

LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

WRITTEN QUESTION

Mr Higgins to the Chief Minister:

Local Decision Making Agreements

1. Please provide copies of the following Local Decision Making Agreements:
 - West Daly
 - Djalkiripunynu (Blue Mud Bay) Statement of Commitment
 - Yugul Mangi Aboriginal Corporation
 - Jawoyn Association Aboriginal Corporation
 - Groote Archipelago
2. Please identify for each agreement which functions and service delivery currently undertaken by the NT Government are to be transferred to which organisations, the timeframes and the financial commitments made.
3. Please advise what corporate governance arrangements have been or will be put in place for each agreement.
4. Please advise what capacity building has occurred to date or is to be undertaken in the future for each organisation and where this has not occurred what is proposed and when.
5. What ongoing support will be provided to each organisation and specifically what form will this take and how much will it cost?
6. Is it the intention of the government to enter into a separate treaty with each of these organisations named in one above? If not, what is the intention, with whom and what is the timeframe?

ANSWERS:

1. Agreements provided at **Attachment A to E**, respectively.
2. See Attachments A to E.
3. Each signatory complies with the Office of the Registrar of Indigenous Corporations and all necessary regulatory requirements.

4. DCM Regional Executive Directors work closely with each community or organisation that has expressed interest in LDM. Through the Remote Aboriginal Development Fund in 2017-18, 25 organisations were funded to specifically develop their governance skills and build capacity. Details of the grants are available on the LDM website, at <https://ldm.nt.gov.au/>.
5. DCM's Regional Network Group will lead the implementation of LDM agreements. Ongoing support will be provided through the Remote Aboriginal Development Fund. The form of support is outlined in the attached LDM agreements.
6. For information on the process around Treaty or Treaties refer to the Independent Treaty Commissioner.

STATEMENT OF COMMITMENT WEST DALY REGIONAL LOCAL DECISION MAKING

Made by the NORTHERN TERRITORY GOVERNMENT (NTG) represented by the DEPARTMENT OF THE CHIEF MINISTER (DCM), WEST DALY REGIONAL COUNCIL, KARDU ALLIANCE, MUTCHIRR CORPORATION LTD, DEEWIN KIRIM ABORIGINAL CORPORATION, MULYUNG ABORIGINAL CORPORATION, and YANTJARRWU ABORIGINAL CORPORATION who collectively form the WEST DALY REGION LOCAL DECISION MAKING WORKING GROUP.

CONTEXT AND ACKNOWLEDGEMENTS

1. In his speech at the Barunga Festival in June 2018, the Chief Minister of the Northern Territory, the Hon. Michael Gunner MLA said:
"The old way is finished. At the pace communities are comfortable, the (Northern territory) Government is ceding decision-making power back to where it belongs, the communities... this is our historic Local Decision Making agenda."
2. NTG Local Decision Making (LDM) policy is a 10-year plan to return local decision making to Aboriginal communities by empowering Aboriginal people to determine service approaches that work best for their community and region and take back control.
3. NTG places Aboriginal leadership at the centre of, and in control of, local decision making.
4. NTG recognises the signatories to this agreement as having the authority (or agency) to engage with and represent their communities, clans and homelands in developing Local Decision Making (LDM) Multi Agency Partnerships (MAPs) and Implementation Plans.
5. The implementation of LDM will align with the principles launched by Aboriginal Peak Organisations Northern Territory in October 2013, the NTG LDM Policy and PM&C Place Based Framework which can be summarised as self-determination, flexible place-based approaches, co-design and community control.
6. LDM MAPs will be developed to recognise both regional and the local priorities of each of the entities who are signatories to this Statement of Commitment.

PURPOSE

The purpose of this Statement of Commitment is to document the commitment of the parties to work together to guide the development of LDM MAPs that identify the regional and local social and economic service priorities (including but not limited to local jobs and economic development) which the Region want to have more control over and involvement in.

COMMITMENT

The parties to this Statement of Commitment agree to work collaboratively to;

1. Establish an agreed approach recognising traditional Aboriginal decision making structures and how this long-held system of governance can support the implementation of LDM at the regional and community levels;
2. Set out the process and broad timeframes to establish the West Daly Region LDM MAP Agreements and associated Implementation Plans.
3. Work together at a pace that is comfortable to the Working Group and for the West Daly communities.
4. Ensure local Aboriginal people provide direct input into the development of the LDM MAP Agreements and implementation and ongoing engagement.

5. Ensure NTG supports local capacity building and preparedness by providing details on economic and social enterprise opportunities in the region at the earliest possible opportunity.

MAINTAINING THE PARTNERSHIP

1. All parties will collaborate and negotiate respectfully, openly, honestly and in good faith in the spirit of building trust and a strong and lasting partnerships.
2. Upon signing this Statement of Commitment, the parties agree to establish the West LDM Working Group as a forum that brings together Regional Leaders and Elders, representatives from Government, Non-Government and Service Providers with regional service delivery responsibilities to meet at least quarterly to progress the implementation of LDM and other place-based approaches in the West Daly Region.

LDM MAP DEVELOPMENT PROCESS

The first phase of developing the LDM MAP is to consult across the group of partners to review the current activities and engagement approach, consider what is working well and where there are challenges, and to explore future opportunities for greater collaboration.

The next phase of the LDM MAP will be to have all partners working together to review and consider current and future opportunities and to progress the development of an implementation plan to describe key priorities, supported actions and timeframes whilst also confirming resourcing options.

The plan will define roles and responsibilities and propose how activities are implemented in a coordinated manner, including a suggested process for review and monitoring of any progress, barriers to implementation and community outcomes.

LDM MAP CONSULTATION METHODOLOGY


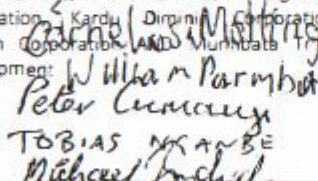
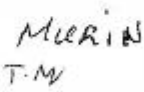
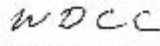


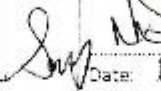


The consultation to support Phase 1 of the Multi Agency Partnership including the following:

1. Initial contact with parties to provide background and context on the project and to establish initial workshop planning arrangements and to identify any specific priorities and/or issues that will need to be addressed throughout the planning and agreement making process;
2. A consultation workshop conducted with each of the partners to review and discuss current individual priorities and activities to be considered for inclusion within the LDM MAP Implementation Plan;
3. A consultation workshop conducted with key NT Government departments with regards to current and future engagement and socio-economic opportunities;
4. A joint NT Government and Australian Government workshop conducted to review and discuss agreed approach to ensure effective coordination and alignment of Government led services and potential MAP Implementation Plan actions; and
5. Preparation of a draft LDM MAP Consultation Report & Recommendations, including any additional information on areas that may require further discussions between the partners.

LDM MAP DEVELOPMENT RESOURCING

- (a) NTG may engage consultants with demonstrated experience in the facilitation of Government (Local, State & Federal), Community and Industry partnership agreements, including local decision-making arrangements, relationship management and negotiation processes in NT including the facilitation of recent LDM discussions to facilitate LDM MAPs.

SIGNING

1.	Signed by the Hon. Michael Gunner, Chief Minister, for the NORTHERN TERRITORY GOVERNMENT	 Hon. Michael Gunner Chief Minister Date: 13 / 11 / 2018
2.	KARDU ALLIANCE Thamarrurr Development Corporation, Palngun Wurnangat Aboriginal Corporation, Murin Association Inc., Thamarrurr Youth Indigenous Corporation, Kardu Dimpin Corporation, Maninh Corporation and Wurngate Tribal Development  Name: TOBIAS NKAMBE Peter Curran	 MURIN T.M. Date: 13 / 11 / 2018 Karla Dimpin
3.	WEST DAILY REGIONAL COUNCIL Name: Wally Rhymer	 WDCC Date: 13 / 11 / 2018
4.	MUTCHIRR CORPORATION LTD Name: A.P. Wooddy	 M.T.C Date: 13 / 11 / 2018
5.	DEEWIN KIRIM ABORIGINAL CORPORATION Name: 	Date: 13 / 11 / 2018
6.	MULYUNG ABORIGINAL CORPORATION Name: Marie Laïse 	 Date: 13 / 11 / 2018
7.	YANTJARRWU ABORIGINAL CORPORATION Name: * DAVIS PAREY	 Date: 13 / 11 / 2018

COMMITMENT AGREEMENT FOR LOCAL DECISION MAKING

Made by the NORTHERN TERRITORY GOVERNMENT (NTG) represented by the DEPARTMENT OF THE CHIEF MINISTER (DCM) and the DJALKIRIPUYŊU¹ CLANS AND LEADERS.

1. CONTEXT AND ACKNOWLEDGEMENTS

- (a) In his speech at the Barunga Festival in June 2018, the Chief Minister of the Northern Territory, the Hon. Michael Gunner MLA said:
 - a. *'The old way is finished. At the pace communities are comfortable, the Government is ceding decision-making power back to where it belongs, the communities...this is our historic Local Decision Making agenda.'*
- (b) Local Decision Making (LDM) is a ten year plan that seeks to return local decision making and service delivery to Aboriginal communities by empowering Aboriginal people to determine service delivery approaches that work best for their community and region.
- (c) LDM is underpinned by the principle of self-determination for Aboriginal people and seeks to transition services and important local decisions to community control.
- (d) The NTG has developed and is implementing the LDM Framework to deliver and support LDM, which consists of the LDM Policy, Operational Guidelines and Tools and Templates.
- (e) The Yolngu people of East Arnhem Land for over 50,000 years have successfully maintained their language, customs and laws, land and sea ownership and custodianship, culture, song lines and societies.
- (f) The Djalkiripuyŋu have long maintained self-determination on their traditional lands and seas in recent times – from leading the homelands movement in the 1970s, to winning the 2008 Australian High Court Blue Mud Bay decision to establish 'Sea Rights' across the Northern Territory.
- (g) The Bāniyala people (one of the several homelands of the Djalkiripuyŋu) are currently pioneering a landmark LDM approach under the *Aboriginal Land Rights (Northern Territory) Act 1976* to use delegated Land Council powers to locally plan and authorise land uses on the *Arnhem Land Aboriginal Land Trust* to deliver improved housing and business development in their homeland area.
- (h) The Bāniyala people established the Bāniyala Nimbarrki Land Authority Aboriginal Corporation and the Bāniyala Garrangali Aboriginal Corporation to support LDM in the Blue Mud Bay region.
- (i) The Djalkiripuyŋu, with the support of the Bāniyala people and corporations, will work with the NTG to progress LDM priorities in the Blue Mud Bay region.

