



**CENTRAL
LAND
COUNCIL**

**CENTRAL LAND COUNCIL
CORPORATE PLAN**

2021-2025

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ACCOUNTABLE AUTHORITY MESSAGE

Since 1976 the Central Land Council has represented Aboriginal people in Central Australia, fighting for rights, helping to reclaim and manage land, protecting culture and heritage and pursuing the economic opportunities that come with the recognition of property rights.

We are a council of 90 Aboriginal people elected by their communities to represent them. The region covers 777,000 square kilometres, is home to approximately 24,000 Aboriginal people and over fifteen Aboriginal languages.

Our corporate plan sets out our strategic direction. It informs and guides the delivery of the CLC's statutory functions so that our work is directed towards the priorities and aspirations of Aboriginal people across the region.

In this corporate plan period, the potential health impacts of COVID-19 remain of great concern. The preventative actions that the CLC and other Aboriginal community controlled organisations have taken to protect our communities have been very effective. However, we all need to remain vigilant in adapting our activities accordingly.

Amid ongoing economic implications of the pandemic, we welcomed the ABA economic stimulus funds approved by the Minister in 2020 as an important contribution to sustain and revive Aboriginal businesses, employment and skills development. Our management and administration of these funds is an opportunity to demonstrate the effectiveness of Aboriginal-led economic stimulus initiatives.

During the corporate plan period, we will also focus attention on strengthening our Aboriginal employment strategy to increase Aboriginal employment, training, development, and career pathways within the CLC and the wider community.

In the 45 years since the establishment of the CLC there have been significant demographic shifts in our communities and member constituencies. In recent years we have lost many Aboriginal leaders who led the struggle and sustained advocacy for land rights; including people who informed the design of land rights legislation and participated in the first meetings of the Central Land Council. It is timely for our organisation to focus on ensuring that we have relevant ways of connecting with communities, listening to our constituency and sharing information. As well as grass roots engagement, we will be enhancing forums and providing opportunities for the Council and Executive Committee to inform and update the administration as to the issues and priorities of the communities that they represent. We will also engage a sub-committee to advise on cultural policies, including the repatriation of cultural materials and the effective management of cultural information.

An emerging priority for the CLC is water policy, including access to secure drinking water supplies for remote communities, improving Aboriginal engagement in water planning processes, and proposed legislative and policy reforms. It is shocking that many of our communities do not have basic infrastructure services and it is critical to ensure that potable water supplies are secured for all remote communities as a matter of urgency. As well as sustaining life, water is also of great cultural significance and this must be respected. In addition, our people should not be excluded from the potential economic benefits of water management. The CLC will continue to work towards ensuring that Aboriginal people in Central Australia achieve an equitable and sustainable share of the Northern Territory's water resources.

The CLC is committed to ensuring that traditional owners are consulted and informed about proposed activities on their land, and are afforded consent processes to ensure that they can protect sacred sites and water sources, amongst other interests. Unlike the ALRA, which provides a mechanism for effective agreement making for access, use, and development on Aboriginal land, the Native Title Act in the Northern Territory does not always allow for consultation and agreement making. For proponents, the ALRA consent process delivers certainty for long-term investment, enables engineering plans to be informed by and avoid harm to sacred sites, and provides a foundation for respectful relationships with traditional owners. The CLC will actively pursue similar outcomes in the Northern Territory legislation.

We are confident that the CLC will continue to meet its statutory responsibilities, be a reliable and accountable representative body, and support Aboriginal people in Central Australia to maintain their cultures and look after their country.

We, as the accountable authority of Central Land Council, present the 2021/22 Central Land Council corporate plan, which covers the periods of 2021/22 to 2024/25, as required under paragraph 35(1) (b) of the Public Governance, Performance and Accountability Act 2013. The corporate plan has been prepared in accordance with the Public Governance, Performance and Accountability Rule 2014.



Sammy Wilson | Chair

31 August, 2021



Les Turner | Chief Executive Officer

31 August, 2021

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STRUCTURE AND CONTENT OF THIS CORPORATE PLAN

This corporate plan is structured to convey to readers:

- The **mandate** of the organisation.
- Its **aspirations**.
- The **activities** it intends to engage in to achieve those aspirations.
- The **resources** (people, assets, systems) available to deliver the activities.
- How the CLC **measures** its success both in a financial and non-financial means.

The plan is the **basis by which the organisation consults and negotiates with its Minister**, currently the Minister for Indigenous Australians, on the resources provided from the Aboriginals Benefit Account (ABA) and as a Native Title Representative Body (NTRB) to achieve its objectives.

Beyond meeting the PGPA's (legislation and rules) requirements the plan aims to be an information resource for its key stakeholders, including staff, constituents and Government.

The plan's content has the following key components:

- A message from the Accountable Authority with the section 35(1)(b) PGPA¹ statement.
- The **purposes statement which comprises its statutory purposes**.
- An explanation of the **'strategic direction'** and its periodic review by the Land Council.
- The Land Council's strategic inter-related **goals** and the core **activities** contributing to the goals.
- A **cross-cutting focus section** which describes some key elements that occur within many of the activities.
- The Land Council's **policy priorities**.
- Organisational **'strategy'** discussion.

- **Risk, capability and environment** assessment.
- The **performance framework** including non-financial performance measures and targets (including qualitative assessments) for 2021/22, time-based targets, and a financial sustainability assessment including financial forecasts over the life of the plan.

How should a reader understand CLC's intentions and its performance?

- Review the Purposes Statement, the seven (7) strategic goals, and the core activities contributing to each goal.
- Note that selected KPIs are the basis for setting and measuring performance. Each activity has a code enabling line of sight to the performance statement. There is also a 'program' performance table for time-based activities.
- Much of the organisation's performance cannot be assessed by metrics alone. Therefore, qualitative assessment case studies will be included on our website this year for: a community development project, an outstation project, and a s 64(4) ABA grant application support project.
- Finally, in the annual report for the relevant target year, the Annual Performance Statement will include the same cross-reference to the Corporate Plan activity code.

¹ Public Governance, Performance and Accountability Act 2013.

BACKGROUND (Incl. PGPA Act Requirements/Statements)

The Central Land Council (CLC) is an Australian Commonwealth corporate entity created to carry out the functions specified to it by the *Aboriginal Land Rights (Northern Territory) Act 1976*, as amended (ALRA). Subsequent to ALRA the CLC was also made a Native Title Representative Body (NTRB) under the *Native Title Act 1993*. Its activities also substantially increased with taking responsibility for the Ranger Program in its area, the Community Development program, and more recently Economic Participation.

Unlike most other Commonwealth entities its budget is not determined by the annual Commonwealth budget, as its allocation is from a Special Account determined by the Minister by 30 June each year. The main source of funding is an allocation from the Aboriginals Benefit Account (ABA) under section 64 of ALRA.

Section 63 of ALRA establishes the legislative basis for funds provided to the ABA by requiring amounts to be periodically placed into the account equal to the amounts of any royalties received by the Australian or the Northern Territory Government in respect of a mining interest on Aboriginal land. The NTRB² functions of the CLC are separately funded from the Australian Government budget. Special purpose grants are also received from various agencies.

For a map of communities and CLC office locations in the CLC region, refer to the [CLC website](#).

The CLC does not have any subsidiaries. It is an establishing shareholder (with the Central Australian Aboriginal Congress and Tangentyere Council) of Centrecorp, providing benefits to Aboriginal people in Central Australia via two (2) charitable trusts and the Centrecorp Foundation. The financial benefits generated by the charitable trusts result in financial contributions to the Centrecorp Foundation, and the Foundation's activities are disclosed on their website. For clarity, the Deeds of both charitable trusts exclude all shareholders from benefiting from the trusts. As reported in the audited financial statement note on related party disclosures, there is no financial benefit to the CLC.

² Endorsed by the Minister as an NTRB until mid-2024.

STRATEGIC DIRECTION

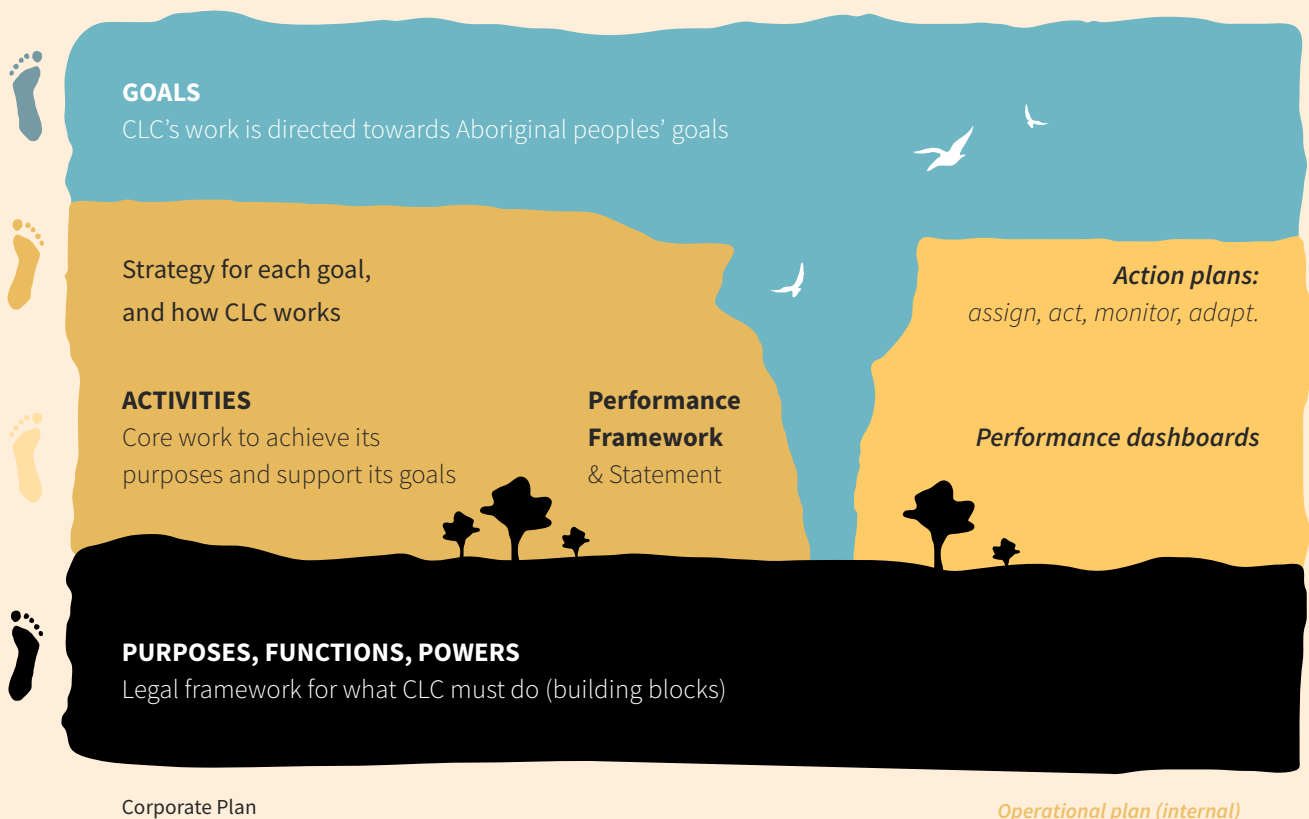
The strategic direction comprises strategies identified to ensure that the CLC's activities are targeted to effectively deliver on its purposes and thus contribute to its goals.

This Corporate Plan is developed to meet the PGPA requirements, to determine the CLC's medium and long term priorities, and be the basis for resource allocation to achieve its goals. The objectives are reviewed with the elected Council (within their three year term), taking into consideration the current operating environment. This review was delayed by Covid-19 and occurred in 2021. The next Council election is planned for April 2022.

Broad targets are established applying a Performance Information Framework (PIF). Appropriate monitoring and evaluation is achieved by regularly comparing results with the corporate plan. Where this identifies a need for change the plan should be revised and resources adjusted.

Simultaneously with the long term planning process the organisation structure is reviewed and adjusted to take into consideration current demands. The next phase is to assign resources, through a medium term framework. The medium term framework is both a prudential tool to ensure that appropriate financial discipline is maintained and a prioritisation tool that enables staging of expenditures where objectives cannot be resourced immediately. For example a commitment to asset management principles requires a steady and annual investment as the upgraded resources required are beyond any individual financial year budget. The corporate plan is supported by a long-term financial model, which enables scenario modelling to understand the financial impact of strategic decisions or of the service demands made upon it.

CORPORATE PLAN AND OPERATIONAL PLAN



CORPORATE PLANNING SCHEME

The Corporate Plan scheme outlines the strategies identified to ensure that the organisation's core work (activities) is prioritised and delivered in a means that fulfils its purposes and effectively contribute towards achieving each goal.

The performance framework ensures that the strategic activities are measured and achieved.

The administration's organisational planning details 'action' plans for each of the activities. This detail is maintained in the annual operational plan.

PURPOSES STATEMENT

Statutory Purpose: *The powers, functions and responsibilities were mainly established by the Aboriginal Land Rights (Northern Territory) Act 1976 and the Native Title Act 1993.*³

Annexure 1 lists the Powers and Functions. A brief summary of key functions is shown below.

Aboriginal Land Rights (Northern Territory) Act 1976 (ALRA):

A summary of key statutory functions performed across the area of the Land Council:

- Find out the wishes and opinions of Aboriginal people as to the management of Aboriginal land and appropriate legislation in relation to land.
- Protect the interests of traditional owners, and other Aboriginal people interested in, Aboriginal land.
- Help traditional owners to manage and look after country.
- Protect Aboriginal culture and sacred sites, whether or not on Aboriginal land.
- Consult with traditional owners and affected Aboriginal people, on land use proposals, and take traditional owner instructions.
- Negotiate on behalf of traditional owners with people having estates or interests in land with a view to acquiring those estates or interests by the Land Trust, and until acquired negotiate with a view to the use of the land by traditional owners.
- Negotiate on behalf of traditional owners with people interested in using Aboriginal land.

- Assist Aboriginal people with commercial activities on Aboriginal land.
- Assist Aboriginal people with traditional land claims.
- Negotiate and enter land access agreements.
- Represent a Land Trust in negotiating leases and other agreements.
- Supervise and assist Land Trusts and pay their administrative expenses.
- Help settle or prevent land disputes.
- Other functions as prescribed by regulations.

Native Title Act:

The Minister for Indigenous Australians renewed the CLC as a Native Title Representative Body (NTRB) until **June 2024**. As an NTRB, the CLC assists Aboriginal peoples with all aspects of native title claims, including the research and application process, court appearances on behalf of the claimants, responding to future act applications (e.g., mining operations), and negotiations for Indigenous Land Use Agreements (ILUA's). It also facilitates certification, dispute resolution, consultation and notification, and agreement making under the Native Title Act.

The Australian Government has not published a key priorities and objectives statement under section 34 of the PGPA. This corporate plan elaborates on the Land Council's objectives and details the strategies to ensure activities contribute to goal achievement. It describes its role, which is elaborated on in its annual report and half-yearly report to its Minister.

³ Refer to www.legislation.gov.au for full legislation (www.legislation.gov.au/Details/C2016C00111 (ALRA); www.legislation.gov.au/Details/C2021C00165 (Native Title Act))

GOALS OF THE CENTRAL LAND COUNCIL



All goals are inter-related and mutually reinforcing.

PRIORITY ACTIVITIES CONTRIBUTING TO THE GOALS⁴

Corporate Plan Activities

1. Rights & interests

Aboriginal peoples' rights and interests are protected and represented

1.1 Undertake statutory functions effectively (do a good job of the work that the law says land councils must do)

1.2 Protect the views and interests of Aboriginal people in government laws and policy

1.2.1 Develop policies and solutions with Council in line with Council priorities and supporting self-determination. Priorities are detailed under:

- Governance and control
- Keeping land rights strong
- Youth, law and justice
- Future of remote communities and outstations (including housing and climate change)
- Water
- Respond to key government policy

1.2.2 Advocate with governments to make sure Aboriginal peoples' views are important in their policies

1.3 Spread the word about the role of the CLC and the rights and interests of Aboriginal people (improve public awareness)

1.4 Support Aboriginal people in the CLC region to have a strong say about, and take part in, what the CLC does

1.5 Make sure our regional offices have what they need to support Aboriginal people

1.6 Make sure the CLC's resources and activities are spread across its whole region in a fair, equitable and transparent way

2. Land ownership & interests

Aboriginal land ownership and interests are protected and enhanced

2.1 Advocate for better land rights and native title rights in laws and government policies

2.2 Research who are the traditional owners for land in the CLC region

2.3 Research, prevent or manage disputes

2.4 Undertake native title claims

2.5 Support native title holders to deal with future acts (others' plans to do something on the land that affects their native title rights)

2.6 Support people to exercise their native title rights

2.7 Check and effectively deal with land use and development applications

2.8 Support traditional owner groups to make informed decisions about plans to use their land and make sure these instructions are carried out

2.9 Negotiate leases, licences and other uses of land with applicants, consult with traditional owners to make agreements, and consult affected communities

2.10 Monitor land use agreements to make sure they are followed, enforce obligations and meet our commitments

2.11 Manage permits for people visiting and working on Aboriginal land

2.12 Formalise the land acquisition strategy (plan for acquiring land)

2.13 Assist Prescribed Bodies Corporate (PBCs, native title holder bodies) to learn and do their work

⁴ The goals and activities do not capture all of the work of the CLC.

