

OUTPUT GROUP 5

ADMINISTRATION & SUPPORT SERVICES

The Central Land Council aims to provide Aboriginal landowners with information, advice and support to enable them to manage their land in a sustainable and productive way.

OUTPUT

5.1 DISTRIBUTIONS

5.2 ADMINISTER LAND TRUSTS

5.3 DISPUTE RESOLUTION

OUTCOMES

Enhanced social, political and economic participation and equity for Aboriginal people in the Central Land Council's area as a result of the promotion, protection and advancement of their land rights, other rights and interests.

OUTPUT 5.1

DISTRIBUTIONS

Administer and distribute statutory, negotiated and other payments as appropriate to the traditional owners and other clients of the Central Land Council.

All payments received by the CLC with respect to third party use of Aboriginal land are deposited in its Land Use Trust Account. Funds from that account are distributed only in accordance with a decision or determination of the Council.

As a matter of policy the CLC has, for many years and with few exceptions, distributed funds from that account to Aboriginal associations now incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (the CATSI Act). Funds received pursuant to s.64 (3) must be paid to an association.

During 2014–15, subject to a special Council resolution, a portion of monies received from

the Commonwealth for five-year NTER rent and compensation was also distributed. The ongoing distribution of the five-year lease compensation demands a significant investment of resources. The work involved confirming existing traditional owner information, providing advice at meetings and negotiating about the distribution of these monies.

Pursuant to s.35C, recipient associations are required to provide the CLC with their financial statements and a written report containing the information specified by the section.

There is no statutory mechanism for the CLC to enforce these reporting requirements other than where



payments have been made to an association pursuant to a determination. However, financial statements are publicly available on the Office of the Registrar of Indigenous Corporations (ORIC) website.

Once the funds have been distributed by the CLC to the recipient associations, the CLC's Aboriginal Associations Management Centre (AAMC) assists the associations with the administration of their corporate and accounting obligations under the CATSI Act, and distribution of funds or benefits to or on behalf of their members.

Associations may engage the services of the AAMC on an opt-in basis, subject to agreement on cost recovery arrangements. The CLC's ongoing role with each association is the subject of a letter of engagement that is confirmed at their annual general meeting.

LEASES

Leasing continues to generate a significant amount of income for landowners. During the first half of 2015 the CLC sought instructions from landowners for the allocation of rent generated from leases granted pursuant to s.19 of the ALRA. Similar meetings will continue during 2015–16. The instructions obtained shall apply for up to five years. With the term of many leases being up to 40 years, seeking instructions will be an ongoing requirement for the CLC.

The options available to landowners for using the rent generated from leases have included community benefit and benefit to individual landowners. Leasing income applied for the benefit of the community is incorporated into existing plans and priorities. AAMC will schedule further meetings for the purpose of distributing leasing income for community and individual benefit.

Leasing income instruction meetings were held in the following communities:

Arlparra	Papunya
Ampilatwatja	Mt Liebig
Wallace Rockhole	Haasts Bluff
Pmara Jutunta	Ali Curung

The CLC continues to receive into its Land Use Trust Account any rental payments owed to 10 associations in accordance with the relevant lease agreements. The CLC will continue to provide ongoing assistance to these associations to allow the funds to be used in accordance with the constituent documents and for the benefit of the communities.



PERFORMANCE

Details of compliance to the CATSI Act and governance are provided below.

Annual general meetings and directors' meetings held and income distribution instructions taken	35
Directors' meetings held	37
Income distribution instruction meetings held	68
Corporations' statutory financial statements to be lodged with ORIC	35

The CLC prepared 37 traditional owner identifications or other advice. The CLC's anthropology section prepared a total of 37 traditional owner identifications or other advice. Of these, 10 sought standing instructions for the ongoing distribution of rent from s.19 leases over communities on Aboriginal land, and included meeting advice and assistance. Two were for the distribution of payments for gravel extraction. The remainder were primarily for exploration and mining related compensation.