2. PURPOSE

The purpose of this Commitment Agreement is to:

¹ The Djalkiripuyŋu (footprint people) are Yolngu from the Mangalili, Gumana Dhalwaŋu, Wunungmurra (Gurrumuru) Dhalwaŋu, Dhupuditi Dhalwaŋu, Munyuku, Yithuwa Magarrpa, Nyungudupuy Magarrpa, Gupa-Djapu, Dhudi-Djapu, Marrangu, Marrakulu, and Nurrurawu Dha-puyngu (Dhurili/Durila) clans which live together around Blue Mud Bay at the Bāniyala, Wandawuy, Gaṇ Gaṇ, Dhuruputjpi, Bāṇma, Rurraŋala, Barraratjpi, Djarrakpi, Baygurrŋi and Gurkawuy homelands.

- (a) document the commitment by the NTG and the Djalkiripuyngu to work together to guide the implementation of LDM in the Blue Mud Bay region;
- (b) identify the services and priorities which the Djalkiripuyngu wish to have more control over and involvement in;
- (c) have relevant NTG agencies commit to sharing information with the Djalkiripuyngu to decide how this control might be achieved; and
- (d) Set out a process and broad timeframes to establish a Blue Mud Bay Local Decision Making Agreement.

3. VISION AND OBJECTIVES

- (a) The Djalkiripuyngu are dedicated to self-determination through LDM, as enshrined in the *United Nations Declaration on the Rights of Indigenous Peoples*, to:
 - a. continue our sacred and intrinsic responsibility to manage our lands and seas, preserve our traditions, and provide for the evolving needs of our people;
 - b. live with dignity according to the laws of our homelands;
 - c. encourage the sustainable development of our lands and seas to support local businesses, local jobs and improved economic and social conditions;
 - d. share the high living standards and prosperity enjoyed by Australians; and
 - e. provide strong governance for all our homelands to develop and prosper according to the views and needs of their traditional Aboriginal owners and residents for the future of our children and grandchildren.

4. COMMITMENT

- (b) The NTG is committed to partnering with Aboriginal communities in a meaningful way to determine the shape and control in service delivery areas such as, but not limited to, local healthcare, education, justice systems, governance, housing and the community as set out in the LDM Framework.
- (c) In the Blue Mud Bay region, LDM will be led and guided by the Djalkiripuyngu, supported by the Bäniyala leaders and Bäniyala Garrangali Aboriginal Corporation.
- (d) The implementation of LDM will align with the set of principles launched by Aboriginal Peak Organisations Northern Territory in October 2013.
- (e) The NTG and the Djalkiripuyngu will work together on the basis of the LDM guiding principles, which are self-determination, flexible place-based approaches, co-design and community control.
- (f) Initial priorities for the development of the Djalkiripuyngu Blue Mud Bay LDM Agreement, are those advised by Bäniyala Garrangali Aboriginal Corporation on behalf of Djalkiripuyngu and as set out in Schedule 2.
- (g) The NTG acknowledges the Djalkiripuyngu vision and priorities and commits to work towards achieving the aspirations and intent of the priority areas for LDM.
- (h) It is acknowledged by the parties that these priorities may be amended and/or other priorities agreed to be included in the Blue Mud Bay LDM Agreement through the negotiation process.

5. PROCESS

- (a) The Regional Executive Director from the Department of the Chief Minister, with the NTG Regional Coordination Committee, consisting of regional managers from most NT Government agencies, will coordinate the progression of this agreement.
- (b) NTG agencies relevant to a nominated service delivery area will nominate representatives with appropriate decision making authority, who will attend and actively participate in meetings with the Djalkiripuyngu.
- (c) The Djalkiripuyngu will nominate appropriately authorised and informed representatives who will attend and actively participate in meetings, provide a meeting space and will ensure processes are in place to regularly report to, and receive feedback from, interested families and clans and the broader community.
- (d) Djalkiripuyngu representatives will report back to the NTG with honest and direct feedback about progress and issues raised by the broader community.
- (e) The NTG and Djalkiripuyngu, with the support of Baniyala Garrangali Aboriginal Corporation, will develop the Blue Mud Bay LDM Agreement detailing the service areas of interest and required steps, responsibilities and timeframes to achieve the agreed LDM outcomes.
- (f) To ensure currency of the relationship between NTG and the Djalkiripuyngu, this agreement ends when a more detailed LDM agreement (the Blue Mud Bay LDM Agreement) is entered into, or three years from date of signing.
- (g) If there are service delivery or priority areas that have not been sufficiently considered for local control or new service areas of interest, these will be included by variation into the Blue Mud Bay LDM Agreement.
- (h) The parties acknowledge that the Commonwealth Government funds and provides a range of important services to Djalkiripuyngu and are open to the Commonwealth joining this Commitment Agreement and the Blue Mud Bay LDM Agreement.
- (i) The parties also acknowledge that there are other major stakeholders who will be engaged in the LDM Agreement discussions or related agreements including Laynhapuy Homelands Aboriginal Corporation (including Municipal and Housing Services, Health and Rangers), Miwatj Employment and Participation, Goŋ-Däl Aboriginal Corporation and the Northern Land Council.

6. MAINTAINING THE PARTNERSHIP

- (a) The Djalkiripuyngu and the NTG will collaborate and negotiate respectfully, openly, honestly and in good faith in the spirit of building trust and a strong and lasting partnership and recognising that the Djalkiripuyngu have the Yolngu authority to engage and represent their clans and homelands.
- (b) If issues arise, the NTG Regional Executive Director will work with Djalkiripuyngu representatives to resolve the issue and, if no satisfactory outcome is achieved, will refer the issue to the Regional Coordination Committee which may escalate the issue to the Chief Executive Coordination Committee. The Chief Executive Coordination Committee may also meet with the Djalkiripuyngu to resolve the issue.

7. LEGAL FRAMEWORK

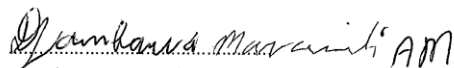
The NTG and the Djalkiripuyngu acknowledge that any transfer of responsibility to the Djalkiripuyngu for a service delivery area:

- (a) will recognise and meet existing regulatory, legislative and Commonwealth requirements;

- (b) may take a staged approach in order to ensure a successful and sustainable transition over a period of time;
- (c) will be supported by an agreed dedicated NTG financial commitment and/or other NTG agency support, which may include training, assets, in-kind support or other resources (noting that a range of investments have already been made);
- (d) will be captured in a formal Blue Mud Bay LDM Agreement with an organisation (or more than one) with authority to act on behalf of the Djalkiripuyngu that has:
 - (i) the legal capacity to enter into the contract;
 - (ii) an appropriate and robust local governance structure, which represents the views of the Djalkiripuyngu homelands and clans; and
 - (iii) the resources, capacity, experience and expertise to deliver the service or the capacity to develop those things; and
- (e) will be monitored and evaluated for progress and performance using a transparent, consultative and participatory approach that promotes the resolution of emerging issues as they arise.

8. SIGNING

Signed by Djambawa Marawili AM on behalf of the Djalkiripuyngu.



Djambawa Marawili AM

Date: 30 / 7 / 2018

Signed by the Hon. Michael Gunner, Chief Minister, and the Hon. Selena Uiibo, Minister for Education, on behalf of the Northern Territory Government.


Hon. Michael Gunner
Chief Minister

Date: 26 / 7 / 2018


Hon. Selena Uiibo
Minister for Education

Date: 30 / 07 / 2018

SCHEDULE 1

Commitment Schedule

The Community	The Djalkiripuyngu (footprint people) are Yolngu from the Mangalili, Gumana Dhalwaṅu, Wunungmurra (Gurumuru) Dhalwaṅu, Dhupudij Dhalwaṅu, Munyuku, Yithuwa Maḍarrpa, Nyungudupuy Maḍarrpa, Gupa-Djapu, Dhudi-Djapu, Marrangu, Marrakulu, and Nurrurawu Dha-puyngu (Dhurili/Durila) clans which live together around Blue Mud Bay at the Bāniyala, Wandawuy, Gaṇ Gaṇ, Dhuruputjpi, Bālma, Rurraṅala, Barraratjpi, Djarrakpi, Baygurrjtji and Gurkawuy homelands.
Community Representatives	Bāniyala – Djambawa Marawili AM Wandawuy – Waka Munungurr Gaṇ Gaṇ – Yinimala Gumana Dhuruputjpi – Wyal Wirrpanda, Bandarr Wirrpanda Bālma – Wesley Bandibandi Wunungmurra Rurraṅala – Djimbalal Njuruwutthun Barraratjpi – Dhuluku Wunungmurra Djarrakpi – Baluka Maymuru Baygurrjtji – Michael Yawunydjurr Marawili, Djambawa Marawili AM Gurkawuy – Dennis Waṅambi
NTG Regional Executive Director	Jim Rogers Executive Director – Arnhem Department of the Chief Minister Northern Territory Government of Australia p ... <+61> 8 8987 0543 f ... <+61> 8 8923 9547 m ... 0428 058 668 a ... Northern Australia Development Office, Level 1, 8 Franklyn Street Nhulunbuy, NT e ... jim.rogers@nt.gov.au
Milestones and Milestone Dates	The aim of this agreement is to set out the process for the development of the Djalkiripuyngu Blue Mud Bay LDM Agreement which identifies service and priorities of the Djalkiripuyngu. The parties agree to work towards achieving the following milestones: <ul style="list-style-type: none"> Blue Mud Bay LDM Agreement settlement including up to three service priority schedules for transition to local control and decision making – to be completed and signed in 3-6 months from this agreement being signed; Remaining service priority schedules finalised within 9 months of this agreement being signed.
Meeting and negotiation arrangements and resources	The majority meetings and negotiations for the Blue Mud Bay LDM Agreement to be held in Bāniyala or other Djalkiripuyngu homelands. If necessary, discussions may be held in Nhulunbuy where convenient. The parties acknowledge that the NT Government has provided Bāniyala Garrangali Aboriginal Corporation with \$100,000 to support business and community development in the Blue Mud Bay region through the Remote Aboriginal Development and the Remote Aboriginal Economic

	<p>Development Funds. The NTG will explore further areas to support the Djalkiripuyru clans and homelands to participate in the negotiations and discussions.</p> <p>Bäniyala Garrangali Aboriginal Corporation and the NTG will share the responsibilities of taking minutes, actions and together follow up on progress and issues. The parties will jointly draft the Blue Mud Bay LDM Agreement.</p> <p>Meetings will be held as often as is necessary to progress the negotiations and the NTG will ensure appropriate representatives of agencies are present at these.</p>
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SCHEDULE 2

Bäniyala and Djalkiripuyngu LDM Priorities

Employment, Business and Economic Development

Outcome sought: Local jobs and business and wealth creation to support Djalkiripuyngu people to live successful and sustainably on the Djalkiripuyngu homelands for the generations to come.