3. Culture

Aboriginal people protect and maintain their sacred sites, land, cultures, languages and cultural heritage

- 3.1** Research and protect sacred sites and cultural heritage
- 3.2** Bring back Aboriginal objects (repatriation)
- 3.3** Protect and store recorded/documented cultural knowledge safely
- 3.4** Make sure documented cultural knowledge is appropriately shared with traditional owners
- 3.5** Plan and action activities that support Aboriginal people to learn and teach on country
- 3.6** Advocate for cultural values, knowledge and languages of Aboriginal people in the CLC region
- 3.7** Help Aboriginal people in the CLC region with the costs of funerals
- 3.8** Help Aboriginal people in the CLC region with the costs of ceremony

4. Looking after country

Aboriginal people are looking after their country

- 4.1** Support Aboriginal people to plan how to make decisions about and use their land (land use planning and governance)
- 4.2** Start and manage programs with Aboriginal people to look after their country and cultures, including:
 - 4.2.1** Manage and grow the ranger program
 - 4.2.2** Support Aboriginal people to manage Indigenous Protected Areas (IPAs)
 - 4.2.3** Support traditional owners' decision-making and influence in joint management of NT and national parks together with the Government
- 4.3** Plan and action activities with Aboriginal people to protect their country and cultures, including:
 - 4.3.1** Fire management work
 - 4.3.2** Manage feral (introduced) plants and animals

5. Economic (jobs, training and business)

Generations of Aboriginal people are successful in training, jobs and businesses

- 5.1** Support Aboriginal people to make good use of land use income (maximise benefit and minimise harm)
- 5.2** Assist Aboriginal organisations with land interests or land use income with their administration, meetings, and governance
- 5.3** Develop the CLC Economic Participation Unit (plan to support more local Aboriginal jobs and businesses)
- 5.4** Find opportunities where Aboriginal businesses can do well and grow, and help them to find support
- 5.5** Work with other services that also support Aboriginal people to do real training and find jobs
- 5.6** Advocate for Aboriginal jobs and businesses in the CLC region and effective approaches for success
- 5.7** Manage the ABA “economic stimulus” money for the benefit of Aboriginal people in the CLC region
- 5.8** Action the CLC Pastoral Development Strategy (do the activities in the plan)
- 5.9** Support Aboriginal jobs and businesses that help traditional owners to look after country

6. Communities & outstations

Aboriginal people control their communities and outstations

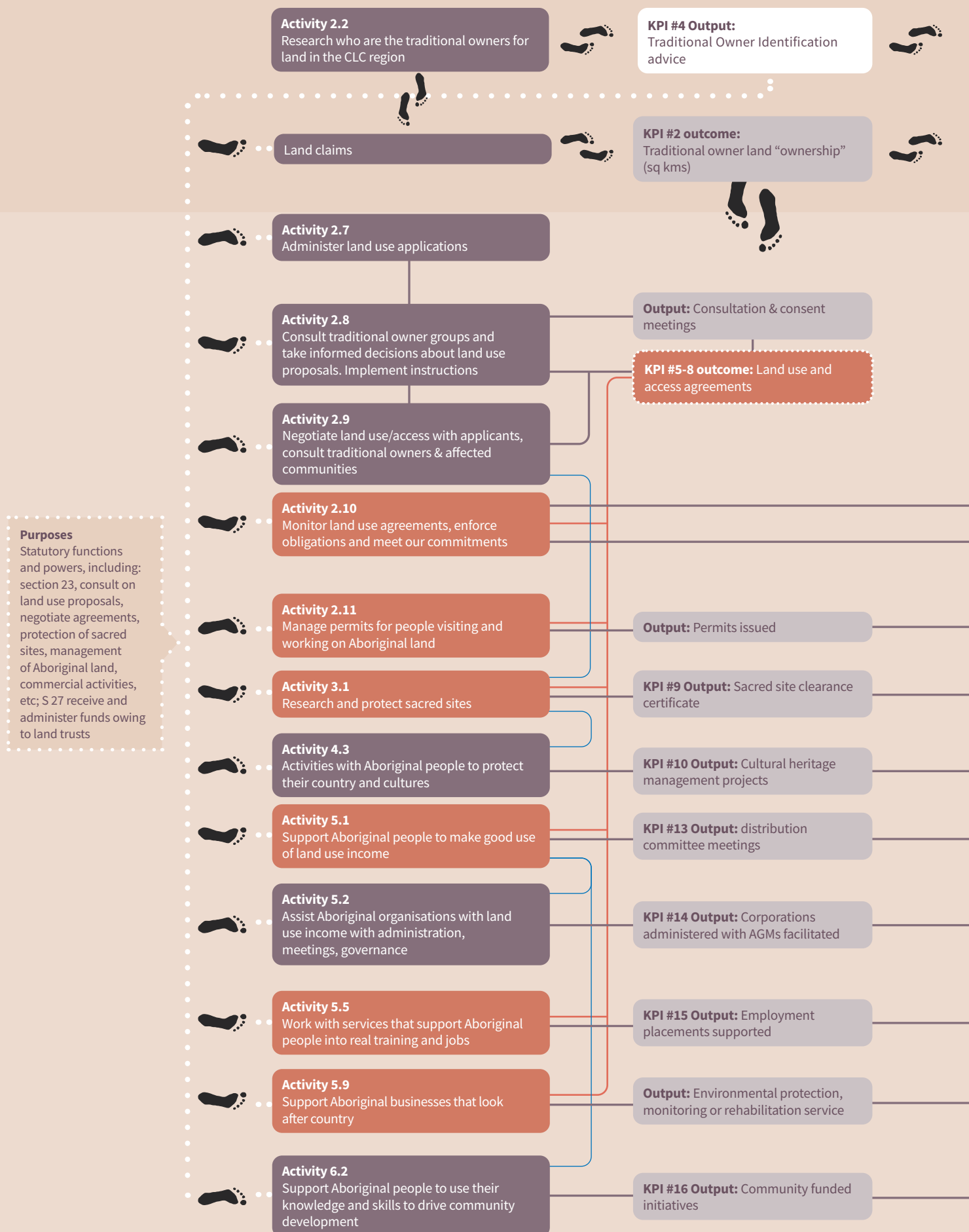
- 6.1** Advocate for good community governance, local involvement in decision making, building skills and developing community capacity
- 6.2** Support Aboriginal people to use their knowledge and skills to drive their own community development (planning, funding, and monitoring community-driven projects with their land use income)
- 6.3** Advocate for the effectiveness of Aboriginal led community development
- 6.4** Support Aboriginal community organisations, and work collaboratively to get better outcomes

7. Governance

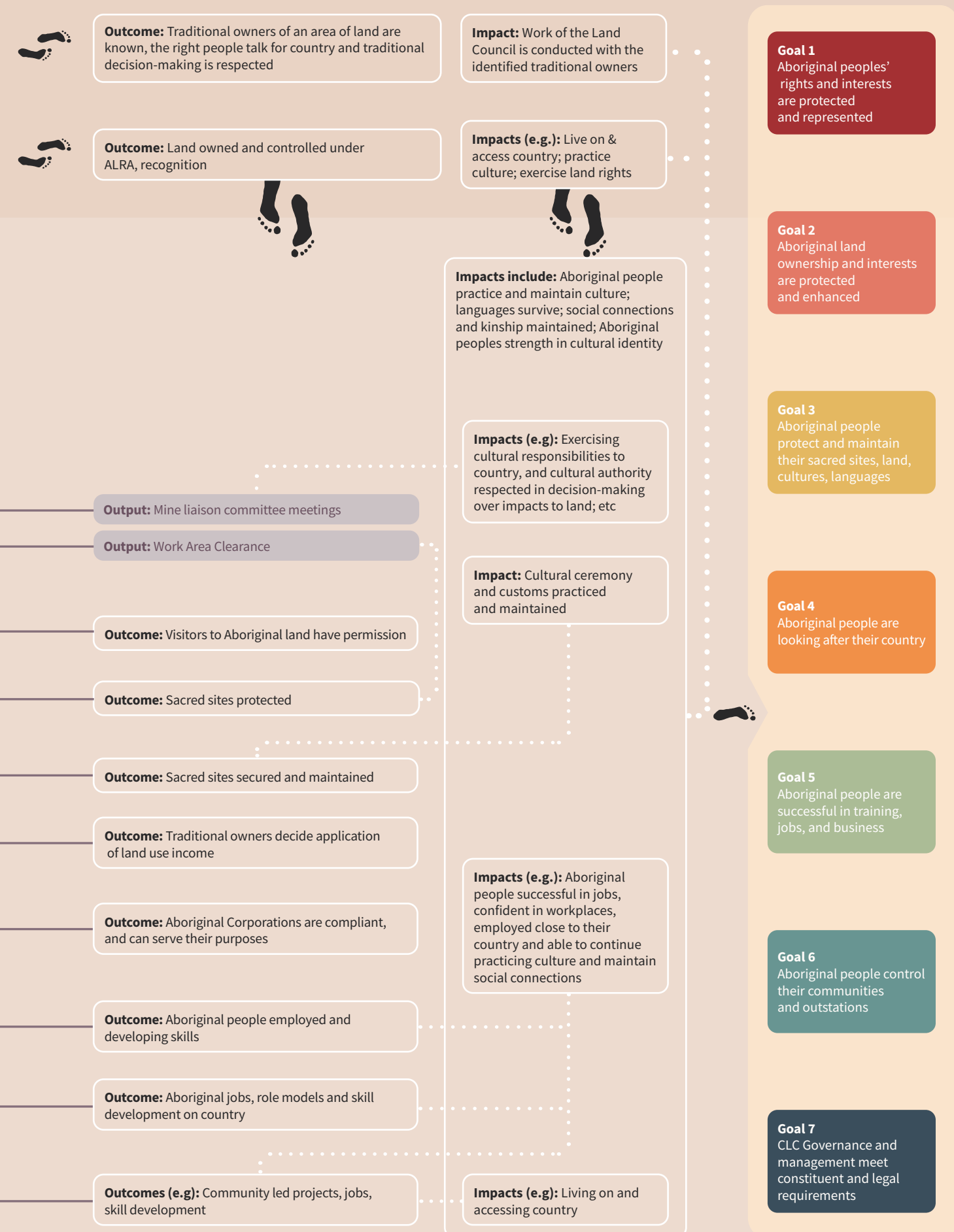
Governance and management meet constituent and legal requirements

- 7.1** Coordinate Council and Executive Committee meetings; run fair elections achieving representation, support elected members to be good leaders and community representatives and govern the CLC well
- 7.2** Continue to improve the way CLC works with its regions
- 7.3** Aboriginal employment and leadership strategy (increase Aboriginal staff and support them to become future managers and leaders)
- 7.4** Protect personal information as required by law (Privacy Management Plan)
- 7.5** Manage the information and records (information governance strategy)
- 7.6** Check how well we do our activities in our plan and manage risks (monitoring, internal audit and risk management strategy review)
- 7.7** Make sure that our activities keep getting better for the environment (reduce organisational environmental impacts)

PURPOSES → ACTIVITIES → INDICATORS → OUTCOMES → GOALS EXAMPLE



Example of the inter-related nature of activities, the outcomes and impacts that they contribute to. This does not capture all inter-related activities but provides a simplified example of activity relationships for 2.7 administer land use applications under ALRA



HOW THE CLC DOES ITS WORK

The CLC delivers its activities through:

Respect for country, culture & Aboriginal law

Respect for Aboriginal ways of doing business and making decisions

Representation and advocacy honouring self-determination,
responsive to people's needs and interests

Effective communication, sensitive to cultural and linguistic diversity

Consultation with traditional owners and affected Aboriginal people

Informed consent by Aboriginal decision-making groups

Accountability and transparency to the Aboriginal people
we consult and represent

Building capacity, supporting participation and learning

Respectful relationships with stakeholders

VALUED BEHAVIOUR

The elected members and staff have agreed to be guided by the following organisational values:

HONESTY we value honesty, integrity and difference

LEADERSHIP we aim high, extending ourselves and empowering others

LEARN we collaborate and support each other to grow,
learn and continuously improve

LISTEN with interest to our colleagues, constituents and our community

LOYALTY we are loyal, dedicated and effective and take responsibility
for what we do

PRIDE we are proud of the CLC, each other, our constituents and our community

PRIVACY we respond to our client needs and evolving statutory obligations

RECOGNITION we recognise the aspirations of Aboriginal people
in Central Australia

RESPECT we believe that everyone should be treated with dignity and respect

RISK we understand, accept and manage risk

SUCCESS we acknowledge success and celebrate our achievements

CROSS – CUTTING FOCUS

This section elaborates on particularly unique elements comprised in many of the CLC's activities:

GOOD GOVERNANCE

Land Councils operate across cultural, community, and Commonwealth corporate entity governance domains. Effective governance respects Aboriginal cultures and requires cultural legitimacy. The CLC deploys best-practice corporate governance adapted for inter-cultural appropriateness to strengthen organisational governance and outcomes.

Good governance requires elements of structure, frameworks, regulations and policies as well as people and values. This corporate plan addresses, and is part of, the key components of organisational governance, including legislation, planning, organisational structure and a performance framework aligned to outputs and outcomes and its people.

A key consideration for any organisation, especially a Commonwealth corporate entity with an elected Council, is the division between the responsibilities of the elected and administrative arms of the organisation. ALRA established the elected Council, the Council formed an elected Executive Committee, and the PGPA requires an Audit and Risk Committee to provide independent oversight.

The Council has formally delegated operational responsibilities to the CEO who reports on activities to both the Executive Committee and the Council. Appropriate induction and training is provided to the Executive Committee and Council to support best practice governance. Increased attention is being given to Council and Executive Committee engagement with the strategic goals and activities; supporting new member understanding of the CLC's work and its outcomes, and aiming for continuous improvement in our activities and ways of working. A key support program is also enhancing good governance in large 'CATSI-Act' corporations administered by the CLC.

REMOTENESS AND ACCESS TO 'COUNTRY'

The vast and hostile climate of Central Australia poses significant challenges for meeting and consulting with Aboriginal peoples in remote communities and locations the subject of land use applications, land management, and other activities such as site clearance work. This includes logistical and safety factors, as well as the aspirations and achievement of best practice consultation that is culturally appropriate. Appropriate consultation, along with effective decision making and informed consent, rely heavily on the achievement of the right process and forum which requires understanding local and cultural context, co-planning, time and persistence.

PROTECTING CULTURAL INFORMATION, ARTEFACTS AND SITES

ALRA provides an effective mechanism for the achievement of land use agreements that protect cultural values, reach mutually beneficial terms and conditions on impacts and benefits, and Land Council facilitated consent processes that provide certainty to the proponent. In addition, ALRA assigns Land Councils a statutory function to take measures to assist the protection of sacred sites.

Aboriginal people in Central Australia continue to seek the appropriate return and protection of cultural artefacts. Additionally, the CLC must manage the protection and sharing of cultural information with traditional owners in a culturally authorised and legal manner that requires considerable thought, care, and time. In the planning period ahead organisational policies will be developed to strengthen progress in these areas.

EVOLVING INTEGRATION OF NATIVE TITLE SERVICES

Added value is likely to be achieved through further integration of the NTRB and ALRA roles and responsibilities. The current level of integration progressively evolved from the NTRB initially being established as a 'stand-alone' unit responding to native title legislation that was promulgated many years after Northern Territory 'land rights' driven by ALRA. Current integration has the anthropological, legal and mining functions dealing with ALRA and NTRB matters 'side-by-side'. However, relatively newly established support for Native Title 'PBCs' is undertaken separately from the Aboriginal Corporations supported under ALRA. It is likely that there are synergies and lessons to be applied from the long-established 'ALRA' support to 'PBC' support, provided some funding certainty can be derived. An opportunity for the Minister to provide 'ABA' funding is recognised, because a number of ALRA 'functions' are described to specifically require support for 'Traditional Owners' 'and' 'Aboriginals' enabling a conclusion that all Aboriginal people in the region can be supported.

