



**Australian Government**  

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**National Archives of Australia**

**Records Authority**  
**2010/00643150**

**Land Councils**

**1 March 2011**

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## INTRODUCTION

The National Archives of Australia has developed this Records Authority; in consultation with Land Councils ('the Councils') to set out the requirements for keeping or destroying records of the Councils. It represents a significant commitment on behalf of the Councils to understand, create and manage the records of its activities.

This Authority is based on the identification and analysis of the business of the Councils. It takes into account the Councils legal and organisational records management requirements, and the interests of stakeholders, the Councils and the National Archives of Australia.

The Authority sets out those records that need to be retained as national archives and specifies the minimum length of time that temporary records need to be kept. This Authority gives the Councils permission under the *Archives Act 1983*, for the destruction of the temporary records described after the minimum retention period has expired. Retention periods for these temporary records are based on: an assessment of business needs; broader organisational accountability requirements; and community expectations, and are approved by the National Archives of Australia on the basis of information provided by the Councils.

As changes in circumstances may affect future records management requirements, the periodic review of this Authority is recommended. All amendments must be approved by the National Archives.

## APPLICATION OF THIS AUTHORITY

1. This Authority supersedes Records Authority (RA) 801 (1991) issued to Northern Land Council and Tiwi Land Council and RA 1326 (1997) issued to the Central Land Council. The superseded RAs can no longer be used to sentence records after the date of issue of this Authority.
2. This Authority applies to Land Councils established under the *Aboriginal Land Rights (Northern Territory) Act 1976*. At the time the Authority is issued it applies to the records of the Northern Land Council, the Central Land Council, the Tiwi Land Council and the Anindilyakwa Land Council. The Authority can be used by Land Councils established under the *Aboriginal Land Rights (Northern Territory) Act 1976* in the future.
3. This Authority is to be used to sentence records. Sentencing involves the examination of records in order to identify the individual disposal class to which they belong. This process enables sentencers to determine how long records need to be kept. Advice on sentencing is available from the National Archives.
4. This Authority should be used in conjunction with general records authorities such as:
  - the Administrative Functions Disposal Authority (AFDA) and/or AFDA Express issued by the National Archives to cover business processes and records common to Australian Government agencies;
  - encrypted records; and
  - source records that have been copied.
5. The Normal Administrative Practice (NAP) provision of the Archives Act gives agencies permission to destroy certain records without formal authorisation. This usually occurs where records are duplicated, facilitative or for short-term use only. NAP does not replace arrangements agreed to in this Authority but can be used as a tool to assist in identifying records for destruction together with an agency's Record Authority or Authorities, and with AFDA and AFDA Express. The National Archives recommends that agencies develop and implement a Normal Administrative Practice policy. Advice and guidance on destroying records as a normal administrative practice and on how to develop an agency NAP policy is available from the National Archives' website at [www.naa.gov.au](http://www.naa.gov.au)

6. Where the method of recording information changes (for example from a manual system to an electronic system, or when information is migrated from one system to a new system) this authority can still be applied, providing the records document the same core business. The information must be accessible for the period of time prescribed in this Authority. The Councils will need to maintain continuing access to the information, including digital information, for the periods prescribed in this records authority or until the information is transferred into the custody of the National Archives.
7. Records coming within 'Retain as national archives' classes in this Authority have been determined to be part of the archival resources of the Commonwealth under section 3C of the Archives Act. The determination of Commonwealth records as archival resources of the Commonwealth obliges agencies to transfer the records to the Archives when they cease to be current and, in any event, within 15 years of the records coming into existence, under section 27 of the Archives Act.
8. In general, retention requirements indicate a minimum period for retention. A Council may extend minimum retention periods if it considers that there is an administrative need to do so, without further reference to the National Archives. Where a Council believes that its accountability will be substantially compromised because a retention period or periods are not adequate, it should contact the National Archives for review of the retention period.
9. From time to time the National Archives will place a freeze on some groups of records relating to a particular topic or event which has gained prominence or provokes controversy. While the freeze is in place no records relating to the topic or event may be destroyed. Further information about disposal freezes and whether they affect the application of this Authority is available from the National Archives website at [www.naa.gov.au](http://www.naa.gov.au)
10. Records which relate to any current or pending legal action, or are subject to a request for access under the *Archives Act 1983* or any other relevant Act must not be destroyed until the action has been completed.
11. Records in the care of agencies should be appropriately stored, managed and preserved. Agencies need to meet this obligation to ensure that the records remain authentic and accessible over time. Under Section 31 of the *Archives Act 1983*, access arrangements are required for records that become available for public access including those records that remain in agency custody.
12. Appropriate arrangements should be made with the National Archives when records are to be transferred into custody. The National Archives accepts for transfer only those records designated as national archives.
13. Advice on how to use this Authority is available from the Councils records managers. If there are problems with the application of the Authority that cannot be resolved, please contact the National Archives.