What we are seeking from the NTG: Local posting of service delivery positions across the services and increase capacity building and training to support local Yolngu to hold these positions in the future; supporting funding and planning for increasing tourism and fishing business potential; development of sub-regional economic development plan and industry development strategy; support construction of new retail centre.

What we propose to do: BNLA to undertake functions for land for development in the Baniyala homelands area, with scope to support other Djalkiripuyngu homelands achieve a delegation. BGAC will continue to support the growth of business in the Blue Mud Bay region and employ local people. The BGAC will support development of other Djalkiripuyngu businesses through supporting regional plans and prospectus and initiating partnerships with investors and operators.

Education and Training

Outcome sought: Children and youth grow up with a strong Yolngu and Balanda education and Raypirri, and progressively take up local and regional employment opportunities etc.

What we are seeking from the NTG: Strengthened and formal local governance of the Bäniyala school and other schools in the Djalkiripuyngu homelands including education facilities, teacher and Principal recruitment, academic approaches and outcomes for both Yolngu and Balanda systems with a long term aim for a community controlled school; achieving early childhood education improvements and increasing high school education capacity at the Bäniyala school; improving school graduate employment outcomes.

What we propose to do: teaching culture on country, contributing to learning on country, supporting teachers living in our communities, encouraging children to attend school, supporting programs for increasing workforce training for high school leavers and their first jobs

Community Safety

Outcome Sought: Safe and thriving Djalkiripuyngu homelands which provide for the wellbeing of women, children, youth and men and elders.

What we are seeking from the NTG: Recognition of role of traditional leaders in maintaining law and order; stronger police presence including the potential of employing an Aboriginal Liaison Officer for Djalkiripuyngu and the establishment of Police Post in the Djalkiripuyngu homelands; firm arrangements for ongoing community engagement with police; local reporting of incidents; local compliance with laws (i.e. driving licences, gun ownership); emergency services support (fire, flood, cyclone).

What we propose to do: working closely with police to meet Australian law requirements, such as driver licences, shooting licences, access to country. Sharing Rom with police and finding ways that traditional laws support Australian laws.

Health

Outcome sought: Improved Djalkiripuyngu homelands access to primary, allied and tertiary health care and services which improves the health and wellbeing of the Djalkiripuyngu people.

What we are seeking from the NTG: Support early preventative treatment to fix serious problems and not only treat with medication; employ a nurse to live to provide medical care; provide dialysis services in the region; improve local capacity to provide emergency medical treatment (first aid, AEDs); support medical attendance at large events; and provide a regional solution for emergency air transport.

What we propose to do: encourage healthy living in homelands, regularly attend medical examinations, compliance with medicine, use Rom to discourage drug and alcohol use, encourage healthy eating through making local shop supply fresh food, sugar free soft drinks and encouraging nutritional training.

Infrastructure and housing

Outcome Sought: Djalkiripuyngu living with dignity in their own homes in homelands, with well-designed houses (both public and private ownership), achieving Australian standards in public facilities (power, water, sanitation), and safe and reliable transport corridors connecting homelands and larger town centres.

What we are seeking from the NTG: Local governance and delivery of municipal and essential services budget; improved telecommunications access in Djalkiripuyngu homelands; improved power and water reliability and sustainability (solar and water system renewal); upgrade airstrips where necessary; improve waste management; improve and expand 'community housing' to hand over to private / community ownership; construction of new office, improve road network and connectivity between Djalkiripuyngu homelands to support services access. Ensure Djalkiripuyngu involvement in the upgrade of regional roads and opportunities which ensue.

What we propose to do: establish design rules for homelands housing, develop a method for homeland residents to contribute to the cost of service delivery, support regional planning for improving road and air transport.

Culture

Outcome Sought: Improving awareness of Djalkiripuyngu culture on the Gove Peninsula, Northern Territory and Australia and strengthening local participation in ceremony and customs.

What we are seeking from the NTG: Recognition of the important work that the Djalkiripuyngu do to preserve our culture on our land and sea. Recognise local names for key local sites (such as our names for Woodah Island, Grindall Bay, etc.); support our people to preserve our sacred artefacts at local 'museum' with art work and history; support local cultural festivals.

What we propose to do: continue our hard work to educate our people about the long history they are a part of and find ways to keep our young people strong in their culture and language. Share our culture to achieve correct location naming, and open our ceremonies to enrich tourism visitation, support local events with our dances and songs.

Yugul Mangi Development Aboriginal Corporation
Northern Territory Government
Australian Government

Multi Agency Partnership

Local Decision Making Guiding Principles

May 2018

The Yugul Mangi Development Aboriginal Corporation (YMDAC), the NT Government and the Australian Government all have key roles to play in working together to create positive, lasting change for the health, wellbeing and prosperity of Yugul Mangi people and the Ngukurr community.

The signatories have come together to support the process of developing a Multi-Agency Partnership (MAP) with the aim of strengthening existing relationships, aligning community and Government priorities and pursuing current and future socio-economic opportunities that truly benefit Yugul Mangi people and the Ngukurr community.

Consistent with local decision-making (LDM) principles, the MAP priorities are driven by the priorities of the YMDAC Board. Board Members will have a genuine voice in developing local solutions for local issues and assume greater control of decisions that impact YMDAC and the Ngukurr community.

Most importantly, the Partnership aims to create a future where culture and values connecting Yugul Mangi people to Country are sustained and celebrated, where children and grandchildren have much improved opportunity for their health, wellbeing and prosperity.

The Partnership is a three-way commitment where the parties agree to work together to identify and support the implementation of agreed actions.

All partners commit to undertake the principles described in this document and recognise that these areas will be key to the successful implementation of the Partnership.

PARTNERSHIP PRIORITIES

The YMDAC Board, NT Government and Australian Government have agreed to work together focusing on six key priorities.

The key **socio-economic priorities** include the following:

Business Development & Contracting	Local Jobs & Training	Community-Based Service Delivery
	Local jobs and training on YMDAC contracts	
Current & Future Contracting Opportunities	Local jobs and training in YMDAC operations	Current & Future Service Delivery Contract Opportunities
Procurement Processes & Tendering	Greater local jobs and training outcomes from external contractors on major projects	
Joint Ventures and Capacity Building	Local Jobs and Workforce Development Planning	Community Development
Industry Engagement & Recognition	Maximising opportunities through existing funded programs such as Community Development Program	

Key **strategic enablers** to support the above work includes the following:

Capacity Building	MAP Plan Implementation & Resourcing	Effective Communication & Engagement
Building in-house commercial skills & expertise		
Business development & feasibility analysis	MAP Plan development and endorsement	Partnership engagement principles & approach
Greater profiling of YMDAC contracting capabilities	MAP Plan governance arrangements	Engagement processes for escalation of issues/concerns
Cultural capability development for Non-Indigenous staff	Resourcing Options Monitoring progress & measuring outcomes	Profiling success stories inside and outside of the community
YMDAC governance and leadership development		

THE GUIDING PRINCIPLES

1. Working Together in Partnership

- We acknowledge and respect the Yugul Mangi cultural, spiritual, social and economic connection to Country and will work collaboratively to develop the cultural capacity of Government staff who regularly engage with and/or work in the Ngukurr community;
- We will maintain open, honest and respectful relationships, including the development of new relationships between YMDAC and key personnel within Government departments to support identified priorities;
- We understand and acknowledge that the YMDAC Board understand the local issues impacting the community. We will aim to respect culture and local governance, including traditional decision-making processes that have been in existence for many years.
- Together we will develop clear roles and mutual accountability to support implementation of agreed Partnership actions;
- We will ensure the right people are at the table, with commitment and involvement from YMDAC Board Members, senior Government representatives of each partner organisation, as appropriate. We will seek consistency of personnel representing the partners over the length of the collaboration, as far as possible.
- We will establish an agreed process for the signatories to meet on a regular basis to review and monitor progress of high priority agreed actions and to work together to address any emerging barriers to implementation. Through this engagement we will update the MAP Implementation Plan as required to reflect changing priorities and/or agreed strategies;
- We will proactively identify and support the establishment of strategic relationships and industry links outside of Government to support YMDAC business development priorities, including but not limited to, pastoral and agriculture, tourism & culture, civil construction and retail sectors;
- We will work together to explore options available for resourcing priority actions, including but not limited to, Government funding, non-Government funding and YMDAC self-funded activities; and
- We will positively promote the Multi Agency Partnership both within our organisations and also externally through the profiling of success stories.

