



CENTRAL LAND COUNCIL

CENTRAL LAND COUNCIL
CORPORATE PLAN

2024-2028



N. FERGUSON/Art



COVER ARTWORK

Tjintjira (Salt Pan) © Nita Ferguson

“I’m trying to make it so people see more than a pretty picture with nice colours... I want them to see the salt pans I love and to see them from above, to rise up and look down... It’s a landscape of salt pan, lakes, hills and the land around them. This is part of the desert country that I really love. This painting goes all the way through my country, the place where I was born, places where I lived and worked with my family.

Many people don’t like the desert country, it’s very big, hot and dry... I think it’s beautiful.

When I was about four or five I used to go with my father to collect salt for the stockman working on the stations. It was a long way from the stockyard and would take all day to get there. I always wanted to go and put my feet in the water but my father would get very cross with me and tell me to get away or I would burn my feet. He would shovel up the salt from the top of the salt pan and bag it up. Many bags and bags were filled and then loaded up on the camel wagon and taken back to the station.

The salt was unloaded and stacked in the meat house. After cutting up the killer they would salt the meat and hang it. This meat would keep for a long time and was handed out to the stockmen and their families for their food ration.”

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 kilometers and is home to approximately 24,000 Aboriginal people and over 15 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 continue to strengthen 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 Australian National Audit Office performance audit report. We continue to strengthen systems to manage conflicts of interest and enhance transparency. We have established a new whistleblower policy and stronger conflict of interest declaration and management processes. Actions to manage conflicts of interest range from restricting or removing involvement, to relinquishing a pre-existing interest, to resignation if appropriate.

Since the CLC's establishment 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. This includes a focus on how the CLC can spend more time based in regional offices working with Aboriginal people.

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 on 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 CLC's governance.

In this corporate plan period, the CLC will also increase its focus on supporting Aboriginal people to protect and maintain their culture, reflecting Council members' concerns about the impacts of inter-generational change in communities, loss of senior cultural knowledge holders and trends of youth disempowerment in communities.

ACCOUNTABLE AUTHORITY MESSAGE

Water policy remains a significant priority for the CLC, including access to secure drinking water supplies for remote communities and improving Aboriginal engagement in water planning processes and proposed policy reforms. It is distressing that many of our communities do not have adequate infrastructure services and it is critical to ensure that all remote communities have safe, acceptable and secure water supply into the future. 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 processes for the giving or withholding of consent 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 1993* and Northern Territory legislation do not always allow for consultation and agreement making. For proponents, the ALRA process for the giving or withholding of consent 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 continue to actively pursue similar outcomes for Native Title Holders.

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 the Central Land Council, present the Central Land Council Corporate Plan 2024-2028, which covers the periods of 2024/25 to 2027/28, 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, 2024



Les Turner | Chief Executive Officer
31 August, 2024

CONTENTS



ABOUT THE CENTRAL LAND COUNCIL	4
WHAT IS A CORPORATE PLAN?	5
PURPOSES STATEMENT	6
GOALS OF THE CENTRAL LAND COUNCIL	7
KEY ACTIVITIES CONTRIBUTING TO THE GOALS	8
HOW THE CLC DOES ITS WORK (PRINCIPLES)	11
POLICY PRIORITIES FOR 2022-2025	12
ENVIRONMENT	14
COOPERATION	18
ORGANISATION CAPABILITY	19
RISK OVERSIGHT AND MANAGEMENT	24
PERFORMANCE FRAMEWORK	26
PERFORMANCE MEASURES AND TARGETS	27
GLOSSARY	34
ANNEXURE – POWERS AND FUNCTIONS	35

ABOUT THE CENTRAL LAND COUNCIL

The CLC is a Council of 90 Aboriginal people elected by their communities to represent them.

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 with increased focus on supporting Aboriginal people to benefit economically from land use opportunities.

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

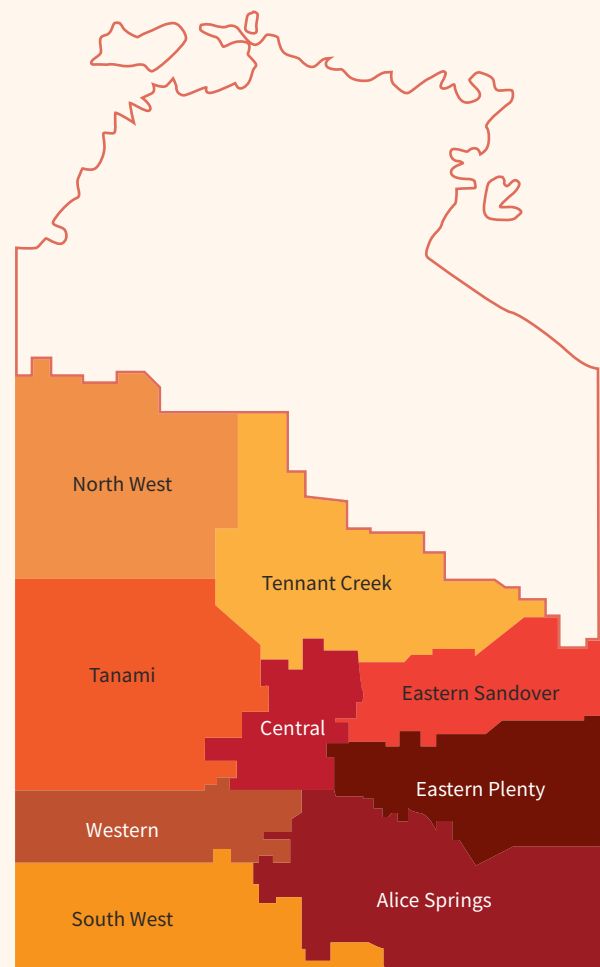
Section 63 of the ALRA establishes the legislative basis for funds provided to the ABA by requiring amounts to be periodically placed into the account equal to the amounts of any royalties received by the Australian or the Northern Territory Government in respect of a mining interest on Aboriginal land. The money is used for the benefit of Aboriginal people living in the Northern Territory, with its application outlined in the ALRA and including funding for the administration of the Northern Territory Land Councils; distribution to traditional land owners (Aboriginal Corporations) affected by mining operations on their land; and initiatives of benefit to Aboriginal people living in the Northern Territory (beneficial payments).



The Native Title Representative Body functions of the CLC are separately funded from the Australian Government budget. Special purpose grants are also received from various agencies.

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 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.

MAP OF THE CLC'S REGION



WHAT IS A CORPORATE PLAN?

This corporate plan is developed to meet requirements under the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), determine the CLC's medium and long term priorities, and serve as the basis for resource allocation to achieve its goals. It looks at where the CLC wants to go for the next four years and how to do good work to get there. It tells CLC staff about what they should do to support the CLC to do a good job for the future.

The corporate plan maps the CLC's purpose, goals and key activities.

- The **purpose** is what the CLC must do. This is set out by the laws that say why the CLC started and what it should do for Aboriginal people. It includes Aboriginal law, the *Aboriginal Land Rights (Northern Territory) Act 1976*, the *Native Title Act 1993* and the PGPA Act.
- The **goals** are the direction the CLC wants to head in. They show the way and set the areas for work.
- The **key activities** are the main work that CLC staff will do to help the goals to happen.

Every three years, within its three year term, the CLC's elected Council reviews the goals and identifies any areas where they think the CLC needs to place more focus, taking into consideration the current environment. This review occurred in 2024.

The corporate plan is the foundation from which the CLC consults and negotiates with its Minister, 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 purposes and goals.

Every year, in its annual report the CLC reports on the work it has done, to show how it is doing what it says it will do in the plan. Case studies on the CLC's website (www.clc.org.au) and other CLC publications like Land Rights News (www.clc.org.au/land-rights-news) also show how the CLC also delivers activities in its unique context.

How CLC's purposes, goals and key activities link together



PURPOSE STATEMENT

The purpose of the CLC is to protect the interests of its Aboriginal constituents, by exercising the powers, functions and responsibilities set out in the *Aboriginal Land Rights (Northern Territory) Act 1976 (ALRA)* and the *Native Title Act 1993 (Native Title Act)*.

The CLC's statutory purposes (functions) are largely outlined under section 23 of the ALRA and Part 11 Division 3 of the Native Title Act.

These are summarised below. The annexure at the back of this plan provides a more comprehensive list of the powers and functions.

THE ALRA:

A summary of the key statutory functions performed across the area of the CLC 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.