## CONTACT INFORMATION

For assistance with this authority or for advice on other records management matters, please contact National Archives' Agency Service Centre.

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## AUTHORISATION

RECORDS AUTHORITY 2010/00643150

**Person to whom notice of authorisation is given:**

Heads of the Land Councils established under the *Aboriginal Land Rights (Northern Territory) Act 1976*.

**Purpose:**

Authorises arrangements for the disposal of records in accordance with section 24(2)(b) of the Archives Act 1983.

Determines records classed as 'Retain as national archives' in this Records Authority to be part of the archival resources of the Commonwealth under section 3C of the Archives Act 1983.

**Application:**

All core business records relating to:

- Advocacy Management
- Economic Development and Commercial Services Management
- Land and Sea Claims and Acquisitions Management
- Land Council Management
- Land, Sea and Natural Resources Management
- Land Trust Administration
- Native Title Management

This authorisation gives permission for the destruction, retention or transfer to the National Archives of Australia of the records described. The authority will apply only if these actions take place with the consent of the agency responsible for the core business documented in the records.

**Authorising Officer**

**Date of issue:**



1 March 2011.

Ross Gibbs  
Director-General  
National Archives of Australia

## ADVOCACY MANAGEMENT

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The core business of maintaining and strengthening the relationship between Land Councils and Aboriginal people and communities in their region and elsewhere. Includes making the public aware of the policies and views of the Aboriginal people; providing an advocacy role at the regional, national and international level and providing cultural and heritage support for the maintenance and protection of Aboriginal laws, values and sacred land and sea sites and objects identified by Aboriginal custodians. Also includes running community development programs and projects to build capacity within Aboriginal communities.

Core business activities undertaken to **raise public awareness** including:

- distributing information at community forums, festivals and events;
- developing and displaying exhibitions;
- producing information and educational resources; and
- liaising with the media, providing press releases, briefings and information.

Core business activities undertaken to provide **advocacy and representation services** including:

- consulting with Aboriginal people to seek their views and wishes;
- identifying issues expected to impact on Aboriginal people;
- making submissions to parliamentary inquiries;
- monitoring issues of importance to Aboriginal people;
- participating in national and international forums, debates and committees; and
- making submissions to Territory and Commonwealth governments.

Core business activities undertaken to **provide cultural and heritage support and protection** including:

- assisting groups to make decisions in accordance with Aboriginal traditions;
- managing ceremony and funeral funds;
- documenting sites including reporting on damage to sacred site;
- seeking grant funding and managing spending and acquittal of funds;
- identifying traditional owners;
- protecting sacred sites and objects;
- issuing sacred site clearance certificates;
- assisting with the repatriation of sacred objects and Aboriginal skeletal remains; and
- responding to queries and certification of aboriginality.

Core business activities undertaken to run **community development programs and projects** including:

- consulting with Aboriginal people seeking their views on program and project proposals;
- planning and supporting community development programs and projects;
- entering into agreements; and
- supporting Aboriginal groups and organisations to work in their communities.

The performance of the core business is supported by **administrative activities** such as:

- making arrangements to support journeys and visits;
- auditing;
- managing meetings and committees;
- planning, reporting and reviewing;
- managing programs and projects;
- developing policies and procedures; and
- managing risk.

## ADVOCACY MANAGEMENT

For the Register of Traditional Owners, use LAND AND SEA CLAIMS AND ACQUISITIONS MANAGEMENT – class 21850.

For impact studies carried out on significant economic and commercial projects and developments, use ECONOMIC DEVELOPMENT AND COMMERCIAL SERVICES MANAGEMENT – class 21846 and for impact statements relating to land, sea and natural resource projects use, LAND, SEA AND NATURAL RESOURCES MANAGEMENT – class 21854.

For managing financial arrangements to support the distribution of funds for advocacy services, use AFDA/AFDA Express - FINANCIAL MANAGEMENT.

