



**NEW SOUTH WALES ABORIGINAL LAND COUNCIL**

# **Local Aboriginal Land Council Annual Reports Policy**

## Introduction

1. The *Aboriginal Land Rights Act 1983 (ALRA)* requires each Local Aboriginal Land Council (**LALC**) to prepare an Annual Report on its operations. LALC Annual Reports provide LALC members and the NSW Aboriginal Land Council (**NSWALC**) with the information necessary to ensure that the operational environment of each LALC remains open, transparent and accountable.

## Purpose

2. This policy identifies the statutory obligations of LALCs in regards to LALC Annual Reports and stipulates the particulars that are required to be included in Annual Reports on LALC operations.

## Obligations

### **Preparation of LALC Annual Reports**

3. Section 161(1) of the ALRA requires each LALC to produce an Annual Report of its operations for the 12 months ending on 30 June in that year.
4. Section 161(2) of the ALRA requires LALC Annual Reports to be prepared in accordance with any applicable policy of NSWALC.
5. This policy requires LALC Annual Reports to include the following particulars of LALC operations for the reporting year/period:

<b>Management and structure:</b>	<b>The Board</b> <ul style="list-style-type: none"><li>▪ A list of all Board Members that held office during the reporting year, including their names, terms of appointment, attendance at Board meetings and any remuneration paid to them by the LALC.</li></ul> <b>Staff</b> <ul style="list-style-type: none"><li>▪ A list of all staff positions, including sub-committee positions and their key operational responsibilities.</li></ul> <b>Meetings</b> <ul style="list-style-type: none"><li>▪ A list of the dates of all ordinary &amp; extraordinary meetings of the LALC held within the reporting year.</li><li>▪ A list of the dates for all the Board meetings held within the reporting year.</li></ul>
<b>Summary review of operations:</b>	<ul style="list-style-type: none"><li>▪ A narrative summary of the significant operations for the reporting year.</li></ul>
<b>Community Land and Business Plan implementation:</b>	<ul style="list-style-type: none"><li>▪ A report on the implementation of all the objectives and strategies identified within the LALC's Community Land and Business Plan including the following in respect to each:<ul style="list-style-type: none"><li>- Whether the objective or strategy was commenced, underway, completed or at risk of failing within the reporting year; and</li><li>- Any significant activities undertaken within the</li></ul></li></ul>

	<p>reporting year in pursuit of the objective or strategy.</p> <ul style="list-style-type: none"> <li>- Any impediments or risks to achieving the objective or strategy that have arisen within the reporting year.</li> </ul>
<b>Aboriginal Culture &amp; Heritage:</b>	<ul style="list-style-type: none"> <li>▪ Activities undertaken within the reporting year relating to the protection and promotion of Aboriginal Culture &amp; Heritage.</li> </ul>
<b>Community Benefit Scheme (CBS) activities and expenditure:</b>	<ul style="list-style-type: none"> <li>▪ Identify any Community Benefit Scheme operated within the reporting year including the following: <ul style="list-style-type: none"> <li>- The purpose of the scheme;</li> <li>- The number of beneficiaries of the scheme during the reporting year;</li> <li>- The expenditure of the scheme during the reporting year, including the number and amount of any grants made; and</li> <li>- Any associated income generated by the scheme during the reporting year.</li> </ul> </li> </ul>
<b>Land Acquisition, Management and Disposal:</b>	<ul style="list-style-type: none"> <li>▪ The following particulars relating to the property portfolio within the reporting year: <ul style="list-style-type: none"> <li>- A list of any disposals including Lot, DP's, sale value, purpose and details of any family or business association between the purchaser and anyone on the Board or staff of the LALC;</li> <li>- A list of any purchases including Lot and DP's and purchase price;</li> <li>- A list of any land claims granted including Lot and DP's,</li> <li>- A list of all leases over LALC property, whether or not executed within the reporting year, including Lot and DP's and the following details: the lessee, the value and duration of the lease. (short-term residential leases that are not for the purpose of providing for the management of social housing and any lease for under 3 years in total duration, including all options to renew the lease, need not be listed).</li> <li>- Any easements granted in the reporting year including Lot and DP's and details of the terms (value and specifics of the activity);</li> <li>- Any other Land dealings which required NSWALC approval within the reporting year.</li> </ul> </li> </ul>
<b>Related entity activities and expenditure:</b>	<ul style="list-style-type: none"> <li>▪ The following particulars in respect to any entities (as defined by section 52C of the ALRA) which the LALC formed, acquired, operated or managed (or participated in so doing) within the reporting year:</li> </ul>

	<ul style="list-style-type: none"> <li>- Name of the entity.</li> <li>- Management structure, including the names of any Board or staff members of the LALC involved in the management of the entity.</li> <li>- Objectives/purpose of the entity.</li> <li>- The value and date of approval of any assets transferred to the entity that required a members' approval pursuant to s52C of the ALRA.</li> <li>- Operations, activities, performance targets and actual performance measures for the entity.</li> <li>- Any report on the operations of the entity that the entity is required to prepare and provide to the LALC by law.</li> </ul>
<b>Consultants:</b>	<ul style="list-style-type: none"> <li>▪ The following particulars for any consultants engaged by or on behalf of the LALC in the reporting year: <ul style="list-style-type: none"> <li>- The name of the consultant ;</li> <li>- The title of the project or projects; and</li> <li>- Cost (or cumulative cost) of engaging the consultant.</li> </ul> </li> </ul>

### **Provision of the Annual Report to LALC Members**

6. Clause 12(a) of Schedule 1 of the *Aboriginal Land Rights Regulations 2014* requires LALCs (that have not amended the model rule) to present the LALC's Annual Report for receipt at the Annual Meeting of the LALC.

### **Provision of the Annual Report to NSWALC**

7. Section 161 of the ALRA requires each LALC to provide NSWALC with a copy of its Annual Report as soon as practicable after year end for the reporting year, but on or before 1 November.

### **Compliance**

8. It is the responsibility of the LALC to ensure it complies with the ALRA and this policy.

9. Failure to comply with the obligations identified in this policy may be grounds for the cessation of funding under the NSWALC Funding Policy and agreement.

10. Failure to comply with the obligations identified in this policy, including the particulars stipulated in this policy that are to be included in Annual Reports, may provide grounds for the issuance of a compliance direction by the Registrar of the ALRA.

11. Failure to comply with the obligations identified in this policy, including the particulars stipulated in this policy that are to be included in Annual Reports, may provide grounds for the appointment of an advisor, or an investigator to a LALC by the Registrar of the ALRA.