- Assist Aboriginal people with commercial activities on Aboriginal land.
- Assist Aboriginal people with traditional land claims.
- Negotiate and enter land access agreements.
- Represent Land Trusts to negotiate 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 2030. As an NTRB, the CLC's purpose is to assist Aboriginal people 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. It also facilitates certification, dispute resolution, consultation and notification, and agreement making under the Native Title Act.

¹Refer to www.legislation.gov.au for full legislation (<https://www.legislation.gov.au/C2004A01620>; <https://www.legislation.gov.au/C2004A04665>)

GOALS OF THE CENTRAL LAND COUNCIL



All goals are inter-related and mutually reinforcing.

KEY ACTIVITIES CONTRIBUTING TO THE GOALS

To achieve its purposes, the CLC undertakes the following key activities. These do not capture everything the CLC does, but are the main areas of work.

1

RIGHTS AND INTERESTS

Aboriginal peoples' rights and interests are protected and represented.

- 1.1** Do the statutory functions (work) that the law says Land Councils must do
- 1.2** Make policies and solutions with Council that match the Council's priorities. Make sure governments listen and act on what Aboriginal people say when they make the laws and policies. The Council priorities are:
 - Having a say in how things are run (governance and control)
 - Keeping land rights and native title strong
 - Future of remote communities and outstations, including housing and climate change
 - Replace the Australian Government's Community Development Program (CDP) with training and real jobs for Aboriginal people
 - Water
 - Education
 - Youth, law and justice
 - Respond to key government policy
- 1.3** Tell people about what the CLC does and about the rights of Aboriginal people to help more people know and understand
- 1.4** Support Aboriginal people in the CLC region to speak up about and be involved in what the CLC does

2

LAND OWNERSHIP AND INTERESTS

Aboriginal land ownership and interests are protected and enhanced.

- 2.1** Research who are the Traditional Owners for land in the CLC region
- 2.2** Look into Traditional Ownership for country to prevent or manage disagreements about country
- 2.3** Work on native title claims and two remaining ALRA land claims
- 2.4** Support Native Title Holders to respond to other peoples' plans to do something on country that affects their native title rights (called 'future acts')
- 2.5** Support people to exercise their native title rights
- 2.6** Check and effectively deal with land use and development applications
- 2.7** Support Traditional Owner groups to make informed decisions about plans to use their land and make sure these instructions are carried out
- 2.8** Support Traditional Owner groups to take a lead role in deciding how water is used and protected. Also, speak up for better laws about water
- 2.9** Negotiate leases, licenses and other uses of land with applicants, consult with Traditional Owners to make agreements, and consult affected communities
- 2.10** Check that land use agreements are being followed and make sure everyone does what they promised, including meeting our commitments
- 2.11** Manage permits for people who want to visit or work on Aboriginal land
- 2.12** Make a plan for getting land (the land acquisition strategy) and for managing land owned by Aboriginal communities in the region (the regional Aboriginal estate strategy)
- 2.13** Support Prescribed Bodies Corporate (PBCs – native title holder bodies) to learn about their role and do their work

3

CULTURE

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

- 3.1 Research and protect sacred sites and cultural heritage
- 3.2 Bring back Aboriginal objects (repatriation)
- 3.3 Keep recorded cultural knowledge in a safe way to make sure the wrong people do not see it
- 3.4 Make sure documented cultural knowledge is appropriately shared with Traditional Owners
- 3.5 With Traditional Owners, make plans to visit country so Aboriginal people can teach and learn their culture on their country
- 3.6 Help Aboriginal people in the CLC region with the costs of funerals and ceremony

4

LOOKING AFTER COUNTRY

Aboriginal people are looking after their country.

- 4.1 Support Aboriginal people to make good decisions about their land and how it is used
- 4.2 Start and manage programs with Aboriginal people to look after their country, culture, plants and animals, including:
 - 4.2.1 Manage and grow the Ranger Program
 - 4.2.2 Support Aboriginal people to take care of Indigenous Protected Areas
 - 4.2.3 Work with Traditional Owners to make Joint Management meaningful and ensure Northern Territory and national park lease agreements are followed properly
- 4.3 Make plans and work with Aboriginal people to look after their country, culture, plants and animals, including:
 - 4.3.1 Fire management work
 - 4.3.2 Manage introduced plants and animals
 - 4.3.3 Water use and security (see also 2.8)
 - 4.3.4 Look after native plants and animals that Traditional Owners are worried about

KEY ACTIVITIES CONTRIBUTING TO THE GOALS

5

ECONOMIC

Aboriginal people benefit from land use opportunities (income, training, jobs and businesses)

- 5.1 Support Aboriginal people to make good use of land use income (maximise benefit and minimise harm)

- 5.2 Support Aboriginal Corporations that have land interests or land use income with their administration, meetings and governance

- 5.3 Talk to organisations with agreements with the CLC to get them to train and employ local Aboriginal people (negotiate, advocate and monitor)

- 5.4 Provide business development support to:
 - PBCs – to look at opportunities where they can grow and do well, and
 - Traditional Owners – where business opportunities are funded by land use agreements

- 5.5 Manage the ABA economic stimulus money for the benefit of Aboriginal people in the CLC region

- 5.6 Support Aboriginal jobs and businesses that help Traditional Owners to look after country

6

COMMUNITIES AND OUTSTATIONS

Aboriginal people control their communities and outstations

- 6.1 Speak up for and work with local Aboriginal organisations to support good community governance, local decision making and build 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)

7

GOVERNANCE

A strong Land Council: Governance and management meet constituent and legal requirements

- 7.1 Coordinate Council and Executive Committee meetings; run fair elections; support elected members as community representatives and to govern the CLC well

- 7.2 Keep making the CLC work with its regions better, including having strong regional offices

- 7.3 Increase Aboriginal staff and leaders (Aboriginal employment strategy and Aboriginal leadership program)

- 7.4 Take care of the business systems and keep information and records safe

- 7.5 Take care of the CLC's performance: check how well we do the activities in our plan (monitoring and evaluation) and manage risks

- 7.6 Make sure that our activities are environmentally responsible and reduce organisational environmental impacts

HOW THE CLC DOES ITS WORK (PRINCIPLES)

The CLC delivers its activities through:

Respect for country, culture and 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

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 on the next page. The next policy review is planned for the start of the next term of the Council in 2025.

The 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. Self-determination is at the heart of this policy development. 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.

The 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 CLC and are the basis for negotiations with all levels of government, corporate Australia and non-government organisations. The CLC's 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:

Governance and Control	<ul style="list-style-type: none">• Voice and constitutional reform• Treaty and truth-telling (Northern Territory Treaty and implementation of Uluru Statement from the Heart in full)• Strengthening Council and Executive Committee• Electoral engagement• Supporting Aboriginal Peak Organisations Northern Territory (APO NT)• Closing the Gap
Water	<ul style="list-style-type: none">• Water rights, water justice and water law reform
Future of Communities and Homelands	<ul style="list-style-type: none">• Housing• Homelands• Essential service infrastructure• Policies affecting communities (including remote jobs and CDP reform, income management)• Climate change
Keeping Land Rights Strong	<ul style="list-style-type: none">• Aboriginal Land Rights Act• Native Title Act• Northern Territory Sacred Sites Act and Heritage laws• Economic opportunities on Aboriginal land• Leasing

CLC will support policy and advocacy on:

Youth, Law and Justice	<ul style="list-style-type: none">• Supporting advocacy through North Australian Aboriginal Justice Agency (NAAJA) and the Tripartite Forum• Remote youth issues
Education	<ul style="list-style-type: none">• Learning on Country• Supporting new expert Indigenous education advisory group

ENVIRONMENT

The environment the CLC works in underpins its operating context and shapes how it will work to achieve its purposes over the next four years.

EXTERNAL FACTORS DRIVING DEMAND

A number of external factors continue to impact on the demand for CLC's services.

- Payments from leases on Aboriginal land continue to drive high demand for Aboriginal Corporation management and community development support. Aboriginal governance groups continue to allocate a high volume of their land use income towards investment in their own communities through the CLC's Community Development Program.
- The Australian Government has committed funding to the Ranger Program to 2028, and both the Australian and Northern Territory Government continue to see the CLC as a trusted vehicle to achieve objectives across Aboriginal employment, economic development, parks management and tourism.
- Minerals exploration applications across the Northern Territory are at record highs, increasing the demands on the CLC to facilitate informed traditional owner decision-making on these applications. Several mining projects with Major Project status in the region are also generating extensive work across several CLC functions.
- Expanded native title future act and oversight responsibilities have increased the CLC's work in guiding Prescribed Bodies Corporate (PBCs) to develop governance strategies and improve capacity and providing economic development support.
- High demand continues for anthropological services to provide sacred site clearances for private sector use of Aboriginal land and for community developments including housing.
- There is ongoing high priority need for involvement in water governance and ensuring informed traditional owner engagement regarding land use proposals and water licensing.