For publishing activities (including print, electronic eg website, audio visual) undertaken to support the advocacy services core business, use AFDA/AFDA Express - PUBLICATION.

For engaging consultants to undertake work to support the core business, use AFDA/AFDA Express - PROCUREMENT.

Class No	Description of records	Disposal action
21844	<p>The following <b>significant records</b>, documenting the advocacy management core business:</p> <ul style="list-style-type: none"> <li>• advocacy <u>policies</u>;</li> <li>• records of <u>consultations with Aboriginal people about issues with far reaching consequences to their rights, welfare and for safeguarding traditions, including resolving disputes</u>;</li> <li>• <u>media releases</u>;</li> <li>• <u>reports on the outcomes</u> of community development projects and programs;</li> <li>• records supporting the <u>repatriation of sacred objects and Aboriginal skeletal remains</u>;</li> <li>• records documenting and supporting the <u>protection of sacred sites and objects</u> (eg sacred site clearance certificates and supporting documentation) including reports on damage;</li> <li>• <u>anthropological records</u> supporting advocacy activities;</li> <li>• <u>social impact assessments</u>;</li> <li>• <u>certificates of aboriginality</u>;</li> <li>• <u>committee and meeting records</u> dealing with issues of far reaching impact on the rights, welfare and safeguarding traditions, including national and international committees;</li> <li>• <u>submissions</u> made to government authorities and inquiries;</li> <li>• <u>exhibition documentation</u> showing aspects of aboriginal history, culture and life eg layout, text, copies of photographs and documents used;</li> <li>• <u>records confirming traditional ownership</u>; and</li> <li>• <u>major reviews</u> of the core business.</li> </ul>	Retain as national archives
21845	<p>Other records, including:</p> <ul style="list-style-type: none"> <li>• <b>routine operational administrative tasks</b> supporting the core business, and</li> <li>• <b>routine advocacy management activities other than those covered in class 21844.</b></li> </ul>	Destroy 7 years after action completed

## ECONOMIC DEVELOPMENT AND COMMERCIAL SERVICES MANAGEMENT

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The core business of assisting Aboriginal landowners to develop the economic potential of their land and sea rights through leases and negotiated agreements with interested parties and the development of Aboriginal enterprises. Also includes negotiated agreements to deliver the provision of public utilities to Aboriginal communities. Includes consulting with Aboriginal people about proposals and negotiating agreements on behalf of traditional owners with people interested in using Aboriginal land or for the delivery of public utilities. Also includes royalty/compensation negotiations and renegotiations and the management and distribution of royalty/compensation payments. Covers the exploration for minerals and petroleum and issuing licences to allow these activities to occur. Also covers the provision of education and training services and securing employment for Aboriginal people.

Core business activities undertaken to secure **land use agreements and leases** (including pastoral agreements) including:

- consulting with traditional owners to determine their views on land use agreement/lease proposals;
- providing advice to traditional Aboriginal owners on agreement/ lease and Memoranda of Understanding (MOU) proposals;
- negotiating and developing land use agreements including royalty/compensation distribution arrangements, leases and MOUs. Includes assessing proposals and seeking further information eg obtaining an environmental study or an expert analysis;
- publishing notices of agreement in the Gazette;
- monitoring agreements/ leases, MOU's;
- royalty/compensation distribution; and
- resolving disputes between Aboriginal groups about the land.

Core business activities undertaken to deliver **public utilities** to Aboriginal communities including:

- consulting with traditional owners to determine their views on requirements for public utilities;
- negotiating and developing public utilities agreements;
- advising Land Trust of agreements; and
- monitoring and reviewing agreements.

Core business activities undertaken to support **mining and exploration** including:

- consulting and advising traditional Aboriginal owners on exploration licence applications and mineral lease and petroleum permits;
- negotiating in response to instructions regarding exploration licences and petroleum permits;
- providing anthropological, legal and technical support for consultation meetings;
- conducting on-country surveys to identify land related matters;
- assessing proposals, including undertaking impact studies, preparing environmental and social input reports, and examining cost and benefits;
- monitoring exploration work programs on Aboriginal land to ensure agreement and legislative compliance;
- liaising with mining companies to promote effective working relationships; and
- representing traditional owners at technical committees and discussions including planning arrangement for the closure and rehabilitation of mines.