2. Business Development & Contracting

- We will establish regular and timely engagement to discuss all upcoming NTG tender opportunities in Ngukurr and the surrounding area, including potential new business development opportunities. Through this process we will provide clear guidance on the procurement processes for specific contracting opportunities to allow YMDAC the opportunity to fully consider tendering options, including, but not limited to, select tender and JV arrangements;
- Where it has been requested by YMDAC, we will provide comprehensive feedback on the outcomes of tenders, including specific feedback regarding current identified gaps to allow for continuous improvement and focus on business development needs;
- We will work together to clearly understand YMDAC future business development and contracting aspirations and priorities and will identify potential areas of support to assist in building capabilities in these areas;
- We will require all major contractors tendering for works in Ngukurr to clearly outline strategies for maximising local participation, including, but not limited to, local jobs and training, sub-contracting to YMDAC, labour and equipment hire.

3. Local Jobs & Training

- Together we will profile and promote YMDAC across all Government and Non-Government organisations as a provider of labour hire for skilled local workers in Ngukurr;
- We will assist YMDAC to establish linkages to existing workforce development programs to enhance local skills development;
- Together we will investigate and support the implementation of strategies to build local YMDAC trade capabilities;
- We will explore opportunities to establish better links between organisations already operating in Ngukurr and projects delivered in future years with a view to providing clearer employment and training pathways resulting in sustainable employment of local people;
- The concept of developing a regional training hub for the delivery of employment and training initiatives has been discussed for several years. Together we will undertake to explore the feasibility of this initiative to support the delivery of future employment and training strategies.

4. Community Based Service Delivery

- YMDAC and Government will work together to review and map the service delivery requirements for the community, including specific focus on future service delivery aspirations of YMDAC; and
- We will establish and maintain project management and reporting processes to allow all parties to be able to effectively evaluate outcomes from the delivery of MAP programs and services.

Yugul Mangi Development Aboriginal Corporation
Northern Territory Government
Australian Government

Multi Agency Partnership

Local Decision Making Guiding Principles



Bobby Nunggumajbarr
Chairman
Yugul Mangi Development Aboriginal Corporation

A blue ink signature of Bobby Nunggumajbarr, written in a cursive style, positioned above a dotted line.



Jake Quinlivan
Regional Executive Director
NT Government
Department of the Chief Minister

A blue ink signature of Jake Quinlivan, written in a cursive style, positioned above a dotted line.

Phil Harris
Regional Director
NT Government
Department of Infrastructure, Planning & Logistics

A blue ink signature of Phil Harris, written in a cursive style, positioned above a dotted line.

Jessica Powter
Principal Economic Development Officer
NT Government
Department of Trade, Business & Innovation

A blue ink signature of Jessica Powter, written in a cursive style, positioned above a dotted line.

Elle Mather
Regional Director
NT Government
Department of Housing & Community Development

A blue ink signature of Elle Mather, written in a cursive style, positioned above a dotted line.

Tony Clementson
Manager Destination Development
NT Government
Department of Tourism & Culture

A blue ink signature of Tony Clementson, written in a cursive style, positioned above a dotted line.



Jessica Foote
Acting Assistant Secretary / Regional Manager
Australian Government
Department of the Prime Minister & Cabinet

A blue ink signature of Jessica Foote, written in a cursive style, positioned above a dotted line.

Jawoyn Association Aboriginal Corporation
Northern Territory Government
Department of Prime Minister & Cabinet
Roper Gulf Regional Council

Multi Agency Partnership

Local Decision-Making Guiding Principles

2 November 2018

The Jawoyn Association Aboriginal Corporation (JA), the NT Government (NTG), the Department of Prime Minister and Cabinet (DPMC) and Roper Gulf Regional Council (RGRC) all have key roles to play in working together to create positive, lasting change for the health, wellbeing and prosperity of Jawoyn people and the families living in communities on Jawoyn Country.

The signatories have come together to support the process of developing a Multi-Agency Partnership (MAP) with the aim of strengthening existing relationships, aligning community and Government priorities and pursuing current and future social and economic opportunities.

Consistent with local decision-making (LDM) principles, the MAP strategic priorities are driven by the priorities of the JA Board. Board Members will have a genuine voice providing direct input into developing local solutions for local issues assuming greater control of decisions impacting the broader Jawoyn community.

Most importantly, the Partnership aims to create a future that continues to support the unwavering vision of Jawoyn Elders...

“to bring the Jawoyn people together as one nation, care for country and develop economic independence.”

All partners commit to undertake the principles described in this document and recognise that these areas will be key to the successful implementation of the Partnership.

Roper Gulf Regional Council have agreed to work together as partners to focus on the following social and economic priorities.

The key **strategic LDM MAP Priorities** include the following:

Preserving Jawoyn Culture & Heritage	Business Development & Contracting	Local Jobs & Training	Member Services
Preservation of Jawoyn History	Pursue Current & Future Contracting Opportunities	Local jobs and training on JA awarded contracts	Awareness of Member Services
Caring for our Country	Recognition as a Preferred Local Contractor	Local jobs and training in JA operations	Current & Future Service Delivery Opportunities
Community Safety	Growth & Diversification of Business Capabilities	Greater local jobs and training outcomes from external contractors on major projects	Community Development
Increasing cultural awareness and building cultural capability	Procurement Processes & Tendering Options	Local Jobs and Workforce Development Plan	
Developing our Young People – Our Future Leaders	Industry Engagement & Recognition	Development of Future JA Workforce & Positive Role Models	

Key **strategic LDM MAP Enablers** include the following:

LDM Capacity Building	LDM MAP Plan Implementation & Resourcing	Effective LDM Communication & Engagement
Building in-house commercial skills & contract management expertise	MAP Implementation Plan development and endorsement	Partnership engagement principles & approach
Business development & feasibility analysis	MAP Implementation Plan governance arrangements	Engagement processes for escalation of MAP issues/concerns
Effective strategic planning	Resourcing options for key strategies	Profiling success stories inside and outside of the community
JA Board governance and leadership development	Monitoring progress & measuring outcomes	

THE GUIDING PRINCIPLES

1. Working Together in Partnership

- We acknowledge and respect the cultural, spiritual, social and economic connection to Jawoyn Country and will work side by side as partners to develop the cultural and organisational capacities of each of our organisations to maximise the outcomes from the partnership;
- We will maintain open, honest and respectful relationships, including the development of new relationships, where these may not have previously existed, to support identified priorities;
- We recognise that the Jawoyn Board and its Members understand the local issues impacting their communities and are well placed to provide direct input and advise Government on programs and services to address these areas. We will respect culture and existing local governance arrangements, including traditional decision-making processes that have been in existence for many years;
- Together we will develop clear roles and mutual accountability to support implementation of agreed Partnership actions;
- We will ensure the right people are at the table, with commitment and involvement from JA Board Members & Executive Staff, senior representatives of each Government partner organisation, as appropriate. We will also seek to ensure consistency of personnel representing the partners over the duration of the collaboration, as far as possible.
- We will establish an agreed process for the signatories to meet on a regular basis to review and monitor progress of high priority agreed actions and to work together to address any emerging barriers to implementation. Through this engagement we will update the LDM MAP Implementation Plan as required to reflect changing priorities and/or agreed strategies;
- We will proactively identify and support the establishment of strategic relationships and industry links outside of the partnership to support Jawoyn Association's social and economic priorities;
- We will work in partnership with JA to actively support the development and implementation of strategies to create greater opportunities for the engagement of Jawoyn people in the local economy through sustainable employment, training, contracting and business development opportunities;
- We will work together to explore options available for resourcing priority actions, including but not limited to, Government funding, non-Government funding and JA self-funded activities; and
- We will positively promote the LDM Multi Agency Partnership within our organisations and also externally through the profiling of success stories.

2. Business Development & Contracting

- We will establish regular and timely engagement to discuss upcoming tender opportunities on Jawoyn Country, including potential new business development opportunities both inside and outside of Nitmiluk NP. Through this process we will provide clear guidance on the procurement processes for contracting opportunities to allow JA the opportunity to fully consider their tendering options;
- Where it has been requested by JA, we will provide comprehensive feedback on the outcomes of tenders, including specific feedback regarding current identified gaps to allow for continuous improvement and focus on future business development needs;
- We will work together to clearly understand JA future business development and contracting aspirations and priorities and will proactively consider areas of support to assist in building capabilities in these areas;
- We will identify opportunities for major contractors tendering for works on Jawoyn Country to clearly outline strategies for maximising local participation, including, but not limited to, local jobs and training, mutually beneficial joint venture arrangements and sub-contracting to JA enterprises, labour and equipment hire.

3. Local Jobs & Training

- We will assist JA to establish linkages to existing workforce development programs, including CDP, to enhance local skills development;
- Together we will investigate and support the implementation of strategies to build JA trade capabilities;
- We will work together with JA to source information to inform the development of a Workforce Development Plan that clearly defines current and future employment opportunities and potential pathways to support sustainable employment outcomes;
- We will work together to develop and implement strategies to increase representation of Jawoyn peoples working in Government positions within Nitmiluk NP, including but not limited to, park ranger roles.