- There is Increased demand for Land Council representation on steering committees and reference groups.
- The Economic Stimulus Package, providing \$36.7 million of Aboriginal Benefit Account (ABA) funds requires contract management through to completion.

GOOD GOVERNANCE

Land Councils operate across cultural, community, and Commonwealth corporate entity governance domains. Effective governance adapts best practice approaches to be culturally appropriate, respects Aboriginal cultures and requires cultural legitimacy.

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. The ALRA established the elected Council, the Council has formed an elected Executive Committee, and the PGPA Act 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. Governance training is provided to the Executive Committee and Council members, and the CLC is increasing opportunities for Council member education and feedback on the CLC's role, activities and outcomes. The CLC also facilitates a good governance program for large corporations registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* that the CLC supports.

The CLC is committed to transparency, accountability and continuous improvement. It continues to focus on implementation of the recommendations from the Australian National Audit Office 2023 performance report. It has implemented 9 out of 11 recommendations and is working on the two remaining recommendations.

REMOTENESS AND ACCESS TO COUNTRY

The vast and hostile climate of Central Australia poses significant challenges for consulting with Aboriginal people in remote communities and locations. This includes logistical and safety factors and achieving best practice consultation that is culturally appropriate. Appropriate consultation, including effective decision making and informed consent, relies on understanding local and cultural context, co-planning, time and responsiveness. The CLC also works to ensure its activities are spread across the region in an equitable and transparent way.

PROTECTING AND MAINTAINING CULTURE

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

Aboriginal people in the CLC region 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. The CLC established a subcommittee of elected Council members to guide and advise on the appropriate return and protection of cultural artefacts and information. This committee is strengthening these systems to address evolving demands.

Loss of cultural knowledge has been identified as a significant threat and a concern of Aboriginal people across the CLC region. With inter-generational change in communities, loss of senior cultural knowledge holders and trends of youth disempowerment, Council members have reflected that the CLC is uniquely positioned to support Aboriginal people leading the protection and maintenance of culture. The CLC will increase this focus in its existing work, including through:

- finding more opportunities that enable knowledge transfer on country,

- collaborating to support repatriation and appropriate keeping places for cultural objects,
- advocating for support for culturally-led mediation and community problem-solving and
- re-commencing the women's law and culture meetings that were suspended for purposes of sorry business.

The CLC will also advocate for the important role that Aboriginal culture has in the future of the region and Australia broadly, as well as for increased and culturally-informed youth engagement, education and employment opportunities in communities.

WATER SECURITY

Water security for people and country is a key priority of Council. It is fundamental to the physical, cultural and social health of Aboriginal people. In June 2023, the CLC and the Northern Land Council met at Barunga and passed a resolution reiterating long-standing calls for improved water governance and planning in the Northern Territory that recognise and secure Aboriginal water rights and interests. Council continues to call for water reforms that deliver safe and acceptable drinking water, protect country and sacred sites and support Aboriginal development. The CLC is advocating strongly for the Northern Territory Government to engage more with Traditional Owners to properly consider environmental and cultural impacts before approving high-impact developments and water licenses, which are threatening sacred sites and millennia of stewardship and cultural practices.

The CLC has engaged in advocacy for many years on behalf of our constituents seeking safe drinking water legislation and evidence-based water planning that centres Aboriginal people in decision-making. The CLC's advocacy strategy includes:

- detailed submissions and letters to the Northern Territory and Australian Governments with clear recommendations informed by Traditional Owners' cultural knowledge and advice from subject-matter experts;

ENVIRONMENT

- regular meetings with Northern Territory and Australian Government staff and ministers to negotiate improved policy and program design for remote Aboriginal communities and homelands;
- and elevating our constituent’s voices at conferences and workshops and through media campaigns.

The CLC’s work in the water space has also included assisting constituents to challenge the Singleton water licence decision in Court and providing recommendations to governments in relation to the development of new and amended legislation.

RANGER PROGRAM

The CLC Ranger Program shows the value of Aboriginal knowledge for looking after country. It is achieving positive outcomes for culture and the environment while providing employment and training on country that many people are proud of. Each ranger group is governed by a traditional owner committee. Traditional Owners decide on ranger activities and are supported to get onto their country and help Aboriginal rangers to look after country the right way. Meaningful jobs for local Aboriginal people, based in community and connecting to country, support traditional owner aspirations for their family members to be able to stay living in their remote community and take on responsibility for looking after country.

To continue to achieve positive outcomes for more people and country across the region, the CLC will look to expand the capacity of the Ranger Program to be able to work in more locations. The CLC will also work to support equity for men and women and help connect more young people with the rangers.

SWOT ANALYSIS

The CLC assesses its high-level environmental context via a ‘Strengths, Weaknesses, Opportunities, Threats’ (SWOT) analysis. This is shown below and on the next page. The CLC uses the SWOT analysis to consider the context in which its key activities are situated and to make decisions about changes to key activities and responses required at strategic and operational levels.

STRENGTHS (INTERNAL TO CLC)
Self-determination is operationalised and embedded
Over 45 years of experience informs services
Consultation and communication with constituents
Resilience and responsiveness to constituent needs
Staff passion and commitment
Management technical expertise and experience
Organisational planning
Strong reputation as a respected and highly regarded representative organisation
Financial sustainability and well managed
Quality financial control and compliance
Alice Springs office high standard work environment
Ownership of properties (financial strength)
On-country meetings and activities
Grounded in Aboriginal culture; foundations of Traditional Ownership and keeping culture and connection to land alive
Staff co-ordination, cross-section collaboration and communication

WEAKNESS
(INTERNAL TO CLC)

- Staff turnover, attraction, retention and incentives
- Salaries less than peer organisations in Alice Springs
- Growth management, especially accommodation
- Regional operations strategy needs development
- Work health and safety - high inherent risk of work
- Elected Council member turnover
- Limited capacity to deal with escalating constituent disputes
- Funding reliance on the Aboriginals Benefit Account (ABA)
- Regional office infrastructure and standards (improving with targeted development)
- Loss of corporate knowledge

OPPORTUNITIES
(EXTERNAL TO CLC)

- Funding sources – Aboriginals Benefit Account (ABA), Indigenous Advancement Strategy, Indigenous Land and Sea Corporation, philanthropy
- Communities of practice across representative bodies
- National focus on social performance of mining companies encourages better agreement making and implementation
- Some land use income entities have opportunity to establish themselves independently
- Opportunities to collaboratively support more leadership, agency and youth development in communities
- Unique activities that can provide opportunity for inter-generational transfer of knowledge

THREATS
(EXTERNAL TO CLC)

MACRO

- Climate change, water security
- Pandemics, economic threats and inflation, cyber security and data breaches
- Legislative and policy change
- Public perception of Alice Springs
- Continuity of Aboriginal law, language and culture progressively eroded; loss of leadership
- Broader trends of misinformation and generic criticism without opportunity to address concerns

CLC SPECIFIC

- Demographic change may reduce constituent understanding of ALRA, Native Title Act, and Land Councils
- Requests to expand activities threaten core work (requires careful prioritisation within funding)
- Some stakeholders do not understand that consulting on complex issues requires adequate time for robust Traditional Owner decision making
- Board issues for corporations that the CLC service

VIABILITY OF REMOTE COMMUNITIES

- Various threats to Aboriginal people being able to continue to live on or near their country (e.g. insufficient housing, education, employment, essential services, infrastructure and capable organisations)

COOPERATION

To achieve its purposes, the CLC has built relationships with a large range of stakeholders. First and foremost, in performing its functions the CLC works with, provides services to and represents Traditional Owners, Native Title Holders, and other Aboriginal people living in the CLC region. The CLC represents and services Aboriginal entities that hold rights and interests in land, and enters service agreements with Prescribed Bodies Corporates (PBCs) and other Aboriginal Corporations that receive land use income to provide services.

The CLC works with many entities that share a common purpose of improving the lives of Aboriginal people. This includes Commonwealth and Northern Territory 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.

Across stakeholder engagements, the CLC seeks mutual respect, authentic respect for Aboriginal rights and interests, and collaboration for positive outcomes valued by Aboriginal people. The ‘How CLC does its work’ section of this plan outlines the fundamental principles of CLC’s engagement approach.