Core business activities undertaken to support **commercial ventures** including:

- consulting with traditional owners to ascertain their wishes
- undertaking anthropological assessments and feasibility studies;
- seeking grant funding and managing spending and acquittal of funds;
- managing programs and projects to support and develop the capacity of Aboriginal people; and
- negotiating agreements and MOUs to support commercial ventures.

## ECONOMIC DEVELOPMENT AND COMMERCIAL SERVICES MANAGEMENT

Core business activities undertaken to provide **training and education** services including:

- providing training for Aboriginal people;
- providing a job placement service;
- providing long term mentoring support;
- seeking grant funding and managing spending and acquittal of funds;
- supporting conference attendance; and
- developing employment policies and strategies.

The performance of the core business is supported by **administrative activities** such as:

- making arrangements to support journeys and visits;
- auditing;
- managing meetings and committees;
- planning, reporting and reviewing;
- developing policies and procedures; and
- managing risk.

*For entry and transit permits, use LAND, SEA AND NATURAL RESOURCES MANAGEMENT – classes 21854, 21855 or 21856.*

*For the management and distribution of income derived from Land Use Agreements, use AFDA/AFDA Express - FINANCIAL MANAGEMENT.*

*For the engagement of consultants to undertake work to support the core business, use AFDA/AFDA Express - PROCUREMENT.*

Class No	Description of records	Disposal action
21846	<p>The following <b>significant records</b> documenting the economic development and commercial services management core business:</p> <ul style="list-style-type: none"> <li>• <u>economic development and commercial services policies</u>;</li> <li>• <u>anthropological research</u> supporting <u>all</u> projects and programs;</li> <li>• <u>performance and audit records</u> relating to the operations of <u>all</u> agreements, MOUs and licences; and</li> <li>• <u>reports on the outcomes</u> of <u>all</u> programs and projects;</li> </ul> <p>and the following records of <b>programs and projects that deliver significant economic development opportunities and benefits, including significant mining and petroleum ventures</b>:</p> <ul style="list-style-type: none"> <li>• negotiations and consultations records (including royalty/compensation distribution arrangements) and supporting documents (including permits and surveys), used to develop, review and renegotiate <u>agreements, MOUs and exploration licences</u> (including final copies);</li> <li>• <u>environmental and social impact studies</u>,</li> <li>• <u>advice</u>, including technical input about <u>mining proposals, surveys and changes to mining management plans</u>;</li> <li>• <u>records of technical committees and discussions</u> relating to the operations of significant mining ventures;</li> </ul> <p>and for <b>all mining operations</b>:</p> <ul style="list-style-type: none"> <li>• records documenting <u>consultations, agreements, planning and environmental assessments relating to the closure and rehabilitation of mines</u>;</li> </ul>	Retain as national archives

***Class 21846 continued on next page***

# ECONOMIC DEVELOPMENT AND COMMERCIAL SERVICES MANAGEMENT

Class No	Description of records	Disposal action
21846 (con't)	<ul style="list-style-type: none"> <li>• <u>final copies of agreements/MOUs and exploration licences signed under seal</u>; and</li> <li>• records documenting <u>long standing and complex disputes about land</u>.</li> </ul> <p><i>[For all mining permits, use LAND, SEA AND NATURAL RESOURCE MANAGEMENT – class 21854.</i></p> <p><i>For records of economic development and commercial services management programs and projects <u>not considered</u> to deliver significant economic development opportunities and benefits, including mining operations, use ECONOMIC DEVELOPMENT AND COMMERCIAL SERVICES MANAGEMENT – class 21849.</i></p> <p><i>For records supporting the management of mining royalty/compensation distributions for programs and projects <u>not considered</u> to deliver significant economic development opportunities and benefits, use ECONOMIC DEVELOPMENT AND COMMERCIAL SERVICES MANAGEMENT – class 21847.</i></p> <p><i>For the administration and distribution of payments other than mining royalties/compensation eg land use payments, lease payments, use ECONOMIC DEVELOPMENT AND COMMERCIAL SERVICES MANAGEMENT – class 21849].</i></p>	Retain as national archives
21847	<p>Records relating to management of <b>mining royalty/compensation distributions</b>:</p> <ul style="list-style-type: none"> <li>• <u>negotiations and renegotiations</u> (other than those covered in class 21846);</li> <li>• <u>financial deposits to the Land Trust Account</u>;</li> <li>• <u>audits</u>;</li> <li>• <u>annual review of distribution arrangements</u>, and</li> <li>• <u>distributions</u>.</li> </ul> <p><i>[For records relating to royalty/compensation negotiations and renegotiations for projects and programs considered to <u>deliver significant economic development opportunities and benefits</u>, including significant mining ventures, use ECONOMIC DEVELOPMENT AND COMMERCIAL SERVICES MANAGEMENT – class 21846.</i></p> <p><i>For the administration and distribution of payments other than mining royalties/compensation eg land use payments, lease payments, use ECONOMIC DEVELOPMENT AND COMMERCIAL SERVICES MANAGEMENT – class 21849.]</i></p>	Destroy 50 years after the life of the mine
21848	<p>Records supporting the <b>issuing of exploration licences and petroleum permits</b> (other than those covered in class 21846).</p> <p><i>[For copies of licences and permits that are used to support agreements that <u>deliver significant economic benefits</u>, use ECONOMIC DEVELOPMENT AND COMMERCIAL SERVICES MANAGEMENT – class 21846.]</i></p>	Destroy 20 years after action completed
21849	<p>Other records, including:</p> <ul style="list-style-type: none"> <li>• <b>routine operational administrative tasks</b> supporting the core business, and</li> <li>• <b>routine economic development and commercial services management activities other than those covered in classes 21846 to 21848.</b></li> </ul>	Destroy 7 years after action completed