ECONOMIC PARTICIPATION AND THE ABA ECONOMIC STIMULUS

The CLC's newly formed Economic Participation Unit (EPU) builds upon our work to support pathways for Aboriginal people into successful business and employment. Additionally, the EPU is now engaging with constituents to understand regional aspirations and build evidence on what works well, identifying new opportunities, and strengthening collaboration. The ABA Indigenous economic stimulus funds provide a mechanism to enhance economic outcomes through economic, social and infrastructure projects.

COMMUNITY DEVELOPMENT

The Community Development (CD) work supports Aboriginal people to drive the development of their communities and outstations through their collective knowledge, skills and land use income. Aboriginal decision making groups across the region prioritise, fund and monitor projects delivering social, cultural, environmental and economic outcomes, with a continuing emphasis on Aboriginal training and employment. The major CD programs, including the matched funding incentive 3-year trial approved by the Minister for Indigenous Australians in 2020 using funds from the ABA, are detailed on the [CLC website](#).

POLICY PRIORITIES FOR 2019-2022

Each newly elected Council reviews the CLC's policy priority areas. The last policy priority review in July 2019 confirmed the priority areas set out below. The next policy review is planned for the July 2022 Council meeting following election of the new Council in mid-2022. Council recognises the need to promptly respond to policy issues and demands as they arise, as well as the need to assert and progress their own policy priorities and agenda. At the heart of this policy development is self-determination. Aboriginal peoples in Central Australia want to articulate and progress their own

aspirations, and devise their own solutions to complex issues. Staff work with the Council and Executive Committee to understand and analyse the policy environment and develop their policy positions and solutions. These policy positions then guide the policy work of the Council and are the basis for negotiations with all levels of government, corporate Australia and non-government organisations. The aims are to ensure that the views of Aboriginal people in Central Australia are central to policy debates and policy development on the matters that impact on their lives and families.

| Policy Priorities 2019-2022 | Approach |
|--|---|
| Governance & Control | |
| Constitutional Reform | <ul style="list-style-type: none"> • Ensure the views of Traditional Owners are front and centre of Government processes in progressing constitutional reform and a referendum. • Consider options for a referendum. • Work with Aboriginal leadership, national peaks and key organisations to progress Voice to Parliament. • Be part of the co-design process for designing the Voice to Parliament. |
| NT Treaty | <ul style="list-style-type: none"> • Support Traditional Owners to access information about a treaty or treaties and understand the process of possible treaty making in the NT. • Facilitate Council access to the Treaty Commissioner and Deputy Treaty Commissioner. • Work to progress a Treaty in the NT based on views of Traditional Owners. • Provide input into any future treaty process and support local and regional input into the work of the NT Treaty Commission so that Traditional Owner interests are taken into account. |
| Achieve greater local and regional control | <ul style="list-style-type: none"> • Advocate for a review of and any necessary improvements to the NT Government's Local Decision Making (LDM) policy. • Support local Community governance building initiatives and work with AGMP and other key stakeholders to support governance capacity building and greater community control. • Support Community Development Program governance work. |
| Work with APONT to promote Aboriginal control | <ul style="list-style-type: none"> • Work with APONT to provide a united Aboriginal voice on NT and Commonwealth policies to ensure policy approaches are based on principles of empowerment and self-determination. • Advocate for Aboriginal-led policy development processes to address and respond to priority social issues. • Contribute to APONT Forums to give a strong Aboriginal voice on key issues. |

| | |
|---|--|
| Closing the Gap | <ul style="list-style-type: none"> • Advocate for Closing the Gap to improve and benefit the lives of remote Aboriginal people. • Support the objectives of the Coalition of Peaks and participate fully in its operations including policy development and governance. • Work with the Coalition of Peaks on major reforms focussing on: <ul style="list-style-type: none"> • Shared decision making between Aboriginal and Torres Strait Islander representatives and organisations and Australian Governments on Closing the Gap, including at the regional level; and • Building the formal Aboriginal and Torres Strait Islander community controlled services sector. • Work with the NTG through APONT and the Coalition of Peaks on the establishment of a Closing the Gap Executive Council and working group and the development of the NT's CTG Implementation Plan. |
| Strengthen Council and Executive Committee | <ul style="list-style-type: none"> • Support good governance processes and practices, including regular governance training. • Undertake reviews as required by Council and Executive Committee to improve meetings, review rules, code of conduct, membership. |
| Youth, Law & justice | |
| Advocate for a better education system | <ul style="list-style-type: none"> • Contribute to policies and strategies to strengthen and improve remote education. • Advocate for an increase in Aboriginal teachers in remote schools though increased funding for the RATE program. • Advocate for language and culture in schools and bilingual education. • Advocate for an NT Education PEAK linked to achieving Closing the Gap targets. • Advocate for a strong funding commitment to remote vocational training delivered in situ to support ACCO capacity building to ensure a successful transition to local community control of different functions and services. |
| Royal Commission into the Protection and Detention of Children in the NT | <ul style="list-style-type: none"> • Advocate for system wide changes necessary to improve outcomes for children and young people and the community as a whole. • Work with APONT to ensure the government does not rush through legislation that goes against the recommendations of the Royal Commission. • Advocate through the Tripartite forum for: <ul style="list-style-type: none"> • rescinding 2021 amendments to the Bail Act and Youth Justice Acts. • raising the age of criminal responsibility to a minimum of 12. |
| Remote Policing | <ul style="list-style-type: none"> • Advocate for remote policing arrangements that meets the needs of remote community residents. |

Keeping Land Rights Strong

Keep the ALRA strong and promote economic opportunities on Aboriginal land.

- Be watchful that Government does not make changes to the ALRA without our agreement.
- Work to get control over ABA processes and funding decisions.
- Use CLC's 12 guiding principles to guide reform of the ABA.
- Support a development approach to economic development.
- Support and advocate for policies that strengthen access to resources, capacity building and governance support so Traditional Owners can achieve economic development and empowerment.
- Strengthen the NT Sacred Sites Act to enhance traditional owners' control over sacred site protection.

Native Title

- Be watchful that Government does not make changes to the Native Title Act without our agreement.
- Make sure that the views of Native Title holders from Central Australia are represented at the national level.
- Keep Council up to date with changes to the Native Title system which may affect people's native title rights and interests.

Community leasing model

- Support traditional owner aspirations in relation to leasing arrangements, including community township leasing and housing leases.

Future of remote communities and outstations

Housing

- Demonstrate the failing of the existing remote housing system.
- Advocate for improved government housing policy using the CLC housing principles adopted at the Alparra Council meeting (Nov 2018 and Council resolution CM2018.03.09).
- Develop an alternative housing model and get national and NT government support.
- Participate on the Joint Steering Committee (JSC) overseeing the implementation of the National Partnership Agreement to improve housing for remote communities.
- Advocate to the NTG and AG for funding to implement a pilot community housing delivery program aimed at determining the costs.
- Advocate for better housing through submissions, policy papers and contributions to NT and Commonwealth strategies and policies.
- Work with the new peak body for Aboriginal housing, Aboriginal Housing NT (AHNT) to achieve a better housing system for remote communities.

Climate Change

- Advocate for greater attention to how climate change will impact on the social, cultural and health and well-being of remote community residents.
- Support housing policies and strategies that lessen the impact of climate change on households.
- Work with key stakeholders to strengthen advocacy around climate change and remote housing.
- Support information, understanding and action on climate change adaptation for remote communities including equitable access to renewable energy for remote communities.

Homelands / Outstations

- Demonstrate the need and value of small communities and outstations.
- Report on the work the CLC does for outstations, and TO money being invested.
- Advocate for improved service delivery and a ten year funding commitment from the NT Government for homelands.
- Advocate for establishment of an NT Homelands entity subject to a long-term funding commitment (above).
- Contribute to NTG policies, reviews and strategies regarding outstations.

Water

Advance Aboriginal rights & interests

- Develop key advocacy principles around water reform.
- Support water rights for social, cultural, economic use (strategic Indigenous Water Reserves, 'SAWR'). Advocate for finalisation of regulations for SAWR's and for SAWR allocation to be quarantined from other uses until those regulations are finalised.
- Advocate for NT adherence to the commitments under the National Water Initiative (current and future).

Respond to other key government policy initiatives

- Advocate for Australian government reforms to CDP based on the APONT alternative model.
- Progress APONT policy and advocacy work on the CDP alternative model.
- Carry out research and collect data to better support and show the issues facing remote community residents.
- Respond to government proposal regarding the Cashless Debit Card.
- Advocate for the adoption of a jobs package for remote NT communities as part of CDP reform.
- Advocate for improved food security in remote communities including preparation for a potential future COVID lockdown.

CORPORATE STRATEGY

Advocacy is the core business, but increasingly the organisation is regarded by external agencies as a competent and professional vehicle for managing and supporting additional service delivery activities to Aboriginal people in Central Australia.

This trend accelerated in 2019/20 due to COVID-19.

The extraordinary organisational growth since 2007 would be challenging for any organisation. There was a degree of consolidation last decade, but over recent financial years growth is accelerating again and building and vehicle resources are being stretched to their limits.

All the current signs are that this growth will continue exponentially.

- Community Development outcomes are increasingly being identified and advocated by CLC constituents and Council as the target for Aboriginal Corporation funds, and the Government's acceptance of the exceptional benefits of this program.
- The Australian Government's 'secure tenure' policy changed forever the advocacy role, with property 'leasing' providing an additional ongoing compensation to Traditional Owners and communities increasing both the corporation management support and community development demands.
- The Australian Government funding commitment to the Ranger Program is to 2028. CLC will continue to be viewed as a trusted vehicle for Australian and NT Governments to achieve its objectives, e.g. Aboriginal employment, economic development, parks management and tourism.

- Expanding Native Title 'future act' and oversight responsibilities. This includes guiding PBCs over the next 3 years to improve their capacity and move to a sustainable situation. Up to 36 PBCs will be involved in this program (currently 32).
- Constant demands for anthropological 'clearance' for private sector use of Aboriginal land.
- Land Council representation on steering committee on public housing (remote).
- Philanthropy - the 10 Deserts Project.
- Economic stimulus project providing \$35 million of ABA funds for the next 2 financial years.

Managing the growth

Best endeavours and information from relevant Government Departments have been used to forecast the most likely service demand changes over a medium and long term, as well as modelling alternative scenarios.

The scenarios are described in *Modelling – Scenario planning*.

RANGER PROGRAM

At 30 June 2021, there are 12 ranger groups 'hosted' and 3 'emerging groups'. These 15 groups are currently operating under Commonwealth Government (NIAA) and/or Indigenous Land and Sea Corporation (ILSC) funding agreements that have been renegotiated until 2021. Ten Desert Projects funding has supported the emerging groups.

The Ranger Program provides unique 'working on country' employment and training opportunities for local Aboriginal people in natural and cultural resource management while supporting the aspirations of senior Traditional Owners for family members to remain living in their community and assume responsibility for their country. Such initiatives are:

- Providing 'real jobs' on country.
- Increasingly the basis for supporting Traditional Owners to sustainably manage and protect the cultural and natural values of their country.
- Frequently involve senior Traditional Owners in a mentoring role alongside young rangers and the intergenerational transfer of knowledge.

- Enjoy a high level of community support, participation and ownership.
- Provide a valuable youth-diversionary service for remote communities by building critical individual confidence and self-esteem.
- Build a wide range of skills for providing contract environmental management and other services to government and industry where available.
- Deliver considerable social, environmental, cultural and economic benefits to traditional land owners and their communities.

Each ranger group is supported by a Traditional Owner Ranger Advisory Committee (TORAC) who identify priority work areas and projects to use resources wisely and develop projects that best meet their aspirations for their country.

Existing Ranger Program Groups

| Ranger group | Areas of operation | Area (km2) | Employment (FTE) |
|---------------------|--|----------------|------------------|
| Anangu Luritjiku | Papunya and surrounding Haasts Bluff ALT | 19,471 | 5.8 |
| Anangu | Angas Downs IPA | 3,204 | 1.0 |
| Anmatyerr | Ahakeye ALT (Ti Tree) and wider Anmatyerr region | 22,288 | 6.6 |
| Arltarpilta Inelye | Atitjere region, Huckitta Station and surrounds | 22,607 | 5.6 |
| Kaltukatjara | Kaltukatjara (Docker River) and Western Katiti Petermann IPA | 28,585 | 4.2 |
| Ltyentye Apurte | Santa Teresa ALT and surrounds | 17,101 | 7.0 |
| Murnkurrumurnkurru | Daguragu ALT and surrounds | 24,073 | 6.4 |
| Muru-warinyi Ankkul | Tennant Creek region | 71,743 | 9.3 |
| North Tanami | Lajamanu and Northern Tanami IPA | 89,749 | 7.6 |
| Tjakura | Mutitjulu, Eastern Katiti Petermann IPA, collaboration with Uluru Kata Tjuta National Park | 26,682 | 4.2 |
| Tjuwanpa | Hermannsburg ALTs and adjoining national parks | 10,776 | 8.2 |
| Warlpiri | Yuendumu, Nyirrpi, Willowra and Southern Tanami IPA | 128,326 | 6.6 |
| Emerging groups | Walungurru Rangers - western half of Haasts Bluff ALT (IPA in development) | 19,500 | 5.8 |
| | Alyawarra/Arlparra (Utopia) and Ampilitawatja communities and the Alyawarra, Angarapa and Alkwert ALTs | 7,000 | 4.0 |
| | Aputula Rangers - Aputula ALT, Pmer Ulperre Ingwemirne Arletherre ALTs, Pmere Nyente ALT, Atnetye ALT | TBC | 4.0 |
| | | 491,105 | |

Potential Ranger Group Opportunities

There remains opportunity to extend the reach of the program into new areas so that the corresponding benefits can be spread further. There is still consistent demand from traditional owners and CLC members to develop ranger groups in areas and communities where they do not currently exist. That demand continues to outstrip available Commonwealth funding.

The CLC has analysed which locations have the most chance of success. A range of criteria under the following themes identifies the priority locations for this investment:

- **Social Factors** – demographics, strong governance structures, value-adding linkages to community schools and other social programs, e.g. youth-at-risk.
- **Cultural and aspirational factors** – demonstrated interest, clearly articulated aspirations.
- **Economic Factors** – unemployment, land access, enterprise and fee-for-service opportunities.
- **Bio-physical and bio-cultural factors** – biodiversity values, culturally significant sites.
- **Potential development partners/collaborators** – e.g. resource centres, local government, government and non-government interests.

The Potential Ranger Group Opportunities Map illustrates the potential coverage that the Ranger Program could have in terms of enhancing the existing ranger groups and the expansion into new areas. This requires further consultation however the initial assessment identifies another potential 17 areas that would be worthwhile assessing further bringing the total number of groups to 28, creating over 100 direct new jobs.