Collaboration is particularly important in the CLC’s efforts to work towards Aboriginal people’s economic success and their control of their communities and outstations (goals 5 and 6). In these areas, the CLC is one of many organisations working to influence outcomes where resources are finite. The CLC works in a targeted way to collaborate across the network of organisations delivering services to remote communities and outstations, including Aboriginal and non-Aboriginal organisations and businesses, regional councils and Northern Territory government agencies.



ORGANISATION CAPABILITY

To enable achievement of its purposes, the CLC implements plans and strategies to ensure it has the capability to deliver its key activities. These include in the areas of dispute management, workforce planning, infrastructure and technology.

DISPUTE PREVENTION AND MANAGEMENT

Land Councils have statutory functions under both ALRA (s 25) and the Native Title Act (s 203BF) to assist with the resolution of disputes that relate to land.

Effectively preventing and managing disputes supports positive outcomes for Aboriginal people, contributing to minimising harm and ensuring that the CLC can carry out its functions.

To reduce the potential for group conflict, the CLC makes every effort to ensure consultation processes accord with traditional decision making and inform Aboriginal people of the nature and implications of their decisions. Additionally, supporting the capacity and commitment of Aboriginal people to prevent and manage their own disputes is fundamental to Aboriginal self-determination.

The CLC's capability in preventing, recognising and managing disputes is supported by the CLC Effective Engagement Strategy and CLC Dispute Management Framework. These are being refreshed to accommodate the ever-changing context.

HUMAN RESOURCES/ WORKFORCE PLANNING

The CLC's strategies for ensuring effective workforce capability include:

- Ensuring sufficient human resources to undertake statutory functions and other services separately funded by governments
- Increasing Aboriginal employment and providing opportunities for Aboriginal managers and staff
- Keeping staff safe, especially those performing high risk work or regularly working in remote areas with challenging climatic conditions
- Effective staff attraction and retention to achieve and maintain high performance, recognising the challenges of residing in remote Central Australian conditions.

The CLC has significantly enhanced its recruitment strategy, placing a strong emphasis on communication and promotion of roles.

The CLC pursues the appointment of high calibre Aboriginal people to senior roles. Aboriginal staff in leadership roles currently include the Chief Executive Officer, two General Managers and several Managers. The CLC is dedicated to fostering the professional growth of Aboriginal staff through initiatives such as the Aboriginal leadership program. This program builds skills among Aboriginal staff, equipping them to advance their careers within the organisation.

The CLC also collaborates with local Aboriginal employment organisations, working together to promote job opportunities and provide necessary support and training for Aboriginal candidates. The CLC also runs a cadet program, which offers Aboriginal students valuable work experience while they pursue higher education.

ORGANISATION CAPABILITY

ENTERPRISE AGREEMENT

Following an extensive market and benefits analysis, the CLC is committed to ensuring that its remuneration and benefits packages are competitive with market rates. The CLC will be negotiating a new enterprise agreement in 2024 and working to adopt many of the common conditions that benefit employees from the Australian Public Service Commission (APSC) framework.

The CLC is a non-APS entity and CLC staff are not employed under the *Public Service Act 1999*. The new enterprise agreement will be negotiated under the Australian Government Public Sector Workplace Relations Policy 2023, including the Non-APS Bargaining - Government Parameters, and with reference to the Australian Government APS Bargaining Statement of Common Conditions to consider conditions relevant to the CLC.

To prepare for these negotiations, the CLC has conducted comprehensive staff surveys and reviewed current market conditions to gain a thorough understanding of the market landscape. This informed approach ensures that the new enterprise agreement will be competitive and responsive to the needs of our staff.

Before negotiations can commence, the CLC must obtain approval for its bargaining position from the APSC. The CLC's proposed bargaining position incorporates several favourable employee conditions, reflecting our commitment to enhancing the work environment and supporting our staff effectively.

By securing a more favourable enterprise agreement, the CLC aims to strengthen its ability to attract and retain talented individuals, thereby supporting the organisation's overall growth and success.

ORGANISATION STRUCTURE

The CLC's organisation structure is shown on the next page. The **Council** is made up of 90 Aboriginal people elected by their communities in the CLC region. Together with the **Executive Committee and Chair**, they form the representative aspect of the CLC structure. The ALRA established the elected Council and the Council formed an elected Executive Committee.

The **Chief Executive Officer (CEO)** is responsible for operations and administration. The Council has formally delegated these responsibilities to the CEO. The CEO reports on activities to both the Executive Committee and the Council. The CEO makes decisions about the structure and staffing of the organisation and is supported by three **General Managers** responsible for specific functions.

The Chair and the CEO together form the **Accountable Authority**. Under the PGPA Act, the Accountable Authority is responsible for ensuring the good governance of the CLC.

As required under the PGPA Act, the CLC has an independent **Audit and Risk Committee** whose role is to provide independent assurance to the Accountable Authority in respect of financial reporting, performance reporting, risk oversight and management, internal control and compliance. The Audit and Risk Committee directs the CLC's internal audit functions and regularly engages with the Australian National Audit Office .



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

ORGANISATION CAPABILITY

CAPITAL INVESTMENT PLANNING - TRANSPORT AND PROPERTIES

The CLC's key assets comprise a substantial fleet of 4WD vehicles specially equipped for remote travel as well as operational property that enable staff to operate in town, in remote communities and 'out bush' to carry out the organisation's statutory functions.

EXISTING BUILDING STRATEGY

The CLC's building network includes 7 offices, depots and staff accommodation properties in Alice Springs and 15 regional operational bases that support core business and Ranger groups. Many properties are leased on Aboriginal land. Facility management is delivered through various panel contracts, and the repairs and maintenance strategy for these buildings is scheduled to ensure safety, security and services. Many properties have seen improvements and refurbishment over the previous 4 years including installation of solar where the grid allows, house and office renovations to facilitate growth in remote and regional teams, and new builds completed including at Kintore and Mutitjulu.

The key building strategy objectives are to:

- 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 including increasing numbers of female rangers, and manage the impact on buildings
- Identify, assess and appropriately control risks;
- Link long-term financial planning to capital expenditure

FORWARD PLANNING


The next four years will see continued focus on upgrading regional and remote offices and staff accommodation for remote-based and visiting staff.

The availability of office space for staff in Alice Springs remains a pressure point. Renovations on the current building have enabled more staff to be accommodated. However, this has only partly met existing requirements. The CLC has commenced planning to deliver the required additional office space within Alice Springs to ensure that this will ensure that core functions can be delivered effectively and staff visiting from remote locations can be better accommodated.

The current and forward estimates capital program includes development of the new office space on the lot adjacent to the existing main office, including a new reception area at ground level for a welcoming space and courtyard entrance. These works will include some remodeling in the existing building. Upgrading offices, workspaces and staff accommodation in remote communities will see continued focus, including at Arlparra and Aputula.

REMOTE LOGISTICS

Being able to effectively carry out meetings in remote locations is essential to the CLC's core business. The CLC's Regional Logistics team supports the planning, preparation and delivery of remote meetings that can range, for days to weeks long. This capability involves planning and ordering food and consumables for the duration of the meeting, transport, setting up camp and meeting areas and running kitchen camps that adhere to food safety and hygiene procedures. The team are working to improve the services they provide through ensuring equipment is fit for purpose and enhancing training and procedures.



INFORMATION AND COMMUNICATIONS TECHNOLOGIES (ICT) CAPABILITY

ICT PHILOSOPHY

The CLC uses technology as an enabler to support its operations and enable it to effectively undertake its functions. Systems are designed to be robust to ensure dependable performance in remote Central Australian conditions and enable staff and stakeholders to engage with the organisation's work irrespective of their technical proficiency. We follow a philosophy of continuous learning and adaptation to navigate the dynamic nature of technology, prioritising solutions that best align with the organisation's values and goals.

Current ICT improvement projects include:

- Migration to Microsoft 365
- Supporting the implementation of human resources and facilities management productivity platforms
- Implementation of security platforms including Security Incident and Event Management, Network Detection and Response and internal systems compliance and penetration testing
- Migration of remote sites to satellite internet services due to the withdrawal of regional ADSL data

CYBERSECURITY

In accordance with **cyber.gov.au** guidance, the CLC has assumed a 'defence in depth' posture, employing multiple security measures across endpoint devices, applications and networks. We are working to improve our implementation of security controls recommended by the Essential Eight, ISO 27001 and Center for Internet Security (CIS).