## LAND AND SEA CLAIMS AND ACQUISITIONS MANAGEMENT

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The core business of providing legal and general assistance to traditional Aboriginal owners making claims to secure recognition of Aboriginal interests in land and sea resources under the *Aboriginal Land Rights (Northern Territory) Act 1976* for unalienated Crown Land. Covers making applications for Community Living Areas under the Northern Territory *Pastoral Land Act 1992*, making request to the Indigenous Land Corporation to purchase land on behalf of Aboriginal people and entering into joint agreements for managing national parks and reserves.

Activities undertaken to make a **land/ sea claim** under the *Aboriginal Land Rights (Northern Territory) Act 1976* including:

- developing a claim proposal and submission;
- developing and maintaining Site Registers;
- consulting and advising traditional owners;
- undertaking anthropological research;
- producing land claim documents (submission, genealogies, person particulars, site map, site registers)
- holding proofing meetings;
- negotiating with lessees and Territory Government;
- attending and providing assistance to Aboriginal claimants at hearings before Land Commissioner, Federal Court and High Court;
- undertaking boundary surveys supported by consultations to ensure sacred sites are not disturbed;
- appealing decisions;
- assisting in formation of Land Trusts to hold title of land; and
- facilitating a hand over ceremony.

Activities undertaken to make an **application for a grant of a Community Living Area (CLAs)** under the *Pastoral Land Act 1992* including:

- preparing Community Living Area applications;
- consulting with and advising traditional owners;
- negotiating with lessees;
- supporting cadastral surveys; and
- managing appeals.

Activities undertaken to **purchase land through funding bodies** including:

- making applications on behalf of traditional Aboriginal owners to funding bodies (eg Indigenous Land Corporation) about the purchase of land;
- negotiating for pastoral lessees; and
- providing legal advice and undertaking conveyancing transactions.

The performance of the core business is supported by **administrative activities** such as:

- making arrangements to support journeys and visits;
- auditing;
- managing meetings and committees;
- planning, reporting and reviewing;
- developing policies and procedures; and
- managing risk.

For entry and transit permits, use LAND, SEA AND NATURAL RESOURCES MANAGEMENT – classes 21854, 21855 or 21856.

For the administration of Land Trusts, use LAND TRUST ADMINISTRATION.

For the engagement of consultants to undertake work to support the core business, use AFDA/AFDA Express - PROCUREMENT.

