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STRATEGIC PLAN 2021-24



OFFICE OF THE REGISTRAR
ABORIGINAL LAND RIGHTS ACT 1983 (NSW)

STRATEGIC PLAN 2021-24

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Message from the Registrar

Aboriginal Land Councils in NSW are supported by a network of dedicated Board members and staff. Our team at the Office of the Registrar, ALRA is honoured to support the important work done by Aboriginal Land Councils for the Aboriginal community.

Our strategic plan for 2021-24 explains our role under the *Aboriginal Land Rights Act 1983 (NSW)* ('ALRA') and outlines our key objectives and strategies for our core business of Aboriginal Land Claims (and Land Agreements), Aboriginal Owners, Membership, Compliance and Advice to the Minister for Aboriginal Affairs.

Our team is focused on working with Local Aboriginal Land Councils, the NSW Aboriginal Land Council ('NSWALC') and the NSW Government to support:

1. The return of land to Aboriginal People as compensation for past dispossession.
2. Self-determination by Aboriginal People through participation and representation in the land council network.

Nicole Courtman

Registrar, *Aboriginal Land Rights Act 1983 (NSW)*



Our purpose:

- To support the return of land to Aboriginal People as compensation for past dispossession.
- To support self-determination through participation and representation in the land council network.

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Our team



Back row (left to right):

Jodie Rikiti, Tony Sutherland, Steve Merritt.

Middle row (left to right):

Lisa Stanford, Troy Lancaster, Brendan Smith, Liz Loane, Tysan Towney.

Front row — sitting (left to right):

Rachel Rewiri, Lyn Walsh, Tina Williams.

Absent from photo:

Megan Mebberson, Nicole Courtman.

Our values

Our values stem from our beliefs and govern the way we behave and interact with others.

We value:

Teamwork — We achieve more when we collaborate and work together.

Accountability — We are responsible for our words, our actions, and our results.

Respect — We treat people with dignity and professionalism.

Trust — We build trust through responsible actions and honest relationships.

Compassion — We are kind and caring to everyone we encounter.

Integrity — We give advice without fear or favour and are open, honest, consistent and accountable in everything we do.

Innovation — We are open to try new ways of doing things and improve every day.

Fairness — We manage our potential conflicts to ensure we are impartial in our relationships.

We believe in...

The return of Land to Aboriginal People

We believe that Land is central to the well-being of Aboriginal people. It encapsulates their identity. It is the lifeblood of their existence. It provides nourishment for their physical, mental and spiritual health. It nurtures the young with education about every aspect of their lives. It is the connection to their ancestors. It is the responsibility of all generations to care for and protect land.

Self-determination for Aboriginal People

We believe that self-determination for Aboriginal people should not simply be a symbolic idealism but it must be a practical reality. We believe that Aboriginal people, as first nation's people, should have the ability to make decisions and control all aspects of their lives.

We believe that a strong Aboriginal Land Rights system can be a key determinant to improve the physical, mental, spiritual and economic health of Aboriginal people.

We believe the collective size and strength of the Land Rights membership is paramount for advocating Aboriginal people's beliefs and rights to Government, industry and the broader community.

We believe that an inclusive, informed, focused, educated and motivated membership will strengthen and build on land rights in the future.

We believe that developing the capacity of the wider network of Local Aboriginal Land Council's to control and manage their organisations through good corporate governance and membership engagement will greatly assist Aboriginal people in achieving self-determination.

We build Integrity through Leadership, Openness and Transparency

We believe that leadership will be transformational and go beyond performing tasks; instead, it will create sustainability through changing mindsets and attitudes for the growth of the Land Rights system.

We believe that leadership will create an inspirational vision for the future and create new and exciting ways of doing things to make a stronger and more resilient Land Rights network. We believe that a strong Land Rights system is built on openness, transparency and working together for a common cause.

We believe that accurate and shared evidenced-based knowledge, information and advice with government, non-government, the NSWALC and LALCs will enable the better functioning of a strong land rights system.

We believe that being open and transparent will enable us to build our integrity and relationships to be responsive to current and future demands.