OUTPUT 5.2

ADMINISTER LAND TRUSTS

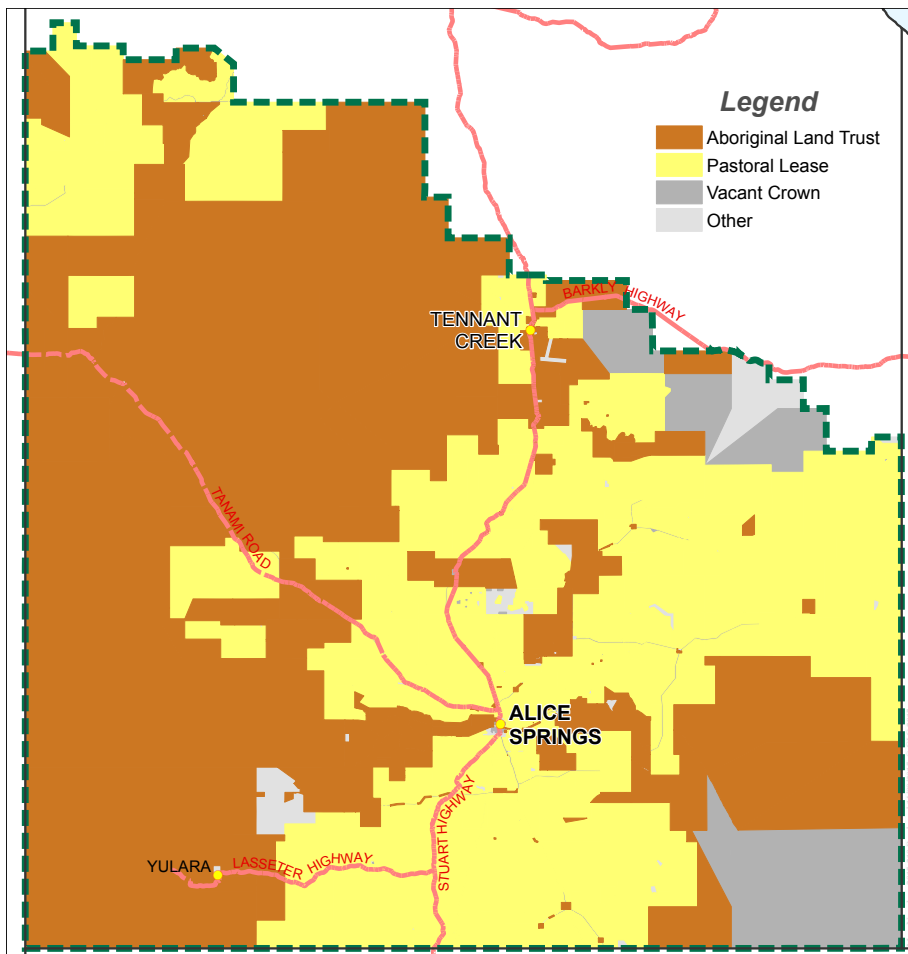
Aboriginal land is formally held by land trusts; that is, Aboriginal people who hold the title for the benefit of all the traditional owners and people with traditional interests in the land. Aboriginal land trusts (ALTs) are statutory entities and usually consist of a chairperson and not less than three members who hold office for periods not exceeding five years. ALT members are usually drawn from among traditional Aboriginal owners of the land held in trust.

The functions of a land trust are to hold title to land, exercise powers to acquire, hold and dispose of real

and personal property for the benefit of the traditional landowners, and where land is granted in a deed of grant held in escrow, to acquire the estates and interests of other persons with a view to gaining the delivery of the title to the land trust.

A land trust may only deal with the land as directed by the land council, and such directions are provided only after identification of, and consultation with, the traditional owners and on the basis of their informed consent.

LAND TENURE IN THE CLC REGION 2014–15



ABORIGINAL LAND TRUSTS IN THE CLC REGION

Ahakeye Aboriginal Land Trust
 Aherrenge Aboriginal Land Trust
 Akanta Aboriginal Land Trust
 Akekarrwenteme Ureyenge Aboriginal Land Trust
 Alatjuta Aboriginal Land Trust
 Alkeperre-Atwarte Ayepe-Arenye Arleye Aboriginal Land Trust (Emily & Jessie Gaps Nature Reserve)
 Alkwert Aboriginal Land Trust
 Alyawarra Aboriginal Land Trust
 Amoonguna Aboriginal Land Trust
 Anatye Aboriginal Land Trust
 Angarapa Aboriginal Land Trust
 Ankweyelengkwe Aboriginal Land Trust
 Anurrete Aboriginal Land Trust
 Apatula Aboriginal Land Trust
 Arletherre Aboriginal Land Trust
 Arltunga Aboriginal Land Trust (Arltunga Historical Reserve)
 Arnapipe Aboriginal Land Trust
 Athenge Lhere Aboriginal Land Trust
 Atnerrperrke Aboriginal Land Trust (Trephina Gorge Nature Park)
 Atnetye Aboriginal Land Trust
 Atwengerrpe Aboriginal Land Trust
 Ayleparrantenhe Aboriginal Land Trust (Devils Marbles)
 Bilinarra-Jutpurra Aboriginal Land Trust (Gregory National Park)
 Central Desert Aboriginal Land Trust
 Daguragu Aboriginal Land Trust
 Erlderlapentye Aboriginal Land Trust (Davenport Range National Park)
 Haasts Bluff Aboriginal Land Trust
 Hooker Creek Aboriginal Land Trust
 Iliyarne Aboriginal Land Trust
 Iparle Aboriginal Land Trust
 Inarnme Aboriginal Land Trust
 Irlwentye Aboriginal Land Trust (N'dhala Gorge Nature Park)
 Irrinjirrinjirr Aboriginal Land Trust
 Irrmarne Aboriginal Land Trust
 Irterkewarre Aboriginal Land Trust (Chambers Pillar)
 Iwupataka Aboriginal Land Trust
 Kanttaji Aboriginal Land Trust
 Karlantijpa North Aboriginal Land Trust
 Karlantijpa South Aboriginal Land Trust
 Katiti Aboriginal Land Trust
 Lake Mackay Aboriginal Land Trust
 Lhere Pirnte Aboriginal Land Trust (Finke Gorge Including Palm Valley)
 Ltalaltuma Aboriginal Land Trust
 Mala Aboriginal Land Trust
 Malngin 2 Aboriginal Land Trust
 Malngin Aboriginal Land Trust
 Mangkurrrpa Aboriginal Land Trust
 Melkngge Aboriginal Land Trust
 Mount Frederick Aboriginal Land Trust