## LAND AND SEA CLAIMS AND ACQUISITIONS MANAGEMENT

Class No	Description of records	Disposal action
21850	<p>The following <b>significant records</b> documenting the land and sea claims and acquisitions management core business:</p> <ul style="list-style-type: none"><li>• <u>Register of traditional Aboriginal owners</u> including names, maps and indication of sites (<u>Site Registers</u>);</li><li>• <u>land and sea claim proposals, applications and related documents</u> including records of consultations, surveys, anthropological research, legal advice and court proceedings and determinations;</li><li>• <u>Community Living Area (CLA) grant applications</u> and supporting consultation and negotiation records, and supporting research and surveys;</li><li>• <u>negotiation, consultation and legal records</u> supporting the purchase of land;</li><li>• <u>final approved claims and grants</u>;</li><li>• records supporting the establishment of <u>Land Trusts</u>;</li><li>• <u>appeal records</u> against land and sea claims and CLA decisions;</li><li>• records of <u>handover ceremonies</u>; and</li><li>• <u>land and sea claims and acquisitions management policies</u>.</li></ul>	Retain as national archives
21851	<p>Other records, including:</p> <ul style="list-style-type: none"><li>• <b>routine operational administrative tasks</b> supporting the core business; and</li><li>• <b>routine land and sea claims and acquisitions management activities other than those covered in class 21850.</b></li></ul>	Destroy 7 years after action completed

## LAND COUNCIL MANAGEMENT

The core business of managing the activities of Land Councils, Regional and Executive bodies and their committees. Covers secretariat duties including managing meetings, organising travel, arranging allowances and remuneration for duties performed and organising training to assist members' carry out governance activities. Includes supporting nominations and elections to the full Land Councils.

Core business **land council management** activities including:

- supporting the development of addresses (presentations);
- making arrangements to support the conduct of meetings, including making travel arrangements;
- delegating powers;
- taking out members' insurance and managing claims;
- developing policies and procedures and rules to support effective governance activities of the Land Councils, Executive Councils and Regional Councils;
- managing meetings of Land Councils, Regional and Executive bodies and their committees;
- managing nominations and elections;
- administering members' remuneration arrangements;
- arranging inspections of the minutes and rules by traditional owners and Aboriginal people living in Land Council area; and
- supporting governance training requirements of Land Council members.

*For the administration of the Land Trusts' use, LAND TRUST ADMINISTRATION.*

*For the broad systematic management and planning of Land Councils, use AFDA/AFDA Express - STRATEGIC RELATIONS.*

*For managing the formal relationships between the government and Land Councils not covered in this authority, use AFDA/AFDA Express - GOVERNMENT RELATIONS.*

*For the management of Land Council finances, use AFDA/AFDA Express - FINANCIAL MANAGEMENT.*

Class No	Description of records	Disposal action
21852	<p>The following <b>significant records</b> documenting the Land Council management core business:</p> <ul style="list-style-type: none"> <li>• <u>addresses</u> made by Land Council Chairpersons;</li> <li>• <u>advice received from and provided to the Minister</u>;</li> <li>• <u>members files of Chairpersons and significant Councillors</u>;</li> <li>• <u>minutes of meetings and supporting records</u> (agenda papers, reports, briefs etc prepared for the meeting) of Land Councils, Regional and Executive bodies, and their committees;</li> <li>• <u>Land Council membership register</u>;</li> <li>• <u>Register of Interests</u> of Land Council members; and</li> <li>• <u>policies</u> and <u>procedures</u> and <u>rules</u> setting the framework for the effective operations of the Land Councils', Executive Councils, Regional Councils and Committees of Council (eg Code of Conduct; procedural manuals, Service Charters).</li> </ul>	Retain as national archives
21853	<p>Other records, including:</p> <ul style="list-style-type: none"> <li>• <b>routine operational administrative tasks</b> supporting the core business, and</li> <li>• <b>routine land council management activities other than those covered in class 21852.</b></li> </ul>	Destroy 7 years after action completed

## LAND, SEA AND NATURAL RESOURCES MANAGEMENT

The core business of providing information and support to Aboriginal landowners to enable them to manage their land and sea and natural resources in a sustainable, productive and culturally appropriate manner. Includes managing the issuing of permits to access and remain on Aboriginal land. Also includes managing input from specialised agencies; supporting community management programs and projects aimed at protecting and improving the environment and finding project partners through negotiated joint management agreements, Memoranda of Understanding and contractual arrangements. Covers joint management arrangements of national parks, the employment of Aboriginal rangers and input into management plans representing the interests of traditional landowners.

Core business **land, sea and natural resources management** activities including:

- administering permit system;
- representing traditional owner aspirations;
- consulting and advising traditional owners;
- supporting environmental, cultural and natural resource programs and projects;
- seeking grant funding and managing spending and acquittal of funds;
- negotiating joint management agreements, MOUs and contractual arrangements;
- monitoring lease compliance;
- arranging training for traditional owners; and
- holding forums and workshops.