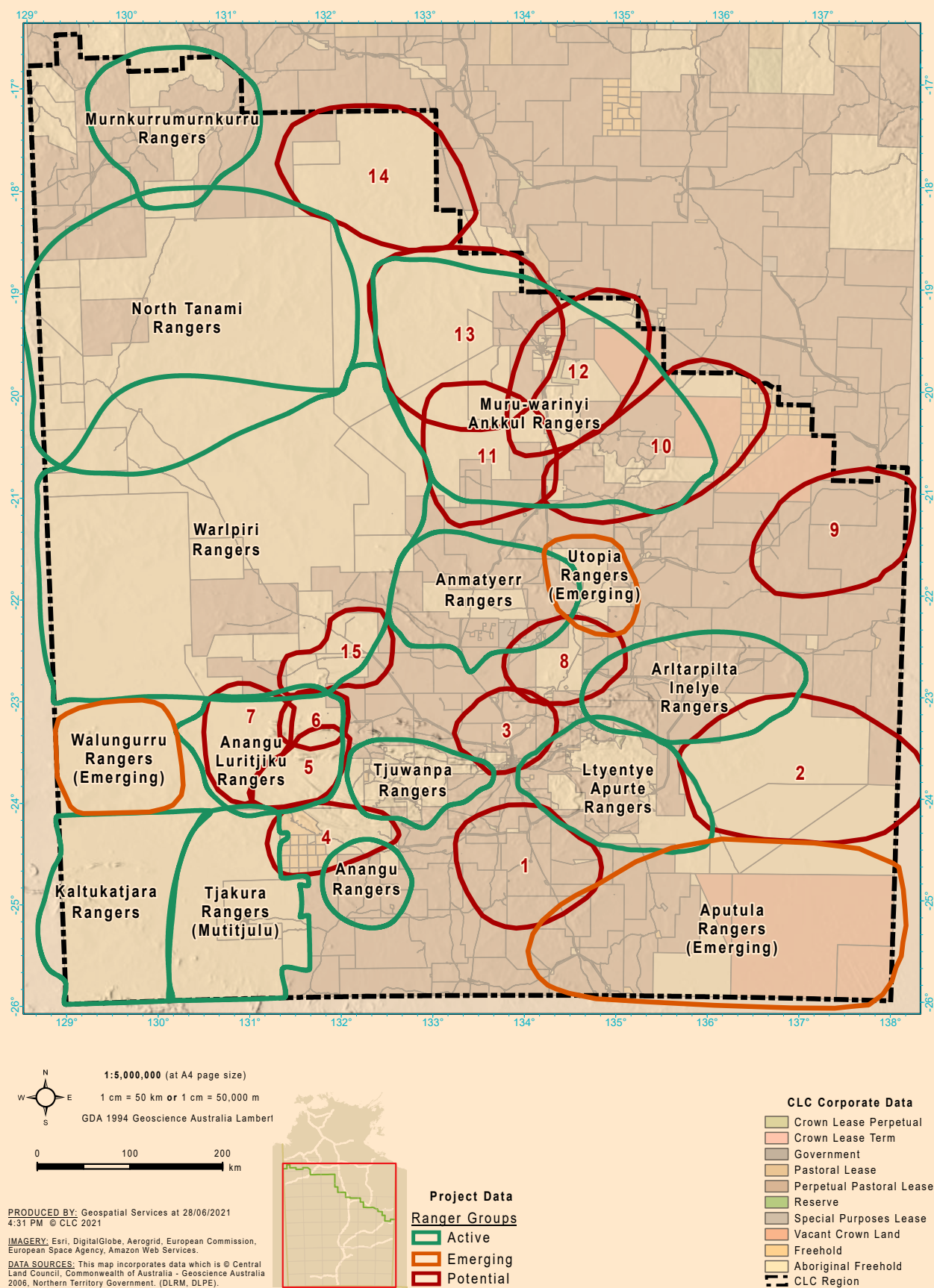
In 2020 seed funding was approved for the establishment and operational costs for 2 years under the ABA stimulus project for phase 1. This includes funding for 3 new ranger groups in the Kintore, Arlparra and Aputula areas supporting up to 30 jobs in natural and cultural resource management. Options will be investigated for continuing funding beyond the 2 year period, including a Ministerial submission in the second year to directly fund the ongoing costs from the ABA (with possible co-contributions) during the 7 years the overall program is being negotiated. Discussions need to advance regarding the potential for CDP participant income.

Expansion of the program requires an increase in organisational capacity to co-ordinate the program, recognising the additional management and supervision complexities of a hybrid employment and training program with a high proportion of Aboriginal employees with limited education and employment experience. As part of the assessment process investigations are being undertaken regarding the structural requirements to support such an expansion.

The prioritisation table outlines location prioritisation in the order investment should be made to expand the reach of the program. The standard model for operating a ranger group, which involves a ranger group and associated infrastructure operating from a central community and working on the surrounding land, does not apply in each case. Areas without a large central community would benefit from taking a project-based approach with remote based operational camps established within each work area.

Refer also to the Modelling – Scenario Planning section for the funding requirements for the first five (5) phases and the estimates of employment creation.

Existing and Potential Ranger Group Opportunities



CENTRAL LAND COUNCIL

2021-251

Existing and potential ranger groups

New Ranger Group Prioritisation

| New Ranger Group Prioritisation | | Approximate | Employment | Indicative | Operational |
|---|---|------------------|-----------------------|-------------------------------|--------------------------|
| Work Area Description (in order of priority) | | Area | Full Time Equivalents | Establishment Costs - capital | Costs p.a. incl salaries |
| Phased implementation to meet community expectations/ resource availability | | (km2) | FTE | \$m | \$m |
| Phase 1 | Walungurru: A group operating out of Kintore will cover the western half of the Haasts Bluff ALT working in partnership with existing Anangu Luritjiku (Papunya) Rangers who cover the eastern half of the Haasts Bluff ALT. Lease already held on suitable land for establishing operations. NOTE 1 | 19,500 | 5.8 | 1.7 | 1.0 |
| | Arlparra (Utopia): Operational base for this group will be the Arlparra Community. The work area includes the Angarapa, Alyawarra ALT's and other neighbouring ALT's, and Aboriginal owned pastoral land. NOTE 1 | 7,000 | 4.0 | 1.5 | 0.8 |
| | Aputula (Finke)/Southern Simpson Desert: The operational base for this group is the Aputula (Finke) Community which is situated 430km south of Alice Springs. NOTE 1 | 13,000 | 4.0 | 1.4 | 0.8 |
| Phase 2 | Tennant Creek Region (Epanarra/Canteen Creek) - Work Area 10: A group operating in this area will work across the Davenport Range National Park, Anurrete ALT, Wakaya ALT, Warrabri ALT, Epanarra and Canteen Creek Community. Tennant Creek will be the central point for coordination and administration with the creation of modest infrastructure within the work area. | 5,500 | 4.8 | 2.2 | 1.0 |
| | Tennant Creek Region - Work Area 11, 12, 13 & 14: There is scope to expand the reach of the existing Muru-warinyi Ankkul (Tennant Creek) Rangers under an alternative model. This model involves Tennant Creek as the central point of coordination. The existing Tennant Creek based group would shift their focus towards pursuing fee-for-service work with additional rangers focusing on regional projects within the above mentioned work areas. | 68,000 | 11.2 | 1.2 | 2.3 |
| Phase 3 | Alice Springs - Work Area 3: A group based in Alice Springs working across Aboriginal land within close proximity to the town. This group could also work in partnership with the Alice Springs Town Council and NT Parks and Wildlife. NOTE 2 | | 8.0 | 0.9 | 1.7 |
| Phase 4 | Laramba/Yuelumu(Mount Allan)/Central Mount Wedge - Work Area 15: Potential work area includes the Yalpirakinu and Ngalurtju ALT and based out of the Yuelumu/Laramba communities. | 7,000 | 4.8 | 1.4 | 1.0 |
| | Titjikala - Work Area 1: A group based at Titjikala will work across small parcels of Aboriginal land including national Parks in the area. | 200 | 3.6 | 1.4 | 0.8 |
| Phase 5 | Northern Simpson Desert - Work Area 2: There are no major communities in this area therefore a seasonal and project based approach needs to apply in order to manage key threats and provide employment opportunities for traditional owners. Extended field based land management activity will be conducted from modest ranger operational camps established within the work area. | 28,000 | 5.6 | 1.3 | 1.2 |
| Phase 6 | Alpurrurulam (Lake Nash) - Work Area 9: The community of Alpurrurulam is the proposed operational base for this group. There is limited Aboriginal land in the area however the rangers could work across pastoral lease and potentially collaborate with Indigenous rangers operating across the border in Queensland. | 200 | 5.6 | 1.4 | 1.2 |
| | Engawala - Work Area 8: Work area covers the Alkwert ALT and includes the Mulga Bore, Angula and Engawala community | 3,000 | 4.0 | 1.4 | 0.8 |
| Phase 7 | Urrampinyi Itjtjiltjarri (Tempe Downs) ALT - Work Area 4: This land trust borders the Angas Downs IPA to the south and lies between the Utju (Areyonga) community to the north and Imanpa to the south. | 5,000 | 4.8 | 1.4 | 1.0 |
| | Mount Liebig and Haasts Bluff (Ikuntji) - Work Area's 5, 6 & 7: These work areas will be included as part of the existing ranger group based out of Papunya but with a view of creating employment opportunities for people based in these communities. The central point of coordination will remain at the Papunya Community. | 14,000 | 4.8 | 0.9 | 1.0 |
| | | TOTAL | 71.0 | 18.1 | 14.6 |
| | | Headcount | 101 | | |

Notes:

1. Capital and operational costs funded for 2 years under the ABA stimulus project
2. CLC would provide advisory services to an Alice Springs-based entity to operate

RISK, CAPABILITY AND ENVIRONMENT

Risk, capability and environment factors, over the four year life of the plan, are assessed and incorporated into our strategic activities and operational plan.

ENVIRONMENT

The high level Environmental context in which the CLC prepared this plan is presented as a 'SWOT' (Strengths, Weaknesses, Opportunities, Threats) analysis.

The strengths are considered to be factors largely in control of the entity, weaknesses are in partial control and being responded to, and external opportunities and threats are factors that the organisation may or may not be able to respond to.

The SWOT is addressed by the identification of strategies that 'maximise' the strengths, 'minimises' the weaknesses, 'takes advantage of opportunities' and 'avoids external threats'. The organisational 'action' plans identify actions, assign responsibility, and designate timelines for progressive achievement in accordance with the availability of resources.

The definition of 'environment' is the broadest context, and not limited to the physical climatic and geographic context which was described under 'Remoteness and access to country'.

Key Stakeholders

To achieve its purposes the CLC has established relationships with a large range of stakeholders, and seeks to build and maintain mutually respectful relationships.

At the forefront are the Traditional Owners, Native Title Holders and other Aboriginal people in the CLC region whom the organisation exists to support and represent in line with the ALRA and the NTA. The CLC represents and services Aboriginal controlled/owned entities that hold rights and interests in land (Aboriginal Land Trusts and entities holding Community Living Area title). It also enters service agreements with Prescribed Bodies Corporates (PBCs) to provide administrative and native title services, and with Aboriginal Corporations with land use income to provide administrative and community development services. The *How CLC does its work* section outlines the fundamental principles of its engagement approach.

The CLC works with many entities that share a common purpose of improving the lives of Aboriginal peoples, this includes Commonwealth and NT government agencies, Aboriginal community controlled organisations, non-government organisations, and 'partners' delivering contracted services such as community development projects. When instructed by traditional owners, the CLC also enters into land use and land access agreements with third parties, requiring ongoing monitoring and engagement. Additionally, 'Internal' stakeholders are fundamental to successful performance.

Across stakeholder engagements the CLC seeks mutual respect, authentic respect for Aboriginal rights and interests, and collaboration for positive outcomes valued by Aboriginal people. Collaboration across the network of organisations delivering services to remote communities and outstations requires intensive and targeted efforts. This effort is integral to the achievement of the Council's goals for economic success and control of communities and outstations (goals 5 & 6), for which the CLC is one of many organisations influencing outcomes but resources and collective capacity to achieve are finite.

Strengths (internal)

Quality image – respected and held in high regard

Financial sustainability and well managed

Quality financial control and compliance

Alice Springs HQ high standard work environment

Ownership of properties (financial strength)

40+ years of history and experience informs services

Corporate and financial planning

Organisational performance framework development

Management technical expertise and experience

Staff passion and commitment

Risk management

Resilience and responsiveness to constituent needs

Weaknesses (internal)

Staff turnover, attraction, retention and incentive

Growth management, especially accommodation

Staff co-ordination and communication

Regional operations strategy

Work health and safety - Major staff incident or constituent death risk

Consulting on complex issues requires adequate time for robust traditional owner decision making processes, which reduce the potential for dispute between constituents.

Elected member turnover

Consultation & communication with constituents

Limited capacity to deal with escalating constituent disputes, including PBCs

Funding reliance

Opportunities (external)

Funding sources – ABA, IAS, ILSC, Philanthropy

Ranger Program seven year funding

Carbon opportunities (e.g. abatement)

Power security in community – renewables and storage

Community of practice across representative bodies

Minimal cost of borrowed funds: regional investment

National focus on social performance of mining companies encourages better agreement making and implementation

Development of enduring economic participation frameworks through the EPU and ABA Economic Stimulus

Royalty entity opportunities to internally resource

Threats (external)

Pandemics

Climate change

Funding and economic threats

Legislative and policy change

Continuity of Aboriginal law, language and culture progressively eroded

Demographic change within constituent communities may reduce understanding of ALRA, NTA, and land councils

Failure to meet constituent expectations

Viability of remote communities

Insufficient economic development, employment, training opportunities for constituents

Outstation / community housing shortage and decline causing resource conflicts

Public perception of CLC

Lack of suitable/capable partner organisations

Management issues for an Aboriginal Corporation

Cyber security and data breaches

Requests to expand activities beyond funding constraints (requires careful prioritisation within funding)

ORGANISATION CAPABILITY

The **Organisation Capability** context is considered from the human resource/workforce planning, organisation structure, capital investment, ICT capability and information governance perspectives. The three (3) major resources affecting operations are staffing, vehicles and business systems.

Actions to improve the capability of the organisation to deliver its activities effectively are embedded into the operational plan and subject to resourcing.

The Financial Sustainability section includes the forecasts for resource requirements over the term of this plan and scenario analysis of possible key organisational changes.

Dispute Prevention and Management

An evolving and nuanced area of work that requires continuing innovation and capability investment in is dispute management. Land Councils have statutory functions under both ALRA (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 central to operations. Every effort is made to ensure consultation processes accord with traditional decision-making, reduce the potential for family or group conflict, and ensure informed consent, that Aboriginal people understand the nature and implications of their decisions.

Supporting the capacity and commitment of Aboriginal people to prevent and manage their own disputes is fundamental to Aboriginal self-determination. Dispute management processes are critical to building strong Aboriginal governance at all levels: regional, local and organisational.

Effective decision-making processes are central to good governance. Relevant and transparent decision-making processes which work for the group may alleviate or enable management of disputes.

As the organisation grows and diversifies a more systematic approach is required to ensure that staff have the appropriate skills and expertise to facilitate these informed consent processes, with a particular emphasis on preventing, recognising and managing disputes.

Two important documents to ensure that our engagement processes are best practice, and to provide clarity regarding the approach to dispute management are: the *Effective Engagement Strategy 2015* and the *Traditional Owner Dispute Management Framework 2015*. These are being progressively implemented, subject to available resources.

Human Resources/ Workforce Planning

Workforce planning identifies the staff resources that are likely to be available until 2024/2025.

The key factors influencing organisation capability:

- Sufficient human resources to undertake the statutory functions under ALRA and Native Title law, and other grant funded services separately funded by Governments.
- Aboriginal participation improvement and providing opportunities and capacity enhancement of Aboriginal managers.
- Effective staff attraction and retention strategy to achieve and maintain high performance, recognising the challenges of residing in remote Central Australian conditions.
- Keeping staff safe, especially those regularly working in remote areas with challenging climatic conditions.

Staff resources management involves:

- Budget establishment and approval including estimating the full remuneration cost.
- Regular monitoring and reporting of staffing levels, including Average Staff Level (ASL) reports to Government, annual and half-yearly reports to the Minister and Parliament, as well as forward estimates in the corporate plan.

Staff resources include: Full and part-time ongoing and term contracted staff, and casual staff.

The Minister for Indigenous Australians has committed to fund the Ranger Program for employment and environment purposes until end of 2021 and has publicly announced that the program will continue to be funded until 2028.

FTE is calculated based on the proportion each staff member is engaged during the financial year, and excludes vacancy. Tables that detail the available and projected staff (FTE) resources are shown in Annexure 2.

Enterprise Agreement

Enterprise agreement (EA) has significant implications for employee recruitment and motivation, especially as employee costs constitute a significant proportion of the organisation's resources.

The former Minister for Indigenous Affairs required that independent Commonwealth Entities follow the Government's EA policy intended to constrain salary increases and achieve productivity improvement at least equivalent to any proposed increases. The Australian Public Service Commissioner (APSC) was tasked with monitoring the policy. The 'Workplace Relations 'EA' policy was amended in 2020.

The Minister was advised that CLC will endeavour to bargain EAs with its employees to constrain salary increases to within Government policy limits, and will achieve genuine productivity gains as offsets. Land council staff are not employed under the *Public Service Act 1999* and are not in receipt of all of the benefits available to such staff. Also the CLC is not an Australian Public Service agency as defined under that Act and, as an independent Commonwealth entity, is not subject to Ministerial approval for its EA as this is the responsibility of the employer of staff under the Aboriginal Land Rights Act (ALRA).

Approach to EA bargaining:

- Maintain existing staffing – a shortfall exists between service delivery requirements, so any productivity improvements would be applied to improving service outcomes.
- Identify productivity improvements and costs savings to enable best salary increase allowed under the Government's policy.

During 2020/21:

- The existing EA expired in April 2021. Staff will be asked whether they prefer to negotiate a new EA or consider a 3-year annual 'salary increase only' determination.

