



EXECUTIVE MINUTE

On

JOINT COMMITTEE OF PUBLIC ACCOUNTS AND

AUDIT REPORT

[NO.22]

[Inquiry into Commonwealth Financial Statements 2023-24]

General comments:

The finding on the Anindilyakwa Land Council (ALC) in the Auditor- General Report No.22 of 2024-25 *Audits of the Financial Statements of Australian Government Entities for the Period Ended 30 June 2024*, relates to progress in addressing recommendations arising from the Auditor-General report No.29 2022-23 *Governance of the Anindilyakwa Land Council* with respect to corporate governance and compliance with the PGPA Act.

Recommendation No:

Given the significant and/or moderate findings raised against Anindilyakwa Land Council in the report, the Committee requests a submission to the inquiry from your agency by Friday, 5 December 2025.

Summary of response:

Agreed





Supporting rationale:

In 2023 the Australian National Audit Office (ANAO) released its performance audit titled *Governance of the Anindilyakwa Land Council*. The report found that ALC's governance arrangements under the *Aboriginal Land Rights (Northern Territory) Act 1976* (ALRA) and the *Public Governance, Performance and Accountability Act 2013* (PGPA) were partly effective and made 15 recommendations for the ALC to strengthen governance practices.

To assess the effectiveness of these responses, an independent interim review was conducted by Bellchambers Barrett in 2024 (interim review). The interim review evaluated whether the ALC's completed and planned actions met the intent of the ANAO recommendations and identified additional opportunities to further enhance governance practices beyond those recommended in the ANAO report.

The interim review acknowledged ALC's progress in addressing the recommendations, and highlighted areas to further strengthen governance and embed enhancements into standard practice. It also proposed additional actions to support the ALC in prioritising, enhancing and fully implementing the recommendations. In response, the ALC undertook a comprehensive reassessment of all recommendations, including reopening recommendations that were previously closed, and committed to implementing the additional actions suggested in the interim review. The ALC also accepted the four enhanced recommendations that were made.

Following the release of the interim review, Minister for Indigenous Australians, Senator the Hon Malarndirri McCarthy, placed a temporary hold on the ALC's budget, pending the resolution of six high priority recommendations.

Following the interim review the ALC has been working closely with National Indigenous Australians Agency (NIAA) to support the implementation of the recommendations. This collaboration includes monthly formal meetings where NIAA provides guidance and feedback to ensure ALC's actions align with the intent of the recommendations.

In addition, the ALC established a robust recommendation closure procedure, which includes:

- Review and endorsement (or further direction) of the recommendation closure report by the ALC's Finance, Audit and Risk Committee.
- Final review and approval (or further direction) by the ALC Board.

This structured process, combined with ongoing support from the NIAA, has enabled the ALC to make significant improvements to its governance framework.





As a result of these efforts, the six high-priority recommendations were successfully addressed and closed in November 2024, leading to the release of ALC’s budget by Minister McCarthy.

As of 4th December 2025, the ALC has addressed and closed 10 of the 15 recommendations, and all four of the enhanced recommendations. Table 1 presents a summary of the closed recommendations and Table 2 presents a summary of the open recommendations.

*The priority for implementation has been assessed based on key ANAO recommendations to support ALC strengthening its governance, transparency and the management of conflicts of interest (Bellchambers Barrett, 2024, p.6).

Table 1: Closed recommendations.

Closed Recommendations		Priority*	Completion Progress
2	Governance arrangements documented.	High	100%
3	Council roles and responsibilities and training.	High	100%
4	CEO recruitment, employment conditions, performance management and remuneration.	High	100%
5	Accessibility of Council and Finance Committee meeting rules and Minutes.	Lower	100%
6	Conduct Council and Finance Committee meetings in accordance with the rules to support effective discussions and decision-making.	Lower	100%
9	Explanation of the risks, costs and benefit of land use proposals to stakeholders.	Lower	100%
10	Royalty equivalents distribution process.	High	100%
13	Conflict of Interest Management Plans for staff. Assessment of management plans for the former Chair’s and CEO’s interests.	High	100%
14	Enhance the performance measures framework	Lower	100%
15	Independence of the Audit Committee Chair. Effectiveness of the Audit Committee.	High	100%





Enhanced Recommendations			
1	Conflict of Interest- Assessment, monitoring and management strategies for roles with ALC and other related party entities/ORICs.		100%
2	Remuneration, benefits and related party transactions, including ORICs- Board and Management visibility.		100%
3	Independent Board Advisor Role		100%
4	Establish closure process for ANAO recommendations		100%

Table 2: Open recommendations.

Open Recommendations		Priority*	Completion Progress
1	Develop delegation instruments.	Lower	75%
7	Administration and monitoring of Section 19 and Part IV agreements.	Lower	87%
8	ALC and Anindilyakwa Royalties Aboriginal Corporation (ARAC) assurance mechanisms for contracted employees.	Lower	25%
11	Regular and mandatory training on governance functions.	Lower	87%
12	Comply with the Commonwealth fraud rule	Lower	75%





Anindilyakwa
Land Council



The ALC is committed to full implementation of the remaining recommendations and embedding the improvements into standard practice prior to closing the recommendation.

Yours sincerely,



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Anindilyakwa Land Council



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