



# CENTRAL LAND COUNCIL

CENTRAL LAND COUNCIL  
CORPORATE PLAN

**2023-2027**



COVER ARTWORK

**Travelling to Land Council Meeting**

© Nyinta Donald

People travelling together, everyone in cars heading to big meeting out bush at Kaltukatjara (Docker River). All the swags piled up on the Toyotas. All the cars loaded up, swags, food, everything they need. They got the hills and mountains near them, and they crossing a big bridge over river. Not big flow now. Just slow, coming out of the hills. Big bridge says river can flow really big!

## ACCOUNTABLE AUTHORITY MESSAGE

Since 1976 the Central Land Council (CLC) 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, we will focus attention on recruitment and retention of skilled employees to ensure our capacity to effectively deliver our functions. We are strengthening our Aboriginal employment and leadership strategy to increase Aboriginal employment, development, and career pathways.

During the period we will also implement and report on the improvements we committed to in the 2023 ANAO performance audit report.

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 CLC. 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 continue to enhance forums and provide opportunities for the Council and Executive Committee to guide the strategic direction of the CLC, and to inform and update the administration as to the issues and priorities of the communities that they represent. We also engage a sub-committee to advise on cultural policies, including the repatriation of cultural materials and the effective management of cultural information. We are investing in the governance capacity development of our Council and Executive Committee, and investigating increased Executive Committee engagement for our activities to benefit further from their contribution to the organisation's governance.

Water policy has been a significant priority for the CLC in recent years, 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 *Aboriginal Land Rights (Northern Territory) Act 1976* ('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 2023/24 Central Land Council corporate plan, which covers the periods of 2023/24 to 2026/27, 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.***



**Matthew Palmer | Chair**

31 August, 2023



**Les Turner | Chief Executive Officer**

31 August, 2023

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# STRUCTURE AND CONTENT OF THIS CORPORATE PLAN

## This corporate plan outlines:

- A message from the Accountable Authority with the section 35(1)(b) PGPA<sup>1</sup> statement.
- The **mandate** of the organisation (**purposes statement** which comprises its statutory purposes)
- Its **aspirations** (the **strategic goals**).
- The **key activities** it intends to engage in to achieve or contribute to those goals.
- **A cross-cutting focus section** describing some key elements that occur within many of the activities.
- The Council's **policy priorities**.
- Organisational '**strategy**' discussion.
- **Risk, capability and environment** assessment.
- The **resources** (people, assets, systems) available to deliver the activities.
- How the CLC **measures** its success (the **performance framework**).

The plan is the **foundation from 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.

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

- Review the Purposes Statement, the goals, and the key activities contributing to each goal.
- The Performance Statement highlights organisational key performance indicators grouped by the CLC's goals. Key activity reference numbers enable line of sight to the performance statement. The 'program' performance table outlines time-based activities.
- Much of the organisation's performance cannot be assessed by metrics alone. Qualitative case studies on our website explain how we deliver activities effectively in our unique context.
- The Annual Performance Statement in the annual report for the target year will include the same cross-reference to the corporate plan Key activity reference numbers.

<sup>1</sup> Public Governance, Performance and Accountability Act 2013.

## BACKGROUND (Incl. PGPA Act Requirements/Statements)

The 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 the 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 strategic initiatives.

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 NTRB<sup>2</sup> 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, which provides 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.

<sup>2</sup> Endorsed by the Minister as an NTRB until mid-2024.

## STRATEGIC DIRECTION

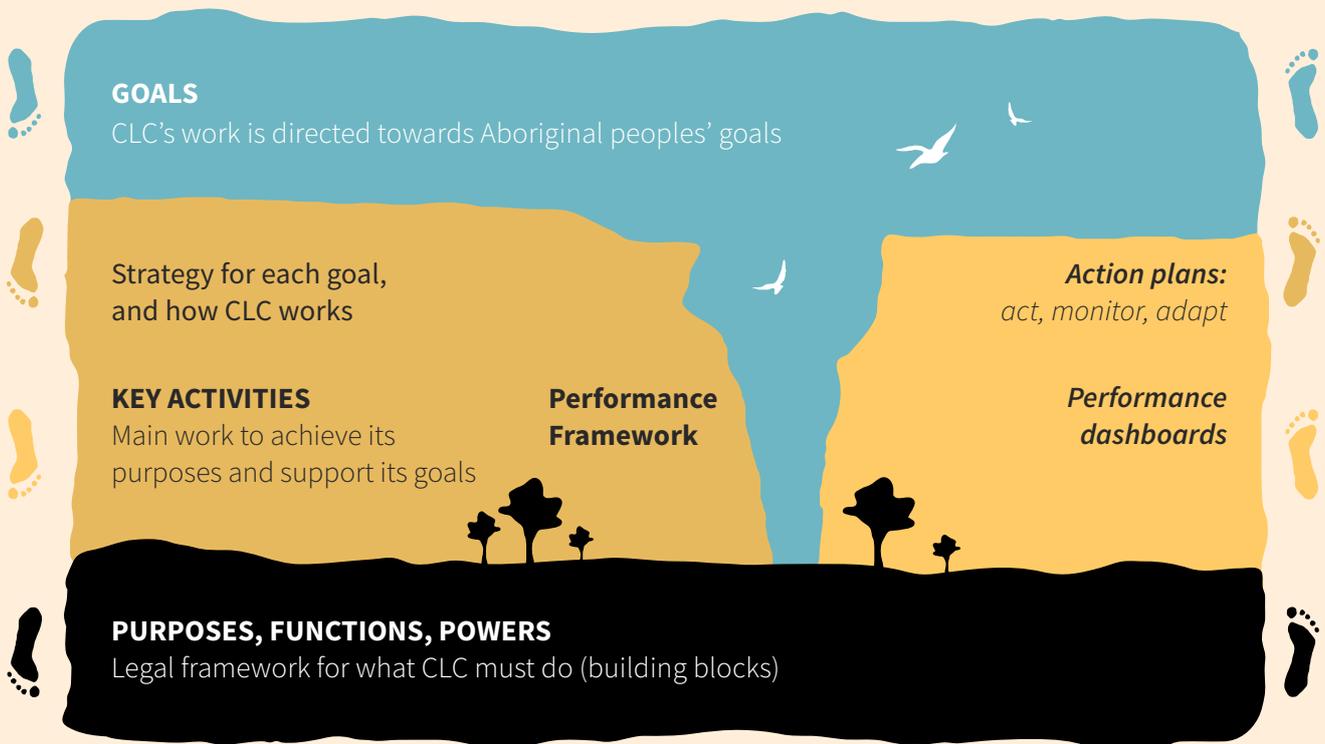
**The strategic direction consists of strategies aimed at ensuring that the CLC’s activities effectively deliver on its purposes and contribute to its goals.**

This corporate plan is developed to meet the PGPA requirements, determine the CLC’s medium and long-term priorities, and serve as 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. The most recent review occurred in 2021. A newly elected Council began in April 2022 and will review the corporate plan in years two to three of their term.

Regularly comparing results with the corporate plan achieves appropriate monitoring and evaluation. If this identifies a need for change, the plan should be revised, and resources adjusted.

Simultaneously with the long-term planning process, the organisation’s structure is reviewed and adjusted to consider current demands. The next phase is to assign resources through a medium-term framework that ensures appropriate financial discipline and prioritisation to enable expenditure staging. 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.