Cybersecurity measures include:

- Backup practices following the '3-2-1' strategy, with at least three copies of our data are stored on two types of media, with one copy kept off-site
- Cloud-based operations and recovery environment

- Filtered email and web traffic; DMARC compliant mail gateway
- Multiple anti-malware platforms across server and client computers
- Subscriptions to security advisory services
- Staff security awareness training

INFORMATION SERVICES

As an organisation that generates and handles a large volume of information relevant to constituents, the CLC's capabilities include archives, records, registry and preservation services. Our information services function preserves records and data, keeps them protected and makes them available for access within established governance arrangements.

The CLC also maintains an internal library service that supports staff to access to research resources, external collections and other relevant information that enhances the quality of their work.

The CLC's 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. The CLC's preservation work includes digitising its paper-based and audiovisual materials, high use collections and corporate records to ensure continuous access.

The CLC manages its information assets (records, information, data) through relevant policies and strategies that are monitored by an internal Business Systems and Information Governance Committee. This promotes better organisational decision making and efficiency, enhances compliance and security and reduces risks.

RISK OVERSIGHT AND MANAGEMENT

RISK OVERSIGHT AND MANAGEMENT STRATEGY

Section 16 of the PGPA Act requires the Accountable Authority to establish and maintain an appropriate system of risk oversight and management. The CLC's risk oversight and management strategy helps maintain the systems that support the CLC to achieve its purposes.

The CLC monitors a wide range of risks unique to its operating environment, statutory purpose, organisational goals and 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:

- Risk Management Policy and procedures which detail the goals, process and responsibilities of risk management;
- Risk Appetite Statement which describes the amount and type of risks that the CLC is willing to engage with in achieving its goals; and
- Risk Management Profile detailing the key enterprise risks.

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

In developing the 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
<p>1. Inability to meet CLC purposes and goals</p>	<ul style="list-style-type: none"> • Responsibilities for key activities which deliver on statutory purposes are assigned to managers who maintain oversight of operating plans, policies, and guidance to staff. • Budgets align with achieving purposes, and financial expenditure is monitored. • Managers establish monitoring and performance measures for activities to oversee delivery, take corrective action, or escalate matters as required. • Performance reporting includes the report to the Minister, the annual report, the grants report, and the dashboards; with review by senior management. • Appropriate delegations and authorisations. • Independent Audit and Risk Committee oversight and reporting.
<p>2. Reputational damage resulting in inability to meet CLC purposes and goals</p>	<p>The CLC's organisational culture prioritises maintaining strong relationships valuing accountability and transparency. This includes:</p> <ul style="list-style-type: none"> • Community and constituent engagement is at the forefront of the CLC's work, and is supported by the CLC Effective Communication Consultation and Engagement Strategy. • The Communications Strategy also supports positive public engagement. • Ministerial, Senate, and National Indigenous Australians Agency engagement and transparency.

Key enterprise-wide risk	How the risk is managed
3. Legal action resulting in loss or damage to CLC	<p>The CLC prioritises preventative measures through internal controls and quality control in order to avoid legal action.</p> <ul style="list-style-type: none"> • Legal Services approve the advice for agreements • Council or Executive Committee consent processes. • Ensuring appropriately qualified expertise through hiring process: learning and development, and sourcing expert legal advice when required. • Mitigating measures such as ensuring appropriate insurance.
4. Insufficient staff capacity and capability resulting in inability to deliver functions	<ul style="list-style-type: none"> • Workforce planning includes requirements of whole of organisation and individual jobs. • Learning and development strategies incorporate internal training programs, mandatory high risk training, training completion monitoring, and work related study agreements. • 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. • Performance management includes probationary and annual performance appraisal. • Learning from staff feedback through exit interviews and surveys. • Minimum safety capabilities driven by Work Health and Safety management plan. • Delivery of technical projects by contractors when required and appropriate.
5. Inability to deliver service in a timely manner	<ul style="list-style-type: none"> • The Business Continuity Plan and related measures aim to mitigate against service disruption including from events outside the organisation's control. • 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.
6. Harm caused to employees or community through CLC working environment	<ul style="list-style-type: none"> • Oversight of the Work Health and Safety 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. • Strategies to manage compliance and harm prevention across policies and procedures include: training completion monitoring; fleet management system and GPS tracking; personal protective equipment; first aid training; Work Health and Safety Incident reports, Work Health and Safety coordinator monitoring and supporting organisational learning; tandard operating procedures and safe work method statement, access to mental health support; and measures to promote wellbeing.
7. Information systems are compromised	<ul style="list-style-type: none"> • Oversight by the General Manager Corporate Services with reporting to the Business Systems and Information Governance Committee. • Management of information technology by the Computer Services Manager including policies and procedures, controls, monitoring, incident response, backups, and network segregation. • 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.
8. Data is lost or damaged and not able to be recovered	<ul style="list-style-type: none"> • Oversight by the General Manager Corporate Services with reporting to the Business Systems and Information Governance Committee. • 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. • 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. • Annual audit by the National Archives of Australia. • Controls are in place to mitigate loss of data, such as extensive backups, restricted access to systems, user access reviews, review of organisational information assets and disaster recovery planning.
9. External and Internal fraud	<ul style="list-style-type: none"> • The CLC's 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. • Fraud risk control plan in place. • Fraud risk assessments carried out regularly.

PERFORMANCE FRAMEWORK



MEASURING AND ASSESSING PERFORMANCE

The PGPA Act requires the Accountable Authority to measure and assess the CLC's performance in achieving its purposes. The CLC has established 19 performance measures that demonstrate its performance across the breadth of its purposes. These are grouped by goal and cross-referenced to the relevant key activity number.

The CLC has set targets for these performance measures where it is reasonable to do so. For some performance measures, the CLC has not set a target because the figure is driven by external demand or by factors outside of the CLC's control. This is explained under the relevant performance measures.

The CLC's annual report includes an annual performance statement with analysis of performance using these performance measures and targets.

QUALITATIVE CASE STUDIES

Much of the organisation's performance cannot be assessed by metrics alone. To enhance performance information, the CLC publishes qualitative assessment case studies on its website (<https://www.clc.org.au/monitoring-evaluation/>).

Other CLC publications like Land Rights News (www.clc.org.au/land-rights-news/) also show how the CLC delivers activities in its unique context.

OTHER REPORTING FRAMEWORKS

The CLC is subject to competing demands for performance measurement and reporting. As well as reporting against the goals and key activities in this corporate plan, Land Councils in the Northern Territory also have reporting obligations for Aboriginals Benefit Account (ABA) funding and Native Title Representative Body requirements. The ABA Outcomes and Outputs framework is not fit for purpose. While the outcomes are sufficiently broad to remain relevant, the outputs are no longer entirely relevant to the activities and functions delivered. The need to reform the ABA reporting framework has been recognised for some time and the CLC will continue to advocate for this.

PERFORMANCE MEASURES AND TARGETS

GOAL 1: ABORIGINAL PEOPLES' RIGHTS AND INTERESTS ARE PROTECTED AND REPRESENTED

KPI #	KEY ACTIVITY	KEY PERFORMANCE INDICATOR	TARGET	FORECAST		
			2024-25	2025-26	2026-27	2027-28
1	1.3	Publications produced for stakeholders and constituents regarding Aboriginal peoples' rights and interests and the CLC's work.	90	90	90	90
METHODOLOGY		Includes publications produced by the CLC such as Land Rights News, Council News, Community Development News, newsletters, annual reports, information booklets, posters, podcasts, interactive features and submissions to governments. It also includes submissions published by other organisations with significant CLC input.				
RATIONALE		<p>The CLC protects and represents the rights and interests of Aboriginal peoples. The CLC produces external publications that highlight these rights and the CLC's work in advocating for them. By spreading the word about the CLC's role and the rights of Aboriginal people through these publications, public awareness can be improved. This can lead to greater support for policies that protect Aboriginal rights and interests.</p> <p>CLC staff also respond to government inquiries and reviews, policy and legislative proposals. Staff are guided by the policy priorities identified by each new Council after they are elected and also by subsequent Council decisions and resolutions. Submissions are an important vehicle ensuring that Aboriginal voices are heard by governments when they are developing or changing policies and laws and for putting forward evidence about the impact of government decisions on Aboriginal people. That evidence can influence the government to change or replace harmful laws and policies.</p>				