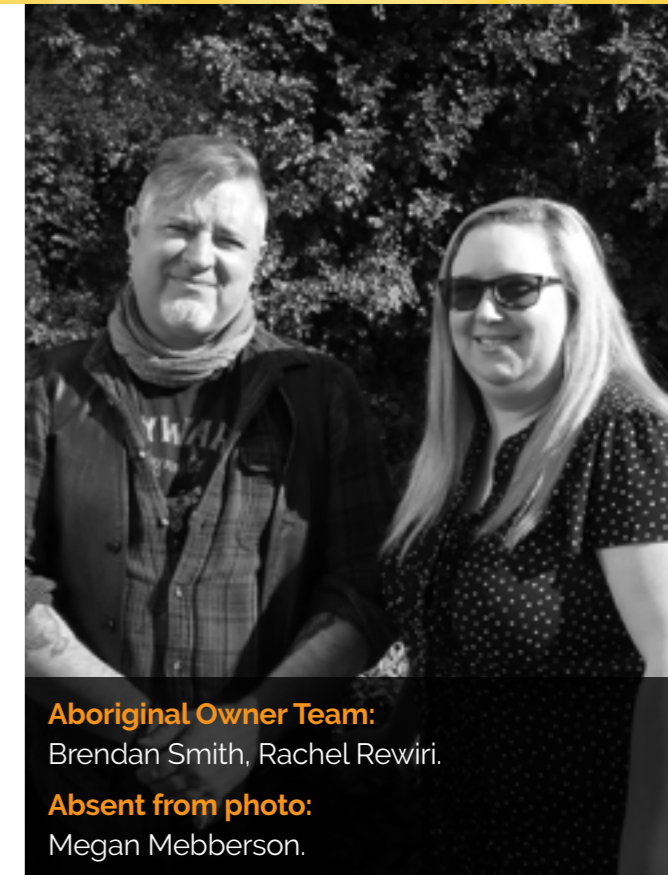
Aboriginal Owners

Key objectives

- Maintain and expand the Register of Aboriginal Owners in NSW.
- Give priority to the registration of Aboriginal Owners for lands listed on Schedule 14 of the National Parks & Wildlife Act 1974 (NSW) and s36A of the ALRA.
- Increase awareness of the role of Aboriginal Owners in the management of cultural significant land in NSW.
- Provide support to Aboriginal Owners and Boards of Management to exercise rights and functions.
- Support strong relationships between Aboriginal Owner groups, Boards of Management and Aboriginal Land Councils.

Key strategies

- Work with the NSW Government to identify funding opportunities to enable research projects for listing Aboriginal Owners across NSW. Develop appropriate systems to support the expansion of the Aboriginal Owner Register across NSW.
- Develop plain language guides on Aboriginal Owners in NSW.
- Complete research required to support the listing of Aboriginal Owners for Mungo National Park and Kamay/ Botany Bay National Park & Towra Nature Reserve.
- Work in collaboration with the Department of Planning Industry and Environment to provide support to Aboriginal Owners and Boards of Management.
- Facilitate regular forums for representatives from Aboriginal Owner Boards to meet and share ideas and experiences.



Aboriginal Owner Team:
Brendan Smith, Rachel Rewiri.
Absent from photo:
Megan Mebberson.

Aboriginal Owners have important rights in NSW including:

- The right to nominate representatives to the Board of Management for a Part 4A National Park and the Board.
- The right to membership of the LALC where the land is situated.
- The right to be consulted with in relation to the Community Land and Business Plan(s) (CLBP) of relevant LALC(s) and the New South Wales Aboriginal Land Council.
- Be a legislated stakeholder in the NSW cultural heritage assessment process.
- The Chief Executive of the National Parks and Wildlife Service can return possession, custody or control of Aboriginal objects to the Aboriginal Owner group.