CORPORATE PLAN ..... OPERATIONAL PLAN



## CORPORATE PLANNING SCHEME

**The Corporate Planning Scheme outlines the strategies identified to ensure that the organisation's key activities are prioritised and delivered in a way that fulfils its purposes and effectively contributes towards achieving each goal. The performance framework ensures that the key activities are measured.**

## PURPOSES STATEMENT

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

**Annexure 1 provides a list of the Powers and Functions. A summary of the key functions is shown below.**

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

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

- Determine 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. 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.

Implementation of activities is monitored in the annual operational plan.

- 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 (ILUAs). 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.

<sup>3</sup> Refer to [www.legislation.gov.au](http://www.legislation.gov.au) for full legislation (<https://www.legislation.gov.au/Details/C2022C00364>; <https://www.legislation.gov.au/Details/C2021C00450>)

# GOALS OF THE CENTRAL LAND COUNCIL



**All goals are inter-related and mutually reinforcing.**

# KEY ACTIVITIES CONTRIBUTING TO THE GOALS<sup>4</sup>

## 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 (see also 2.1)
    - Future of remote communities and outstations (including housing and climate change)
    - Water
    - Education
    - Youth, law and justice
    - 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 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** Support Traditional Owner groups to play a central role in decision making relating to water use and security, and advocate for improved water legislation
- 2.10** Negotiate leases, licences and other uses of land with applicants, consult with Traditional Owners to make agreements, and consult affected communities
- 2.11** Monitor land use agreements to make sure they are followed, enforce obligations and meet our commitments
- 2.12** Manage permits for people visiting and working on Aboriginal land
- 2.13** Formalise the land acquisition strategy (plan for acquiring land) and develop a regional Aboriginal estate strategy
- 2.14** Assist Prescribed Bodies Corporate (PBCs, native title holder bodies) to learn and do their work

<sup>4</sup> The key 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 introduced plants and animals
  - 4.3.3 Water use and security (see also 2.9)

## 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 Integrate the CLC economic participation work to assist and facilitate more local Aboriginal training, jobs, and business opportunities available through land use agreements and for PBCs
- 5.4 Assist PBCs to find opportunities where they can do well and grow, and help Aboriginal businesses to connect with support and opportunities arising through land use agreements
- 5.5 Advocate with employment organisations to connect local Aboriginal people with real training and job opportunities arising through agreements
- 5.6 Advocate for Aboriginal training, jobs and businesses in the CLC region and effective approaches for success
- 5.7 Assist with the appropriation of 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*

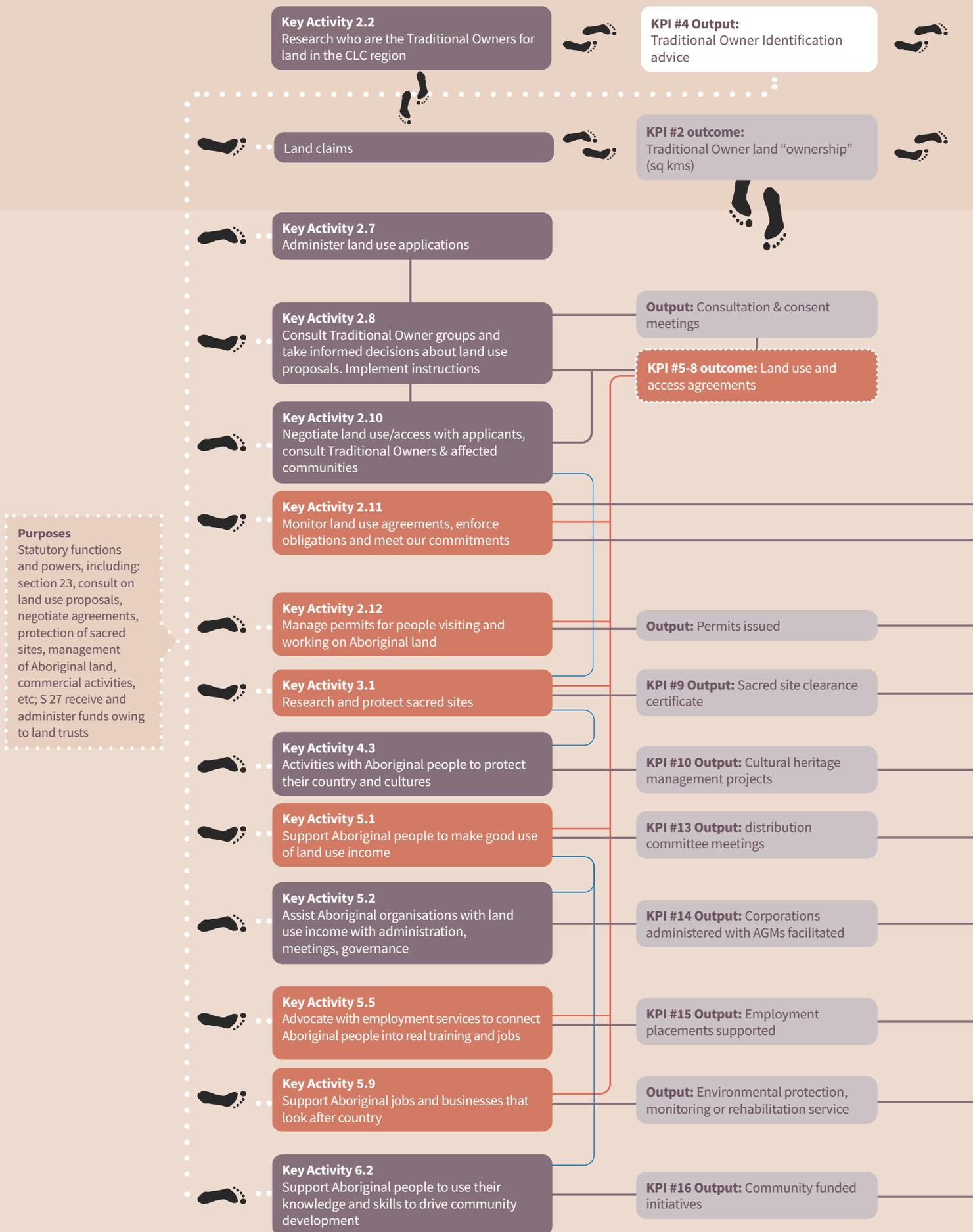
- 6.1 Advocate for good community governance, local involvement in decision making, building skills and developing community capacity
- 6.2 Support Aboriginal people to use their knowledge and skills to drive their own community development (planning, funding, and monitoring community-driven projects 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