4. Community Development & Member Services

- We will work side-by-side, with direct input from JA Board Members & Executive Staff, to provide direct input into the design, delivery and evaluation community-based essential services;
 - We will work together to raise the profile and awareness of the financial assistance and services currently provided by JA to its Members and communities; and
 - We will proactively identify opportunities to establish partnerships with Government agencies and other local service providers to enhance service delivery outcomes for Jawoyn people and the broader community.
-

Jawoyn Association Aboriginal Corporation
Northern Territory Government
Department of Prime Minister & Cabinet
Roper Gulf Regional Council

Multi Agency Partnership Local Decision-Making Guiding Principles



Lisa Mumbin
Chairperson
Jawoyn Association Aboriginal Corporation

[Handwritten signature of Lisa Mumbin]

John Berto
Chief Executive Officer
Jawoyn Association Aboriginal Corporation



Max Saxby
Acting Assistant Secretary / Regional Manager
Australian Government
Department of the Prime Minister & Cabinet

[Handwritten signature of Max Saxby]



Sharon Hillen
Acting Chief Executive Officer
Roper Gulf Regional Council

[Handwritten signature of Sharon Hillen]



Jake Quinlivan
Regional Executive Director
NT Government
Department of the Chief Minister

[Handwritten signature of Jake Quinlivan]

Elle Mather
Regional Director
NT Government
Department of Housing & Community Development

[Handwritten signature of Elle Mather]

Jessica Powter
Principal Economic Development Officer
NT Government
Department of Trade, Business & Innovation

[Handwritten signature of Jessica Powter]

Phil Harris
Senior Director Northern Region
NT Government
Department of Infrastructure, Planning & Logistics

[Handwritten signature of Phil Harris]

Sarah Kerin
Director, Savannah/Gulf Park Operations
Parks, Wildlife and Heritage Division
NT Government
Department of Tourism & Culture

[Handwritten signature of Sarah Kerin]

Scott Lovett
General Manager Industry Development
NT Government
Department of Tourism & Culture

[Handwritten signature of Scott Lovett]

GROOTE ARCHIPELAGO

LOCAL DECISION MAKING AGREEMENT



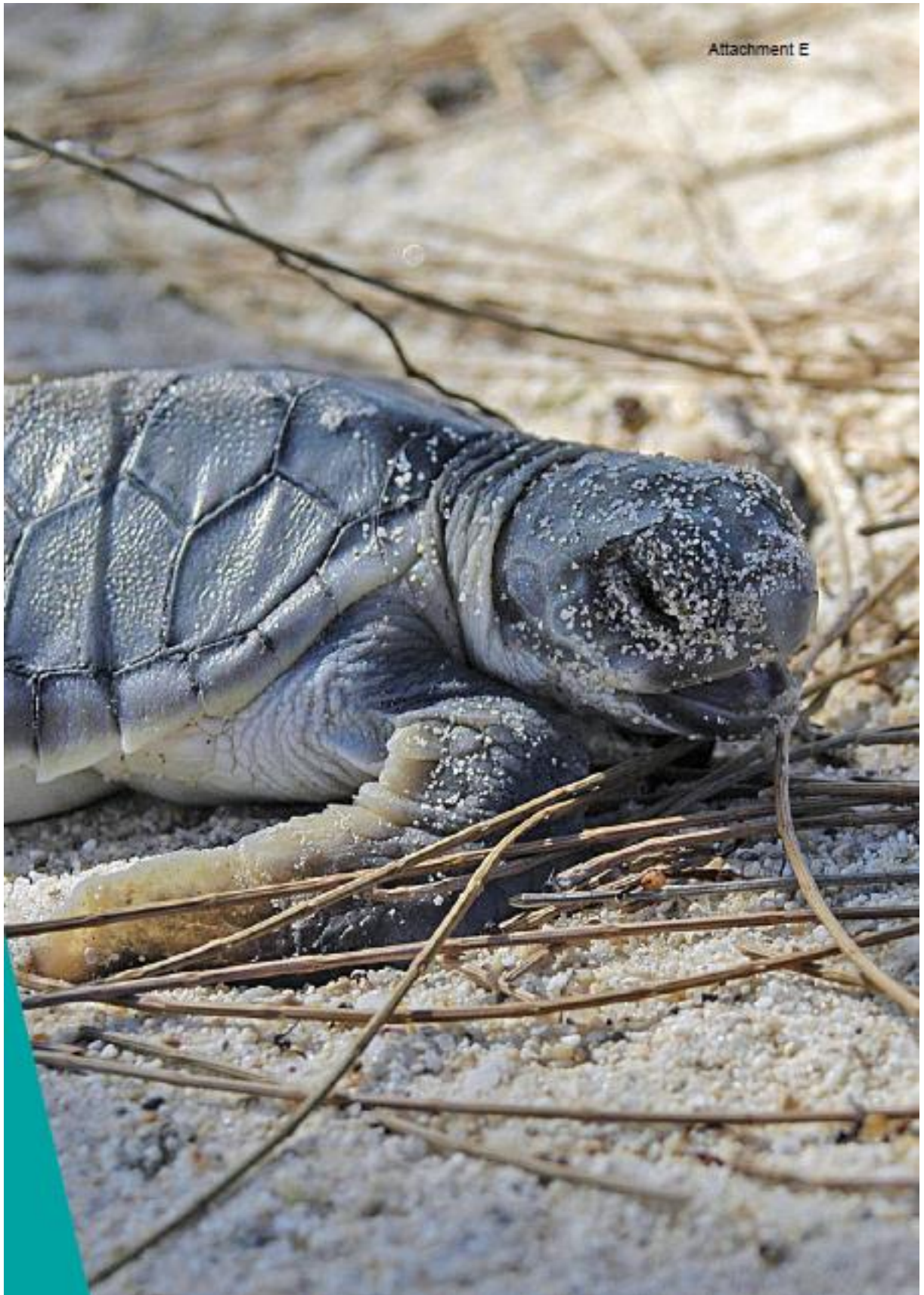
Made by the NORTHERN TERRITORY GOVERNMENT
and the ANINDILYAKWA LAND COUNCIL



Anindilyakwa
Land
Council



NORTHERN
TERRITORY
GOVERNMENT



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Images supplied by the Anindilyakwa Land Council.

1 | Context

- (a) The Chairman and Chief Executive Officer of the Anindilyakwa Land Council (ALC) wrote to the Chief Minister of the Northern Territory (NT) on 14 May 2018 advising that the ALC wished to enter into a binding agreement with the NT Government to implement its Local Decision Making Policy in the Groote Archipelago and outlined the Anindilyakwa people's priorities for local control to be included in that agreement.
- (b) The Chief Minister subsequently visited Groote Eylandt on 17-18 May 2018 to meet with communities and organisations. He commended the ALC Board for the work that it had done on the Local Decision Making process and acknowledged the ALC's priorities for local delivery and decision making in the areas of housing, education, health, local governance and economic development.
- (c) On 8 June 2018, when announcing that the NT Government had signed a Memorandum of Understanding with the four NT Land Councils to advance a Treaty for the NT, the Chief Minister made a speech at the Barunga Festival in which he said:
 - i. *"This is our historic Local Decision Making agenda, which we've already begun, and which I can believe can serve as a kind of seed from which treaties can grow and flower";*
 - ii. *"Ultimately, this means the NT Government giving up decision making power to communities in areas like housing, education, justice, local government, health and looking after kids";*
 - iii. *"I'm also agreeing with communities that with control comes responsibility"; and*
 - iv. *"So I'm saying to the Departments, this is non-negotiable. The old way is finished. At the pace communities are comfortable, the Government is ceding decision-making power back to where it belongs, the communities".*
- (d) On 25 June 2018, the Chief Minister responded to the ALC that he had asked his Department to work with relevant agencies to develop an agreement "which recognises the long established and strong systems of Anindilyakwa governance and leadership, and sets out how the parties will work together to transition decision making and service delivery for the Groote Eylandt communities".
- (e) Local Decision Making is the NT Government's ten year plan that seeks to return local decision making to Aboriginal communities by empowering Aboriginal people to determine service delivery models that work best for their community and region.
- (f) Local Decision Making is strengthened by the principle of self-determination for Aboriginal communities and seeks to transition services and programs to community control where appropriate and desired.

2 | Vision

- (a) In signing this agreement, it is the aspiration of the NT Government and ALC that over the next nine or more years, it can provide a platform, potentially strengthened by any treaty entered into during this time, for the Anindilyakwa people to:
- i. transition to community control agreed service delivery areas that are the responsibility of the NT Government;
 - ii. develop and prosper according to their views and needs for the future of their children and grandchildren; and
 - iii. have enhanced relations with the NT Government which are harmonious and co-operative.

3 | Objectives

- (a) The objectives of this agreement are to:
- i. show respect for the long established and strong systems of Anindilyakwa governance and leadership in the Groote Archipelago;
 - ii. document the commitment by the NT Government and the ALC to work together to implement Local Decision Making in the Groote Archipelago;
 - iii. identify the services and priorities which the Anindilyakwa people wish to have control over and to take responsibility for;
 - iv. commit NT Government agencies and, where agreed in Implementation Plans, NT Government-owned corporations, to collaborating with the ALC including sharing information to agree on how this control will be achieved; and
 - v. set out the process and timeframes for the negotiation and agreement of Implementation Plans for identified priority service delivery areas according to the Schedules to this Agreement.



“The NT Government
is committed to
partnering with the ALC
in a meaningful way.”

4 | Commitments

- (a) In signing this agreement, the Chief Minister warrants that all NT Government Agencies have been consulted in the development of this agreement. The Chief Minister also warrants that relevant Agencies have endorsed the agreement and that the Cabinet of the NT Government has agreed the terms and conditions of this Agreement and its Schedules.
- (b) In signing this agreement, the Chairman of the ALC warrants that the ALC Board, which is representative of all clans and communities across the Groote Archipelago, has endorsed this agreement and consented to the ALC entering into it.
- (c) The NT Government is committed to partnering with the ALC in a meaningful way to determine the necessary steps and processes to achieve local service delivery and control in priority service delivery areas contained in Schedule 2.
- (d) In the Groote Archipelago, the ALC agrees to lead and guide Local Decision Making and use its best endeavours to involve all relevant organisations in the implementation of this Local Decision Making Agreement, including by consulting with Anindilyakwa organisations during the development of the related Future Groote Strategy and Future Groote Accord.
- (e) The NT Government and the ALC will work together on the basis of the overarching Local Decision Making guiding principles, which are:
 - i. self-determination;
 - ii. flexible place based approaches;
 - iii. co-design; and
 - iv. community control.
- (f) The NT Government and the ALC also agree that they will adhere to the following specific principles when undertaking any work in accordance with this agreement:
 - i. Anindilyakwa empowerment and decision-making will better provide solutions and a better way forward;
 - ii. the voice of Anindilyakwa women must be heard loud and clear;
 - iii. building, supporting and investing in strong governance is necessary to ensure local Anindilyakwa people drive local solutions;
 - iv. both parties will always consult, work with and seek the agreement of Traditional Owners;
 - v. the pace of Local Decision Making will be led by the ALC and agreed by the NT Government and in accordance with the agreed timelines to establish Implementation Plans and take the agreed steps within those Implementation Plans; and
 - vi. the relationship between the ALC and the NT Government will be one of mutual trust and respect.
- (g) The NT Government will work collaboratively with the ALC, the Commonwealth and local government in achieving local priorities within each other's respective jurisdictional control.
- (h) The NT Government and the ALC acknowledge that Commonwealth payments to the NT Government and Territory wide allocations for services may vary from time to time. Having regard to these variations and available funding, the NT Government will continue to provide proportionate allocations to the Groote Archipelago, consistent with allocations made to other remote communities in the Northern Territory, so as to ensure the Anindilyakwa people are not disadvantaged as a consequence of this agreement.
- (i) In undertaking its strategic planning and policy development, the NT Government will always have regard to the ALC's 15 Year Strategic Plan (as amended from time to time) which represents the culmination of the thoughts, vision and articulation of the Anindilyakwa people.