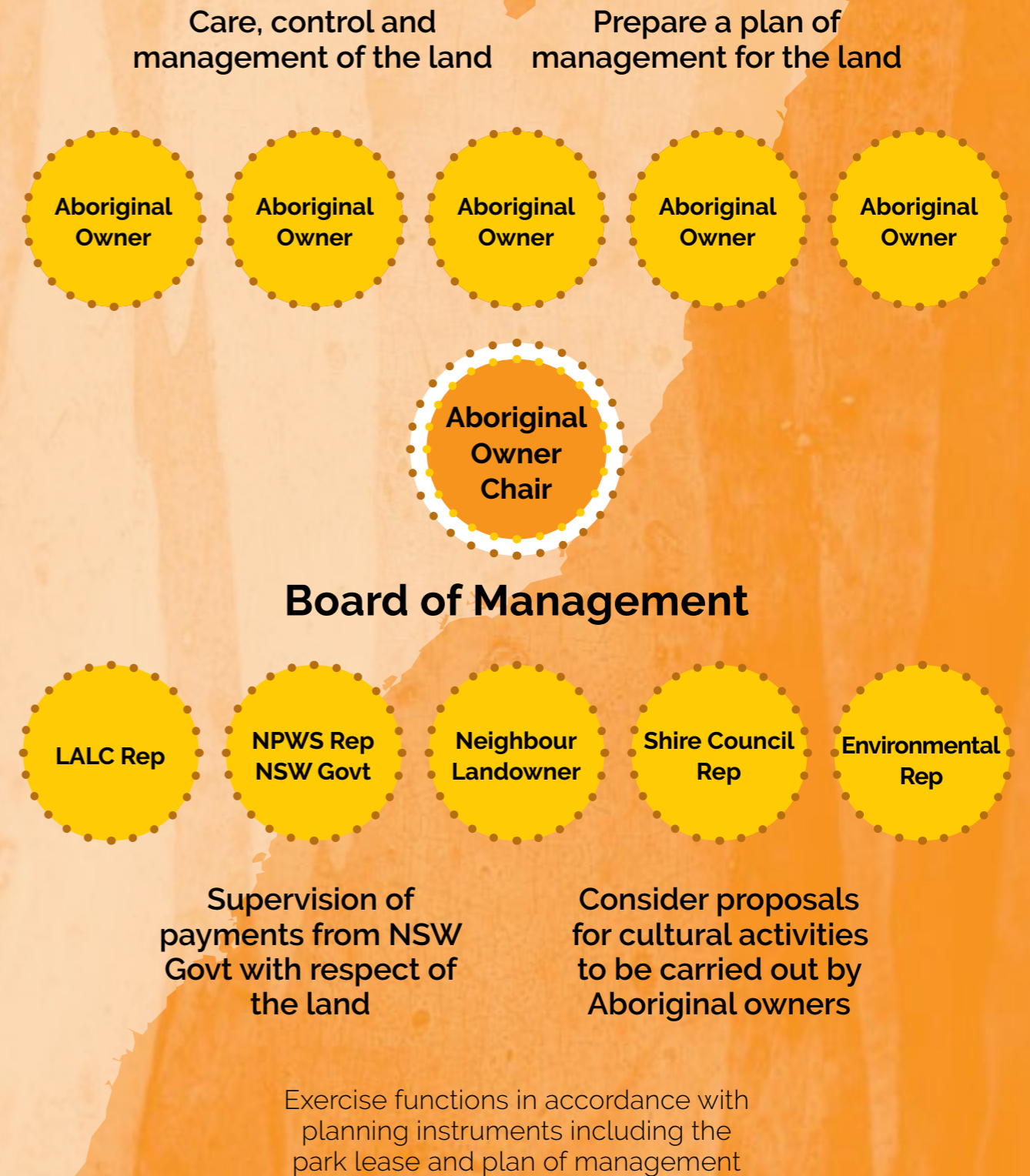
Responsibilities

Care, control, management and use of the lands for which they are Aboriginal owners



Boards of Management

Aboriginal owned and jointly managed conservation areas in NSW have Boards of Management. Boards vary in size but there is always an Aboriginal owner as Chairperson and the majority of members are Aboriginal owners. Boards of management have specific responsibilities in relation to the land.



Land Claims

LALC Support Team

Key objectives

- ➔ Support Aboriginal Land Councils to make Aboriginal Land Claims (ALCs).
- ➔ Maintain the Register of ALCs and Aboriginal Land Agreements (ALAs).
- ➔ Improve the accessibility and efficiency of the registration process for ALCs and ALAs.