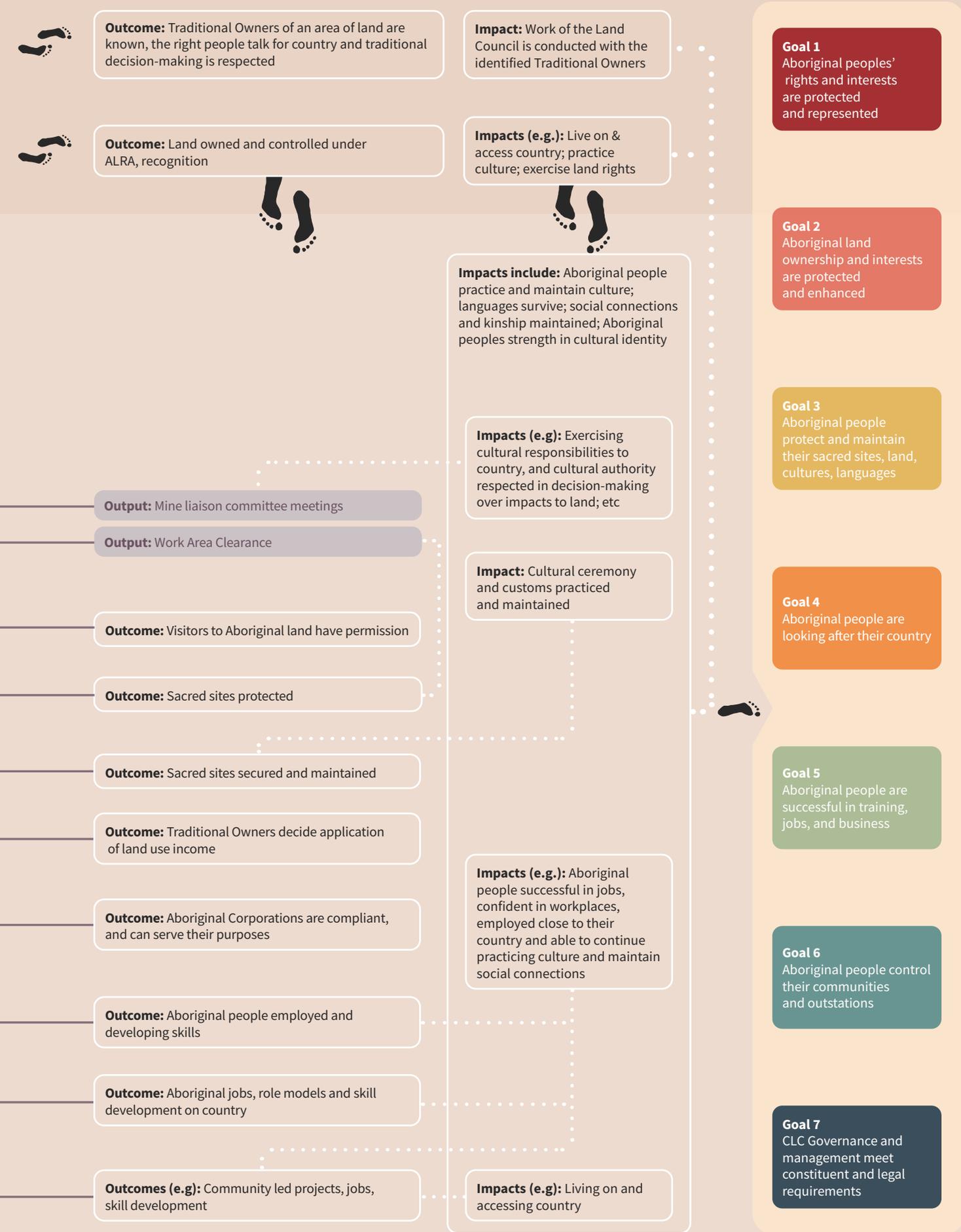
## 7. Governance

*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 Manage the business systems, information and records (information governance strategy)
- 7.5 Manage CLC’s performance including:
  - 7.5.1 Check how well we do activities in our plan (monitoring and evaluation, internal audit)
  - 7.5.2 Manage risks (risk management strategy review)
- 7.6 Make sure that our activities are environmentally responsible (reduce organisational environmental impacts)

# EXAMPLE OF HOW PURPOSES LINK TO KEY ACTIVITIES AND KPIS, AND CONTRIBUTE TO THE COUNCIL'S GOALS.





## HOW THE CLC DOES ITS WORK (PRINCIPLES)

*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 the various interconnected factors that influence the CLC’s key 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. Induction and training is provided to the Executive Committee and Council to support best practice governance. Increased attention is being given to 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. We have established a steering committee to guide and advise on the appropriate return and protection of cultural artefacts and information. In the planning period ahead the organisation will continue to strengthen these systems to address evolving demands.

## EVOLVING INTEGRATION OF NATIVE TITLE SERVICES

Added value is likely to be achieved through further integration of the NTRB and ALRA roles and responsibilities. Integration has 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'. Corporate administration support for Native Title 'PBCs' had been undertaken separately from the Aboriginal Corporations supported under ALRA, and will be integrated during the Plan period.

## ECONOMIC PARTICIPATION

The CLC's economic participation services continue to support pathways for Aboriginal people into successful business and employment opportunities. After trialling a centralised function the CLC will integrate these services into sections holding related expertise. Services will focus on land-connected opportunities including support to PBCs and other land use agreement opportunities.

ABA Indigenous economic stimulus funds have provided a mechanism to enhance economic outcomes through economic, social and infrastructure projects and will be monitored through to completion.

## RANGER PROGRAM

In addition to delivering cultural and environmental outcomes, the Ranger Program provides unique working on country employment, training, personal growth and leadership opportunities for local Aboriginal people in natural and cultural resource management. It also supports the aspirations of senior traditional owners for family members to remain living in their community and assume responsibility for their country. In order to achieve equitable outcomes, gender equity needs equal resourcing, as well as secure and flexible employment arrangements.

During the plan period the CLC aims to progress these issues and expand the footprint of the program to deliver land management services across more land and ecosystems while consolidating and expanding the program operations from large communities. Sustainable outcomes also requires ongoing development of appropriate and sustainable and maintained infrastructure.

## WATER SECURITY

In April 2023 the CLC passed a resolution articulating the critical importance of water to the future survival of Aboriginal people and their culture and reiterating years of demanding stronger water governance that recognises and secures Aboriginal water rights. In June 2023 all four land councils passed a resolution in response to NT Government commitments, calling for overdue water reforms to deliver safe drinking water, protect country and support Aboriginal development. Communities need continued access to safe drinking water and excess water use by developers has the potential to threaten sacred sites and millennia of cultural practices.

The role of Aboriginal people as traditional custodians of water has not been formally recognised in NT water governance and the CLC has deployed a comprehensive advocacy strategy for many years to assist its constituents with their concerns about water security. This strategy covers: seeking better water legislation and improved water planning in the NT that centres Aboriginal people in decision making and monitoring; detailed submissions and letters on water use decisions informed by cultural knowledge and science; litigation to challenge a water licence decision; meetings with NT and Federal Government staff and ministers; and concerted media campaigns.

## POLICY PRIORITIES FOR 2022-2025

Each newly elected Council reviews the CLC’s policy priority areas. The last policy priority review in August 2022 confirmed the priority areas set out below. The next policy review is planned for the start of the next term of Council in 2025.

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. For too long policies have been made about Aboriginal people without their input or agreement – their voices have not been heard. Aboriginal peoples in central Australia want to articulate and progress their own aspirations, and devise their own solutions to complex issues.

