a grant to NSW Adult and Community Education to run the pilot project *How to design a community Language Project* in 11 Regional towns across NSW.
- Many of the Department's numerous grants are dealt with in detail in other parts of this annual report.
   However, several worthy of note, include:
  - a grant of \$10,000 on 23 August 2006, to Murdi Paaki Regional Enterprise Corporation, acting for Wilcannia Ventures Project. The money was used to buy tools, equipment and materials to help ten Aboriginal participants train in carpentry, horticulture, painting and handyman skills.
  - to help bring government and non-government agencies, chambers of commerce, business and industry groups together to help generate employment for Aboriginal people through Job Compacts, the Department paid the following:

- \$27,500 to Youloe-ta to work with Department to develop job compacts in the Hunter/Newcastle area
- \$27,500 to Illawarra Aboriginal Corporation to work with Department to develop job compacts in the Illawarra area
- \$83,500 to Yarn'n Employment Training and Consulting Services to work with Department on developing job compacts in Western Sydney, South West Sydney, East Sydney, Wagga Wagga, Dubbo and Tweed Heads. The balance of \$83,500 will be paid in the 2007-08 financial year.

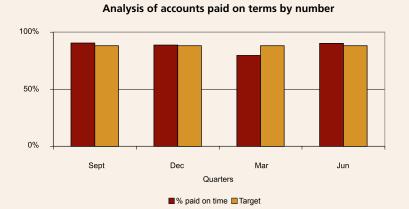
Additionally, the Department was very active in supporting Aboriginal community groups through sponsorships. A total of \$116,500 was paid in sponsorship. This provided:

- \$3300 to the Yinarr Health Wellbeing Aboriginal Corporation to help them run a family fun day, which brought their community together;
- \$10,000 was paid to VIBE Australia to support the culturally-important Croc Festival;
- \$10,000 was granted to Merrit Patten Memorial Rugby League Club to help them run a grand final which brought Aboriginal communities together from diverse geographic locations;
- \$10,000 was contributed towards a mapping project at Bowraville Communications Technology Centre;
- other sponsorship for meetings of elders, website development, a rugby league knockout carnival, and exhibitions of art and Aboriginal history.

## 8.1 Total Accounts paid on time

In number, the Department has been meeting targets for accounts paid on time. The cause of not meeting the target by dollar value of accounts paid on time is higher level governmental requirements for larger agency transfers to the Department of Commerce for the ACDP.

2006/2007





2006/2007 Analysis of accounts paid on terms by amount

## 8.2 Credit card certification

There were no breaches of the Department's Credit Card policy within the reporting period.

## 8.3 Consultants – categorised by nature of consultancy

#### Consultancy Schedule 2006-07 Financial Year more than \$30,000

#### Nil.

#### Consultancy Schedule 2006-07 Financial Year less than \$30,000

The Registrar, *Aboriginal Land Rights Act 1983 (NSW)* engaged Buckingood Design to prepare the Mutawintji Report for publication after it was compiled by Dr Jeremy Beckett, Dr Luise Hurcus and Dr Sarah Martin. The report considers the cultural association of Aboriginal owners of Mutawintji National Park.

## 8.4 Land Disposal

The Department does not hold any property.

## 8.5 Overseas Travel

There was no overseas travel.

## 9.0 Waste Reduction

Waste Reduction and Purchasing Policy (WRAPP) principles were adopted and awareness education was continued by encouraging staff to use the individual recycle boxes and bins located throughout the building housing the Department's central office. The Department began operations at its regional offices during the year and staff at these locations immediately began to take advantage of Local Government kerbside recycling bins.

The Department's officers were encouraged to reuse cardboard boxes for packaging instead of procuring new boxes to sending out deliveries. The Department only purchases rebuilt toner cartridges for its printers. One hundred per cent of used toner cartridges are sent back to suppliers to be reused.

At the Department's central office, paper and cardboard are recycled through a building-wide paper recycling program. Letterhead and 'With Compliments' slips are all printed on recycled paper. The Department only bought printer and photocopy paper with recycled content.

The Department's Annual Report for 2005-06 was printed on recycled paper, using environmentallyfriendly vegetable dye inks.

## 9.1 Government Energy Management Plan

The Department of Aboriginal Affairs is committed to meeting the New South Wales Government's energy reduction targets. During the financial year, fuel consumption by the pool vehicles averaged 11.5 litres per 100 kilometres. The Department is replacing its 6-cylinder vehicles with smaller, 4-cylinder cars with a lower fuel consumption. The Department decreased its electricity consumption by 2.2 per cent. This decrease is the result of an increased emphasis on staff education. As this Department currently has a 4.5 star Australian Building Greenhouse Rating, any repairs to lighting are carried out to ensure that fittings meet the same specifications.

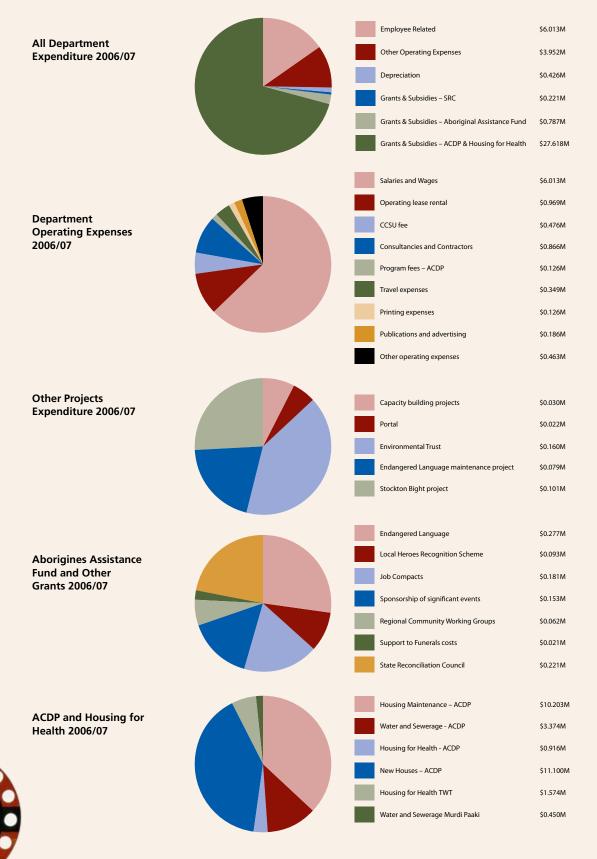
Air conditioners are now on a monthly maintenance plan, which has contributed to the reduced energy usage. The Department continues to encourage staff to conserve energy by shutting out excess light during hot, sunny days to avoid placing additional pressure on the air conditioning system; turning off lights in unused offices and meeting rooms; and switching off computers and items of electronic equipment that are not in use.

Appendices

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## 10.0 Summary of activities for 2006-07 Financial Year

The audited financial statements of the New South Wales Department of Aboriginal Affairs form part of this annual report for 2006-07. As a result, these statements are bound within its covers. If you would prefer an electronic copy without the financial statements, please visit the Department's website at www.daa.nsw.gov.au, or call any of our offices to have a copy posted to you. Here is a summary of the Department's activities during the financial year:



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