



Our Ref: D25-50407

Department of Agriculture, Fisheries and Forestry  
GPO Box 858  
Canberra ACT 2601  
Australia

11 December 2025

**Submission via online portal: [HAVE YOUR SAY](#)**

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**Attention: Department of Agriculture, Fisheries and Forestry (DAFF)**

**Central Land Council Submission and feedback on the National Statement on First Nations in Agriculture, Fisheries and Forestry Discussion Paper (November 2025)**

The Central Land Council (CLC) welcomes the opportunity to provide feedback on the National Statement on First Nations in Agriculture, Fisheries and Forestry discussion paper (**Discussion Paper**). This submission offers a structured analysis and response to the Discussion Paper, focusing on practical, policy-aligned feedback informed by the aspirations of approximately 20,000 Aboriginal people across Central Australia.

As a statutory authority established under the Aboriginal Land Rights (Northern Territory) Act 1976 (**ALRA**), and as a native title representative body under the *Native Title Act 1993* (Cth) (**Native Title Act**), the CLC has a long-standing mandate to ascertain and advocate for the rights, interests and aspirations of Traditional Owners across 780,000 km<sup>2</sup> of Aboriginal land in the Southern half of the Northern Territory (**NT**).

Aboriginal people make up more than thirty per cent of the NT population and have freehold title rights to around fifty per cent of the NT under ALRA. Most of the remaining land mass (and some sea Country) in the NT is subject to native title rights and interests. The land councils are governed by elected representative Councils of community delegates. Through our Council we represent the interests and aspirations of traditional landowners and other Aboriginal people resident in our regions. We advocate for our people on a wide range of land-based and socio-political issues to ensure that our families can continue to survive and thrive on their land.

In providing this response, the CLC examines how the Discussion Paper addresses key issues affecting Aboriginal landowners in Central Australia, identifies where reframing is required, and offers recommendations to ensure the National Statement on First Nations in Agriculture, Fisheries and Forestry (**National Statement**) supports genuine self-determination and strengthens Aboriginal land rights, water rights, cultural responsibilities, and economic opportunities.

Agriculture, fisheries and forestry intersect directly with land governance, water security, cultural authority, and the realities of remote living. Economic participation for Aboriginal communities is meaningful only when it aligns with:

- Cultural authority



- Traditional Owner defined aspirations
- Protection of Country and ecological health

While the Discussion Paper provides a useful starting point, several assumptions require careful reconsideration to ensure the National Statement reflects the lived realities, rights and responsibilities of Aboriginal people in the NT. The CLC's submission therefore aims to ensure that the National Statement becomes a tool that meaningfully supports Traditional Owners to develop economic opportunities on their own terms, without compromising cultural values or weakening existing land and water rights.

We were grateful for the opportunity to meet with DAFF staff on 9 December to discuss some of these points and seek clarification regarding consultation processes so far. We look forward to further engagement in the next stages of developing the National Statement.

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## **Summary of Key Points**

### **1. Transparency and First Nations governance is essential**

Clear, public information is needed on who was consulted, how feedback was used, and how First Nations governance will oversee implementation of next steps.

#### **Recommendations:**

1. DAFF publish a full list of taskforce members and all stakeholder groups consulted so far, including any gaps in engagement, what consultation will be undertaken next and how feedback has and will inform the National Statement.

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### **2. Self-determination must be central**

The Discussion Paper currently frames economic inclusion through commercial productivity rather than TO rights, aspirations, and responsibilities to Country.

#### **Recommendation:**

2. Differentiate TO-led development from non-Indigenous agribusiness seeking access to Aboriginal land, ensuring that TO aspirations and cultural responsibilities remain the basis for decision-making.

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### **3. Meaningful remote jobs must be integrated**

The National Statement should strengthen remote employment frameworks and prioritise place-based, Aboriginal-led workforce development.

#### **Recommendation:**

3. Include commitments to identified Aboriginal roles and locally led workforce pathways in all levels of Government, supported by culturally appropriate training and long-term investment.

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### 4. Land tenure is not the barrier

The Discussion Paper inaccurately depicts ALRA and native title as obstacles. Challenges arise where these rights are misunderstood or undermined.

#### **Recommendations:**

4. Reframe land tenure content using a strengths-based, rights-affirming approach.
5. Encourage development of resources and capacity-building for First Nations groups to know and activate their land rights and negotiate strong, culturally aligned agreements for agricultural projects, co-designed and delivered with First Nations representative bodies.

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### 5. Land and water governance must be embedded

Agriculture cannot be separated from water licensing, water planning, ICIP, and cultural landscape protection.