Council and the Executive Committee provide their views and aspirations on policy matters impacting their everyday lives and their rights and interests more generally. Staff work with the Council and Executive Committee to understand and analyse the policy environment and develop policy positions and solutions based on the views and feedback of members. 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 2022-2025	
CLC will play a lead role in policy and advocacy on:	
<b>Governance and Control</b>	<ul style="list-style-type: none"> <li>• Voice and constitutional reform</li> <li>• Treaty and truth-telling (NT Treaty and implementation of Uluru Statement from the Heart in full)</li> <li>• Strengthening Council and Executive Committee</li> <li>• Electoral engagement</li> <li>• Supporting Aboriginal Peak Organisations NT (APO NT)</li> <li>• Closing the Gap</li> </ul>
<b>Water</b>	<ul style="list-style-type: none"> <li>• Water rights, water justice and water law reform</li> </ul>
<b>Future of communities and homelands</b>	<ul style="list-style-type: none"> <li>• Housing</li> <li>• Homelands</li> <li>• Essential service infrastructure</li> <li>• Policies affecting communities (including remote jobs and CDP reform, income management)</li> <li>• Climate change</li> </ul>
<b>Keeping Land Rights Strong</b>	<ul style="list-style-type: none"> <li>• Aboriginal Land Rights Act</li> <li>• Native Title Act</li> <li>• NT Sacred Sites Act and Heritage laws</li> <li>• Economic opportunities on Aboriginal land</li> <li>• Leasing</li> </ul>
CLC will support policy and advocacy on:	
<b>Youth, Law and Justice</b>	<ul style="list-style-type: none"> <li>• Supporting advocacy through NAAJA and the Tripartite Forum</li> <li>• Remote youth issues</li> </ul>
<b>Education</b>	<ul style="list-style-type: none"> <li>• Learning on Country</li> <li>• Supporting new expert Indigenous education advisory group</li> </ul>

## CORPORATE STRATEGY

**Advocacy and representation are the CLC's core business. Increasingly the organisation is regarded by external agencies as a competent and professional vehicle to manage or support service delivery activities to Aboriginal people in central Australia.**

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

Current signs indicate that this growth will continue exponentially.

- The Australian Government's 'secure tenure' policy with property 'leasing' providing ongoing compensation to Traditional Owners and communities, increased both the corporation management support and community development demands. Community Development outcomes are increasingly being identified and advocated by CLC constituents and Council as the target for Aboriginal Corporation funds, and the Government continues support for the exceptional benefits of this program.
- The Australian Government funding commitment to the Ranger Program is to 2028. The 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.
- Exploration applications across the Northern Territory are at record highs, and activity has increased. Demand for critical minerals indicates that this trend may be sustained. Additionally, several proponents with Major Project status create a more extensive work program across several functions.
- Expanding Native Title 'future act' and oversight responsibilities. This includes guiding PBCs to support governance strategies, improve capacity and move to a sustainable status, acknowledging however that many PBCs do not have negotiated land use agreement income curtailing their ability to be financially sustainable. Up to 46 PBCs will be involved in this program (currently 34). This will also require adequate resourcing of CLC's Native Title Representative Body services to PBCs.
- Constant demands for anthropological 'clearance' for private sector use of Aboriginal land and for community developments, including housing.
- Increased need for involvement in water governance, and ensuring informed Traditional Owner engagement regarding land use proposals and water licensing.
- Land Council representation on steering committee on public housing (remote) and reference groups.
- Economic stimulus project providing \$36.7 million of ABA funds, requiring contract management through to completion.

### 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.

# RISK, CAPABILITY AND ENVIRONMENT

**Risk, capability, and environment factors, over the four year life of the plan are assessed and incorporated into our key 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 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, “minimise” the weaknesses, “take advantage of opportunities,” and “avoid external threats”. The resulting activities are overseen by the assigned responsible manager(s) who monitor and report on progressive achievement in accordance with the availability of resources.

## 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.

## STAKEHOLDERS & COOPERATION



## 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)

Over 45 years of experience informs services

Corporate and financial planning

Organisational performance framework development

Management technical expertise and experience

Staff passion and commitment

Resilience and responsiveness to constituent needs

Consultation & communication with constituents

## Weaknesses (internal)

Staff turnover, attraction, retention and incentive

Salaries less than peer organisations in Alice Springs, and not keeping up with inflation

Growth management, especially accommodation

Staff co-ordination and communication

Regional operations strategy needs development

Work health and safety - high inherent risk of work

Elected member turnover

Limited capacity to deal with escalating constituent disputes, including PBCs

Funding reliance

Regional office infrastructure and standards

## Opportunities (external)

Funding sources – ABA, IAS, ILSC, Philanthropy

Power security in community – renewables and storage

Community of practice across representative bodies

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

Development of effective economic participation frameworks

Royalty entity opportunities to independently resource

## Threats (external)

Pandemics

Climate change

Water security

Funding and economic threats; Cost of living and inflation impacts on communities

Legislative and policy change

Cyber security and data breaches

Continuity of Aboriginal law, language and culture progressively eroded

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

Viability of remote communities

Insufficient economic and training opportunities for constituents

Housing shortage and decline causing resource conflicts

Public perception of CLC

Lack of suitable/capable partner organisations

Management issues for an Aboriginal Corporation

Requests to expand activities (requires careful prioritisation within funding)

Public perception of Alice Springs

Some stakeholders do not understand that consulting on complex issues requires adequate time for robust Traditional Owner decision making processes, which reduce the potential for dispute between constituents

## ORGANISATION CAPABILITY

The Organisation Capability context is considered from the perspectives of human resource/workforce planning, organisation structure, financial sustainability, capital investment, ICT capability, and information governance. The three major resources affecting operations are staffing, vehicles, and business systems. The capability areas outlined in this section are critical to the CLC's ability to deliver its key activities and achieve its purposes.

### Dispute Prevention and Management

Dispute Management is an evolving and nuanced area of working requiring continuous innovation and capability investment. 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 continue to 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 best practice engagement and clarity on our approach to dispute management are: the Effective Engagement Strategy and the Traditional Owner Dispute Management Framework. 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 2026/2027.

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 for Aboriginal managers
- Keeping staff safe, especially those performing high risk work or regularly working in remote areas with challenging climatic conditions
- Effective staff attraction and retention strategy to achieve and maintain high performance, recognising the challenges of residing in remote central Australian conditions.

Staff attraction and retention:

- We will continue to develop staff recruitment and retention programs, including research on market rates of compensation and benefits to ensure competitiveness, and staff engagement and satisfaction programs.
- Recruitment will be supported through engagement with educational institutions and Aboriginal organisations, regular reviews and fostering a culture of diversity and inclusion. We will actively support leadership and development opportunities for Aboriginal employees.

Staff resources management involves:

- Budget establishment and approval, including estimating the full remuneration cost.
- Regular monitoring and reporting of staffing levels, including Direct full-time equivalent (FTE) reports to Government, and annual and half-yearly reports to the Minister and Parliament.

Staff resources include full and part-time ongoing and term-contracted staff and casual staff.

## Enterprise Agreement

**The Enterprise Agreement (EA) has significant implications for employee recruitment and motivation, and 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 Minister was advised that the 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.

CLC 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 the APS recognises the CLC as a non-APS entity. The CLC is not subject to Ministerial approval for its EA as this is the responsibility of the employer of staff under the ALRA.

The APSC has put into place the Public Sector Workplace Relations Policy 2023. Under the policy, non-APS agencies and employees will be supported to engage in agency-level bargaining, differing from the APS approach to developing common conditions. Under this policy, the CLC will have the opportunity to bargain to replace enterprise agreements past the nominal expiry date to ensure arrangements meet the needs of agencies and employees.

### Approach to EA bargaining:

Based on advice from APS Employment Relations Services, CLC undertook consultations with staff and proposed to continue the 2017-2020 EA while aligning employee annual wage increase to the Private Sector Wage Price Index (WPI) June Quarter. CLC surveyed employees in December 2021, and based on positive feedback provided, a determination was signed and approved by the CEO. The determination provides for the current EA to continue until December 2023.

The CLC will put forward a bargaining position to the APS in early 2024. During 2024 the CLC will commence bargaining a new EA. The APSC must give permission for the CLC to undertake bargaining.

Actions the CLC will take to bargain: Plan to make the agreement; Start the bargaining process; Develop the agreement; Prepare employees to vote; Employee vote; Approval; Decision.

