

## 4. About the NLC

The Northern Land Council is a statutory authority established under the *Aboriginal Land Rights (Northern Territory) Act 1976* representing the Aboriginal people in the north of the Northern Territory. It is also a representative body for the purposes of the *Native Title Act 1993*.

The Land Council has 78 elected members from communities throughout the Land Council's region, and five co-opted women's positions. Elections are held every three years, including the election of a Chairman, a Deputy Chairman and an Executive member representing each of the Land Council's seven regions. The Chairman is a full-time employee of the Council. The term of the ninth Full Council of the Northern Land Council is October 2001 – October 2004.

Full Council Meetings are held twice each year, at which members determine the policy and direction the Land Council is to take and formally approve land use agreements to which traditional Aboriginal owners have given their consent. Executive and Regional Council meetings are held at various places in the regions between Land Council meetings.

The Executive Council is responsible for managing Council business between Full Council meetings. The seven Regional Councils are responsible for decisions over local issues to the extent of their delegated power, and for recommendations to Full Council over other matters.

The Land Council's Chief Executive and staff are responsible for implementing Council decisions on policy direction and fulfilling the statutory responsibilities. The Land Council has regional offices in Palmerston, Katherine, Jabiru, Nhulunbuy, Tennant Creek, Ngukurr, Borroloola and Timber Creek. The head office is in Darwin.

### What the Land Council Must Do

Section 23(1) of the Land Rights Act sets out the functions and responsibilities of the Northern Land Council. They are to:

- find out and express the wishes of Aboriginal people about the management of their land and legislation about their land;
- protect the interests of traditional owners of, and other Aborigines interested in, Aboriginal land;
- assist Aboriginal people to protect sacred sites, whether or not they are on Aboriginal land;
- consult traditional owners and other Aborigines interested in Aboriginal land and land under claim;
- negotiate on behalf of traditional owners with people interested in using Aboriginal land and land under claim;
- assist Aboriginal people claiming land and, in particular, arrange and pay for legal assistance for them;
- keep a register of Land Council members and members of Aboriginal land trusts and descriptions of Aboriginal land;
- supervise and assist Aboriginal land trusts.

In carrying out its functions, the Land Council must consult with traditional owners and other Aborigines with an interest in the land. Landowners must give their consent before the Land Council enters into an agreement, or takes any action affecting their land.

The Land Council also has the statutory responsibilities and duties to:

- attempt to conciliate disputes between Aborigines regarding land matters;
- hold in trust, and distribute to Aboriginal associations, statutory payments from the Aboriginal Benefits Account (ABA) to communities affected by mining operations and income received on behalf of landowners under negotiated agreements;
- process applications for permits to enter Aboriginal land.

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## 4.1 Full Council of the Northern Land Council

The NLC Full Council is divided into seven Regional Councils, each with an Executive member who is also the Regional Council Chair. There are 78 elected members and five co-opted women's positions.

### **EAST ARNHEM (17 members)**

Galiwinku	Dick Munungu
Gunyangarra	Galarwuy Yunupingu
Blue Mud Bay	Jabani Lalara
Blue Mud Bay	Gilbert Marawili
Galiwinku	Johnny Barrmula
Galiwinku	Alfred Wunbaya
Galiwinku	Don Wininba
Gapuwiyak	Wesley BandiBandi
Gapuwiyak	Donald Biningdjirri
Ramingining	Jack Munyarirr
Ramingining	Richard Bandalil
Yirrkala	Banduk Marika
Yirrkala	Dhuwarrwarr Marika
Layna Homelands	Terry Miniyawany Marawili
Milingimbi	Henry Djerrigal
Milingimbi	Alfred Birrinydja
Women's position	Ruth Nunburrurr

### **VICTORIA RIVER DISTRICT**

(7 members)  
Timber Creek

Elaine Watt 5 0 TDi5 -10.5 TD 010855

### **WEST ARNHEM (12 members)**

Cobourg	Reuben Cooper
Minjilang	Mary Yarmirr
Gunbalanya	<i>Vacant</i>
Gunbalanya	Kevin Buliwana
Gunbalanya	Isaiah Burrunali
Kakadu	Mandy Muir
Warruwi	Bunug Galaminda
Warruwi	Jenny Inmulugulu
Maningrida	Helen Williams
Maningrida	Dean Herreen
Maningrida	Charlie Brian
Maningrida	Maurice Geinbabara

### **BORROLOOLA/BARKLY**

(14 members)