Affirmative Succession Plan & Development

Wherever possible the appointment of high calibre Aboriginal people to senior roles is pursued. The underlying strategy is to develop a pool of candidates to meet the requirements of the succession plan. The affirmative (senior Aboriginal appointment) achievements thus far include:

- Manager Tennant Creek Regional Office (TCRO) – 2012
- Coordinator Employment and Enterprise – 2014
- Manager Native Title – 2015
- Senior Policy Officer – 2015
- Manager Policy – 2017
- Manager Regional Services Unit (RSU) – 2019
- Chief Executive Officer – 2019 and 2021
- Executive Manager Policy Governance – 2020

The aim of the Aboriginal Development Program is to support and strengthen professional development commitment to Aboriginal staff. The focus is on providing training, taking into account the realistic aspirations of, and potential opportunities for each participant as well as the future needs and seeks to:

- Build the internal capacity.
- Support staff in professional development in a unique Central Australian operating environment in Central Australia.
- Senior Aboriginal staff to pass on their knowledge and wisdom to the younger staff, and for junior staff to aspire to senior positions.

The previous ADG Program T&D process, consisting of four (4) main stages of Selection, Training, Implementation and Review will be re-assessed during 2021/22.

ORGANISATION STRUCTURE

Background

Any significant change in goals and strategies requires a structural review to ensure organisation alignment. An organisation's structure is a key component of the business strategy, ensuring that the organisation design most effectively and efficiently delivers the desired outputs and outcomes. The structure has a 'representative' aspect (Council, Executive Committee, Chair) directly or indirectly determined by legislation and Council delegation, an operational aspect determined by authority delegated by the Council, and a PGPA requirement (the 'Accountable Authority'). Discussion here only relates to the 'operational' aspect as the representative and PGPA aspects are determined by legislation.

The responsibilities of the CEO include:

- Ensure the Land Council is structured and staffed to best implement the policies and priorities of the Council.
- Maximise the capacity of Aboriginal people to direct and manage activities at all levels of the organisation.
- Being a member of the Accountable Authority.

The structure responds to ALRA and Native Title core businesses, and pursues activities emanating from other funding sources such as Community Development and the Ranger Program functions. 'Hybridity' is also in evidence related to the 'regionalisation' aspects of the organisation, e.g. most units are organised on a regional basis, the structure is also characterised as 'flat' because there are a relatively large number of managers that reported directly to the CEO, but an even larger number of managers who participate in management decision making.

Changes between 2012 and 2021

CLC has progressively pursued the revitalisation of its structure in an incremental manner since 2012. The key changes that have occurred are:

- Implementation of the Accountable Authority in accordance with the PGPA Act (Chair and CEO).

- Establishment of an Executive Manager Professional Services.
- Review of the structure of the independent Audit Committee.
- Recruitment and appointment of an Aboriginal Executive Manager (Policy/Governance).
- In 2019 a new CEO replaced the retiring Director (and later resigned in April 2021). During 2021 an interim CEO was appointed, and a recruitment process for the CEO is in progress.

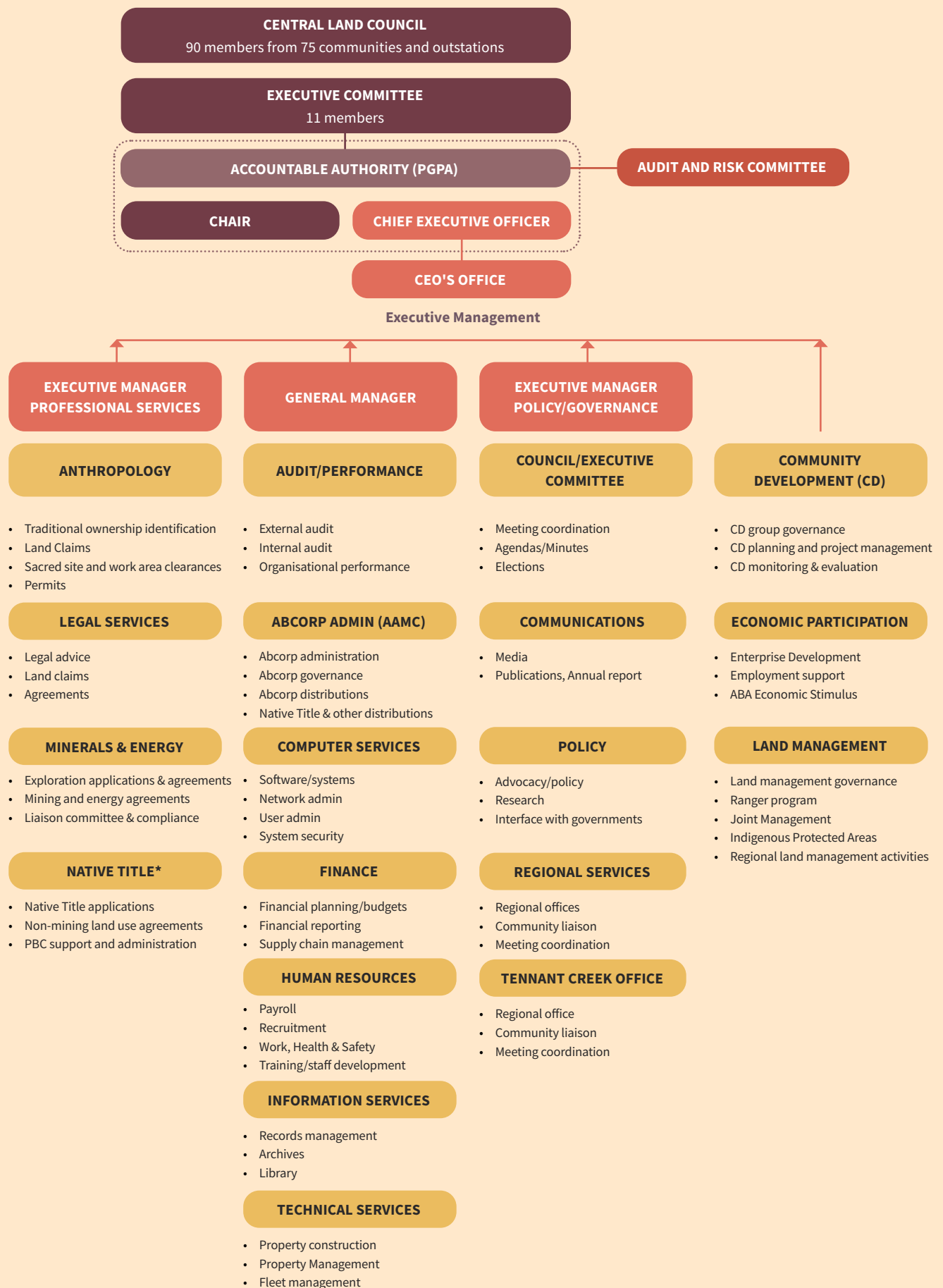
Audit Committee

The Audit and Risk (AR) Committee is an important element of the Governance structure. Since 2017 the AR Committee has comprised 4 independent members, including an independent chair, with the appropriate expertise and experience in Aboriginal affairs, good governance, legal expertise and financial management.

In 2017 it was agreed to implement a member term 'staggering' and rotation plan to avoid the risk of loss of experience. An additional member was appointed for a three year term, current members were extended for two years, and a further member will be recruited in 2021 for a three year term. Current members are appointed by the Accountable Authority. The Committee meets at least three times a year and is supported by the General Manager (and CFO) and Financial Controller. The Committee operates in accordance with a charter based on the better practice guideline issued by the Australian National Audit Office and customised to the scale of CLC operations.

The charter requires that the Committee periodically reviews the governance arrangements or elements of the arrangements as determined by the Council and suggest improvements, where appropriate, to the Accountable Authority. For the purposes of this Corporate Plan it is considered that these arrangements are best practice and will be continued during the period of the plan.

Organisation Structure



*Native Title Representative Body work is integrated across the organisation. The Native Title Manager coordinates this work together with the responsible managers.

CAPITAL INVESTMENT PLANNING - TRANSPORT PLANNING & PROPERTIES

The key assets comprise a substantial fleet and operational property (mainly office accommodation). Total fixed assets are valued at approximately \$32 million, comprising \$26 million for 'Land & Buildings' and \$6 million for 'Plant, vehicles & equipment'. The main focus for this corporate plan, is the ongoing upgrade of remote properties to an acceptable standard and a review of the transport planning strategy. The transport planning strategy maximises fleet availability suitable for purpose, minimises safety risks and minimises transport costs. A 'data analytics' program was finalised during 2019/20 but implementation for improving fleet utilisation was COVID 'disrupted' and will be reinitiated in 2022.

The existing building strategy:

The building network includes 5 commercial properties in Alice Springs, 14 regional offices which support core operations and Ranger Programs and various residential properties located in Alice Springs and in various regional areas. These infrastructure assets have a significant value. The building asset management strategy combines engineering, financial and economic practices with the objective of providing an acceptable level of service in a cost effective/efficient manner. Due to organisational growth the main office capacity was reached and the Minister approved funding of additional office accommodation in Alice Springs until an 'extension' could be designed and procured for the main office.

Many properties are leased on Aboriginal land. Facility management is delivered with various 'panel' contracts and the repairs and maintenance strategy for these buildings is scheduled to ensure safe, secure and with constant services. Future upgrades and renewals are considered on a case-by-case basis against annual budgets. The key building strategy objectives:

- Meet various legislative and building obligations.
- Providing a defined level of service and monitoring performance.
- Reviewing growth, especially in the Ranger program, and managing the impact on buildings.
- Identifying, assessing and appropriately controlling risks; and
- Linking to long-term financial planning to capital expenditure.

Way forward

The current capital program includes:

- Design and planning approval of extension at Alice Springs Main Office.
- Developing and enhancing detailed Asset Management Plans for all sites including levels of service, future demand, life cycle management, risk, financial and improvement and monitoring plans.
- Visiting staff accommodation in Finke.

The approved and forward estimates capital program includes the following major developments:

- Lajamanu staff accommodation – \$650k
- Tennant Creek staff accommodation – \$1,100k (2020/21 to 2022/23)
- Tennant Creek Ranger Hub – \$2,160k (2020/21)
- Mutitjulu staff accommodation (ranger coordinator) – \$450k **
- Harts Range regional office upgrade – \$650k
- Chewings Street upgrade (staff recruitment 'flats') – \$540k (2020/21 – 2021/22)
- Staff housing – Mutitjulu IPA coordinator – deferred from 2019/20 **
- Mutitjulu regional office upgrade/relocation – deferred from 2019/20 **
- Staff housing – Utopia – \$450k – deferred from 2019/20
- Solar installation for remote offices/accommodation – \$200k (over 2020/21 and 2021/22)

** Delays have been experienced for obtaining approval from the Office of Township Leasing due to water capacity issues in Mutitjulu. A recent approval has been obtained for the regional office which can now proceed.

ICT CAPABILITY

Cybersecurity

In accordance with cyber.gov guidance prompt patching of internet-facing software, operating systems and devices is performed, and administrative privileges based on user duties are strictly restricted. Backup practices are comprehensive and follow the '3-2-1' strategy. Event logging facility has been centralised. All e-mail and web traffic is filtered. Client computers are denied direct internet connectivity. Mobile device management is employed. Multiple anti-malware platforms are run across all server and client computers. There are established processes for secure provision and removal of staff and contractor access, and are subscribed to security advisory services.

Improvement in progress include:

- Application to become an ACSC Partner.
- Increased retention of our event logging facility
- Implementation of an enterprise password management platform
- Establishment of a cloud-based operations and recovery environment
- Improvements to our network segmentation.

As part of the 2020/21 budget approval from the Minister there was much-needed additional funding and staffing, enabling the implementation of application control to prevent execution of unapproved/malicious programs, Network Access Control across our WAN, and proactive monitoring of Security Information and Event Management events.

ICT philosophy

Currently a 'best-of-breed' (BoB) philosophy of specific purpose software to meet its needs. Earlier investigations have re-committed to the BoB philosophy as effective and cost-efficient.

The next challenge in the evolving world will be the pace at which the organisation 'embraces' the 'cloud' for both solutions and data storage. An external expert consultant has been co-opted to the Information Governance Committee to guide this evolution.

Information services:

Information Services encompasses Archives, Records, Registry, Preservation/Digitisation and Library Services. It preserves and enables access to existing and emerging organisational information collections. It also acquires research resources and ensures effective access to staff. It conducts continuous stakeholder training, information retrieval, and education. A Library Management System and the Electronic Document and Records Management System (EDRMS) eDIS are administered to meet organisational needs and comply with legislation, frameworks, policies and standards.

Information Management and Information Governance

Information Governance is managed and monitored by an Information Governance Committee. Business systems are suitable for short and long-term management sensitive information. Roles and responsibilities are outlined in the Information Management Framework. Information is managed as an asset, and the aim is to transform to digital work processes.

Preservation (Digitisation) projects of hard copy/paper based records is progressing as financial constraints allow, targeting 'at risk' formats (i.e. analogue audio visual), high use collections (land and native title claims) and vital corporate records (i.e. Council and Executive meeting agendas, minutes and resolutions).

RISK OVERSIGHT & MANAGEMENT STRATEGY

Section 16 of the PGPA requires the Accountable Authority to establish and maintain an appropriate system of risk oversight and management, including a regularly updated Risk Management Plan.

The Risk Management Plan identifies a series of risk 'actions' that either reduce or maintain the level of each key business risk assessed in the Risk Profile.

An annual review of the Risk Management Plan was completed in December 2020 in accordance with better practice requirements, including an update of the risk action plan aligned to the Corporate Plan.

The important elements of the risk management plan are the development of the risk profile, which includes the identification of the key risks of the organisation, and the actions developed to ameliorate the risks. These actions are linked to the corporate plan's action planning to guarantee implementation. A summary of the risks and ratings are presented in a Risk Assurance map which will be reviewed annually until 2023/2024 during the Accountable Authority review of the Risk Management Plan, and independently appraised by the Audit and Risk Committee.

The other essential operational features are the requirements to undertake and document a formal risk assessment when new risks periodically arise, and the review of the risk appetite when there are changes in senior managers and key staff.

Comcover's annual best practice benchmarking is used as a basis for continuous improvement in risk management.

Compliance and reporting obligations are ensured by maintenance of registers and checklists.

The key management risk activities to be pursued during the period of this corporate plan are:

- Annual update of the Risk Management Plan, including review of the risk profile and risk action planning.
- Annual review of the Business Continuity Plan.
- Ongoing participation in Comcover annual benchmarking.
- Undertake a full review of the Risk Profile in 2021 with the assistance of an expert consultant.

Risk assurance

| Business risks from Risk Management Plan (Risk Profile) | Source and level of assurance provided | | | Overall assessment of level of assurance | Is level of assurance adequate? |
|--|--|------------------------------------|-----------------------|---|---------------------------------------|
| | Residual Risk rating | Control Effectiveness rating | Target Risk rating | | Yes/No |
| Pandemics | High | Marginal | Medium | Watch | No |
| Failure to attract and retain appropriately qualified staff | High | Satisfactory | Medium | Watch | Yes |
| Failure to effectively manage staff | Medium | Marginal | Medium | Moderate | Yes |
| Personal injury and/or damage to property arising from abusive behaviour | High | Marginal | Medium | Moderate | Yes |
| Personal injury and/or damage to property arising from remote travel and operations | Catastrophic | Marginal | Medium | Moderate | Yes |
| Personal injury and/or damage to property arising from use and storage of dangerous goods and equipment at multiple sites. | High | Unsatisfactory | Medium | Moderate | Yes |
| Disruption to operations from external events | High | Unsatisfactory | High | Moderate | Yes |
| Failure of information technology and data management systems | Low | Satisfactory | Low | High | Yes |
| Failure to maintain adequate infrastructure to support operations | Medium | Satisfactory | Medium | High | Yes |
| Theft / misuse / damage to buildings and property | Medium | Satisfactory | Medium | Moderate | Yes |
| External pressure to expand scope of operations beyond core capacity and capability | High | Marginal | High | Moderate | Yes |
| Failure to effectively engage with constituents | High | Marginal | High | Moderate | Yes |
| Failure to meet expectations of constituents / maintain positive relationship | High | Marginal | High | Moderate | Yes |
| Government policy / priorities do not align with CLC strategic/corporate objectives | High | Satisfactory | High | High | Yes |
| Failure to comply with legislative and regulatory obligations | Low | Satisfactory | Low | High | Yes |
| Failure to effectively manage conflicts of interest | Medium | Satisfactory | Medium | Moderate | Yes |
| Organisational structure, governance framework and operations incompatible with obligations and strategic direction | Medium | Satisfactory | Medium | High | Yes |
| Contagion risk | Low | Satisfactory | Low | High | Yes |
| Failure to achieve efficient and effective use of resources | Medium | Satisfactory | Medium | High | Yes |
| Failure to comply with financial management accountability obligations (ATO, PGPA Act, ORIC, TPB) | Medium | Satisfactory | Medium | High | Yes |
| Fraud / misappropriation of funds and assets | Medium | Satisfactory | Low | High | Yes |
| Ineffective administration of administered funds: CATSI/AAMC organisations | High | Marginal | Medium | Moderate | Yes |
| Insufficient funding to support operations | Medium | Satisfactory | Low | High | Yes |

PERFORMANCE FRAMEWORK – MEASURING & ASSESSING PERFORMANCE

There are competing demands for performance measurement and reporting. Preferably, achievements are reported against the strategic goals and targets in this Corporate Plan. However, Land Councils in the NT have reporting obligations for ABA funding and NTRB requirements. The ABA Outcomes and Outputs framework is not fit for purpose; the outcomes are sufficiently broad to remain relevant, however, the outputs are no longer entirely relevant to the activities and functions delivered. The need to reform ABA reporting has been recognised for some time.