GOAL 2: ABORIGINAL LAND OWNERSHIP AND INTERESTS ARE PROTECTED AND ENHANCED

KPI #	KEY ACTIVITY	KEY PERFORMANCE INDICATOR	TARGET	FORECAST		
			2024-25	2025-26	2026-27	2027-28
2	2.3	Traditional Owner 'ownership' (square kms) administered with rights and interests protected and represented under the ALRA.	423,384	423,386	423,386	423,386
METHODOLOGY		Square kilometre of land in the CLC region that has Aboriginal freehold title granted and managed under the ALRA.				
RATIONALE		<p>The achievement of a land claim under the ALRA is a significant output resulting from the CLC working with Aboriginal people to provide sufficient evidence for their Traditional Ownership to be recognised. It is core to CLC's purpose and an outcome valued by Aboriginal people – tangibly and intangibly. This measure also indicates the landmass over which the CLC is responsible for protecting and representing the rights and interests of Traditional Owners under the ALRA. The CLC does this by consulting and taking instructions from Traditional Owners, who are the decision-makers for proposed use of and access to their country. Independent from the CLC, Traditional Owners are also able to practice and maintain their culture on country.</p> <p>No new ALRA land claims are permitted under the legislation and only two claims remain in the CLC region. The CLC anticipates that the Wakaya Alywarre Repeat Land Claim (area approximately 4,836.2 km²) will be finalised and land handed back to traditional owners in 2024-25 and that the Frances Well Land Claim (area approximately 1.8 km²) will be finalised and handed back the following year. Factors outside of the CLCs control that will affect whether those targets include ongoing negotiations with third parties, surveying of land arranged by others and scheduling by the Commonwealth parliament of those areas in ALRA.</p>				

PERFORMANCE MEASURES AND TARGETS

GOAL 2: ABORIGINAL LAND OWNERSHIP AND INTERESTS ARE PROTECTED AND ENHANCED						
KPI #	KEY ACTIVITY	KEY PERFORMANCE INDICATOR	TARGET	FORECAST		
			2024-25	2025-26	2026-27	2027-28
3	2.3	Native title claim for which consent determination has been handed down.	36	37	38	39
METHODOLOGY		Number of consent determinations handed down in the CLC region by the Federal Court of Australia				
RATIONALE		<p>As a Native Title Representative Body, one of the CLC's core functions is to assist Aboriginal people to gain recognition of their native title rights and interests in their land. The CLC assists Aboriginal people with all aspects of native title claims, including the research and application process and representing claimants' interests during negotiations and court appearances. A native title determination recognises the traditional rights and interests of Aboriginal people in land and enables them to exercise those rights and interests for their benefit. This can include rights to hold ceremonies, look after sacred sites, hunt, gather foods, camp on country and the right to be consulted about future acts.</p> <p>The CLC currently has 4 applications before the Federal Court, 8 claims under research and additional future claims to be considered. The timing of native title determinations is difficult to predict due to external factors.</p>				
KPI #	KEY ACTIVITY	KEY PERFORMANCE INDICATOR	TARGET	FORECAST		
			2024-25	2025-26	2026-27	2027-28
4	2.1	Anthropological advice issued to determine relevant Traditional Owners for claims and interests.	125	Forecast not applicable		
METHODOLOGY		<p>Number of Traditional Owner identification advice and Native Title Holder identification advice produced by the Anthropology Section in response to requests from CLC staff that need to consult with Native Title Holders or obtain instructions from Traditional Owners.</p> <p>Note: This performance measure has been revised to only include formal Traditional Owner identification advice and Native Title Holder identification advice issued, in order to make the measure more specific. In previous years, this measure also included other types of anthropological advice.</p>				
RATIONALE		<p>To enable delivery of its statutory functions, the CLC undertakes research and consultation to determine Traditional Owner for claims and interests including native title claims, land use and development applications, land management activities and distribution of land use income. This advice ensures the right people are consulted to provide instructions to the CLC on matters affecting their country.</p> <p>The number of Traditional Owner and Native Title Holder identification advices issued is driven by demand from CLC sections, often in response to applications from external parties. The complexity of the research required to produce the advice also influences the number of advices produced each year. Therefore, any forecast beyond 2024-25 is not considered useful.</p>				
KPI #	KEY ACTIVITY	KEY PERFORMANCE INDICATOR	TARGET	FORECAST		
			2024-25	2025-26	2026-27	2027-28
5	2.6 - 2.10	Leases and licences managed on behalf of Aboriginal Land Trusts and community living areas.	Targets not applicable			
METHODOLOGY		Number of leases and licences over Aboriginal freehold land managed under the ALRA.				
RATIONALE		<p>The leasing and licensing of Aboriginal freehold land provides significant benefit to Traditional Owners, including by providing remuneration for the use of Aboriginal land. It is part of the CLC's purpose and an outcome valued by Aboriginal people – tangibly and intangibly. This measure also indicates the number of leases and licences held by government, non-government, and private lessees and licensees that the CLC is responsible for administering in the interest of Traditional Owners under the ALRA. The CLC does this by consulting and taking instructions from Traditional Owners, who are the decision-makers for proposed use of and access to their country.</p> <p>While the number of leases and licenses partly demonstrates the volume of work that the CLC does negotiating, consulting on, and administering leases and licences over Aboriginal land, it is not appropriate to set targets for numbers of leases or licences. This is because the number of leases and licences is often based on demand from third party applicants and, more critically, the decision on whether or not to consent to any lease or licence application is a matter for Traditional Owners.</p>				

GOAL 2: ABORIGINAL LAND OWNERSHIP AND INTERESTS ARE PROTECTED AND ENHANCED

KPI #	KEY ACTIVITY	KEY PERFORMANCE INDICATOR	TARGET	FORECAST		
			2024-25	2025-26	2026-27	2027-28
6	2.4 - 2.5	Native title non-mining Indigenous Land Use Agreements (ILUAs) managed on behalf of Native Title Holders.	74	75	76	77

METHODOLOGY

The total number of Indigenous Land Use Agreements (ILUAs) relating to non-mining activities that are registered with the National Native Title Tribunal and are monitored by the CLC. Examples could include agreements for the development of government infrastructure, extensions to waste management facilities or the release of land to provide community housing.

RATIONALE

As a Native Title Representative Body, one of the CLC's core functions is to negotiate, enter into and monitor ILUAs. These agreements ensure that Native Title Holders' rights and interests are protected and that they benefit from a future act activity. For example, agreements may include the protection of sacred sites, financial compensation and other benefits such as employment and training opportunities.

The number of ILUAs registered with the National Native Title Tribunal is driven by proponent interest in development on land where native title interests exist, negotiation factors, and Native Title Holder decision-making processes. The KPI reflects the significant workload associated with consulting Native Title Holders, negotiating an ILUA and the subsequent agreement monitoring and implementation.

KPI #	KEY ACTIVITY	KEY PERFORMANCE INDICATOR	TARGET	FORECAST		
			2024-25	2025-26	2026-27	2027-28
7	2.6 - 2.10	Exploration agreements (ELs & EPs) managed on behalf of Traditional Owners and Native Title Holders on land subject to the ALRA or native title.	68	Forecast not applicable		
8	2.6 - 2.10	Minerals and energy production agreements managed on behalf of Traditional Owners and Native Title Holders on land subject to the ALRA or native title.	27	Forecast not applicable		

METHODOLOGY

KPI #7: Number of executed and active exploration agreements (for both exploration licences and exploration permits) managed by the CLC on land subject to the ALRA or native title.

KPI #8: Number of minerals and energy production agreements managed by the CLC on land subject to the ALRA or native title.

RATIONALE

The CLC has statutory obligations under Part IV of the ALRA and Division 3 of the Native Title Act to assist Aboriginal people so that land ownership and interests are protected and they benefit from any activity approved on their land. The CLC consults with Traditional Owners and Native Title Holders about exploration and mining proposals on their land. For proposals on Aboriginal land, the CLC ensures Traditional Owners are informed about the nature and purpose of the proposal before they make decisions. The CLC takes instructions from Traditional Owners and Native Title Holders on terms and conditions to be sought in an agreement, which could include the protection of sacred sites, financial compensation and other benefits such as employment and training opportunities. The CLC negotiates on behalf of Traditional Owners and Native Title Holders to achieve the best possible outcomes in accordance with their instructions, and only if there is informed group consent will then enter into agreements with proponents. The CLC then administers the agreements and ensures that contractual obligations are fulfilled.

The number of agreements being managed reflects that Traditional Owners have and continue to exercise their rights to speak for and make informed decisions about activities on their country. It also reflects the CLC's ongoing work with Traditional Owners in agreement-related governance, protection of sacred sites and securing economic benefits. The number of exploration and production agreements is driven by proponent interest in development on Aboriginal or native title land, negotiation factors, and traditional owner and Native Title Holder decision-making processes. Due to the large number of variables, any forecast beyond 2024-25 is not considered useful.