Robinson River	Keith Rory
Alexandria	Angus Limmerick
Borrooloola	Leonard Norman
Borrooloola	Roddy Friday
Borrooloola	Roy Hammer
Brunette Downs	Tony Green
Elliott	Kevin Neade
Nicholson River	Michael Barclay
North Barkly	Azman Rory
Muckaty	Amy Lauder
Murrarji	Jeffrey Dixon
Rockhampton Dwn	Gordon Noonan
Wombaya	Max Finlay
Women's position	Nancy McDinny

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## 4.2 Full Council Meetings

81<sup>st</sup> Full Council Meeting at Lake Bennett  
15 – 19 October 2001

82<sup>nd</sup> Full Council Meeting at Crab Claw Island  
27 – 30 May 2002

## 4.3 Executive Council

Galarrwuy Yunupingu - Chairman

John Daly - Deputy Chair, Executive Member Darwin/Daly/Wagait

Bunug Galaminda - West Arnhem

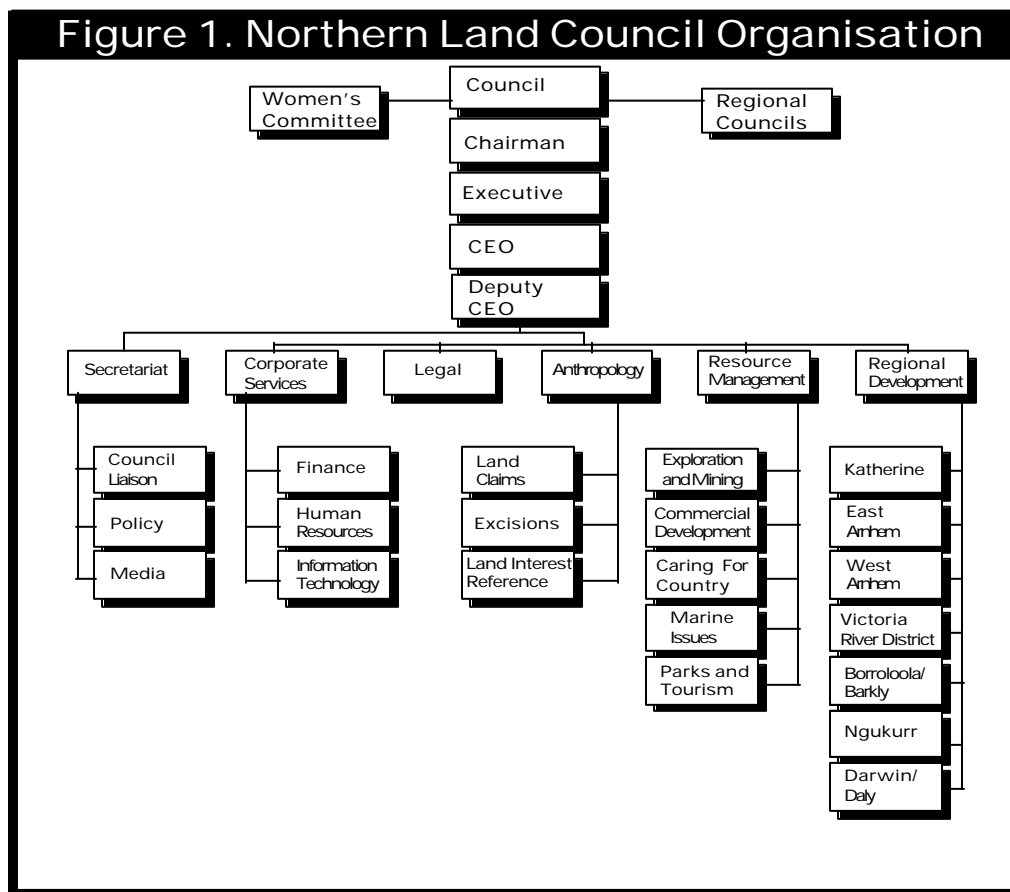
Dhuwarrwarr Marika - East Arnhem

Max Finlay - Borrooloola/Barkly

George Campbell - Victoria River District

Andy Andrews - Katherine

Kevin Rogers - Ngukurr



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## 4.4 Executive Meetings

79<sup>th</sup> Executive Council Meeting in Darwin: 5 September 2001

80<sup>th</sup> Executive Council Meeting in Darwin: 13-14 November 2001

81<sup>st</sup> Executive Council Meeting in Darwin: 5 – 6 February 2002

82<sup>nd</sup> Executive Council Meeting in Darwin: 23 – 24 April 2002

83<sup>rd</sup> Executive Council Meeting in Darwin: 21 May 2002

## 4.5 Women's Committee

The NLC Women's Committee is comprised of all the elected women members of the Full Council and the additional five co-opted women members. The Committee has been formally created as a sub-committee of the Full Council.