This corporate plan proposes amendments for the basis of consultation with the Minister.

The main aim of the CLC Performance Information Framework (PIF) is to ensure alignment between the strategic goals and performance monitoring and evaluation. A concurrent aim is to achieve alignment between organisational performance evaluation and staff performance management.

PIF categorised ‘**Performance Dimensions**’ to develop and select key performance measures to monitor success. The Performance Dimensions assist to: ensure measures represent all goals; ensure diversity of measure type; and recognise that performance management is devolved throughout the organisation structure, with key measures considered by management, Council and Executive Committee, and supporting measures managed within the organisation’s manager and staff structure.

The ‘practical’ application of the Performance Dimensions involved:

- Identify and categorise all known measures into the dimension database.
- Examine evolving functions and strategic actions to identify new measures and categorise.
- Negotiate measures with the Minister.
- Identify ‘under’ measured goals and develop a performance measure.
- Assess measure quality using the **SMART+ principles** (Specific, Measurable, Achievable, Relevant, Time-bound + Community Satisfaction, Organisation Influence, Cost Effectiveness).
- Where multiple measures focus on the same goal, select the optimal measure(s).

A review of all measures in 2020/21 produced a more concise Performance Statement for 2021-2025. This process rationalised existing key performance indicators, identified new measures, and identified strategic activities for further measurement research and development. This will include the development of measures for evolving Economic Participation activities and the new ABA economic stimulus funds. Initial steps have involved engaging with the Australian Bureau of Statistics to develop baseline data for impact assessment. Additional performance information will also be provided on the CLC website.

The importance of Land Councils' role to advocate on behalf of Aboriginal constituents generates a performance indicator measurement dimension in relation to Governments' outcomes.

The 'policy' priorities outlined in this corporate plan indicate the breadth of Governments' outcomes that there is an attempt to influence. This requires consistently informing the Council on advocacy efforts, the magnitude of the challenges, successes achieved, and progress against the Council's policy objectives. During the life of this plan the intent is to research and progressively develop a series of measurements that facilitate this monitoring, including historical data wherever possible to enable the Council to readily assess progress by Governments. Such measures may be sourced from Government data-sets that highlight the CLC's advocacy focus. Examples of the types of measures that are currently especially relevant include data related to remote employment, public housing and water.

Performance reporting:

The **Performance Statement** presented in the next section comprises both:

1. Metric performance measures – cross-referenced to the corporate plan activity number.

Performance against targets is reported in the half-yearly and annual report to the Minister and the Council. The CLC's annual report includes an annual performance statement with analysis of performance against targets for the year, as well as a report on environment measures in line with compulsory environmental reporting requirements.

2. Non-metric performance measures – targeting completion of key initiatives.

Qualitative case studies: much of the organisation's performance cannot be assessed by metrics alone. To enhance performance information, qualitative assessment case studies will be published for: a community development project, an outstation project, and a s 64(4) ABA grant application support project.

The organisation's monitoring and evaluation practice will be further developed during the period of the plan.

PERFORMANCE STATEMENT

1. METRIC PERFORMANCE

| Strategic goal | Performance criteria | KPI # | Strategy reference ² | Measure |
|--|---|-----------|---------------------------------|--|
| 1. Aboriginal peoples' rights and interests are protected and represented | Successful communication of CLC's 'Rights and Interests' advocacy activities to Aboriginal constituents and key stakeholders. | 1 | 1 | External publications produced for key stakeholders regarding Aboriginal rights and interests and the CLC's work |
| 2. Aboriginal land ownership and interests are protected and enhanced | ALRA land claims & native title claims - recognition of Aboriginal constituents' interests in land through successfully negotiating & obtaining land rights and native title determinations in compliance with ALRA and Native Title Act. | 2 | 2 | Traditional owner "ownership" (square kms.) administered with rights and interests protected and represented under ALRA ¹ |
| | | 3 | 2.4 | Native Title claim for which consent determination has been handed down |
| | Determine traditional owners for all claims and interests (e.g. land claims, land use and development, land management, caring for country, land use income). | 4 | 2.2 | Anthropological advice issued to determine relevant Traditional Owners (claims and interests) |
| | Post land & native title claim administration: ALRA access permits; negotiate, consult and manage land use and access outcomes (leasing, exploration and mining, grazing, other applications and future acts). | 5 | 2.7-2.10 | Current leases and licences entered into and managed |
| | | 6 | 2.5-2.6 | Native Title non-mining Indigenous Land Use Agreement (ILUA) entered and managed |
| | | 7 | 2.7-2.10 | Exploration agreements (ELs & EPs) entered into and managed on land subject to ALRA or Native Title |
| | | 8 | 2.7-2.10 | Minerals and energy production agreements entered into and managed on land subject to ALRA or Native Title |
| 3. Aboriginal people protect and maintain their sacred sites, land, cultures, languages and cultural heritage | Activities to protect sacred sites, plan and manage cultural heritage, maintain culture and languages by transferring knowledge on country and supporting traditional Aboriginal ceremony & funeral customs. | 9 | 3.1 | Sacred Site Clearance Certificates (SSCC) / Other Advice Issued |
| | | 10 | 3.5 | Cultural heritage management and Intergenerational IEK transfer projects supported |
| 4. Aboriginal people are looking after their country | Traditional owners are leading or influencing land management across the region, their voice respected and deploying their traditional and ecological knowledge. | 11 | 4.1, 4.2 | Land management committee meetings and consultative forums with effective TO representation |
| | Effective Aboriginal employment and training in land management through the traditional owner directed Ranger program. | 12 | 4.2 | Rangers employed in the ranger program - Full Time Equivalent |
| 5. Generations of Aboriginal people are successful in training, jobs and businesses | Support Aboriginal people in the effective management of income derived from the use of their land. | 13 | 5.1 | Distribution committee meetings held regarding land use income |
| | Effective and compliant administration of Aboriginal Corporations in accordance with CATSI Act (CLC engaged under ALRA and through service agreements). | 14 | 5.2 | AGMs and SGMs facilitated for Aboriginal Corporations with land holding or land use income, under service agreements - by AAMC & PBC teams |
| | Supporting Aboriginal people to connect with employment opportunities. | 15 | 5.5 | Employment placements: connecting people with opportunities in the region (mining, exploration, construction, remote employment, pastoral) |
| 6. Aboriginal people control their communities and outstations | Actions to support Aboriginal people in their development of strong communities & outstations. | 16 | 6 | Community funded community benefit initiatives |
| | | 17 | 6.2 | Community development project expenditure across CLC region (\$000) |
| 7. Governance and management meet constituent and legal requirements | Governance meetings held to administer ALRA & Native Title Act requirements, and to provide council members with regular cultural engagement opportunities. | 18 | 7.1 | Council meetings held (90 elected delegates from across the CLC region convene for several days) |
| | | 19 | 7.1 | Executive Committee meetings held |
| | Human resources planning and capability. | 20 | 7.3 | Aboriginal staff as a percentage of workforce (FTE) |

¹ No new ALRA land claims permitted under the legislation - only 2 claims remain in the CLC region.

² Strategy reference: refer to the strategic goals and activities section.

| Actual performance | | | | | Target | Target Forecast | | |
|--------------------|---------|---------|---------|---------|---------|-----------------|---------|---------|
| 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 | 2023/24 | 2024/25 |
| 80 | 144 | 140 | 113 | 146 | 120 | 125 | 125 | 125 |
| 418,548 | 418,548 | 418,548 | 418,548 | 418,548 | 423,386 | 423,386 | 423,386 | 423,386 |
| 23 | 28 | 29 | 31 | 35 | 37 | 38 | 40 | 41 |
| 188 | 246 | 343 | 452 | 307 | 300 | 300 | 300 | 300 |
| 2,347 | 2,450 | 2,492 | 2,844 | 2,540 | 2,570 | 2,600 | 2,630 | 2,660 |
| 59 | 63 | 66 | 67 | 70 | 72 | 75 | 77 | 80 |
| 91 | 86 | 97 | 80 | 78 | 81 | 85 | 91 | 96 |
| 20 | 20 | 20 | 21 | 20 | 21 | 23 | 23 | 23 |
| 182 | 165 | 112 | 172 | 193 | 169 | 169 | 169 | 169 |
| 48 | 56 | 92 | 39 | 36 | 22 | 22 | 22 | 22 |
| 47 | 44 | 54 | 82 | 85 | 60 | 60 | 60 | 60 |
| 51 | 49 | 54 | 59 | 54 | 86 | 86 | 86 | 102 |
| 73 | 82 | 80 | 60 | 105 | 80 | 85 | 90 | 95 |
| 41 | 35 | 35 | 39 | 48 | 51 | 52 | 53 | 54 |
| 15 | 14 | 48 | 10 | 37 | 50 | 50 | 50 | 50 |
| 159 | 161 | 214 | 153 | 177 | 180 | 185 | 185 | 185 |
| 7,292 | 8,226 | 13,385 | 16,610 | 10,176 | 15,500 | 18,290 | 20,009 | 20,501 |
| 3 | 3 | 3 | 2 | 3 | 3 | 3 | 3 | 3 |
| 8 | 8 | 9 | 9 | 8 | 8 | 8 | 8 | 8 |
| 45.4% | 44.8% | 48.1% | 48.9% | 46.5% | 48.5% | 50.5% | 52.5% | 54.5% |

2. PROGRAM PERFORMANCE

| Goal / Activity | Non-metric performance measure |
|--|---|
| 1. Aboriginal peoples' rights and interests are protected and represented | |
| 1.2 | Annual policy priority review |
| | Develop a research and evidence database and sources |
| 1.4, 7.1 | Council members survey |
| 2. Aboriginal land ownership and interests are protected and enhanced | |
| | Review procedures for management and monitoring of disputes under ALRA and NTA functions |
| | Dispute management and facilitation training |
| | Apply for NTNRB recognition |
| 3. Aboriginal people protect and maintain their sacred sites, land, cultures, languages and cultural heritage | |
| 3.1 | Sacred site update of procedures |
| 3.2 | Review CLC policy and procedure for repatriation of objects |
| 3.4 | Update CLC policy and procedure for cultural information management |
| | Establish and engage with an Aboriginal sub-committee on cultural guidance regarding 3.2 and 3.4 |
| | Language interpreter policy review |
| 5. Generations of Aboriginal people are successful in training, jobs and businesses | |
| 5.3 | Develop a monitoring framework for Economic Participation activities |
| 5.7 | Annual monitoring and review of the ABA Economic Stimulus Package |
| 6. Aboriginal people control their communities and outstations | |
| | Annual external monitoring of Community Development outcomes |
| 7. Governance and management meet constituent and legal requirements | |
| 7.1 | Council elections held every 3 years (due 2022) |
| | Performance reporting to Minister - annual and half-yearly |
| | Legislative compliance framework - Non-compliance reporting if applicable (Audit committee oversight) |
| | Ongoing unmodified CLC annual audited financial statements (annual) |
| | Medium term financial framework/annual budget update |
| | Organisation structure review and implementation |
| | Gender report |
| 7.3 | Aboriginal staff development strategy implementation |
| | Enterprise Agreement (EA) / Salary determination |
| | Professional development 'curriculum' established and implemented |
| | Staff satisfaction survey |
| | Facilities development plan & periodic review |
| 7.5 | Cloud based solutions and data strategy |
| 7.2, 7.7 | Climate change operating strategy |

FINANCIAL SUSTAINABILITY

Financial sustainability is generating revenue sufficient to support the activities as a going concern, and the ability to maintain and replace assets. Also, effectively fund statutory consultation and advocacy functions.

The core source of revenue is the Aboriginals Benefit Account (ABA).

The ABA “is an account established under law to receive and distribute royalty equivalent monies generated from mining on Aboriginal land in the Northern Territory (NT)”.

The money is used for the benefit of **Aboriginal people living** in the Northern Territory.

This includes funding for:

- Initiatives of benefit to Aboriginal people living in the Northern Territory (beneficial payments).
- Distribution to traditional land owners (Aboriginal Corporations) who are affected by mining operations on their land.
- Support for the administration of the Northern Territory Land Councils.
- Support for the acquisition and administration of land leases through the Office of Township Leasing.
- Support for the administration of the ABA.

Core revenue is heavily reliant upon funds available from the ABA, being dependent on the level of mining royalties on Aboriginal land in the NT (as the amount of funds appropriated by the Australian Government to the ABA is equivalent to royalties) and any interest earned from the investment of surplus funds.

The Chief Financial Officer (CFO) is assigned the responsibility to ensure financial sustainability. This is achieved in a combination of ways:

- Determining the budget ‘strategy’.
- Ensuring an annual budget is approved that ensures that expenditure does not exceed available resources.
- Regularly monitoring actual financial performance against the approved budget during the year, by producing internal monthly financial reports and half- yearly/annual financial statements.
- The Accountable Authority annually revises the instructions of expenditure authorisation meets the needs of the organisation, and authorisation levels are limited to the maximum amount necessary for organisational purposes.
- Regularly monitoring the cash flow and working capital to ensure all obligations can be met as and when they fall due.
- Close monitoring of debts owed.
- The ongoing development and maintenance of a financial model, to understand the impact of economic and organisational change over the 4-year term of this corporate plan.

A three (3) year medium term financial plan supports the strategic goals. The plan has been prepared primarily to understand and manage the impact of growth on the organisation and to meet the PGPA obligations. Medium term scenarios analysis for the length of this strategic plan have also been completed.

Why do we do a medium term financial plan?

To assist in driving, at a strategic level, the key principles of better practice financial management:

- Planning for long term efficiency and sustainability.
- An outcomes orientation.
- Collaboration and partnership with stakeholders.
- Ongoing robust planning and design.

The objectives are:

- Surplus / Deficit - achieve an underlying 'balanced' result across funding sources, except where savings made and returned to funding providers. This is subject to annual fluctuations in the timing of outgoings, but is intended to ensure that the CLC is a going concern by not spending beyond its means.
- Land Use Trust administration - the CLC is party to a variety of agreements, and amounts are often held on trust before instructions are received to distribute, invest or apply funds to community purpose projects.
- Capital Assets under management incur the lowest total cost of fleet (refer Transport Planning) and are otherwise managed in line with an asset management approach.

- Governance, accountability and transparency.
- Achieving value with public money.
- Understanding the risks and constraints of its operating environment.
- Salaries & operating costs. Funds support the employment of quality long term staffing and purchase arrangements across Central Australia through modern practice procurement policies, adapted to the challenges of remote Central Australia, and Enterprise Agreements to achieve value for money.

The following tables are the budgeted/forecast Statements of Comprehensive Income, Balance Sheet (Financial Position) and Cash Flow. The Comprehensive Income Statement is prepared on an accrual basis.

The forecasts indicate that, taking into consideration asset depreciation, that it is a reasonable expectation that the CLC will continue to achieve a 'balanced' result over the forecast period. Further that productivity improvements will minimise the draw on the ABA.