All staff will have opportunity to input to policies and entitlements both before and during the negotiation; with multiple channels for feedback.

## Affirmative Succession Plan & Development

Wherever possible, the appointment of high calibre Aboriginal people to senior roles is pursued. Aboriginal staff in leadership roles include:

- Chief Executive Officer
- General Manager- Regional and Development
- General Manager Professional Services
- Manager Tennant Creek Regional Office (TCRO)
- Manager Native Title
- Manager Regional Services Unit (RSU)
- Human Resources Manager
- Regional Land Management Coordinator
- Ranger Training and Development Coordinator
- Policy and Governance Officer
- Regional Logistics Services Coordinator

The Aboriginal Leadership Program (ALP) supports and further enhances the skills of Aboriginal staff.

The aim of the ALP is to support and strengthen CLC's professional development and commitment to its Aboriginal staff. The focus of the program is training that builds leadership skills, taking into account the realistic aspirations of staff and assisting them to align their professional development to relevant career opportunities within the CLC and in the community. This will build CLC internal capacity, support professional development relevant to the unique operating environment, and provide opportunities for Senior Aboriginal staff to pass on knowledge to younger staff, and for junior staff to aspire to senior positions.

## ORGANISATION STRUCTURE

### Background

An organisation's structure is a key component of the business strategy, ensuring that the organisation design most effectively and efficiently delivers the desired strategies, activities, outputs and outcomes.

The CLC 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').

### The responsibilities of the CEO regarding organisation structure 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.

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 evident in the 'regionalisation' aspects of the organisation's services, and the structure is characterised as 'flat' in relation to management decision making.

### Changes between 2012 and 2023:

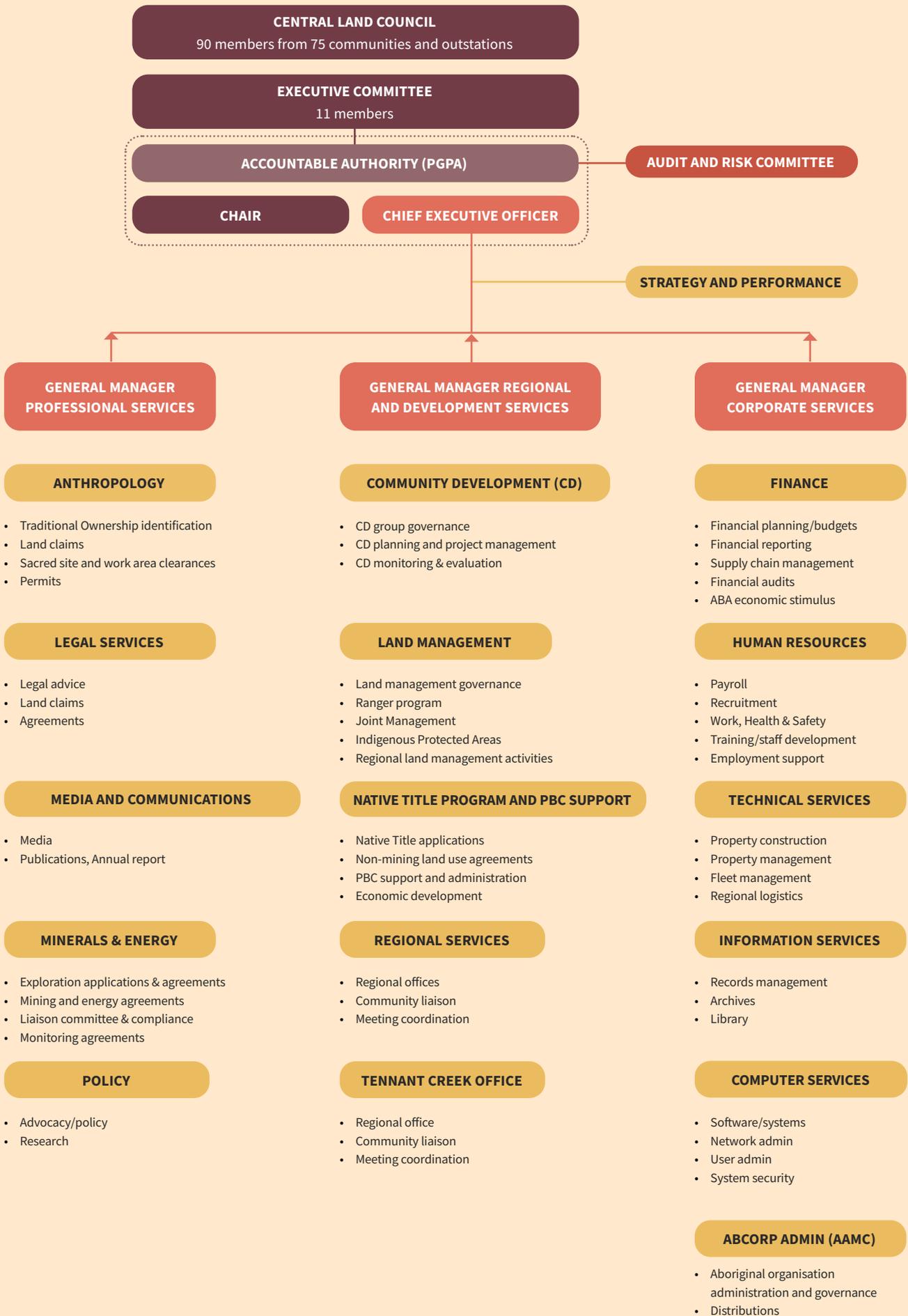
CLC has progressively revitalised its structure since 2012, with the following key changes:

- Implementation of the Accountable Authority in accordance with the PGPA Act (Chair and CEO).
- Establishment of an Executive Management Team to commence in 2023/24 with the CEO and two of the General Manager roles being Indigenous identified. This builds upon the earlier creation of two senior management roles.
- Review of the structure of the independent Audit & Risk Committee.

### Audit and Risk Committee

The Audit and Risk (AR) Committee is an important element of the Governance structure. The AR Committee comprises 4 independent members, including an independent chair, with the appropriate expertise and experience in Aboriginal affairs, good governance, legal expertise, and financial management. Members are appointed by the Accountable Authority, with terms 'staggered' to avoid the risk of loss of experience. New members can be appointed for a three-year term, with subsequent extensions for periods up to two years. The Committee meets at least three times per year and is supported by the Strategy and Performance team, the General Manager - Corporate Services (and Chief Officer) and Financial Controller. The Committee operates in accordance with its charter based on the better practice guideline customised to the scale of CLC operations.

## Organisation Structure



## FINANCIAL SUSTAINABILITY

Financial sustainability is required to effectively fund statutory consultation and advocacy functions; to support the activities as a going concern, and to maintain and replace the required assets.

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 NT, with its application outlined in the ALRA and including funding for the administration of the NT Land Councils; the distribution to traditional land owners (Aboriginal Corporations) affected by mining operations on their land; and initiatives of benefit to Aboriginal people living in the NT (beneficial payments).

The ABA provides funds to Land Councils for Administrative purposes under s64(1) of ALRA. For 2023/24 the Minister has authorised a transfer of \$41.445 million.

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.

Expenditure is classified along business unit and output group criteria to enable reporting against the NIAA’s ABA Output/Outcomes framework.

The CLC does not have any borrowing.