5 | Stakeholder Engagement

- (a) The NT Government and the ALC acknowledge the importance of constructive engagement with key stakeholders impacted by this Agreement.
- (b) Key stakeholders include:
 - i. Commonwealth Government (including the Department of the Prime Minister and Cabinet and other relevant agencies);
 - ii. East Arnhem Regional Council (which provides local government services on the Groote Archipelago);
 - iii. GEMCO (which operates the Groote Eylandt manganese mine and township of Alyangula and is a key stakeholder in the economic future of the Groote Archipelago); and
 - iv. All Anindilyakwa-owned organisations that are actively involved in the social and economic development of the Anindilyakwa people.
- (c) By agreement, the ALC and the NT Government will invite these stakeholders to participate in the development of relevant Implementation Plans.

6 | Process

- (a) The Department of the Chief Minister's Regional Executive Director for East Arnhem, assisted by the NT Government East Arnhem Regional Coordination Committee and more senior agency representation as required, will coordinate the advancement of this agreement including formal meetings with the ALC.
- (b) The ALC and NT Government agree to fully adhere to the processes in Schedule 1 which include monitoring and reviewing arrangements and key dates.
- (c) NT Government agencies with responsibility for the priority service delivery areas in Schedule 2 will nominate informed representatives with appropriate decision making authority, who will attend and actively participate in meetings with the ALC.
- (d) The ALC will nominate authorised and informed representatives who will attend and actively participate in meetings, provide a meeting space and will ensure processes are in place to regularly report to, and receive feedback from, interested families and clans and the broader community.
- (e) The ALC nominates an agreed primary contact or contacts in Schedule 1 for the purpose of NT Government communication.
- (f) The ALC will report back to the NT Government with honest and direct feedback about progress and issues raised by Anindilyakwa people and their organisations.
- (g) The ALC has identified service delivery priority areas for transition to local control, the outcomes sought, proposed service delivery model and ALC commitments to assist the achievement of the outcomes in Schedule 2.
- (h) The NT Government has agreed the priority service areas, outcomes sought and the proposed service delivery model as detailed in Schedule 2 and agrees to meet its stated commitments to support the advancement of each priority area set out in Schedule 2.
- (i) The NT Government and the ALC agree to negotiate Implementation Plans for each service priority and use their best endeavours to agree to the detailed Implementation Plan by the 'Timeframe for Agreement of Implementation Plan' stated for each priority area in Schedule 2. These timeframes may be adjusted by mutual agreement of the ALC and the NT Government.

- (j) Once the NT Government and the ALC have agreed a detailed Implementation Plan for each of the service delivery areas, it will be included as a new Schedule and form part of this Agreement.
- (k) Should new priorities emerge or existing priorities be completed, Schedule 2 may be updated with the consent of the NT Government and the ALC.
- (l) The NT Government and the ALC will share information and data, including financial information, in a timely manner to fully achieve the objectives of this agreement, subject to any legal restrictions.
- (m) The NT Government and the ALC will meet all of their own costs for implementing this agreement and these should not require any additional subvention to either party for that purpose.

7 | Maintaining the Partnership

- (a) As detailed in Schedule 1, the ALC and NT Government will have regular Agreement level meetings to monitor the progress of this Agreement.
- (b) To ensure currency of the relationship between the NT Government and the ALC, this agreement will be periodically reviewed as specified in Schedule 1.
- (c) Prior to the expiry of this agreement, the ALC and the NT Government may agree to extend the term of this agreement by a further three years.
- (d) The ALC and the NT Government may vary this agreement at any time by agreement in writing.
- (e) If there are service delivery areas that have not been sufficiently considered or new service areas of interest before the end of this agreement, a new LDM agreement may be negotiated at a minimum of three months prior to this Agreement's end date.
- (f) The ALC and the NT Government will collaborate and negotiate respectfully, openly, honestly and in good faith in the spirit of building trust and a strong and lasting partnership.
- (g) If issues arise, the following dispute resolution process should take place:
 - i. the NT Government Regional Executive Director and, where necessary, senior officials of nominated Agencies, will promptly meet with ALC representatives to resolve the identified issues;
 - ii. if it is not possible to achieve a satisfactory outcome, the issue can be escalated, with the agreement of the ALC, to relevant Agency Chief Executives or to the NT Government Chief Executives Coordination Committee;
 - iii. if the issues are still unable to be resolved, the ALC may write to the Chief Minister and the Chief Executive Officer of the Department of the Chief Minister who will lead a dispute resolution process with relevant Agencies; and
 - iv. if all reasonable attempts in this dispute resolution process fail in three (3) months the ALC may opt to withdraw from the agreement.

8 | Implementation Framework

- (a) The NT Government and the ALC acknowledge that any transfer of responsibility to the Anindilyakwa people for a service delivery area:
 - i. will recognise and meet regulatory, legislative and Commonwealth requirements;
 - ii. may need to take a staged approach in order to ensure a successful transition over a period of time;
 - iii. will be supported by an agreed dedicated NT Government financial commitment in accordance with Clause 4.(h) and may include other agency support such as training, assets, in-kind assistance and other resources;
 - iv. will be captured in agreed Implementation Plans and, where appropriate, legally binding agreements between the ALC and the NT Government; and
 - v. will be monitored and evaluated for progress and performance using a transparent, consultative and participatory approach that promotes the resolution of emerging issues as they arise.

9 | Status of the Agreement

- (a) The ALC and the NT Government acknowledge that the provisions of this agreement are not legally enforceable. However, that does not lessen the commitment of the parties to fully implementing this agreement in a transparent, consultative and accountable manner.
- (b) The NT Government acknowledges that an appropriate legal framework, with legally binding contracts, will be critical to achieving the ALC's priorities for local delivery and decision making.
- (c) It is the intention of the ALC and the NT Government to capture the transfer of responsibility and control of agreed services and programs in formal contractual arrangements that detail and give legal effect to the parties' decisions.
- (d) The NT Government and ALC agree that upon signing, this agreement (including all schedules) will be published on the websites of the parties and remain there until the agreement comes to an end.
- (e) It is also agreed that the NT Government will arrange for a Ministerial Statement regarding the agreement to be made in the Legislative Assembly and, if appropriate, table the agreement and its schedules as soon as practicable following its execution.

10 | Signing

Signed by

_____ Date: ____ / ____ / 2018

The Hon Michael Gunner MLA

Chief Minister of the Northern Territory,
on behalf of the Northern Territory Government