#### **Recommendations:**

6. Explicitly integrate land and water governance, including TO participation in water planning, licensing, and allocation processes.
7. Include a dedicated section in the National Statement outlining the importance of First Nations participation in water decision-making, consistent with commitments under the National Water Initiative and the draft national water agreement.

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### 6. Indigenous data sovereignty is essential

References to “unlocking Indigenous data” risk inappropriate access and use of ICIP; data reforms must be governed by Indigenous Data Sovereignty principles.

#### **Recommendations:**

8. Include a dedicated section on ICIP protections, ethical frameworks, FPIC, Indigenous Data Sovereignty and benefit-sharing.
9. Adopt the Maiam Nayri Wingara Indigenous Data Sovereignty Principles as the standard for all data use and governance within the Statement.

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### 7. Strengthened land rights are foundational

The Statement must address policy and regulatory practices that undermine native title and ALRA rights, including water allocation and future act processes.

#### **Recommendation:**

10. Embed Closing the Gap Priority Reform 3 (Transforming Government Organisations) throughout the Statement and its implementation to strengthen cultural authority and Aboriginal-led decision-making.



## **8. Agricultural expansion is not inherently beneficial and requires careful management**

Expansion without safeguards risks land clearing, water insecurity, ecological decline, and cultural harm.

### **Recommendations:**

11. Include a dedicated section on environmental and cultural impacts, setting out the role of TOs in managing Country and ensuring ecologically and culturally responsible development.

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## **9. Regional development zones require caution**

Regional approaches risk bypassing project-level consultation and weakening TO authority.

### **Recommendation:**

13. Ensure regional development models do not override local decision-making or bypass FPIC and require clear processes for engaging cultural authority at the appropriate scale.
14. Require cultural values to be identified, assessed and monitored by TOs on a project-specific basis.

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## **10. Infrastructure must be place-based**

Development proposals should reflect the specific conditions of each location, including transport, water, connectivity, and workforce capacity.

### **Recommendation:**

15. Require place-based infrastructure, workforce and water assessments for all agricultural proposals to ensure realistic planning and sustainable outcomes.

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## **11. Identified Aboriginal development roles are required**

The sector must increase Aboriginal employment at all levels.

### **Recommendation:**

16. Commit to identified Aboriginal positions across agriculture, fisheries and forestry, including leadership pathways, training programs, and employment targets co-designed with First Nations organisations.

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## **CLC Submission**

### **1. Transparency and purpose of consultation and National Statement**



A robust, transparent and accountable consultation process is essential to the credibility of the National Statement. The draft provides no information on the extent, method or depth of engagement undertaken.

## **Key questions we recommend are publicly reported for the next phase of consultation include:**

- Who sits on the taskforce overseeing development of the Statement?
- Which First Nations organisations, communities and land councils were consulted?
- How was cultural authority identified and engaged?
- How will stakeholder feedback inform subsequent versions?

Without clarity on these matters, it is difficult for stakeholders to assess the representativeness of the consultation process or the legitimacy of the Statement's conclusions.

Further, it is unclear *how* the National Statement will 'drive' change and 'guide coordinated action and investment' across governments<sup>1</sup> in practice without providing mechanisms for measuring success or compelling compliance.

At our meeting on 9 December 2025, DAFF stated this was to be an aspirational document at this stage. We welcome this approach however recommend that in this case the National Statement should be truly aspirational, setting a high standard for best practice, including Free Prior and Informed Consent (FPIC), and empowerment of First Nations peoples leading agricultural activity and governance.

## **2. Greater First Nations Representation in the Sector**

### ***Meaningful remote jobs and leadership pathways***

The Discussion Paper acknowledges the underrepresentation of First Nations peoples but does not outline what meaningful participation looks like in remote contexts.

CLC highlights the need for:

- Sustained and culturally appropriate employment
- Workforce development strategies suited to remote regions
- Identified Aboriginal positions across the sector
- Training and leadership pathways designed with communities
- Alignment with the Remote Jobs Program and existing place-based employment models

Representation must extend beyond advisory bodies to include targeted, substantive roles across agriculture, fisheries and forestry.

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## **3. Agricultural Production on the Indigenous Estate**

### ***Land tenure is not the barrier***

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<sup>1</sup> National Statement, p 1.



The Discussion Paper implies that ALRA, native title, ILUAs and IPAs limit economic development.<sup>2</sup> This framing is inaccurate and outdated, and implies the National Statement is intended for non-Indigenous rather than First Nations interests.

CLC emphasises:

- These rights are foundational to Aboriginal land ownership and decision-making.
- Barriers arise when rights are misunderstood, overridden or inconsistently respected.
- Colonial legacies mean much of the NT's most productive land is held under pastoral leasehold, while TOs frequently hold areas historically deemed less suitable for intensive agriculture.