The Chief Financial Officer (CFO) is assigned the responsibility to ensure financial sustainability, which is achieved through a combination of strategies across the budget design and approval; monitoring actual financial performance against the approved budget; annual revision of the Accountable Authority expenditure authorisations; monitoring cash flow and working capital; and financial modelling.

A **Land Use Trust Account** (‘LUTA’) 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.

## CAPITAL INVESTMENT PLANNING - TRANSPORT PLANNING & PROPERTIES

The key assets comprise a substantial fleet and operational property (mainly office accommodation). The plan period continues its focus on upgrading regional offices and staff accommodation. Alice Springs office space has changing requirements, including main office building modernisation and extension. The transport planning strategy guiding the Fleet aims to maximise availability of assets suitable for remote travel purposes, reduce safety risks and minimise costs over the life of a vehicle. The disruption to international supply chains has had substantial impact on the fleet strategy, with vehicles retained longer with increased maintenance costs.

### **The existing building strategy:**

The building network includes 5 commercial properties in Alice Springs and 15 regional operational bases, which support core business and Ranger Programs. Transitional accommodation is located in Alice Springs, with visiting and permanent staff accommodation in various regional areas; assets that are integral to core business. The building asset management strategy combines asset life, repair and maintenance needs with required functional and environmentally sustainability performance to deliver a cost-effective/efficient service. Organisational growth has exceeded the main office capacity with some teams based offsite. Renovations on the current building will enable more staff to be accommodated, however this will only partly meet existing requirements. Planning has commenced to extend the current building inclusive of the adjacent Lot.

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 safety, security and 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.
- Provide and monitor a defined level of service.
- Sustainability performance and improvements suited to remote communities.

- Review growth, especially in the Ranger Program, and manage the impact on buildings.
- Identify, assess and appropriately control risks; and
- Link 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.
- Develop and enhance detailed Asset Management Plans for all sites including levels of service, future demand, life cycle management, risk, financial and improvement and monitoring plans.
- Mutitjulu new shared regional and ranger office, meeting area, ranger shed and visiting staff accommodation
- Tennant Creek ranger hub
- Walungurru Kintore ranger hub
- Aputula Finke ranger hub & visiting staff accommodation
- Yuendumu fence upgrade and meeting area
- Stuart Hwy East wing and Library resource open plan area upgrade

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

- Staff housing Arlparra Utopia
- Alywarre Arlparra Utopia Ranger hub
- Staff housing Atitjere Harts Range
- Optimise use of solar, including battery storage at 27 Stuart Hwy

## ICT CAPABILITY

### Cybersecurity

In accordance with cyber.gov.au guidance, we have assumed a 'defence in depth' posture and are working to implement Essential eight, ISO 27002 and CIS security controls. We perform prompt patching of all platforms and strictly restrict administrative privileges based on user duties. Backup practices are comprehensive and follow the '3-2-1' strategy. We have a cloud-based operations and recovery environment. Event logging is centralised and leveraged to produce alerts and reports. All e-mail and web traffic is filtered, and our mail gateway is DMARC compliant. Client computers are denied direct internet connectivity, and mobile device management is employed. Multiple anti-malware platforms are run across server and client computers. There are established processes for secure provision and removal of staff and contractor access, and passwords are stored in an enterprise management platform. We are subscribed to security advisory services including ACSC and CIS. All staff are required to undertake continual security awareness training.

Current projects include:

- Migration to Microsoft 365
- Improved network segmentation
- External Vulnerability Assessment and Penetration Testing

### ICT philosophy

Computer Services strives to use technology as an enabler to support the organisation's operations. This involves leveraging ICT solutions to streamline operations, improve efficiency, and foster communication, enabling more resources to be dedicated to core functions. The team believes in accessibility, affordability, and inclusivity, ensuring our stakeholders can engage with the organisation's work irrespective of their technical proficiency. The team strives to build robust, user-friendly systems that simplify work, respect privacy, and protect data. We follow a philosophy of continuous learning and adaptation to navigate the dynamic nature of technology, prioritising solutions that best align with the organisations values and goals. We are committed to the tenets of transparency, sustainability, and ethical use of technology, reflecting the organisation's broader vision.

### Information Services:

Information Services combines archives, records, registry, preservation and library services with information management as its core function. It preserves and enables access to information, research resources, and external collections.

Training and education, information retrieval and outreach are part of the service delivery.

A Library catalogue and the Electronic Document and Records Management System (eDIS) are managed to meet organisational needs and comply with legislation, frameworks, policies, and standards.

Preservation includes digitising paper-based and audiovisual materials, high use collections and corporate records to ensure continuous access. The library's aim is to develop relevant Library Collections for staff.

### Information governance

Information governance is monitored and managed by the Business Systems and Information Governance Committee.

Business systems are suitable for the short and long-term management of information assets, consisting of records, information and data.

This is enhanced by the development of organisational policies and strategies for Computer Services policy, Information and Data Governance and Privacy.

## 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.**

CLC monitors a wide range of risks unique to its operating environment, statutory purpose, organisational goals and key activities. Management seek to align risk management with the Commonwealth Risk Management Policy in a manner that is fit for purpose. Key components of the CLC Risk Management Framework include the:

- Risk Management Plan which details the risk management process, the organisational risk appetite and risk matrix,
- Risk Management Profile detailing the key enterprise risks,
- Internal Audit plan which is overseen by the Audit and Risk Committee and prioritises work areas for internal performance audit, and
- Risk Management Roadmap detailing steps to develop the CLC's risk maturity.

All CLC staff have responsibilities to contribute to risk management tasks with key responsibilities held by the Accountable Authority, CEO, General Managers, Principal Legal Officer, Strategy and Performance function, and the Audit and Risk Committee.

In developing CLC's risk maturity, efforts will target embedding processes by which risk information is more accessible to inform senior management and all staff.

### **Managing our key risks**

CLC management review key enterprise risks that would impact on the CLC's ability to achieve organisational goals. The resulting CLC Risk Profile identifies key risk drivers, inherent risk ratings, control strategies, risk owners and residual risk ratings.

An outline of the key enterprise-wide risks and how the risks are managed is outlined in the following table.

## Risk assurance

Key Enterprise-wide Risk	How the risk is managed
Inability to meet CLC purpose, goals and strategy	<ul style="list-style-type: none"> <li>Responsibilities for key activities which deliver on statutory purposes is assigned to managers who maintain oversight of operating plans, policies, and guidance to staff.</li> <li>Budgets align with achieving purposes, and financial expenditure is monitored.</li> <li>Managers establish monitoring and performance measures for activities to oversee delivery, take corrective action, or escalate matters as required.</li> <li>Performance reporting includes the report to the minister, the annual report, the grants report, and the dashboards; with review by senior management.</li> <li>Appropriate delegations and authorisations.</li> <li>Independent audit and risk committee oversight and reporting.</li> </ul>
Reputational damage resulting in inability to meet CLC purpose, goals and strategy	<p>The organisational culture prioritises maintaining strong relationships valuing accountability and transparency. This includes:</p> <ul style="list-style-type: none"> <li>Community and constituent engagement is at the forefront of CLC's work, and is supported by the Effective Consultation and Engagement Strategy implementation.</li> <li>The Communications Strategy also ensures positive public engagement.</li> <li>Ministerial, Senate, and NIAA engagement and transparency</li> </ul>
Legal action resulting in loss or damage to CLC	<p>The organisation prioritises preventative measures through internal controls and quality control in order to avoid legal action, such as:</p> <ul style="list-style-type: none"> <li>Legal approve the advice for agreements; Council or Executive Committee consent processes; and</li> <li>Ensuring appropriately qualified expertise through hiring process; learning and development; and sourcing expert legal advice when required.</li> </ul> <p>Mitigating measures of protection are also taken such as ensuring appropriate insurance.</p>
Insufficient staff capacity and capability resulting in inability to deliver functions	<ul style="list-style-type: none"> <li>Workforce planning includes requirements of whole of organisation and individual jobs.</li> <li>Learning and development strategies incorporate internal training programs, mandatory high risk training, training completion monitoring, and work related study agreements.</li> <li>Recruitment and retention measures include promotion at universities, engaging external expertise to review packages to ensure market appropriate, salary packaging, transitional accommodation, flexible or hybrid working arrangements.</li> <li>Performance management includes probationary and annual performance appraisal.</li> <li>Learning from staff feedback through exit interviews and surveys.</li> <li>Minimum safety capabilities driven by WHS management plan.</li> <li>Delivery of technical projects by contractors when required and appropriate.</li> </ul>
Inability to deliver service in a timely manner	<ul style="list-style-type: none"> <li>The Business Continuity Plan, and related measures, aim to mitigate against service disruption including from events outside the organisation's control.</li> <li>Monitoring the implications of climate change on the field season for the organisation to complete its core work with constituents, and adapting its operations where possible.</li> </ul>