_____ Date: ____ / ____ / 2018

Witnessed by

_____, on behalf of the Northern Territory Government

_____ Date: ____ / ____ / 2018

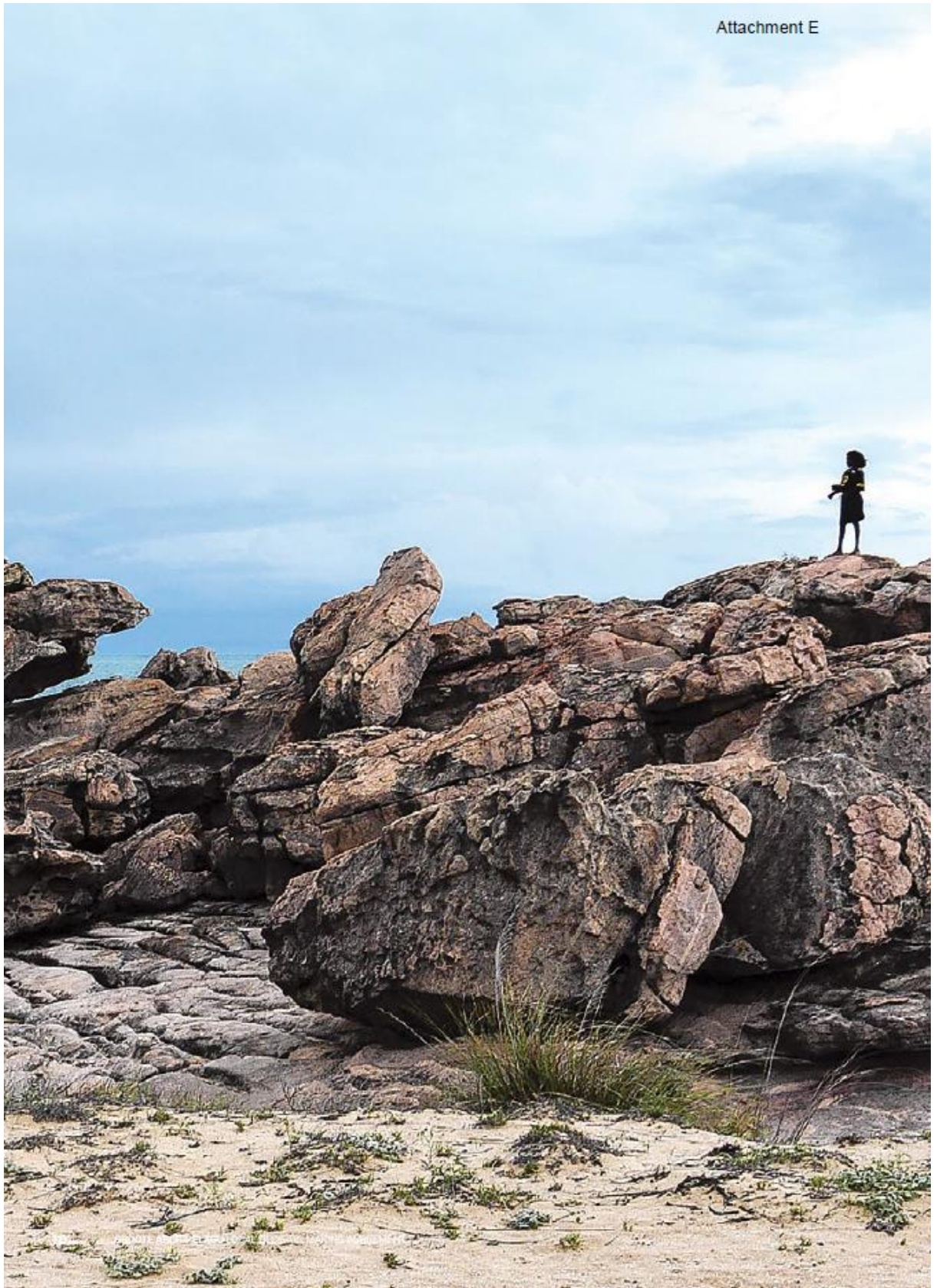
Tony Wurramarrba AO

Chairman
Anindilyakwa Land Council

_____ Date: ____ / ____ / 2018

Mark Hewitt

Chief Executive Officer
Anindilyakwa Land Council



SCHEDULE 1

Groote Archipelago – Community Information, Key Contacts, Key Dates and Agreement Processes

Region and Towns

The Groote Archipelago is situated off the eastern coast of Arnhem Land in the Gulf of Carpentaria, approximately 650 km from Darwin. It includes Groote Eylandt and numerous small named and unnamed islands scattered around it.

It is all Aboriginal land granted to its Anindilyakwa traditional owners under the *Aboriginal Land Rights (Northern Territory) Act 1976* (ALRA).

Anindilyakwa is the local language spoken by the 14 clans of the archipelago.

GEMCO started mining high grade manganese ore on Groote Eylandt in 1964.

The communities included in the scope of this agreement are:

- Angurugu;
- Umbakumba;
- Milyakburra;
- Anindilyakwa satellite communities (considered Homelands by the NT Government for funding contribution purposes); and
- Alyangula (subject to agreement by GEMCO where appropriate).

Regional Representative Group

Anindilyakwa Land Council (ALC)

The ALC is an independent statutory authority established under the ALRA to represent and provide services to the Aboriginal traditional owners in the Groote Archipelago.

Regional Representatives

Mr Tony Wurramarra AO, Chairman Anindilyakwa Land Council

Mr Mark Hewitt CEO, Anindilyakwa Land Council

Regional Representatives' Contact Details

Email: TWurramarra@alcnt.com.au
Office: (08) 8987 4005
Mobile: 0455 717 365

Email: MHewitt@alcnt.com.au
Office: (08) 8987 4005
Mobile: 0427 165 097

Regional Area

Department of the Chief Minister, East Arnhem Region

NT Government Representative

Regional Executive Director – East Arnhem, Department of the Chief Minister

NT Government Representative Contact Details

Email: jim.rogers@nt.gov.au
Office: (08) 8987 0543
Mobile: 0428 058 668

Service Delivery Areas (Scope)

Short Term	Medium Term	Long Term
<ul style="list-style-type: none"> • Housing • Economic Development • Law, Justice and Rehabilitation • Education • Health Services 	<ul style="list-style-type: none"> • Local Government • Sustainable Long Term Power Solution 	<ul style="list-style-type: none"> • Regional Control of Other Services • Future of Alyangula

Responsible NT Government Agency

Housing

Deputy Chief Executive Officer
Department of Housing and Community Development

Economic Development

Economic Development Officer – East Arnhem
Department of Trade, Business and Innovation
Program Leader – Aboriginal Policy and Engagement
Department of Primary Industries and Resources
Regional Director – East Arnhem
Department of Infrastructure, Planning and Logistics
General Manager – Industry Development
Department of Tourism and Culture

Law, Justice and Rehabilitation

Director – Aboriginal Justice Unit
Department of the Attorney General and Justice

Commander – Northern Command
Police, Fire and Emergency Services

Team Leader East Arnhem – Youth Outreach and Reengagement
Territory Families

Senior Director – Mental Health and Alcohol and Other Drugs
Department of Health

Education

General Manager Engagement and Partnerships
Department of Education

Health Services

Transition Coordinator
Department of Health

General Manager – East Arnhem
Top End Health Services

Local Government

Deputy Chief Executive
Department of Housing and Community Development

Sustainable Long Term Power Solution

Regional Coordinator – East Arnhem
Department of the Chief Minister

Deputy Chief Executive Officer
Department of Housing and Community Development

Assistant Under Treasurer
Department of Treasury and Finance

Regional Control of Other Services

Regional Executive Director – East Arnhem
Department of Chief Minister

Agreement review dates and end date

The parties will review this agreement every three years from the date of commencement.

This agreement expires nine years after the date of commencement unless extended by the parties pursuant to this agreement.

Meeting protocols

LDM Agreement Meetings

LDM Agreement Meetings will be held at least quarterly, in accordance with an annual timetable agreed to beforehand by the NT Government and ALC, to monitor the progress of objectives under this Agreement.

These meetings will canvas any agreement-level matters that arise from time to time, including the relationship between the parties, major issues, three-yearly reviews of the agreement, and reporting on the progress of agreement objectives to NT Government Cabinet and ALC board.

Meetings will be conducted in Anindilyakwa and English with an interpreter available should they be required.

The NT Government and ALC representatives will attend every meeting and the Chairman of the ALC will be responsible for chairing meetings.

The NT Government and ALC will each invite a minimum of two additional representatives to attend meetings.

The senior Commonwealth officer responsible for Indigenous Affairs in the region that includes the Groote Archipelago will also be invited to attend meetings.

Local Decision Making Agreement Meetings will work towards consensus decisions.

Minutes will be taken at all meetings in English and circulated to all participants and apologies.

Each meeting will have specified goals. At the end of each meeting feedback from all members will provide indication of whether specified goals were achieved. Action items from the meeting will establish agenda items for next meeting.

Commencement of the next meeting will provide feedback on whether action items were completed and, if not, what further action is required.

Any changes in Timeframe for Agreement of Implementation Plans are agreed and minuted.

The parties acknowledge that the Groote Eylandt Executive Steering Committee is an important reference group for LDM. The parties may choose to align the scheduling of certain LDM Agreement Meetings with certain Groote Eylandt Executive Steering Committee meetings.

Implementation Plan Meetings

The parties will hold Implementation Plan Meetings for each Schedule 2 priority at the time and as often as is required to adequately manage the development and carrying out of the Implementation Plans under this agreement.

The Northern Territory Government representative will be responsible for organising Implementation Plan Meetings with the responsible NT Government Agencies and the ALC and other agreed nominated organisations (such as the Commonwealth Government).

Meetings will be conducted in Anindilyakwa and English with an interpreter available should they be required.

The nominated NT Government and ALC representatives will attend every meeting.

The senior Commonwealth officer responsible for Indigenous Affairs in the region that includes the Groote Archipelago will also be invited to attend meetings where required.

Implementation meetings will work towards consensus decisions.

Minutes will be taken at all meetings in English and circulated to all participants and apologies.

Each meeting will have specified goals. At the end of each meeting feedback from all members will provide indication of whether specified goals were achieved. Action items from the meeting will establish agenda items for next meeting.

Commencement of the next meeting will provide feedback on whether action items were completed and, if not, what further action is required.

Milestones and Performance

Each Implementation Plan to deliver the outcomes for each of the priority service delivery areas in Schedule 2 will include a work plan that has key performance indicators and milestones which are linked to the transfer of responsibility and funding arrangements.

As set out in Schedule 2, the Timeframe for Agreement of Implementation Plan for each LDM priority is:

Short Term

- Housing: by 30 June 2019
- Economic Development: by 30 June 2019
- Law, Justice and Rehabilitation: by 30 June 2019
- Education: by 31 December 2019
- Health Services: by 30 June 2020

Medium Term

- Local Government: by 30 September 2020
- Sustainable Long Term Power Solution: by 31 December 2020 (subject to agreement with GEMCO)

Long Term

- Regional Control of Other Services: by 31 December 2024
- Future of Alyangula: by 31 December 2026 (subject to agreement with GEMCO).

Monitoring and Evaluation

NT Government and the ALC agree that a concise monitoring report will be referenced in the annual reports and included on the websites of the Department of the Chief Minister and the ALC which are tabled in the NT Legislative Assembly and Federal Parliament respectively. The monitoring report will

- be prepared and agreed jointly; and
- include information on the progress against the Implementation Plan and milestones therein.

An evaluation of the extent to which the vision, objectives and outcomes of this agreement including the schedules have been achieved will form the basis of the review proposed at the 3 year point.

The evaluation will:

- be conducted by independent experts following a competitive tender process;
- funded on a 50/50 basis by the NT Government and ALC;
- have a strong focus on obtaining and evaluating the views of the Anindilyakwa people and their organisations; and
- be published.



SCHEDULE 2

Agreed Local Decision Making Priorities

Schedule 2 lists the priority service delivery areas that are agreed by the NT Government and ALC for control and responsibility to be transferred to the Anindilyakwa people in the next nine (9) years. For each priority it contains:

- background (if applicable);
- the outcome sought;
- the service delivery model proposed to facilitate control by the Anindilyakwa people;
- the NT Government's commitments;
- the ALC's commitments; and
- Timeframe for Agreement of Implementation Plan.

Comprehensive Implementation Plans in relation to each of the Local Decision Making priorities will be negotiated to support achieving the agreed outcomes and added to this agreement as additional schedules.

SHORT TERM

Housing

Outcome sought

A single, sustainable, diverse and culturally appropriate community housing system across all towns and satellite communities (considered Homelands by the NT Government) in the Groote Archipelago that the Anindilyakwa people control and take responsibility for.