In using this negative framing, the Discussion Paper reads more like a call to “unlock” Aboriginal land for non-Indigenous agricultural expansion and interests, rather than to empower Aboriginal people to benefit from agricultural activities on their land.

CLC acknowledges that a barrier for Traditional Owners, native title holders and project proponents can be navigating the complexities of land tenure systems. Capacity building and development of training and other resources are necessary to support First Nations groups across Australia to know and activate their rights and facilitate strong agreements for the use of Aboriginal land.

### ***Integrating land and water governance***

The Discussion Paper does not reflect the reality that agriculture is fundamentally linked with water governance. CLC has consistently documented our constituents concerns with water governance in the NT.<sup>3</sup> In 2024, the Productivity Commission reported the NT as non-compliant with the National Water Initiative on multiple grounds and backsliding.<sup>4</sup> Since the new NT Government came into office in August 2024 we have seen an unprecedented escalation in the erosion of transparency and disregard for the rights and interests of Traditional Owners, evidence-based decision-making and democratic processes more broadly.

NT water governance is characterised by a lack of transparency and enforceable planning, as well as a disregard for Aboriginal peoples' perspectives and economic position, Aboriginal cultural values, and environmental health. CLC is deeply concerned by the lack of meaningful engagement with Traditional Owners and the failure of the NT Government to adequately take into consideration ecological and cultural impacts before approving high-impact developments and associated licences, including for agriculture.

### **For example, in the NT:**

- The NT Government continues to fail to comply with the Native Title Act by refusing to acknowledge that water licences constitute future acts under the Native Title Act,

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<sup>2</sup> Section 2, National Statement

<sup>3</sup> For recent examples, see the [NT Land Council's joint submission to Australian Senate Environment and Communications Legislation Committee](#) RE the Environment Protection Reform Bill (Nov 2025); CLC Submissions to Australian Government DCCEWW on Future National Water Agreement ([May 2024](#) and [Sept 2024](#)).

<sup>4</sup> Productivity Commission 2024 Inquiry

denying native title holders of their basic rights under Commonwealth statute to be notified about water extraction activities and to compensation;

- The NT Government granted a controversial 40,000ML water licence for an irrigated horticultural project at Singleton Station – this is the largest groundwater licence in the NT by far and likely all of Australia, gifted for free, despite clear and united opposition of native title holders (given the significant and irreversible impacts this unprecedented scale of water extraction is modelled to have on groundwater dependent ecosystems and cultural values) and a cost-benefit analysis that demonstrates very little in the way of local economic benefits, let alone local First Nations benefits and participation. The granting of this licence has been the subject of ongoing litigation and native title holders' case will be heard by the High Court of Australia in 2026<sup>5</sup>;
- Water allocation plans have been stripped back to the bare minimum and fail to protect Aboriginal cultural values and groundwater-dependent ecosystems (one in the Top End is the subject of current litigation<sup>6</sup>);
- Traditional Owner face barriers in meaningful participation in water planning;
- The NT Government recently removed the right to merits review from a range of decisions for water, petroleum and land use;
- The NT Government brought in the Territory Coordinator Act which creates unprecedented broad powers to step in for various agencies to make decisions on their behalf, or to exempt projects from all or part of 32 pieces of legislation, including environment protection and water legislation;
- Drinking water security and quality challenges are ongoing and significant in many remote communities.

Excluding water governance in the National Statement and erasing the concerns Traditional Owners have for water licencing and planning decisions that feed agribusiness risks reinforcing existing inequities in land and water access. It is imperative that Traditional Owners are empowered to participate in decision-making for water and land in order to participate meaningfully in and benefit from agricultural activities.

#### ***Infrastructure must be place-based***

The CLC supports acknowledgment of infrastructure constraints but emphasises that:

- Remote NT conditions differ markedly from other jurisdictions
- Transport, digital connectivity, power reliability and water access vary significantly by region
- Development proposals must be grounded in realistic, place-based assessments

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<sup>5</sup> <https://www.theguardian.com/australia-news/2025/sep/14/most-precious-thing-in-the-desert-the-fight-to-protect-sacred-sites-against-the-nts-largest-water-license>

<sup>6</sup> <https://www.abc.net.au/news/2025-11-26/nt-court-challenge-mataranka-water-allocation-plan-river/106049348>



The Singleton Station application is an example that demonstrates the consequences of relying on assumptions that do not reflect local conditions. Independent expert review of the project's business case for the farm found that the Proponent:<sup>7</sup>

- Used optimistic assumptions to estimate public benefits based on data from different market and socio-economic contexts, so that local spending and revenue were grossly inflated;
- Overstated local employment benefits based on questionable assumptions that there is, currently, a large pool of available skilled labour in the region; and
- Omitted social costs in the analysis including cultural and spiritual impacts; and did not account for the significant subsidy in the value of their water entitlement - estimated to be worth \$70-300 million in other jurisdictions.