The performance of the core business is supported by **administrative activities** such as:

- making arrangements to support journeys and visits;
- auditing;
- managing meetings and committees;
- planning, reporting and reviewing;
- developing policies and procedures; and
- managing risks.

*For the maintenance and protection of sacred sites, use ADVOCACY MANAGEMENT – class 21844.*

*For the engagement of consultants to undertake work to support the core business, use AFDA/AFDA Express - PROCUREMENT.*

*For managing financial transactions supporting the core business use, AFDA/AFDA Express - FINANCIAL MANAGEMENT.*

Class No	Description of records	Disposal action
21854	<p>The following <b>significant records</b> documenting the land, sea and natural resources management core business:</p> <ul style="list-style-type: none"> <li>• <u>land, sea and natural resources management policies and protocols</u>;</li> <li>• records of negotiations, consultations, anthropological research, social impact studies and other records supporting the development and review of <u>agreements</u>, <u>MOUs</u> and <u>contractual arrangements</u> that will deliver significant economic development opportunities and benefits;</li> <li>• <u>final approved agreements, MOUs and contracts</u>;</li> <li>• <u>mining entry permits</u>;</li> <li>• <u>media and photographic entry permits for controversial or significant projects or undertaken by a well known researcher</u>;</li> <li>• <u>entry permits</u> and supporting records where <u>litigation</u> has occurred; and</li> <li>• <u>reviews</u> and <u>reports on programs and agreement outcomes</u>.</li> </ul>	Retain as National Archives

**Class 21854 continued on next page**

## LAND, SEA AND NATURAL RESOURCES MANAGEMENT

Class No	Description of records	Disposal action
21854 (con't)	<p><i>[For records of negotiations, consultations, anthropological research and other records supporting the development and review of agreements, MOUs and contractual arrangements that will deliver <u>no significant</u> economic development opportunities and benefits, use LAND, SEA AND NATURAL RESOURCE MANAGEMENT – class 21856.</i></p> <p><i>For media and photographic permits issued to support projects <u>not expected</u> to be controversial or significant, or undertaken by a well known researcher, use LAND, SEA AND NATURAL RESOURCE MANAGEMENT – class 21856].</i></p> <p><i>[For other entry permits not covered in this class, use LAND, SEA AND NATURAL RESOURCE MANAGEMENT – class 21856].</i></p>	Retain as National Archives
21855	<b>Transit permit applications.</b>	Destroy 2 years after action completed
21856	<p>Other records, including:</p> <ul style="list-style-type: none"> <li>• <b>routine operational administrative tasks</b> supporting the core business, and</li> <li>• <b>routine land, sea and natural resources management activities other than those covered in classes 21854 and 21855.</b></li> </ul>	Destroy 7 years after action completed

## LAND TRUST ADMINISTRATION

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The core business of providing administrative support to Land Trusts. Includes providing secure storage for Deeds of Grant in Trust and Common Seals, keeping registers of agreements and ensuring that Land Trust membership is up to date and complies with the *Aboriginal Land Rights (Northern Territory) Act 1976* and supporting other administrative activities of the Land Trust.

Core business **Land Trust administration** activities including:

- maintaining register of agreements, Deeds of Grant and common seals;
- maintaining Land Trust membership register;
- liaising with Land Trust members to ensure Land Trust membership is up-to-date;
- undertaking consultations (eg on Trust membership) and seeking Ministerial appointment of nominees;
- ensuring compliance with the *Aboriginal Land Rights (Northern Territory) Act 1976*;
- keeping the Common Seal of the Land Trust; and
- arranging for secure storage for agreements and legal documents for the Land Trust.

*For records relating to the establishment of Land Trusts, use LAND AND SEA CLAIMS AND ACQUISITIONS MANAGEMENT – class 21850.*

*For the register of traditional owners, use LAND AND SEA CLAIMS AND ACQUISITIONS MANAGEMENT – class 21850.*

For the negotiation and renegotiation of royalty/compensation arrangements and the management of royalties paid into the Land Trust Account, use ECONOMIC DEVELOPMENT AND COMMERCIAL SERVICES MANAGEMENT – classes 21846 or 21847.