FORECAST STATEMENT OF COMPREHENSIVE INCOME

| For the year ended 30 June | Audited Actual | | | Estimates | Forward Estimates | | |
|--|----------------|---------------|---------------|---------------|-------------------|---------------|---------------|
| | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 | 2023/24 | 2024/25 |
| | \$000 | \$000 | \$000 | \$000 | \$000 | \$000 | \$000 |
| EXPENSES: | | | | | | | |
| Employees and council members benefits | 25,961 | 27,304 | 27,323 | 29,081 | 29,760 | 30,652 | 31,362 |
| Supplier expenses * | 15,328 | 16,021 | 18,803 | 39,300 | 30,357 | 18,092 | 18,189 |
| Total depreciation | 2,776 | 2,821 | 3,033 | 2,988 | 3,207 | 3,310 | 3,533 |
| Write-down and impairment of assets (net) | - | - | - | - | - | - | - |
| TOTAL EXPENSES | 44,065 | 46,146 | 49,159 | 71,369 | 63,324 | 52,054 | 53,084 |
| Less: | | | | | | | |
| Total Own-source Revenue | 7,874 | 8,479 | 7,974 | 7,125 | 7,169 | 7,213 | 7,259 |
| Net gain from sale of assets | 408 | 387 | 249 | 250 | 251 | 253 | 254 |
| Total Own-source Income | 8,282 | 8,866 | 8,223 | 7,375 | 7,420 | 7,466 | 7,513 |
| Net cost of services | 35,783 | 37,280 | 40,936 | 63,994 | 55,904 | 44,588 | 45,571 |
| Revenue from government | | | | | | | |
| RANGER Program - phase 1 | - | - | 0 | 7,100 | 2,639 | 2,679 | 2,719 |
| From Government - ABA s.64(1) * | 19,380 | 23,461 | 31,678 | 30,280 | 29,482 | 29,442 | 29,402 |
| From Government - Special Purpose Contracts | 13,298 | 17,622 | 16,599 | 16,668 | 16,751 | 16,835 | 16,919 |
| From Government - Special Purpose Contracts (unspent at year end) | 2,671 | 2,480 | 23,093 | 17,551 | 3,569 | 3,587 | 3,605 |
| Total revenue from Government | 35,349 | 43,563 | 71,370 | 71,599 | 52,441 | 52,543 | 52,645 |
| Surplus / (Deficit) attributable to the Australian Govt | (434) | 6,283 | 30,434 | 7,605 | (3,463) | 7,955 | 7,074 |
| OTHER COMPREHENSIVE INCOME: | | | | | | | |
| Changes in asset revaluation reserves | 937 | - | - | - | - | - | - |
| TOTAL COMPREHENSIVE INCOME (LOSS) (Attributable to the Australian Government) | 503 | 6,283 | 30,434 | 7,605 | (3,463) | 7,955 | 7,074 |
| Ranger program expansion capital funding (phase 1 and 2) | | | | 4,500 | | | |

* Includes economic stimulus payments in 2021/22 and 2022/23

* New ranger salaries shown as a supplier contract payment

Aboriginals Benefit Account (Commonwealth)

As the ABA is the core income source it is important to understand the trends.

The ABA provides funds to Land Councils for Administrative purposes under s64(1) of ALRA. For 2021/22 the Minister has authorised a transfer of \$30.2 million.

Income and expenditure is not limited to ABA sources. Although predominantly reliant on the ABA and other government funding, support is received and cost recovered from many sources.

Expenditure – by type & output group

Expenditure is mainly related to staffing costs.

Approximately 60% of costs are directly related to salaries, representing the greatest strength and greatest area of dependency risk.

Expenditure is classified along business unit and output group criteria to enable reporting against the ABA Output/Outcomes framework. The Output/Outcomes framework is out-dated, and a review will seek to incorporate changes to the s19 leasing environment, and significant Community Development and Ranger program successes.

FORECAST CASH FLOW STATEMENT

| For the year ended 30 June | Audited Actual | | | Estimates | Forward Estimates | | |
|---|----------------|----------------|----------------|-----------------|-------------------|----------------|----------------|
| | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 | 2023/24 | 2024/25 |
| Operating activities | \$000 | \$000 | \$000 | \$000 | \$000 | \$000 | \$000 |
| Cash received | | | | | | | |
| Sales of goods and rendering of services | 7,950 | 8,440 | 8,257 | 6,828 | 6,863 | 6,897 | 6,932 |
| Receipts from Government | 38,243 | 47,810 | 73,710 | 71,599 | 52,442 | 52,543 | 52,646 |
| Rental income | 46 | 47 | 113 | 114 | 114 | 115 | 115 |
| Net GST received/(paid) to ATO | - | 6 | 329 | - | - | - | - |
| Interest | 500 | 313 | 201 | 183 | 192 | 201 | 212 |
| Total cash received | 46,739 | 56,616 | 82,610 | 78,724 | 59,611 | 59,756 | 59,905 |
| Cash used | | | | | | | |
| Employees | 25,560 | 26,910 | 27,584 | 29,081 | 29,760 | 30,652 | 31,362 |
| Suppliers | 19,330 | 18,467 | 24,185 | 59,300 | 45,357 | 20,771 | 20,908 |
| Total cash used | 44,890 | 45,377 | 51,769 | 88,381 | 75,117 | 51,423 | 52,270 |
| Net cash from operating activities | 1,849 | 11,239 | 30,841 | (9,657) | (15,506) | 8,333 | 7,635 |
| Investing activities | | | | | | | |
| Cash received | | | | | | | |
| Proceeds from sales of property, plant & equipment | 909 | 850 | 506 | 509 | 511 | 514 | 516 |
| Total cash received | 909 | 850 | 506 | 509 | 511 | 514 | 516 |
| Cash used | | | | | | | |
| Purchase of property, plant & equipment | 2,983 | 3,793 | 2,489 | 2,489 | 9,517 | 2,600 | 2,600 |
| Total cash used | 2,983 | 3,793 | 2,489 | 2,489 | 9,517 | 2,600 | 2,600 |
| Net cash from investing activities | (2,074) | (2,943) | (1,983) | (1,980) | (9,006) | (2,086) | (2,084) |
| | | | | | | | |
| Net increase/(decrease) in cash held | (225) | 8,296 | 28,858 | (11,637) | (24,512) | 6,247 | 5,551 |
| Cash and cash equivalents at the beginning of the reporting period | 15,315 | 15,090 | 23,386 | 52,244 | 40,607 | 16,095 | 22,342 |
| Cash and cash equivalents at the end of the reporting period | 15,090 | 23,386 | 52,244 | 40,607 | 16,095 | 22,342 | 27,893 |

STATEMENT OF FINANCIAL POSITION (as at 30 June)

| As at 30 June | Audited Actual | | | Estimates | Forward Estimates | | |
|-------------------------------------|----------------|---------------|---------------|---------------|-------------------|---------------|---------------|
| | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 | 2023/24 | 2024/25 |
| | \$000 | \$000 | \$000 | \$000 | \$000 | \$000 | \$000 |
| ASSETS | | | | | | | |
| Financial assets | | | | | | | |
| Cash and cash equivalents | 15,104 | 23,380 | 52,238 | 40,600 | 16,087 | 22,335 | 27,886 |
| Trade and other receivables | 1,708 | 1,725 | 1,249 | 1,255 | 1,262 | 1,268 | 1,274 |
| Total financial assets | 16,812 | 25,105 | 53,487 | 41,855 | 17,349 | 23,603 | 29,160 |
| Non-financial Assets | | | | | | | |
| Land and buildings | 26,553 | 26,523 | 28,122 | 39,345 | 43,652 | 47,893 | 52,067 |
| Infrastructure, plant and equipment | 6,706 | 7,225 | 6,604 | 7,040 | 5,722 | 4,367 | 2,976 |
| Inventories | 20 | 5 | 9 | 9 | 9 | 9 | 9 |
| Total non-financial assets | 33,279 | 33,753 | 34,735 | 46,394 | 49,383 | 52,269 | 55,052 |
| Assets held for sale | | | | | | | |
| Total assets | 50,091 | 58,858 | 88,222 | 88,249 | 66,732 | 75,872 | 84,212 |
| LIABILITIES | | | | | | | |
| Payables | | | | | | | |
| Suppliers | 1,457 | 8,657 | 7,246 | 15,144 | 11,698 | 6,972 | 7,009 |
| Other Payables | 1,794 | 1,550 | 2,153 | 2,164 | 2,175 | 2,185 | 2,196 |
| Total payables | 3,251 | 10,207 | 9,399 | 17,308 | 13,873 | 9,157 | 9,205 |
| Provisions | | | | | | | |
| Employee provisions | 4,167 | 4,560 | 4,299 | 4,428 | 4,517 | 4,607 | 4,699 |
| Total provisions | 4,167 | 4,560 | 4,299 | 4,428 | 4,517 | 4,607 | 4,699 |
| Total liabilities | 7,418 | 14,767 | 13,698 | 21,736 | 18,390 | 13,764 | 13,904 |
| NET ASSETS | 42,673 | 44,091 | 74,524 | 66,513 | 48,342 | 62,108 | 70,308 |
| EQUITY | | | | | | | |
| Asset revaluation reserve | 8,012 | 8,012 | 8,012 | 8,012 | 8,012 | 8,012 | 8,012 |
| Retained surplus | 34,661 | 36,079 | 66,512 | 58,501 | 40,330 | 54,096 | 62,296 |
| | 42,673 | 44,091 | 74,524 | 66,513 | 48,342 | 62,108 | 70,308 |

Borrowing

Section 33 of the ALRA specifies that “with the approval of the finance minister, a land council may, in any one financial year, borrow from a bank approved by the finance minister for the purpose an amount not exceeding, or amounts not exceeding in the aggregate, an amount equal to 10% of the total of the estimates of expenditure approved by the minister under section 34 in respect of that year”.

The CLC does **not** have any borrowing.

LAND USE TRUST ACCOUNT

| As at 30 June | Audited Actual | | | Estimates | Forward Estimates | | |
|---|----------------|---------------|---------------|---------------|-------------------|---------------|---------------|
| | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 | 2023/24 | 2024/25 |
| | \$000 | \$000 | \$000 | \$000 | \$000 | \$000 | \$000 |
| Opening balance | 33,724 | 35,093 | 36,276 | 38,555 | 40,846 | 43,148 | 45,462 |
| Add receipts | | | | | | | |
| Subsection 64(3) statutory royalty equivalents | 19,819 | 25,327 | 25,454 | 25,581 | 25,709 | 25,837 | 25,967 |
| Section 42,43,44,46,48a & 48d negotiated monies | 24,072 | 30,060 | 30,210 | 30,361 | 30,513 | 30,666 | 30,819 |
| Section 15,16,19 & 20 rental and lease monies | 9,779 | 11,045 | 11,100 | 11,156 | 11,212 | 11,268 | 11,324 |
| Northern Territory - National Emergency Response Act 2007 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other monies | 5,823 | 3,610 | 3,628 | 3,646 | 3,664 | 3,683 | 3,701 |
| Total Receipts | 59,493 | 70,042 | 70,392 | 70,744 | 71,098 | 71,454 | 71,811 |
| Deduct payments | | | | | | | |
| Section 35(2) statutory royalty equivalents | 19,617 | 24,164 | 24,285 | 24,406 | 24,528 | 24,651 | 24,774 |
| Section 35(3) negotiated payments | 23,229 | 30,480 | 30,632 | 30,786 | 30,939 | 31,094 | 31,250 |
| Section 35(4) rental and lease monies | 7,606 | 9,500 | 9,548 | 9,595 | 9,643 | 9,691 | 9,740 |
| Northern Territory - National Emergency Response Act 2007 | 1,895 | 1,085 | 0 | 0 | 0 | 0 | 0 |
| Other payments | 5,777 | 3,630 | 3,648 | 3,666 | 3,685 | 3,703 | 3,722 |
| Total payments | 58,124 | 68,859 | 68,113 | 68,453 | 68,795 | 69,139 | 69,486 |
| | | | | | | | |
| Cash at bank and term deposits | 35,093 | 36,276 | 38,555 | 40,846 | 43,148 | 45,462 | 47,787 |
| | | | | | | | |
| Closing Balance | 35,093 | 36,276 | 38,555 | 40,846 | 43,148 | 45,462 | 47,787 |

A Land Use Trust Account is maintained to receive monies on behalf of individual Traditional Owners, associations and corporations of Aboriginal people in accordance with the Native Title Act and Section 35 of the ALRA.

These monies are held in the LUTA and are disbursed in accordance with resolutions passed at Council or Executive Committee meetings. These monies are unavailable for other purposes of the Land Council, and are not recognised as CLC assets. However, management and distribution of these funds requires significant staff resources. In almost all instances, these funds are attributable to the community, individual or claim area related to a relevant land use agreement.

The majority of these receipts and payments are outside the control of CLC from an annual operational perspective, although significant resources are required to create, consult, administer and where applicable distribute the funds relating to these agreements.

MODELLING – SCENARIO PLANNING

Scenario planning and financial modelling achieves an understanding of the overall financial impact of key decisions and opportunities. The most significant current opportunity is an expansion of the Ranger program to improve employment prospects for Aboriginal peoples in Central Australia. Two scenarios have been modelled to plan and account for possible future outcomes.

SCENARIO 1 (BASELINE)

In line with current expectations and assuming contracted Ranger and Community Development programs are continued at their anticipated levels based on existing Ministerial approvals and advice (refer to Forecast financial statements on the previous pages).

SCENARIO 2 (EXPANDED RANGER PROGRAM)

Assumes an expanded Ranger Program to meet community demand and improve employment in remote areas.

As at the writing of this plan the CLC is funded to host 12 ranger groups across Central Australia (including Mutitjulu), and is funded to do this until December 2021. For the base financial model it is assumed that the program will at least continue for the life of this corporate plan.

As detailed in the 'Ranger Development' section, the CLC has undertaken an in depth evaluation of the potential for a Ranger program expansion. This is in line with a consultant report, 'Ranger Program Development Strategy', funded by the ABA.

This scenario assumes that approximately **120** (most rangers employed part time for cultural commitment reasons) additional rangers and support staff will be employed progressively over a period of five (5) years from 2020/21. This additional employment could be achieved in a number of ways:

1. Progressive implementation of additional ranger groups each year until the maximum employment target is achieved. It is assumed for financial forecasting only that each 'phase' is implemented every 2 years, i.e. phase 1 and phase 2 would be implemented during the life of this plan.
2. Larger numbers employed at the beginning of the program and receive immediate training. Trained rangers then deployed in communities.
3. Improving fee for service revenue to limit the draw required on the IAS.

The following summary budgeted/forecast Statement of Comprehensive Income would be the impact if the program was expanded progressively as proposed.

FORECAST STATEMENT OF COMPREHENSIVE INCOME

| Amounts allow for Ranger Expansion Program | Audited Actual | | | Estimates | Forward Estimates | | |
|--|----------------|---------------|---------------|---------------------------|-------------------|---------------|---------------|
| | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 | 2023/24 | 2024/25 |
| | \$000 | \$000 | \$000 | \$000 | \$000 | \$000 | \$000 |
| EXPENSES: | | | | | | | |
| Employees and council members benefits | 25,961 | 27,304 | 27,323 | 29,081 | 29,760 | 30,652 | 31,362 |
| Supplier expenses * | 15,328 | 16,021 | 18,803 | 39,300 | 30,357 | 14,692 | 18,189 |
| Total depreciation | 2,776 | 2,821 | 3,033 | 2,988 | 3,207 | 3,527 | 3,750 |
| Write-down and impairment of assets (net) | - | - | - | - | - | - | - |
| TOTAL EXPENSES | 44,065 | 46,146 | 49,159 | 71,369 | 63,324 | 48,871 | 53,301 |
| LESS: | | | | | | | |
| Total Own-source Revenue | 7,874 | 8,479 | 7,974 | 7,125 | 8,214 | 7,219 | 8,310 |
| Net gain from sale of assets | 408 | 387 | 249 | 250 | 251 | 253 | 254 |
| Total Own-source Income | 8,282 | 8,866 | 8,223 | 7,375 | 8,465 | 7,472 | 8,564 |
| Net cost of services | 35,783 | 37,280 | 40,936 | 63,994 | 54,859 | 41,399 | 44,737 |
| Revenue from government | | | | | | | |
| RANGER Program Expansion funding - operational | - | - | - | 7,100 | 2,639 | 9,379 | 6,069 |
| From Government - ABA s.64(1) * | 19,380 | 23,461 | 31,678 | 30,280 | 29,482 | 22,742 | 26,052 |
| From Government - Special Purpose Contracts | 13,298 | 17,622 | 16,599 | 16,668 | 16,751 | 16,835 | 16,919 |
| From Government - Special Purpose Contracts (unspent at year end) | 2,671 | 2,480 | 23,093 | 17,551 | 3,569 | 3,587 | 3,605 |
| Total revenue from Government | 35,349 | 43,563 | 71,370 | 71,599 | 52,441 | 52,543 | 52,645 |
| Surplus / (Deficit) attributable to the Australian Govt | (434) | 6,283 | 30,434 | 7,605 | (2,418) | 11,144 | 7,908 |
| OTHER COMPREHENSIVE INCOME: | | | | | | | |
| Changes in asset revaluation reserves | 937 | - | - | - | - | - | - |
| TOTAL COMPREHENSIVE INCOME (LOSS) (Attributable to the Australian Government) | 503 | 6,283 | 30,434 | 7,605 | (2,418) | 11,144 | 7,908 |
| Ranger program expansion capital funding (phase 1 and 2) | | | | 4,500 | - | 3,400 | - |
| * Includes economic stimulus payments in 2021/22 and 2022/23 * New ranger salaries shown as a supplier contract payment | | | | New FTE staff | 13.8 | 13.8 | 29.8 |
| | | | | Notional headcount | 19.7 | 19.7 | 42.6 |