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## 4. Commercialising and Protecting Indigenous Cultural and Intellectual Property (ICIP)

The CLC supports opportunities for ICIP-based enterprises, but commercialisation poses significant risks without strong protections.

### Key concerns include:

- Inadequate ethical frameworks
- Risk of appropriation without clear consent
- Potential commercialisation of sacred or culturally restricted knowledge
- Industry-driven demand overshadowing cultural obligations

ICIP-based activities must be governed by rigorous ethical standards, Free Prior and Informed Consent (**FPIC**), benefit-sharing arrangements and First Nations control.

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## 5. Tailored Financial and Business Support

While improving financial inclusion is important, the Discussion Paper appears to assume that expanding commercial agriculture aligns with all TO aspirations.

### CLC highlights that:

- Communal tenure is a protective mechanism, not an impediment
- It is essential that aspirations of Traditional Owners drive projects for culturally aligned enterprises
- Agricultural expansion may conflict with cultural values and environmental stewardship

Policy approaches must differentiate between TO-led economic activity and non-Indigenous agribusiness seeking access to Aboriginal land.

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<sup>7</sup> Central Land Council [Submission on Draft ToR – Singleton Project](#) – NTEPA



## 6. Research, Data and Indigenous Knowledges

### ***Indigenous Data Sovereignty***

The concept of “unlocking Indigenous data” is overly broad and risks enabling:

- Inappropriate access to cultural information
- Use of data without FPIC
- Regional planning processes that bypass project-level obligations

All data reforms must be guided by Indigenous Data Sovereignty principles.

### **Co-governance in research and development**

The CLC supports increased First Nations participation in research governance but stresses the need for:

- Protections against extraction of Indigenous knowledge
- TO-led priorities where cultural or ecological knowledge is engaged
- Embedding cultural authority within research and development corporations (RDC) governance structures

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## 7. Coordination, Accountability and Government Action

### ***Strengthening Transparency and Governance***

**Effective implementation of the National Statement requires strong governance and transparent processes.**

#### **This includes:**

- Clear public reporting on consultation activities and outcomes
- Transparent mechanisms for how feedback will inform subsequent versions of the Statement
- Meaningful First Nations oversight throughout implementation

These measures are essential to ensuring accountability and maintaining confidence in the Statement.

### **Embedding Closing the Gap Priority Reform 3**

*The National Statement should explicitly integrate Closing the Gap Priority Reform 3 (Transforming Government Organisations) particularly in section regarding ‘creating culturally safe spaces’.*<sup>8</sup>

#### **This requires:**

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<sup>8</sup> National Statement, p5



- Transforming government systems and processes to better partner with Aboriginal organisations
- Ensuring culturally safe and consistent engagement practices
- Embedding Aboriginal-led decision-making structures across all areas of program design and delivery

Embedding PR3 is critical to ensuring that agricultural policy and investment are delivered in ways that respect cultural authority and strengthen community control.

## **Managing Risks in Regional Delivery Models**

**The CLC notes potential risks associated with broad “regional development zone” approaches.**

**Without appropriate safeguards, such models may:**

- Override or dilute local cultural authority
- Bypass consultation with the appropriate Traditional Owner groups
- Weaken FPIC obligations

Localised decision-making and recognition of cultural authority must remain central to all land use, economic development and agricultural planning processes.

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## **8. Additional Cross-Cutting Concerns**

**The Statement must acknowledge risks associated with agricultural expansion, including:**

- Environmental impacts
- Water stress
- Biodiversity loss
- Cultural impacts on significant landscapes
- Federal Government Net-Zero targets and pathway to decarbonisation

We are surprised and dismayed to note that the Discussion Paper does not make any reference to these impacts or the Federal Government’s Net-Zero targets. It is essential the National Statement is holistic, nuanced and aligned with Federal environmental and climate policies.

Agriculture must not occur at the expense of Country or cultural responsibilities. With meaningful and appropriate processes of consultation with TOs and evidence-based decision making, TO-led and supported sustainable agricultural projects can and do proceed.

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## **Conclusion**

The National Statement presents an important opportunity to advance First Nations participation in agriculture, fisheries and forestry.



To be effective, CLC recommends that it must:

- Reinforce Aboriginal rights and cultural authority
- Embed place-based approaches
- Ensure meaningful remote employment for First Nation groups
- Strengthen land and water governance
- Protect ICIP and culturally significant data
- Centre TO leadership across all stages of policy and program design

The Central Land Council looks forward to working with DAFF to ensure the National Statement reflects the aspirations, rights and responsibilities of Aboriginal people across Central Australia.

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