Key Enterprise-wide Risk	How the risk is managed
Harm caused to employees or community through CLC working environment	<ul style="list-style-type: none"> <li>Oversight of the Work Health and Safety (WH&amp;S) framework by the General Manager Corporate Services and the Human Resources Manager, with a cross-sectional Work Health and Safety Committee, and reporting to senior management.</li> <li>Strategies to manage compliance and harm prevention across policies and procedures include: training completion monitoring; fleet management system and GPS tracking; PPE equipment; first aid training; WH&amp;S Incident reports, WH&amp;S coordinator monitoring and supporting organisational learning; standard operating procedures and safe work method statement, access to mental health support; and measures to promote wellbeing.</li> </ul>
Information systems are compromised	<ul style="list-style-type: none"> <li>Oversight by the General Manager Corporate Services with reporting to the Business Systems and Information Governance Committee.</li> <li>Management of the information technology by the Computer Services Manager comprises a variety of measures including policies and procedures, controls, monitoring, incident response, backups, and network segregation.</li> <li>Independent audit commissioned as well as assessment and advice; with a strategic project underway to mature cybersecurity capability and develop a System Information Management Plan.</li> </ul>
Data is lost or damaged and not able to be recovered	<ul style="list-style-type: none"> <li>Oversight by the General Manager Corporate Services with reporting to the Business Systems and Information Governance Committee.</li> <li>Collaborative management of information technology by the Computer Services Manager, and management of information data by the Information Services Manager ensures target expertise in managing and implementing strategies, policies and procedures. This includes controls such as restricted access to systems, access reviews, review of organisational information assets, and disaster recovery planning.</li> <li>Strategic projects under way include a multi-year digitisation (preservation) project, development of a System Information Management Plan and an organisation-wide Information Asset Register.</li> <li>Annual audit by the National Archives of Australia.</li> </ul>
External and Internal fraud	<ul style="list-style-type: none"> <li>The organisation fraud management framework lays the foundations for fraud prevention and detection, and measures undertaken include mandatory fraud training, dual authorisation, segregation of duties, and ad-hoc testing.</li> <li>In the plan period, the organisation will invest in maturing its fraud risk assessment process and implementation of a fraud control plan to manage identified fraud risks.</li> </ul>

## PERFORMANCE FRAMEWORK – MEASURING & ASSESSING PERFORMANCE

**There are competing demands for performance measurement and reporting. Preferably, achievements are reported against the strategic goals and key activities 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 and the CLC will continue to advocate for this.**

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

The main aim of the CLC performance information framework 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. Performance measure selection is guided by ‘performance dimensions’ assisting 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.

Application of the performance dimensions involved:

- Identify and categorise all known measures.
- 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).

A review of all measures in 2020/21 produced a more concise Performance Statement. Measurement research and development is a continuous improvement exercise.

The role of Land Councils' advocacy on behalf of Aboriginal constituents is not easily measured, however it is most effective if able to measure the progress of Governments' outcomes in the council's priority public policy areas that it seeks to influence.

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 wherever possible to enable the Council to readily assess progress by Governments. 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 key activity number.**

Performance against targets is reported in the 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 are published and maintained 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 #	Key Activity reference <sup>2</sup>	Measure
<b>1. Aboriginal peoples' rights and interests are protected and represented</b>	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
<b>2. Aboriginal land ownership and interests are protected and enhanced</b>	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 <sup>1</sup>
		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	2.7-2.11	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	2.7-2.11	Exploration agreements (ELs & EPs) entered into and managed on land subject to ALRA or Native Title
		8	2.7-2.11	Minerals and energy production agreements entered into and managed on land subject to ALRA or Native Title
<b>3. Aboriginal people protect and maintain their sacred sites, land, cultures, languages and cultural heritage</b>	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
<b>4. Aboriginal people are looking after their country</b>	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 Traditional Owner 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
<b>5. Generations of Aboriginal people are successful in training, jobs and businesses</b>	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
<b>6. Aboriginal people control their communities and outstations</b>	Actions to support Aboriginal people in their development of strong communities & outstations.	15	6	Community funded community benefit initiatives
		16	6.2	Community development project expenditure across CLC region (\$000)
<b>7. Governance and management meet constituent and legal requirements</b>	Governance meetings held to administer ALRA & Native Title Act requirements, and to provide council members with regular cultural engagement opportunities.	17	7.1	Council meetings held (90 elected delegates from across the CLC region convene for several days)
		18	7.1	Executive Committee meetings held
	Human resources planning and capability.	19	7.3	Aboriginal staff as a percentage of workforce (FTE)

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

<sup>2</sup> Key Activity reference: refer to 'Key Activities contributing to the Goals' section.

Note: the KPI previously used for key activity 5.5 has been removed, given the shift in CLC's role towards advocacy with employment service providers.

Actual performance					Target	Target Forecast		
2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
140	113	146	146	87	90	90	90	90
418,548	418,548	418,548	418,548	418,548	423,386	423,386	423,386	423,386
29	30	33	33	34	36	37	39	40
343	452	307	305	257	310	310	310	310
2,492	2,844	2,540	2,965	2,997	2,600	2,600	2,600	2,600
66	67	70	63	70	72	74	75	77
81	80	78	68	69	70	71	72	73
20	21	20	19	17	20	21	22	23
112	172	193	176	184	190	190	190	190
92	39	36	75	56	55	65	65	65
54	82	85	101	161	100	90	90	90
54	59	54	55	49	82	82	82	82
80	60	105	100	140	120	125	130	135
35	39	48	43	78	84	79	82	84
214	153	177	217	240	265	292	323	357
13,385	16,610	10,176	11,236	14,555	16,010	17,611	19,372	21,309
3	2	3	3	5	3	3	3	3
9	9	8	7	8	8	8	8	8
48.1%	48.9%	46.5%	45.1%	47.3%	50.5%	51.5%	52.5%	53.5%