PERFORMANCE MEASURES AND TARGETS

GOAL 3: ABORIGINAL PEOPLE PROTECT AND MAINTAIN THEIR SACRED SITES, LAND, CULTURES AND LANGUAGES

KPI #	KEY ACTIVITY	KEY PERFORMANCE INDICATOR	TARGET	FORECAST		
			2024-25	2025-26	2026-27	2027-28
9	3.1	Sacred site clearance certificates / other advice issued.	180	Forecast not applicable		
METHODOLOGY		Number of sacred site clearance certificates or letters issued by the CLC Anthropology Section in response to sacred site clearance applications.				
RATIONALE		<p>One of the CLC's statutory functions is to protect Aboriginal culture and sacred sites. One of the ways the CLC does this is through issuing sacred site clearance certificates or letters to external parties proposing to undertake ground disturbing activities on Aboriginal land. Upon receiving a sacred site clearance application, the CLC researches records of previous activities in the area, then conducts consultation and country visits with Traditional Owners to explain the proposed works and take their instructions about the protection of sacred sites that might be impacted by the proposal. This process provides certainty that, if the conditions of the certificate are complied with, sacred sites will be protected.</p> <p>The number of sacred site clearance certificates issued each year is impacted by demand from third parties, the scale of proposals and the complexity of the consultations required to obtain Traditional Owners' instructions. Therefore, any forecast beyond 2024-25 is not considered useful.</p>				

KPI #	KEY ACTIVITY	KEY PERFORMANCE INDICATOR	TARGET	FORECAST		
			2024-25	2025-26	2026-27	2027-28
10	3.5	Cultural heritage management and intergenerational Indigenous ecological knowledge (IEK) transfer projects supported.	50	55	55	55
METHODOLOGY		Number of land management related activities that helped Traditional Owners look after an important place or pass on knowledge, with this being a primary reason an activity was organised. The numbers are the sum of such activities recorded in land management work registers during the period.				
RATIONALE		<p>The CLC plays an important role in helping Traditional Owners maintain their cultural connections to country. Through the Ranger, Indigenous Protected Areas and other programs, the CLC works with Traditional Owners to identify priority country visits for land management purposes that also provide opportunity to protect culturally important places or transfer cultural knowledge. The CLC supports Traditional Owners to access remote areas that often require logistical support of the CLC, enabling maintenance of knowledge and culture where it is otherwise at risk of not being able to be transferred on country.</p> <p>The number of such activities each year is driven by requests from Traditional Owners through formal meetings and forums, requests from external parties, or requests in response to specific needs or circumstances, such as a senior knowledge holder's desire to pass on information to the next generation.</p>				

GOAL 4: ABORIGINAL PEOPLE ARE LOOKING AFTER THEIR COUNTRY

KPI #	KEY ACTIVITY	KEY PERFORMANCE INDICATOR	TARGET	FORECAST		
			2024-25	2025-26	2026-27	2027-28
11	4.1, 4.2	Land management committee meetings and consultative forums with effective Traditional Owner representation.	100	100	100	100
METHODOLOGY		Number of all Joint Management, Indigenous Protected Area and Traditional Owner Ranger Advisory committee meetings held each year.				
RATIONALE		<p>One of the CLC's statutory functions under the ALRA is to help Traditional Owners to manage and look after country. The CLC helps Traditional Owners have a strong voice in land management by facilitating traditional owner-led Joint Management (Parks), Indigenous Protected Area and Traditional Owner Ranger Advisory committees. These Traditional Owner management committees can play an important role in making sure the right people are talking for country and that Rangers and other staff working in these programs are doing the work the committee approves. This helps maintain a cultural connection to land and provides opportunities for Traditional Owners to undertake cultural maintenance of sites or areas of interest and deploy their traditional and ecological knowledge. This provides a direct benefit to land and culture and many indirect benefits to the environment and Aboriginal peoples' wellbeing.</p> <p>The number of such meetings held each year is determined by annual Ranger and Indigenous Protected Area work plans and by the needs and priorities of jointly managed parks.</p>				

GOAL 4: ABORIGINAL PEOPLE ARE LOOKING AFTER THEIR COUNTRY

KPI #	KEY ACTIVITY	KEY PERFORMANCE INDICATOR	TARGET	FORECAST		
			2024-25	2025-26	2026-27	2027-28
12	4.2	Rangers employed in the CLC Ranger Program – full-time equivalent (FTE).	73	80	80	80
METHODOLOGY		This figure converts the hours worked by full-time, part-time and casual Rangers into an equivalent amount of full-time employees. The actual number of people working as Rangers working is higher than this number because most Rangers work 4 days per week. Measuring it this way helps the measure to be consistent and comparable across years.				
RATIONALE		<p>One of the CLC’s statutory functions under the ALRA is to help Traditional Owners to manage and look after country. The employment of Aboriginal people in Aboriginal-led Ranger programs deliver ecological, cultural, economic and social benefits. Ranger employment benefits Aboriginal communities through empowering Aboriginal people to preserve cultural and natural resources on Aboriginal land and by providing meaningful employment pathways for people in remote communities. This supports the viability of communities and people’s ability to continue to live near and care for country. It also ensures Aboriginal people are at the forefront of leading and influencing land management across the CLC region.</p> <p>The 2024-25 target reflects the number of funded Ranger positions less 10 percent as an estimated vacancy rate that takes into account staff turnover. The CLC aims to engage additional Rangers on a permanent basis from 2025-26, subject to government funding.</p>				

GOAL 5: ABORIGINAL PEOPLE BENEFIT FROM LAND USE OPPORTUNITIES (INCOME, TRAINING, JOBS AND BUSINESS)

KPI #	KEY ACTIVITY	KEY PERFORMANCE INDICATOR	TARGET	FORECAST		
			2024-25	2025-26	2026-27	2027-28
13	5.1	Distribution committee meetings held regarding land use income.	140	Forecast not applicable		
METHODOLOGY		Number of individual distribution meetings held by the CLC to distribute funds from third party use of their land to royalty receiving corporations and/or Traditional Owners, in accordance with the instructions of Traditional Owners.				
RATIONALE		<p>The CLC is responsible for distributing Aboriginal people’s income from land use and access agreements. Income is received into the land use trust account and distributed in accordance with requirements of the relevant legislation, which includes distribution in accordance with the instructions of Aboriginal Traditional Owners and related resolution by the Council or Executive Committee. Legislation also sets some parameters for how certain funds are to be administered. For example, for some agreements under Part IV of the ALRA, funds must be paid to Aboriginal Corporations approved by certain Aboriginal decision-making groups (which could be Traditional Owners and/or the Council). In other cases funds may be paid to, or for the benefit of, the Traditional Owners of the relevant land (such as for lease payments).</p> <p>The CLC Traditional Owner identification advice identifies the key decision makers for how funds should be distributed. The CLC then facilitates meetings with the respective Aboriginal group (corporation members or Traditional Owners) to take their instructions on the allocation of funds, supporting processes that enable Aboriginal people to receive income from their land and self-determine how it is shared.</p> <p>The KPI reflects the CLC’s performance in administering and distributing income to fulfil obligations under relevant legislation. The targets are based on expected numbers of meetings required for timely distribution. Due to a large number of variables it is not useful for forecast beyond 2024-25.</p>				

PERFORMANCE MEASURES AND TARGETS

GOAL 5: ABORIGINAL PEOPLE BENEFIT FROM LAND USE OPPORTUNITIES (INCOME, TRAINING, JOBS AND BUSINESS)

KPI #	KEY ACTIVITY	KEY PERFORMANCE INDICATOR	TARGET	FORECAST		
			2024-25	2025-26	2026-27	2027-28
14	5.2	Annual General Meetings (AGMs) and Special General Meetings (SGMs) facilitated for Aboriginal corporations with land holding or land use income, under service agreements - by AAMC and PBC teams.	80	74	77	75
METHODOLOGY		Number of AGMs and SGMs held to support Aboriginal Corporations to meet their obligations under the Corporations (<i>Aboriginal and Torres Strait Islander</i>) Act 2006 (CATSI Act). These corporations were created to 'hold' a land interest or native title rights, receive land income, or carry out a commercial land based activity.				
RATIONALE		<p>Under the ALRA and the Native Title Act the CLC has responsibilities for protecting the interests of Aboriginal people regarding interests in their land. Under service level agreements, the CLC assists Aboriginal corporations to meet their administrative, financial and statutory obligations under the CATSI Act. These corporations are required to hold meetings and lodge reports with the Office of the Registrar of Indigenous Corporations (ORIC). The CLC assists 67 land holding, 35 Prescribed Bodies Corporate (PBC), 32 royalty receiving, and 10 non-land holding corporations to undertake this activity. This supports Aboriginal people to ensure that their corporations are compliant and their interests are protected. It also provides a foundation to enable Aboriginal people to pursue economic interests through generating income and engaging in employment, training or business opportunities.</p> <p>The targets reflect the number of meetings that the CLC is required to undertake under its service level agreements with corporations to ensure they are compliant with the CATSI Act.</p>				