Class No	Description of records	Disposal action
21857	<p>The following <b>significant records</b> documenting the Land Trust administration core business:</p> <ul style="list-style-type: none"> <li>• <u>Registers of agreements, Deeds of Grant and common seals</u>;</li> <li>• <u>membership records</u> (Land Trust membership register and records supporting appointments, resignations, terminations); and</li> <li>• <u>amalgamation and variation of boundary records</u>.</li> </ul>	Retain as national archives
21858	<p>Other records, including:</p> <ul style="list-style-type: none"> <li>• <b>routine operational administrative tasks</b> supporting the core business; and</li> <li>• <b>routine Land Trust administration activities other than those covered in class 21857.</b></li> </ul>	Destroy 7 years after action completed

## NATIVE TITLE MANAGEMENT

The core business of acting as a Representative Body under the *Native Title Act 1993*, facilitating research, consultations and negotiations and applying to the Federal Court for determinations of native title over land and sea waterways and managing subsequent engagement with the National Native Title Tribunal (NNNT). Also includes the provision of assistance in negotiating and developing applications for Indigenous Land Use Agreements (ILUA) and future act agreements, lodging appeals against determinations and seeking compensation for acts affecting native title. Includes work undertaken to resolve disputes with Aboriginal groups over claims and agreements.

Core business activities undertaken by Land Councils in making or responding to applications to Federal Court for **determinations of native title** including:

- researching and preparing applications for land and sea claims;
- facilitating mediation to resolve disputes;
- carrying out consultations;
- undertaking anthropological and other research to support the application;
- providing legal advice;
- lodging applications in the Federal Court;
- participating in NNNT inquiries/consultations/meditations/trials;
- managing appeals against determinations to Federal or High Courts; and
- managing compensation claims.

Core business activities undertaken by Land Councils in making or responding to applications for **Indigenous Land Use Agreements** (ILUAs) including:

- identifying a need for an ILUA;
- identifying the type of ILUA required;
- identifying all interested parties;
- undertaking anthropological and other research to support the application;
- carrying out consultations;
- facilitating mediation to resolve disputes;
- providing legal advice;
- making application to NNNT;
- addressing any problems in the initial NNNT compliance check; and
- participating in NNNT actions to resolve objections.

Core business activities undertaken by Land Councils in making or responding to **Future Act 'expedited procedure objection' applications** and including:

- notifying native title claimants of future acts that may impact on native title rights and interests;
- seeking and providing legal support;
- developing and lodging future act applications/ expedited procedure objection application;
- undertaking geospatial, anthropological, historical, linguistic and other research to support the application;
- carrying out consultations;
- facilitating mediation, arbitration and inquiries to resolve disputes;
- liaising with NNNT throughout the process;
- facilitating finalisation of applications by means other than reaching agreement or arbitration; and
- managing appeals.

The performance of the core business is supported by **administrative activities** such as:

- making arrangements to support journeys and visits;
- compliance monitoring;
- planning, reporting and reviewing processes and outcomes; and
- developing policies and procedures.

For the engagement of consultants to undertake work to support the core business, use AFDA/AFDA Express -PROCUREMENT.

## NATIVE TITLE MANAGEMENT

Class No	Description of records	Disposal action
21859	<p>The following <b>significant records</b> documenting the Native Title management core business relating to the development, lodgement and processing of <b>native title determination applications, indigenous land use agreements</b> and <b>future act applications</b>:</p> <ul style="list-style-type: none"> <li>• <u>applications</u>;</li> <li>• <u>supporting documentation</u> eg anthropological research and surveys;</li> <li>• records of <u>meetings</u> and <u>consultations</u>;</li> <li>• records of <u>dispute resolution</u> and <u>mediation activities</u>;</li> <li>• records of <u>court proceedings</u>;</li> <li>• final <u>determination</u>;</li> <li>• records of <u>appeals</u> and <u>reviews</u>;</li> <li>• records supporting <u>compensation claims</u>; and</li> <li>• <u>legal advice</u>;</li> </ul> <p>and the following <b>significant administrative records</b>:</p> <ul style="list-style-type: none"> <li>• <u>policies</u> and <u>procedures</u> for conducting consultations and making applications;</li> <li>• <u>compliance</u> reporting;</li> <li>• <u>registration lodgements</u> (consent determinations); and</li> <li>• <u>evaluations</u> and <u>reviews</u> of Native Title processes.</li> </ul>	Retain as national archives
21860	<p>Other records, including:</p> <ul style="list-style-type: none"> <li>• <b>routine operational administrative tasks</b> supporting the core business, and</li> <li>• <b>routine native title management activities other than those covered in class 21859.</b></li> </ul>	Destroy 7 years after action completed