Committee members met during the annual Caring for Country Ngalmuka Women's Land Management Conference, held at Gunlom in Kakadu National Park on 4-6 June 2002.

## 4.6 NLC Strategic Plan

The NLC developed its Strategic Plan in 1994/95 after widespread community consultations over a 12-month period.

The Plan has been published and widely distributed to Aboriginal people in the NLC region and is available in both a Plain English and full format at Regional Offices.

### 4.6.1 Land and sea acquisition: "Getting country back"

- A. Secure recognition of Aboriginal interests in land and sea resources.
- B. Acquire land and sea interests to meet the rights, interests and needs of Aboriginal constituents.

### 4.6.2 Land and sea management: "Caring for Country"

- A. In conjunction with traditional owners, assist in the management and development of their land and sea based resources; and
- B. Assist traditional owners who elect not to undertake particular development proposals on their country.
- C. Land disputes conciliation – provide effective support to conciliation of Aboriginal land disputes.

### 4.6.3 Accountability and representation: "Bringing the NLC to the people"

- A: Council membership and procedures: Ensure Council is representative and accountable to constituents.
- B: Regionalisation: Enhance the socio-political position of regional Aboriginal population groupings to enable them to better determine priorities and directions regarding their future.

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#### **4.6.4 Advocacy and networking: “Talking strong for our people”**

- A. Protect and enhance the rights of Aboriginal people in the NLC’s region by representing their views and interests at local, national and international level.
- B. Facilitate entrenchment of Aboriginal legislative and constitutional rights at local and national levels.

#### **4.6.5 Self-Determination: “Making our own decisions”**

Enhance the socio-political autonomy of Aboriginal people in the Northern Territory.

- A. Regional Agreements.
- B. Local governance at community level.
- C. Cultural and social factors.

#### **4.6.6 Economic independence**

Assist Aboriginal people in development which utilises Aboriginal land and sea resources and leads to increased economic independence whilst maintaining resource and cultural integrity.

#### **4.6.7 Education and awareness: “Letting people know”**

Provide information which empowers Aboriginal constituents to make free and informed decisions.

### **4.7 Corporate Governance**

The functions of the NLC’s Audit Committee, whose membership currently includes the CEO, the Chairman, the Finance Manager, the Australian National Audit Office (ANAO) Audit Manager and an external chartered accountant, is being reviewed to ensure that non-financial matters are included in the issues for consideration by this committee. It is anticipated that this will further strengthen the capacity of the NLC to achieve a high standard of corporate governance.

In addition, the ANAO’s current performance audit of the NLC is likely to result in recommendations with regard to other potential enhancements of NLC corporate governance practices. These recommendations will be given full consideration by the NLC once they are received.

### **4.8 Occupational Health & Safety**

Under the *Occupational Health and Safety (Commonwealth Employment) Act 1991* the NLC as a Commonwealth statutory authority has responsibility to take all reasonable and practicable steps to ensure the health and safety of staff. It also has a duty to take all reasonably practicable steps to ensure the health and safety of third parties at or near its workplaces.

The NLC pays an annual premium to the Commonwealth Government’s Workers Compensation Insurer, Comcare, to provide insurance cover for any employees injured on duty.

In recognition of its responsibilities the NLC has an OH&S Committee comprising 12 representatives drawn from all areas of its workforce, including its regional branches. The Committee meets every two months to discuss progress in implementing OH&S policy as stipulated in the OH&S Action Plan, which will also form part of the Certified Workplace Agreement currently being negotiated between NLC management and staff.

Due to the nature of its responsibilities the NLC has a widely dispersed workforce operating in areas which are often remote from hospitals and medical clinics. Many of these areas are also subject to higher-than-average risk of infectious diseases as well as mosquito-borne illnesses.

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Other health risks include sight impairment due to the growing number of staff required to operate screen-based computer equipment for long periods.

#### **4.8.1 Contagious Diseases**

As part of its responsibility towards its employees the NLC is putting in place a preventative health program, arranging inoculations for those who travel to locations where infectious diseases are known or likely to exist. The NLC has sought advice from the Diseases Control Unit at Royal Darwin Hospital and will continue to do so to ensure the program's effective operation.