ABORIGINAL LAND TRUSTS IN THE CLC REGION continued

Mpwelarre Aboriginal Land Trust
Mpweringe-Arnapipe 2 Aboriginal Land Trust
Mpweringe-Arnapipe Aboriginal Land Trust
Mt Frederick No.2 Aboriginal Land Trust
Mungkarta 2 Aboriginal Land Trust
Mungkarta Aboriginal Land Trust
Ngalurrtju Aboriginal Land Trust
Ntaria Aboriginal Land Trust
Pantyinteme Aboriginal Land Trust
Pawu Aboriginal Land Trust
Petermann Aboriginal Land Trust
Pmer Ulperre Ingwemirne Arletherre Aboriginal Land Trust
Pmere Nyente Aboriginal Land Trust
Purta Aboriginal Land Trust
Pwanye Aboriginal Land Trust
Pwanye No. 2 Aboriginal Land Trust (Corroboree Rock Carvings Conservation)
Rodna Aboriginal Land Trust
Roulpmaulpma Aboriginal Land Trust
Rrurtenge Aboriginal Land Trust
Santa Teresa Aboriginal Land Trust
Thakeperte Aboriginal Land Trust
Thangkenharengge Aboriginal Land Trust
Twertentye Aboriginal Land Trust (Rainbow Valley excision swap – dissolved)
Tyurretye Aboriginal Land Trust (West Macdonnell National Park Including Simpson's Gap And Simpson's Gap Extension)
Uluḡu – Kaṯa Tjuṯa Aboriginal Land Trust
Uremerne Land Aboriginal Land (Ewaninga Rock Carvings Conservation)
Uretyngke Aboriginal Land Trust
Urrampinyi Itjiltjarri Aboriginal Land Trust
Uruna Aboriginal Land Trust
Wakaya Aboriginal Land Trust
Wampana-Karlantijpa Aboriginal Land Trust
Warrabri Aboriginal Land Trust
Warti-Yangu Aboriginal Land Trust
Warumungu Aboriginal Land Trust
Watarrka Aboriginal Land Trust
Wirliyajarrai Aboriginal Land Trust
Yalpirakinu Aboriginal Land Trust
Yewerre Aboriginal Land Trust
Yingualyala Aboriginal Land Trust
Yiningarra Aboriginal Land Trust
Yuendumu Aboriginal Land Trust
Yunkanjini Aboriginal Land Trust
Yurrkuru Aboriginal Land Trust

NT PARK LAND TRUSTS (Park freehold title is a distinct form of fee simple estate created under the Northern Territory *Parks and Reserves (Framework for the Future) Act*.)

Arrelte Twatye Park Land Trust (Native Gap Conservation Reserve)
Atnwarle Park Land Trust (Dulcie Ranges)
Kweyeunpe Park Land Trust (Kuyunba Conservation Reserve)
Watarrka Park Land Trust (Watarrka National Park)

OUTPUT 5.3

DISPUTE RESOLUTION

Assist in the resolution of disputes with respect to land as appropriate.

The CLC has statutory functions under both the Aboriginal Land Rights Act (s.25) and the Native Title Act (s.203BF) to assist with the resolution of disputes that relate to land. Consulting with Aboriginal people, and ensuring there is informed consent about land use decisions, is absolutely central to the operations of the CLC. The CLC makes every effort to ensure consultation processes accord with traditional decision making, reduce the potential for family or group conflict, and ensure informed consent; that is, that Aboriginal people understand the nature and implications of their decisions. The CLC believes that supporting the capacity and commitment of Aboriginal people to prevent and manage their own disputes is fundamental to the achievement of Aboriginal self-determination. Dispute management processes are critical to building strong Aboriginal governance at all levels: regional, local and organisational. At the heart of good governance lies an effective decision-making process: if relevant and transparent decision-making processes are in place which work for the group many

disputes may be alleviated or managed through these processes.

As the organisation grows and diversifies it is evident that the CLC requires a more systematic approach to ensuring that staff have the appropriate skills and expertise to facilitate these informed consent processes, with a particular emphasis on preventing, recognising and managing disputes. To this end, the CLC has finalised two important documents to ensure that its engagement processes are best practice, and to provide clarity regarding the CLC's approach to dispute management. The CLC's *Effective Engagement Strategy 2015* and the *Traditional Owner Dispute Management Framework 2015* are now finalised and will be implemented, subject to resources.

The CLC's anthropology section contributed to dispute resolution and mediation, and continued to mediate in a dispute over residence on the Athenge Lhere ALT.