GOAL 6: ABORIGINAL PEOPLE CONTROL THEIR COMMUNITIES AND OUTSTATIONS

KPI #	KEY ACTIVITY	KEY PERFORMANCE INDICATOR	TARGET	FORECAST		
			2024-25	2025-26	2026-27	2027-28
15	6.2	Community funded community benefit initiatives.	Targets not applicable			
16	6.2	Community development project expenditure (\$000).	Targets not applicable			
METHODOLOGY		<p>KPI #15: Number of separate community benefit initiatives that Aboriginal governance groups have allocated funds in the period.</p> <p>KPI #16: Value paid to project partners to implement community benefit initiatives funded by Aboriginal governance groups in the period.</p>				
RATIONALE		<p>One of the CLC's functions under the ALRA is to assist people with commercial activities on Aboriginal land and one of its goals is that Aboriginal people control their communities and outstations. The CLC supports Aboriginal people to use their land use income to drive their own community development.</p> <p>Through the CLC Community Development Program, the CLC works with Aboriginal people to establish Aboriginal governance groups that are then supported to plan, prioritise, fund and implement community benefit projects using their income. Through these processes, the Aboriginal governance groups build their governance, financial and project implementation capacity, which leads to greater capacity to control their communities and outstations. The implementation of community benefit projects controlled by the community itself also further contributes to community control of development.</p> <p>The KPIs provide an indication of the volume of work done by Aboriginal governance groups with support from the CLC. The annual monitoring report on CLC Community Development reflects further on the complexity and impact of the work. There are no targets set for these KPIs as they are dependent on the priorities and decision-making of relevant Aboriginal governance groups and the availability of appropriate project partners.</p>				

GOAL 7: A STRONG LAND COUNCIL: GOVERNANCE AND MANAGEMENT MEET CONSTITUENT AND LEGAL REQUIREMENTS

KPI #	KEY ACTIVITY	KEY PERFORMANCE INDICATOR	TARGET	FORECAST		
			2024-25	2025-26	2026-27	2027-28
17	7.1	Council meetings convened.	3	3	3	3
METHODOLOGY		Number of CLC Council meetings held during the period.				
RATIONALE		<p>Established under the ALRA, the CLC is a Council of 90 elected Aboriginal members who represent their remote communities and outstations across the CLC's region. Council meetings run for several days and are often held in remote locations. At Council meetings the elected members develop and review policy, set directions for and guide the CLC, check the organisation is being well managed and advocate for the rights and interests of Aboriginal people. These governance meetings also ensure ALRA and Native Title Act requirements are administered and provide Council members with regular cultural engagement opportunities.</p> <p>Meeting 3 times a year ensures that Council members have their voices heard, the Council fulfils its functions and there is sufficient time for policy matters to be directed by the Council.</p>				
KPI #	KEY ACTIVITY	KEY PERFORMANCE INDICATOR	TARGET	FORECAST		
			2024-25	2025-26	2026-27	2027-28
18	7.1	Executive Committee meetings held.	8	8	8	8
METHODOLOGY		Number of CLC Executive Committee meetings held during the period.				
RATIONALE		<p>The CLC's 11-member Executive Committee carries out the functions that the Council has delegated to it. The Committee is made up of one elected Council member from each of the 9 CLC administrative regions, plus the CLC Chair and the Deputy Chair. Examples of the Executive Committee duties include endorsing Traditional Owner decisions, checking if staff have consulted the right people in the proper way, passing resolutions, and contributing to CLC's positions on government policy within the parameters set by the Council. These meetings ensure that Land Council business is being directed by the elected members.</p> <p>The CLC aims to hold around 8 Executive Committee meetings each year. The enables the CLC to administer its ALRA and Native Title Act requirements and to effectively and efficiently manage business in between Council meetings.</p>				
KPI #	KEY ACTIVITY	KEY PERFORMANCE INDICATOR	TARGET	FORECAST		
			2024-25	2025-26	2026-27	2027-28
19	7.3	Aboriginal staff as a percentage of workforce – full-time equivalent (FTE) at 30 June.	50.0%	50.5%	51.0%	51.5%
METHODOLOGY		Based on full-time, part-time and casual staff, expressed as a full-time equivalent (FTE).				
RATIONALE		<p>Having a high proportion of Aboriginal staff is an important component of being a strong Land Council. Employing and retaining of Aboriginal staff ensures better services to constituents and organisational decision-making that benefits Aboriginal people. It also fosters opportunities for culturally appropriate and safe collaboration between staff and constituents.</p> <p>The CLC is working to increase numbers of Aboriginal staff and leaders by focusing recruitment efforts on Aboriginal candidates, employing special measures for priority hiring, applying targeted recruitment strategies to attract Aboriginal staff and implementing supportive workplace practices.</p>				

GLOSSARY

ABA	Aboriginals Benefit Account
Aboriginal land	As defined in the <i>Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)</i> , Aboriginal land means: (a) land held by a Land Trust for an estate in fee simple; or (b) land the subject of a deed of grant held in escrow by a Land Council.
ALRA	<i>Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)</i>
ANAO	Australian National Audit Office
APO NT	Aboriginal Peak Organisations Northern Territory
APSC	Australian Public Service Commission
Council	The CLC's 90-member governing Council
CLA	Community Living Area
FTE	Full Time Equivalent (staff)
IEK	Indigenous Ecological Knowledge
ILUA	Indigenous Land Use Agreement
IPA	Indigenous Protected Area
Land Council	An Aboriginal Land Council in the Northern Territory established by or under the <i>Aboriginal Land Rights (Northern Territory) Act 1976</i> to represent Aboriginal people.
NIAA	National Indigenous Australians Agency
Native Title Act	<i>Native Title Act 1993 (Cth)</i>
NTRB	Native Title Representative Body
ORIC	Office of the Registrar of Indigenous Corporations
Outcomes	Desired results, impacts or consequences for Aboriginal peoples
PBC	Prescribed Bodies Corporate
PGPA Act	<i>Public Governance, Performance and Accountability Act 2013 (Cth)</i>
Sacred site	A site that is sacred to Aboriginal people or is otherwise of significance according to Aboriginal tradition
Traditional Owners	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 - POWERS AND FUNCTIONS

ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) ACT 1976

POWERS

Section 27 of *Aboriginal Land Rights (Northern Territory) Act 1976* (ALRA) provides a broad power that:

Subject to the 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 the 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).

ANNEXURE - POWERS AND FUNCTIONS

- 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.**
- For land that is a **community living area** and in the area of the Land Council, to **assist** the owner of the land, if requested to do so, in relation to **any dealings** in the land (including assistance in negotiating leases of, or other grants of interests in, the land).
- 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 **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

The Land Council also has functions under Northern Territory legislation such as the *Burial and Cremation Act 2022* (NT) and *Aboriginal Land Act 1978* (NT).

NATIVE TITLE REPRESENTATIVE BODY UNDER THE NATIVE TITLE ACT

The main objectives of the *Native Title Act 1993* (Native Title Act) are:

- To provide for the recognition and protection of Native Title.
- To validate old dealings that were invalid because of native title, and 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 in Part 11 Division 3 of the Native Title Act 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 National Indigenous Australians Agency. Core ongoing activities of the Native Title work program include responding to *Future Act** notifications and progressing native title claims.

Northern Territory Government process on expedited

procedure: All Future Act applications for exploration licenses within the Northern Territory include a statement from the Northern Territory Government that the grant attracts the “expedited procedure” as defined under s 32 of the Native Title Act. In the event that Native Title Holders have an objection to the license, 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 Native Title Act*

PRIORITIES

Section 23AA of ALRA and subsection 203B(4) of the Native Title Act 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 Native Title Holders, 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, key activities and performance measurement.

ACCOUNTABLE AUTHORITY (PGPA ACT)

The Commonwealth *Public Governance, Performance and Accountability Rule 2014*, rule 7A, states that the Accountable Authority of the Central Land Council is “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.



**CENTRAL
LAND
COUNCIL**

27 Stuart Highway,
Alice Springs NT 0870

PO Box 3321,
Alice Springs NT 0871

T. 08 8951 6211

E. media@clc.org.au

W. clc.org.au