## 2. PROGRAM PERFORMANCE

Goal / Key Activity	Non-metric performance measure
<b>1. Aboriginal peoples' rights and interests are protected and represented</b>	
1.2	Policy priority review
1.4, 7.1	Council members survey
<b>2. Aboriginal land ownership and interests are protected and enhanced</b>	
2.3	Review management and monitoring of disputes under ALRA and NTA functions
2.3	Dispute management and facilitation training
	Apply for NTRB recognition
<b>3. Aboriginal people protect and maintain their sacred sites, land, cultures, languages and cultural heritage</b>	
3.2	Develop CLC policy and procedure for repatriation of objects
3.4	Update CLC policy and procedure for cultural information management
	Engage with an Aboriginal sub-committee on cultural guidance regarding 3.2 and 3.4
<b>5. Generations of Aboriginal people are successful in training, jobs and businesses</b>	
5.3	Update operating model for the CLC's development support services for PBCs and land use agreements
5.7	Monitoring and review of the ABA Economic Stimulus Package
<b>6. Aboriginal people control their communities and outstations</b>	
	Annual external monitoring of Community Development outcomes
<b>7. Governance and management meet constituent and legal requirements</b>	
7.1	Council elections held every 3 years
	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
7.3	Aboriginal staff development strategy implementation
	Enterprise Agreement (EA) / Salary determination
	Professional development 'curriculum' established and implemented
	Staff satisfaction survey/index
	Facilities development plan & periodic review
7.4	Cloud based solutions and data strategy
7.2, 7.6	Climate change operating strategy

 Completed

 Target



## GLOSSARY

<b>AAMC</b>	Aboriginal Associations Management Centre
<b>ABA</b>	Aboriginals Benefit Account
<b>ALP</b>	Aboriginal Leadership Program
<b>ALRA</b>	Aboriginal Land Rights (Northern Territory) Act 1976
<b>ANAO</b>	Australian National Audit Office
<b>APO NT</b>	Aboriginal Peak Organisations (Northern Territory)
<b>APSC</b>	Australian Public Service Commissioner
<b>CLC</b>	Central Land Council
<b>CLA</b>	Community Living Area
<b>EA</b>	Enterprise Agreement
<b>FTE</b>	Full Time Equivalent (staff)
<b>IAS</b>	Indigenous Advancement Strategy
<b>IEK</b>	Indigenous Ecological Knowledge
<b>ILSC</b>	Indigenous Land and Sea Corporation
<b>ILUA</b>	Indigenous Land Use Agreement
<b>IPA</b>	Indigenous Protected Area
<b>Mineral royalties</b>	Royalties payable to the Australian or the Northern Territory Government in respect to mining
<b>NIAA</b>	National Indigenous Australians Agency
<b>NTA</b>	Native Title Act 1993
<b>NTRB</b>	Native Title Representative Body
<b>ORIC</b>	Office of the Registrar of Indigenous Corporations
<b>Outcomes</b>	Desired results, impacts or consequences for Aboriginal peoples
<b>PBC</b>	Prescribed Bodies Corporate
<b>PGPA</b>	Public Governance, Performance and Accountability Act 2013
<b>PM&amp;C</b>	Department of Prime Minister and Cabinet (Indigenous Affairs)
<b>Sacred site</b>	A site that is sacred to Aboriginal people or is otherwise of significance according to Aboriginal tradition
<b>Traditional Owners</b>	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.

# ANNEXURE

## ANNEXURE 1. POWERS AND FUNCTIONS

### *Aboriginal Land Rights (Northern Territory) Act 1976*

#### 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 **\$5,000,000**, 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.

The functions of native title representative bodies 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:

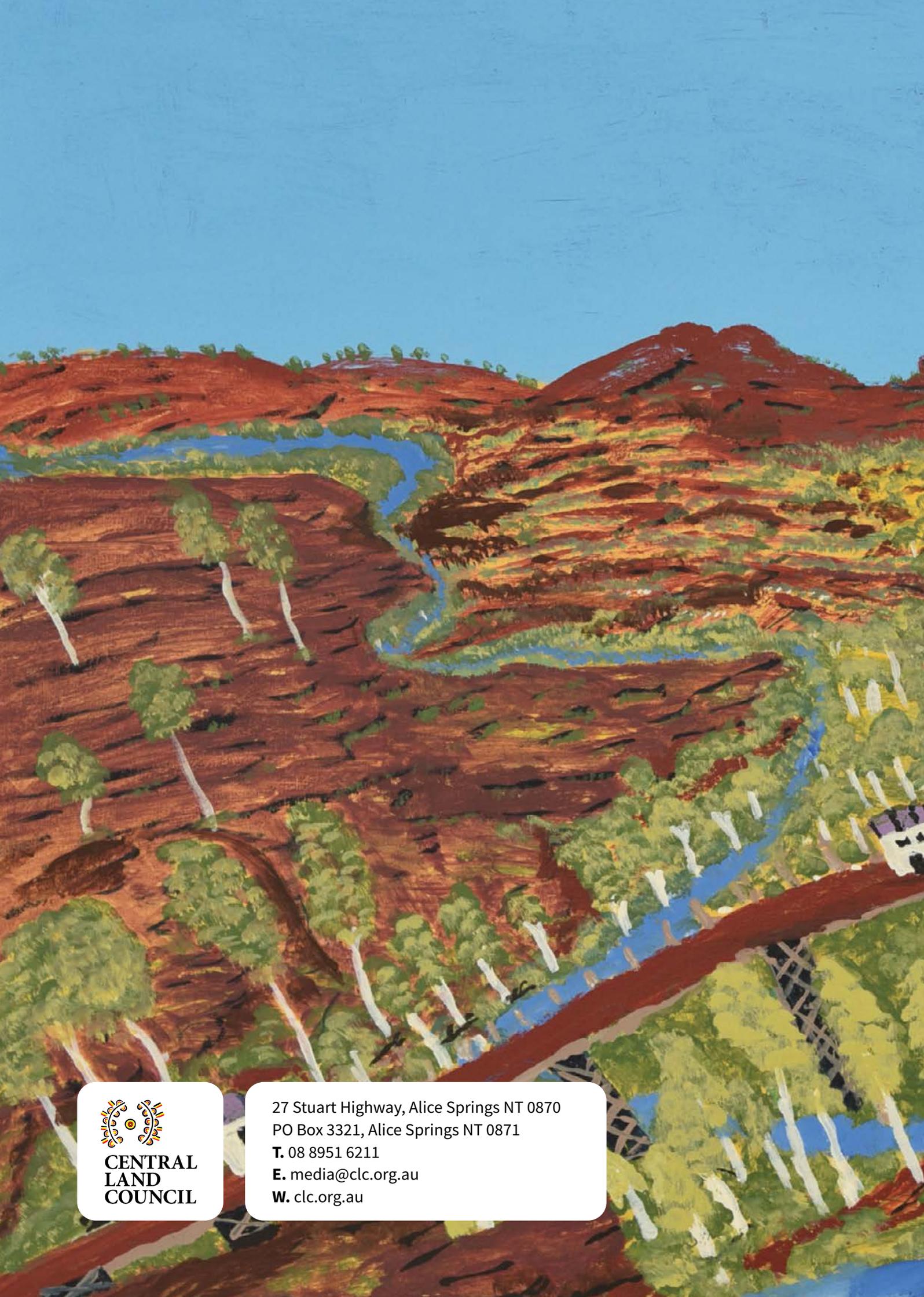
- From time to time **determine the priorities** it will give to performing its functions.
- Allocate resources in the way it thinks fit so as to be able to perform its functions efficiently.
- Give priority to the protection of the interests of Traditional Aboriginal Owners of, and other Aboriginals 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 2022 with a further election of Chair in February 2023 after the passing of the Chair Kunmanara Hoosan. The elected members will hold office until April 2025.



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