#### **4.8.2 Eyesight Testing**

All employees who, as an integral part of their duties, are required to operate screen-based equipment for more than two hours a day, are eligible for reimbursement of:

- (i) eyesight tests.
- (ii) the reasonable cost of purchasing spectacles (or contact lenses based on medical evidence) where they are required to perform screen-based duties.

#### **4.8.3 First Aid**

The NLC has made significant progress in expanding its First Aid program over the past 12 months, supplying complete First Aid kits to all regional offices where they did not already exist and setting up a First Aid Committee as a subcommittee of the OH&S Committee.

The First Aid Committee has earmarked the following locations within the NLC area as bases for properly trained First Aid Officers:

Darwin/Daly/Wagait	(1 officer)
Katherine	(1 officer)
Jabiru	(1 officer)
Nhulunbuy	(1 officer)
Head office	(4 officers)

First Aid training will be provided by reputable First Aid training providers (eg Australian Red Cross, St John's Ambulance) to designated NLC staff within the various local areas. It is hoped that all locations will have properly trained officers appointed over the course of 2002/03.

In addition, those employees required to travel to remote locations as part of their duties will also be provided with first aid training for their own safety and well being.

#### **4.8.4 Counselling Services**

During 2001/02 the NLC entered into a contract with the Employee Assistance Services NT Inc (EAS) organisation to provide trauma counselling services to staff and their dependents as and when required, as well as to refer staff on to other facilities where appropriate and monitor employees' progress where relevant.

A 24-hour toll-free 1800 telephone line for individual counselling outside the areas of Darwin, Katherine and Alice Springs has also been provided.

EAS proved its credentials in June 2002 following a tragic helicopter crash in Arnhem Land, which led to the deaths of one NLC representative and one NLC consultant as well as serious injury to a second NLC consultant. EAS's counselling services were invaluable tools in helping staff cope with the tragedy's aftermath.

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## 4.8.5 Accidents and Dangerous Occurrences

During 2001/02 the NLC immediately notified three incidents to Comcare in line with its obligations under Section 68 and Regulation 37 of the OH&S Act. The incidents included one death, one serious injury and one dangerous occurrence. In the case of the serious injury (which took place in August 2001) the employee has returned to work under an approved plan on partial duties and is expected to return to full-time duties within the 2002/03 financial year.

## 4.8.6 Air Quality Investigation

In December 2001 Environmental Health Services performed an air quality test at the Casuarina head office in response to staff concerns regarding a perceived increase in cases of flu and cold within the building.

It was found that there was significant re-circulation of air inside the building (high CO<sub>2</sub> levels) and that adjusting the air dampers would improve the air flow and reduce the CO<sub>2</sub> levels and the amount of recirculated air. The dampers have now been adjusted, and follow-up air quality tests are planned before the end of calendar 2002 to gauge the effectiveness of the adjustments.

## 4.9 Disability Strategy

The NLC is committed to the five key principles contained in the Commonwealth Disability Strategy, being:

- Equity (the right of disabled people to participate in all aspects of the community's life).
- Inclusion (the right of disabled people to access all Commonwealth programs, services and facilities for the disabled).
- Participation (the right to participate on an equal basis in all decision-making processes that affect their lives).
- Access (the ability to access information in appropriate formats about the programs and services disabled people use).
- Accountability (all Commonwealth organisations should be clearly accountable for the provision of their programs, facilities and services for the disabled).

Given the nature of its work the NLC is keenly aware of the need to avoid any type of discrimination in the workplace, and continues to manage on a case-by-case basis those employees suffering either a permanent or temporary disability.

This means the NLC modifies its workplaces where required and offers flexibility on working hours to allow disabled employees the means to maintain the necessary medical treatment and other therapy for their conditions.

More specifically, since September 2001 NLC employees have operated under award conditions which specify supported salary payments for employees with a disability. These conditions (in section 21 of the award) cover assessment of capacity, pay rates and probation periods, as well as workplace and working hours adjustments.

Recruitment agencies and NLC managers have access to copies of the NLC's Enterprise Agreement, which is also available to potential job applicants on request. The NLC's recruitment policy and procedures are currently being revamped to ensure the principles of the *Disability Discrimination Act 1992* are adhered to.

During 2002/03 the NLC will continue to develop a comprehensive set of performance indicators to monitor its progress in implementing the Commonwealth strategy, particularly in regard to its recruitment processes, its training/development programs and its dispute resolution mechanisms. However, given the widely dispersed nature of the NLC's workforce and workplaces, it is anticipated this will be a long-term project.