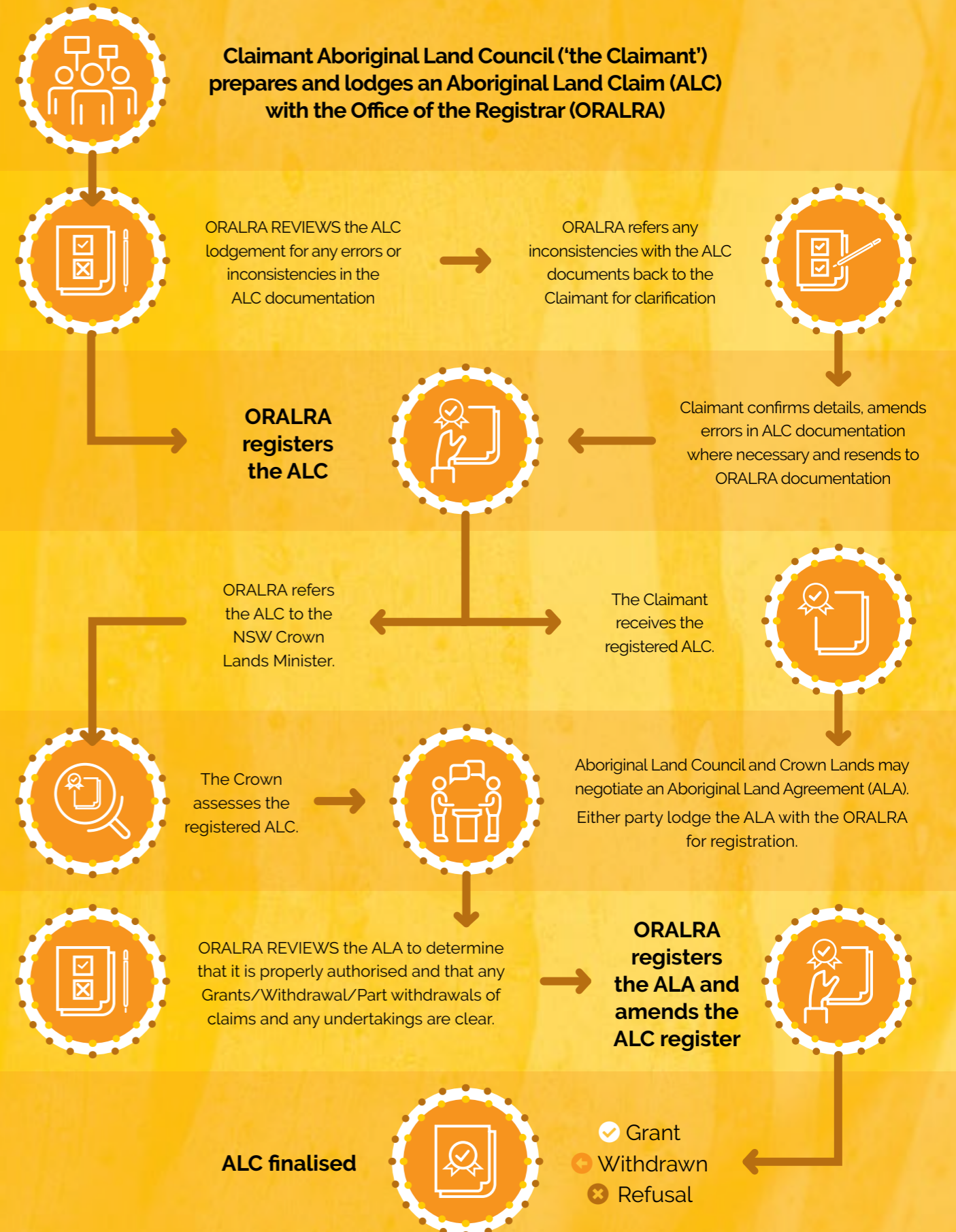


Aboriginal Owner Team:
Jodie Rikiti, Troy Lancaster, Lyn Walsh, Tysan Towney, Lisa Stanford, Liz Loane.

Key strategies

- ➔ Upgrade the Register of ALCs and ALAs to include spatial data, reduce duplicated processes and manual handling and allow for online lodgement of claims.
- ➔ Provide Aboriginal Land Councils access to information in the Register of ALCs to:
 - 🔗 support ALC operations; and
 - 🔗 support negotiations relating to ALCs.
- ➔ Support the performance audit in relation to ALC processes by the Audit Office of NSW.
- ➔ Work with Crown Lands to ensure resourcing to support the complete lifecycle of ALCs from lodgement to determination and possible registration of ALAs.
- ➔ Maintain effective and productive relationships with key stakeholders including NSWALC, LALCs and Crown Lands/ Department of Planning, Industry & Environment.

The Lifecycle of an Aboriginal Land Claim (and ALAs)



Membership

LALC Support Team

Key objectives

- Maintain the consolidated membership roll, which contains the details for all members of Aboriginal Land Councils across NSW.
- Support LALCs to maintain accurate membership records.
- Maintain and protect the confidential and private information of members of Aboriginal Land Councils.
- Support elections of Aboriginal Land Council boards.
- Provide membership records to the NSW Electoral Commission to enable elections for Councillors of the NSW Aboriginal Land Council.