GLOSSARY

| | |
|--------------------------------|--|
| ABA | Aboriginals Benefit Account |
| ALRA | Aboriginal Land Rights (Northern Territory) Act 1976 |
| AAMC | Aboriginal Associations Management Centre (a unit of the CLC that provides administrative services to Aboriginal Corporations) |
| ANAO | Australian National Audit Office |
| APO NT | Aboriginal Peak Organisations (Northern Territory) |
| APSC | Australian Public Service Commissioner |
| CLC | Central Land Council |
| CLA | Community Living Area |
| EA | Enterprise Agreement |
| FTE | Full Time Equivalent (staff) |
| IAS | Indigenous Advancement Strategy |
| IEK | Indigenous Ecological Knowledge |
| ILSC | Indigenous Land and Sea Corporation |
| ILUA | Indigenous Land Use Agreement |
| IPA | Indigenous Protected Area |
| Mineral royalties | Royalties payable to the Australian or the Northern Territory Government in respect to mining |
| NIAA | National Indigenous Australians Agency |
| NTA | Native Title Act 1993 |
| NTRB | Native Title Representative Body |
| ORIC | Office of the Registrar of Indigenous Corporations |
| Outcomes | Outcomes are desired results, impacts or consequences for Aboriginal peoples |
| PBC | Prescribed Bodies Corporate |
| PGPA | Public Governance, Performance and Accountability Act 2013 |
| PIF | Performance Information Framework |
| PM&C | Department of Prime Minister and Cabinet (Indigenous Affairs) |
| Sacred site | A site that is sacred to Aboriginal people or is otherwise of significance according to Aboriginal tradition |
| Traditional owners (TO) | In relation to land, means a local descent group of Aboriginal people who have common spiritual affiliations to a site on the land, being affiliations that place the group under a primary spiritual responsibility for that site and for the land; and are entitled by Aboriginal tradition to forage as a right over that land. |

ANNEXURES

ANNEXURE 1. POWERS AND FUNCTIONS

Aboriginal Land Rights (Northern Territory) Act

POWERS

Section 27 of ALRA provides a broad power that:

Subject to ALRA, a Land Council may do all things necessary or convenient to be done for or in connexion with the performance of its functions and may:

- Employ staff.
- Obtain the advice and assistance of persons who are **expert in any matter** with which the Council is concerned (including assistance in connection with the administration of the affairs of the Council).
- Give **lawful directions** to Land Trusts holding land in its area concerning the performance of their functions; and
- Receive moneys due and owing to Land Trusts holding, or established to hold, land in its area and give a valid discharge for those moneys.

A Land Council may, on the request of an Aboriginal corporation that has received an amount of money from the Council under this Act, provide administrative or other assistance to the corporation.

Where a Land Council employs a person as a staff member, the terms and conditions of the person's employment are such as are from time to time determined by the Land Council. Where a Land Council obtains the advice and assistance of a person the terms and conditions of the engagement of that person are such as are approved by the Land Council.

A Land Council shall not, without the approval of the Minister, enter into, or permit a Land Trust holding land in its area to enter into, a contract involving the payment or receipt of an amount exceeding **\$1,000,000**, or, if a higher amount is prescribed, that higher amount. The Minister shall not give an approval with respect to entering into a contract relating to Aboriginal land unless the Minister is satisfied that the Land Council concerned has, in taking the action that has resulted in the proposed contract, complied with any duty imposed on it by subsection 23(3) (Land Council functions).

The Land Council has delegated certain powers to an Executive Committee and the Chief Executive Officer.

FUNCTIONS

In carrying out its functions, with respect to any Aboriginal land in its area, a Land Council must have regard to the interests of, and shall consult with, the traditional Aboriginal owners (if any) of the land and any other Aboriginals interested in the land and, in particular, shall not take any action, including, but not limited to, the giving of consent or the withholding of consent, in any matter in **connexion** with land held by a Land Trust, **unless** the Land Council is satisfied that:

- The traditional Aboriginal owners (if any) of that land **understand the nature and purpose** of the proposed action and, as a group, consent to it.
- Any Aboriginal community or group that may be affected by the proposed action has been **consulted** and has had **adequate opportunity** to express its view to the Land Council.

Section 23 of ALRA specifies the functions of a Land Council:

- To ascertain and **express the wishes and the opinion** of Aboriginals living in the area of the Land Council as to the **management of Aboriginal land** in that area and as to appropriate legislation concerning that land.
- To **protect the interests of Traditional Aboriginal Owners** of, and other Aboriginals interested in, Aboriginal land in the area of the Land Council.
- To assist Aboriginals in the taking of measures likely to assist in the **protection of sacred sites** on land (whether or not Aboriginal land) in the area of the Land Council.
- To **consult with traditional Aboriginal owners** of, and other Aboriginals interested in, Aboriginal land in the area of the Land Council with respect to any proposal relating to the **use of that land**.

- To **negotiate with persons having estates or interests** in that land with a view to the **acquisition of those estates or interests** by the Land Trust; and until those estates or interests have been so acquired, to negotiate with those persons with a view to the use by Aboriginals of the land in such manner as may be agreed between the Land Council and those persons (where the Land Council holds in escrow a deed of grant of land made to a Land Trust).
- To **negotiate with persons desiring to obtain an estate or interest in land** in the area of the Land Council (where the land is held by a Land Trust, on behalf of traditional Aboriginal owners (if any) of that land and of any other Aboriginals interested in the land, where the land is the subject of an application then on behalf of the traditional Aboriginal owners of that land or on behalf of any other Aboriginals interested in the land).
- To assist Aboriginals in the area of the Land Council to carry out **commercial activities** (including resource development, the provision of tourist facilities and agricultural activities), **in any manner that will not cause the Land Council to incur financial liability or enable it to receive financial benefit.**
- To assist Aboriginals claiming to have a traditional land claim to an area of land within the area of the Land Council in pursuing the claim, in particular, by arranging for **legal assistance** for them at the expense of the Land Council.
- To **negotiate**, and enter into (access) agreements.
- To **represent a Land Trust** in relation to negotiations to agree on an amount to be paid to the Land Trust in relation to that grant if a lease of land in the area of the Land Council is or has been granted under section 31 of the *Northern Territory National Emergency Response Act 2007* by a Land Trust.
- To **represent** that relevant owner, if requested to do so, in relation to negotiations to agree on an amount to be paid to that relevant owner in relation to that grant if a lease of land in the area of the Land Council is or has been granted under the *Northern Territory National Emergency Response Act 2007* by the relevant owner of the land.
- To **represent** the holder of the lease, if requested to do so, in relation to negotiations to agree on an amount to be paid to that holder in relation to that suspension if a lease of land in the area of the Land Council is or has been suspended under the *Northern Territory National Emergency Response Act 2007*.
- To **compile and keep a register** recording the names of the members of the Land Council and a register recording the names of the members of the Land Trusts holding, or established to hold, Aboriginal land in its area and descriptions of each area of such Aboriginal land.
- To supervise, and provide administrative or other assistance for, **Land Trusts** holding, or established to hold, Aboriginal land in its area.
- Such **other functions** as are prescribed by regulations.
- With the approval of the Minister, perform any functions that may be conferred on it by a **law of the Northern Territory**, including:
 - Protection of sacred sites
 - Access to Aboriginal land
 - Schemes for management of wildlife on Aboriginal land

NATIVE TITLE REPRESENTATIVE BODY UNDER THE NATIVE TITLE ACT

The main objects of the Native Title Act are:

- To provide for the recognition and protection of Native Title.
- To establish ways in which future dealings affecting Native Title may proceed and to set standards for those dealings.
- To establish a mechanism for determining claims to Native Title.

Native Title functions are set out under section 203B of the NTA and are conferred in addition to, and not instead of, any functions conferred by any other law. These functions include:

- Facilitation and Assistance
- Certification
- Dispute Resolution
- Notification
- Agreement Making
- Internal Review

Funding: These functions are funded by a separate budget appropriation from the Australian Government, currently administered by the Department of Prime Minister & Cabinet. Core ongoing activities of the Native Title work program include responding to Future Act* notifications and progressing native title claims. These are prioritised and articulated in an annual Operational Plan and balanced against availability of funds.

NT Government process on expedited procedure: All Future Act applications for exploration licences within the Northern Territory include a statement from the NT Government that the grant attracts the “expedited procedure” as defined under s 32 of the NTA. In the event that native title holders have an objection to the licence, the CLC has just four months in which to file that objection.

Prioritisation of claims: New Native Title claims are discussed and initially prioritised (High/ Medium/ Low) at bi-annual planning sessions. Notwithstanding requests from claimant groups, final prioritisation and decisions are made having consideration for factors such as:

- Future Act* ‘drivers’ (importance of securing people’s rights to negotiate);

- Concerns for protection of sites;
- Strength of available information (for anthropology reports);
- Success of Native Title/ALRA claims on abutting land;
- Spread across CLC region (equity); and
- Available resources (funds and personnel).

**Future Acts are defined under s 233 of the NTA*

PRIORITIES

Section 23AA of ALRA specifies that the Land Council must:

- From time to time **determine the priorities** it will give to performing its functions.
- Allocate resources in the way it thinks fit so as to be able to perform its functions efficiently.
- Give priority to the protection of the interests of traditional Aboriginal owners of, and other Aboriginals interested in, Aboriginal land in the area of the Council.

This Corporate Plan addresses these requirements. The priorities of the CLC are explained by a planning arrangement that comprises goals, activities, performance measurement, and a monitoring system to assess progress of specific activities. [Note: CLC administration also develop annual ‘action’ plans for every strategy, and these actions are the basis for achievement of the priorities].

ACCOUNTABLE AUTHORITY (PGPA)

Public Governance, Performance and Accountability Rule 2014, Rule 7A, states that the Accountable Authority of the Central Land Council is the “The group of persons made up of:

- a. the Chair of the Land Council; and
- b. the CEO of the Land Council.

The Chief Executive Officer (CEO) of the CLC is the most senior manager appointed by the Council.

The Chair is elected by the Council, generally for a 3-year term, in accordance with ALRA. Council, Executive Committee and Chair/Deputy Chair elections were held in April 2019. The elected members will hold office until April 2022.

ANNEXURE 2. STAFFING METRICS

| Staffing metrics | | | | | | | |
|-------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| FTE numbers by level | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 | 2023/24 |
| | Actual | Actual | Actual | Actual | Forecast | Forecast | Forecast |
| CL 1 | 5.1 | 2.2 | 0.7 | 1.4 | 2.0 | 2.0 | 2.0 |
| CL 2 | 39.7 | 47.8 | 46.0 | 43.5 | 55.0 | 59.0 | 59.0 |
| CL 3 | 11.5 | 11.2 | 12.9 | 12.1 | 12.9 | 12.9 | 12.9 |
| CL 4 | 26.3 | 26.0 | 27.1 | 30.9 | 30.9 | 30.9 | 30.9 |
| CL 5 | 23.6 | 28.3 | 32.5 | 29.9 | 29.9 | 29.9 | 29.9 |
| CL 6 | 73.3 | 73.6 | 74.0 | 81.7 | 84.0 | 85.0 | 85.0 |
| SO C | 22.4 | 23.6 | 21.9 | 25.8 | 32.0 | 32.0 | 32.0 |
| SO B | 6.0 | 6.6 | 9.7 | 9.1 | 10.5 | 10.5 | 10.5 |
| SO A | 11.2 | 11.0 | 11.8 | 10.8 | 11.8 | 11.8 | 11.8 |
| Exec.Mgrs | 2.9 | 3.3 | 3.3 | 4.0 | 4.0 | 4.0 | 4.0 |
| | 222.0 | 233.6 | 239.9 | 249.2 | 273.0 | 278.0 | 278.0 |

| Staff profile | | | | | | | |
|------------------------|---------|---------|---------|---------|---------|---------|---------|
| | 2014/15 | 2015/16 | 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21 |
| | Actual | Actual | Actual | Actual | Actual | Actual | Actual |
| FTE - ongoing * | | | | | 48.5 | 92.5 | 93.5 |
| FTE - contracts | 222.0 | 220.0 | 217.2 | 222.1 | 180.3 | 147.7 | 165.8 |
| FTE - casual ** | 11.6 | 9.1 | 6.3 | 8.0 | 4.8 | 8.1 | 8.6 |
| FTE - Total | 233.6 | 229.1 | 223.5 | 230.1 | 233.6 | 248.3 | 267.9 |
| FTE - Ranger Program | 71.4 | 59.8 | 56.7 | 64.3 | 70.6 | 76.3 | 70.2 |
| Aboriginality | 104.0 | 115.9 | 101.4 | 103.0 | 112.3 | 121.4 | 115.9 |
| Aboriginality % | 44.5% | 50.6% | 45.4% | 44.8% | 48.1% | 48.9% | 46.5% |
| Gender - Male | 123.0 | 117.3 | 116.3 | 117.8 | 127.7 | 138.7 | 127.9 |
| Gender - Female | 99.0 | 102.7 | 101.9 | 104.2 | 105.8 | 109.3 | 112.7 |
| Casual - Gender Male | 7.5 | 6.5 | 4.4 | 5.6 | 3.2 | 6.3 | 6.7 |
| Casual - Gender Female | 4.1 | 2.6 | 1.9 | 2.4 | 1.6 | 1.8 | 1.9 |

* Ongoing appointments for CL1 to CL6 staff not funded by short term agreements (as per new EA)

** Positions filled on a temporary basis

| FTE numbers by ranger group | | | | | |
|--------------------------------------|-------------|-------------|-------------|-------------|--------------|
| | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 |
| | Actual | Actual | Actual | Actual | Forecast ^ |
| Anangu (Angas Downs) | 1.3 | 1.7 | 1.9 | 0.2 | 1.0 |
| Anangu Luritjiku (Papunya et al) | 2.9 | 3.4 | 4.8 | 4.0 | 5.8 |
| Anmatyerr (Ti Tree) | 5.2 | 5.7 | 5.3 | 4.4 | 6.6 |
| Arltarpilta Inelye (Atitjere) *** | 2.8 | 4.4 | 4.6 | 4.2 | 5.6 |
| Kaltukatjara (Dockert) | 3.4 | 2.6 | 1.3 | 1.6 | 4.2 |
| Ltyentye Apurte (Santa Teresa) *** | 4.3 | 5.2 | 6.2 | 6.1 | 7.0 |
| Murnkurumurnkurru (Daguragu) *** | 3.2 | 4.1 | 3.9 | 3.5 | 6.4 |
| Muru-Warinyi Ankkul (TC) | 7.5 | 8.1 | 6.6 | 6.3 | 9.3 |
| Mutitjulu Tjakura | 1.6 | 1.5 | 2.5 | 1.5 | 4.2 |
| Northern Tanami | 4.3 | 4.3 | 3.8 | 4.3 | 7.6 |
| Tjuwanpa (Hermannsburg) | 6.8 | 6.5 | 8.2 | 7.5 | 8.2 |
| Warlpiri | 3.1 | 3.5 | 4.0 | 4.6 | 6.6 |
| Walungurru Rangers **** | | | 0.4 | 1.1 | 5.8 |
| Alyawarra/Arlparra and Ampilitawatja | | | | 0.3 | 4.0 |
| Aputula Rangers | | | | 0.3 | 4.0 |
| Ranger Program Support Officers | 2.3 | 2.6 | 5.0 | 4.0 | 5.0 |
| Total rangers | 48.7 | 53.6 | 58.5 | 53.9 | 91.3 |
| Training & Mentoring | 3.0 | 3.1 | 4.0 | 4.7 | 5.0 |
| Coordinators | 10.8 | 12.1 | 11.8 | 10.7 | 12.0 |
| Ranger admin support | 1.8 | 1.8 | 2.0 | 0.9 | 2.0 |
| Total | 64.3 | 70.6 | 76.3 | 70.2 | 110.3 |

*** ILSC funded

**** 10 Deserts funded

^ Funded FTE

Artwork forthcoming



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