Key strategies

- Conduct regular reconciliations of membership rolls.
- Provide advice and support to LALCs, members and Aboriginal people regarding membership processes.
- Ensure LALCs receive membership notices in a timely manner.
- Develop plain language policy and procedure guides, and training materials on membership processes.
- Ensure our systems and processes maintain accuracy and integrity of membership data.

“**Aboriginal Person**” is defined in section 4 of the *Aboriginal Land Rights Act 1983* as a person who:

- a) is a member of the Aboriginal race of Australia, and
- b) identifies as an Aboriginal person, and
- c) is accepted by the Aboriginal community as an Aboriginal person.

When a person applies for membership of a Local Aboriginal Land Council, they make the following declaration:

I hereby declare that:

I have attained the age of 18 years; and
 I am a member of the Aboriginal race of Australia; and
 I identify as an Aboriginal; and
 I am accepted by the Aboriginal Community as an
 Aboriginal; and I reside within the LALC area, or have an
 association with the area (as described).

APPLICANT'S SIGNATURE

DATE:

It is an offence, pursuant to section 54(4) of the ALRA for a person to make an application for membership that the person knows, or ought reasonably to know, is false or misleading.

A person is qualified for membership if:

1. the person is an adult Aboriginal person who **resides** within the area of the LALC, or
2. the person is an adult Aboriginal person who has sufficient **association*** with the area of the LALC, or
3. the person is an **Aboriginal owner** in relation to land within the area of the LALC.

* as determined by the voting members of the Council at a meeting of the Council.

A person who is eligible needs to apply AND needs to be accepted by the voting members at a meeting of the Council, pursuant to section 54(2A) of the ALRA.

Compliance

Key objectives

- Support Aboriginal Land Councils to comply with the requirements of the ALRA and *Aboriginal Land Rights Regulation 2020* (NSW) ('ALRR').
- Build and maintain strong and productive partnerships with the NSW Aboriginal Land Council and Local Aboriginal Land Councils.
- Provide practical advice that can be implemented and progressed locally.
- Apply a formal risk management approach to handling of enquiries and complaints relating to Aboriginal Land Councils.
- Mediate, conciliate or arbitrate disputes relating to the ALRA.
- Investigate allegations of misconduct relating to officers and staff of Aboriginal Land Councils.
- Increase knowledge and understanding of the ALRA and ALRR.



Compliance Team:
 Steve Merritt, Jodie Rikiti, Tina Williams, Tony Sutherland.

Key strategies

- Build a dedicated Compliance team with extensive experience working with Aboriginal Land Councils.
- Develop an experienced legal team to provide timely advice to Aboriginal Land Councils and to support investigations and Registrar's discretions, including Compliance Directions.
- Work in collaboration with the Zone staff of the NSWALC to identify compliance issues for Local Aboriginal Land Councils as early as possible and develop strategies to manage risk.
- Support Aboriginal Land Councils to develop values, duties and standards of behaviour for board members, staff and members through localised Codes of Conduct to strengthen governance.
- Increase understanding of lateral violence and work with Aboriginal Land Councils to maintain respectful relationships.
- Develop plain language guides and presentations on key topics to support compliance.
- Work in partnership with NSWALC, Aboriginal Affairs NSW ('AANSW'), the Independent Commission Against Corruption ('ICAC') and the NSW Ombudsman to share information, co-ordinate regulatory responses and develop strategies to address compliance issues for Aboriginal Land Councils.



Advice to The Minister for Aboriginal Affairs

Key objectives

To provide independent advice to the Minister for Aboriginal Affairs on matters relating to the ALRA including:

- Operations of LALCs;
- Changes to LALC boundaries and name changes;
- Appointment of advisors, investigators and administrators;
- Practicality of amendments to the ALRA and ALRR;
- Other legislative amendments, such as reforms in relation to the protection of Aboriginal culture and heritage, that relate to the ALRA.

Key strategies

- Regular reports to and meetings with Minister for Aboriginal Affairs to provide confidential advice.
- Regular consultations with key stakeholders, including Aboriginal Land Councils, NSWALC, AANSW, Crown Lands and Department of Department of Planning, Industry and Environment discuss issues and co-ordinate responses.



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