Background and Context

The Remote Community Housing (RCH) in Angurugu, Umbakumba and Milyakburra, around 260 public housing properties, is currently managed under the NT Government's remote public housing framework.

The RCH is on sub-leases to the Township Lease currently held by the Commonwealth Executive Director of Township Leasing. The ALC are currently negotiating to transition to a community held township lease. The NT Government is not a party to these negotiations however its sub-leases will transition to any new model.

In the satellite communities (Homelands) of Bartalumba Bay, Little Paradise, Malkala and 4 Mile, there are around 22 houses which are currently serviced by GEBIE Aboriginal Corporation, however the housing is not on leases and is under the ownership of the Aboriginal Land Trust and Traditional Owners. There are also around 17 new houses that, under funding by Anindilyakwa Royalties Aboriginal Corporation (ARAC), have either been completed or are under construction and are due to be completed. The ownership of those houses will transition to Anindilyakwa Housing Aboriginal Corporation (AHAC). The NT Government currently provides limited financial support for housing and municipal and essential services via its Homelands services programs.

As part of the Township Leasing negotiations to transition to a community held model, the ALC is also seeking to extend the township lease to include satellite communities (considered Homelands by the NT Government). The ALC considers these new leasing arrangements, coupled with the establishment of a registered community housing provider for the Groote Archipelago, present an opportunity to bring the RCH and satellite community (Homelands) housing under a single and consistent management system.

Proposed Service Delivery model

The ALC has established AHAC and aims to achieve registered Community Housing provider status to put in place a single and equitable management system for all Anindilyakwa RCH and satellite community housing.

The service delivery model proposed is that AHAC achieve registration under the national community housing provider requirements and progressively take community housing management responsibility for:

- 1) all ALC and, by agreement, other social housing (both new and existing) funded by Anindilyakwa corporations and the Anindilyakwa Mining Trust, situated on the Township Leases and other areas including satellite communities;
- 2) NT Government controlled and managed Remote Community Housing (RCH) in Angurugu, Umbakumba and Milyakburra situated on the Township Leases; and
- 3) Housing in the satellite communities (Homelands) which are situated on Aboriginal Land and are the ownership of the Land Trust.

Additionally, the procurement processes for the construction of housing will be conducted by AHAC under terms and conditions agreed with the NT Government.

As part of the staged service transition model and Implementation Plan, the NT Department of Housing and Community Development will work with the ALC to transition tenancy management and repairs and maintenance services for the Angurugu, Umbakumba and Milyakburra RCH houses and the satellite community houses under the NT Government Homelands programs.

The single housing model proposed, combined with additional investment by the ALC and tenure under the proposed amendment to the Township Lease, presents an opportunity for the satellite community houses to be managed under AHAC in a consistent manner to the community housing in the main Anindilyakwa towns of Angurugu, Umbakumba and Milyakburra.

NT Government Commitments

The NT Government commits to the joint development of an agreed Implementation Plan to achieve the outcome sought and proposed service delivery model between DHCD, the ALC and AHAC that recognises the Groote Archipelago Housing Master Plan and the NT Government's approach to addressing overcrowding and improvement of existing assets.

The NT Government will aim to progressively transfer responsibility for its social housing services with the eventual aim of transferring its remote community housing assets to the Anindilyakwa people, particularly to the Anindilyakwa Housing Aboriginal Corporation, in accordance with milestones and conditions agreed to in the Implementation Plan. Therefore, in accordance with the Housing Implementation Plan, the NT Government commits to working with the ALC, AHAC and EDTL to cease or transition the current sublease arrangements in favour of AHAC in the towns of:

- Angurugu;
- Umbakumba; and
- Milyakburra.

The NT Government acknowledges the importance of the satellite communities (Homelands) to the Anindilyakwa people and the aspirations of the ALC to support them to receive a level of service consistent with the existing townships.

For funding purposes, the NT Government considers satellite communities to be Homelands, which defines the level of financial support the NT Government can provide to them, including in relation to housing and municipal and essential services. Whilst the NT Government supports the inclusion of the satellite communities in the LDM agreement and the ALC's aspirations to bring all the social housing under a single management model, the NT Government notes that it is not in a position to change the way it funds the satellite communities (Homelands) at the time of signing of this Agreement. The NT Government acknowledges that the inclusion of the satellite communities (Homelands) in the single housing model for the Groote Archipelago will be a relevant factor for consideration regarding the way the NT Government funds the satellite communities (Homelands) in the future. The NT Government also notes that the Traditional Owners must decide if the satellite communities should come under the management of AHAC and the NT Government has no direct role in this decision.

Subject to Clause 4.(h) and Clause 8.(a)iii. of this Agreement, the NT Government will provide NT Government funding for housing and associated infrastructure on Groote Eylandt over the life of this Agreement that it would normally provide under its existing policies for remote community housing and Homelands which are subject to change from time to time. This will be irrespective of the potential for additional contributions from Traditional Owners to meet any further deficit in housing needs (beyond that which the NT Government programs can address) and whether or not the housing has fully transitioned to AHAC.

The NT Government will meet existing planned housing commitments for the Groote Archipelago, including under its HomeBuild NT, Room to Breathe, Government Employee Housing and Homelands funding initiatives noting their overarching priority of reducing overcrowding across remote Aboriginal communities in the Northern Territory. The NT Government will engage with the ALC and AHAC and other stakeholders about the future program of works, including under any Commonwealth funding it may receive from time to time.

Funding provided by the Australian Government as it relates to remote Aboriginal Housing will be a factor as will the role of the Executive Director of Township Leasing over the leases held across the Groote Archipelago.



ALC Commitments

The ALC has established AHAC to facilitate decision making by Anindilyakwa people about the ownership, location, type and occupation of community housing across the Groote Archipelago and take responsibility for tenancy management and repairs and maintenance and capital upgrades over time.

The ALC will undertake extensive consultations with all Anindilyakwa traditional owners to obtain their consent to the proposed Implementation Plan (between the ALC, NT Government and AHAC) and with communities and organisations to take account of their views.

The ALC will support the establishment and operations of AHAC including funding (sourced from the income of traditional owners) and achieving registration on the National Register of Community Housing Providers.

The ALC will facilitate additional agreed funding investments in housing and infrastructure (sourced from the income of traditional owners) consistent with the Groote Archipelago Housing Master Plan which aims to ensure overcrowding is addressed and existing housing conditions are improved in both the Anindilyakwa towns and satellite communities.

The ALC acknowledge that the inclusion of the satellite communities in the single housing model and any potential new Township Leasing arrangements does not in itself change the status of the satellite communities for the purposes of NT Government Homelands funding. The ALC also acknowledges that any change in NT Government funding for the satellite communities would only occur when broader Homelands funding reviews occur. However, the ALC seeks the NT Government to consider the single housing model and tenure status in any future Homelands policy and/or program reviews.

Timeframe for Agreement of Implementation Plan

By 30 June 2019 (noting Commonwealth funding and commitments are still subject to the agreement of a new National Partnership with the Australian Government which may impact the timing of this Implementation Plan).

Economic Development

Outcome sought

A viable, culturally rich and sustainable two-stream (diversified) economy in the Groote Archipelago, not dependent upon mining royalty income, which is controlled by Anindilyakwa people.

Service Delivery model

The Future Groote Accord will be the principal governance document agreed to between key Groote organisations that will commit the parties to a set of principles and certain responsibilities to drive decision-making and program design for economic development. The Future Groote Accord will come out of the detailed report on the Future Groote Strategy that Social Ventures Australia has prepared for the Groote Archipelago under the engagement of the ALC and GEMCO through the Groote Archipelago Economic Development Committee.

In addition, recognising the importance of Alyangula to the economy of the Groote Archipelago, the parties will agree on a transition plan with GEMCO for Alyangula.

NT Government Commitments

Negotiate a comprehensive Implementation Plan that supports a two-stream economy comprising cultural enterprises and the services ecosystem and that supports the Future Groote Strategy and Future Groote Accord where appropriate.

Apply in the Implementation Plan the high-level objectives of the Northern Territory's proposed Logistics Master Plan including to enhance air, land and sea transport links into the Groote Archipelago and to facilitate an aquaculture industry.

Agree with ALC in the Implementation Plan to jointly engage and fund the services of experts in transport and telecommunication services to investigate and report on options to make them viable, low cost, and allow much better access by Anindilyakwa people.

Support a process in the Implementation Plan to work with Anindilyakwa people to ensure their economic interests in Sea Country are achieved.

Support the ALC's economic development work with stakeholders on the Groote Archipelago in the Implementation Plan, including the Future Groote Strategy developed by Social Ventures Australia.

Within the legislative and regulatory framework, support and advise Traditional Owners to conduct exploration and mining on the Groote Archipelago (including in joint venture with other parties) in accordance with recognised rights of Traditional Owners to utilise their natural resources. Under the Implementation Plan, the NT Government will work with Traditional Owners on:

- the attainment of all relevant approvals, licences and permissions within the remit of the NT Government;
- the negotiation and purchase of relevant mining interests; and
- the establishment by Traditional Owners of joint ventures for exploration and possible mining operations in respect of the relevant mining interests.

ALC Commitments

Negotiate a comprehensive Implementation Plan with the NT Government to achieve the outcome.

Consult with Anindilyakwa organisations to facilitate their support for the Future Groote Strategy and Future Groote Accord, which will provide an effective governance framework for Anindilyakwa people's economic development.

Agree with the NT Government to jointly engage and fund the services of experts in air transport and telecommunication services to investigate and report on options to achieve the outcome.

Work with the NT Government to advance the ALC's mining related interests under the legislative and regulatory framework.

Timeframe for Agreement of Implementation Plan

By 30 June 2019

Law, Justice and Rehabilitation

Outcome sought

Increase the involvement and leadership of Anindilyakwa people in the justice system, including access to rehabilitative services.

Service Delivery Model

Establishing an Anindilyakwa owned and managed low security alternative to prison/custody facility in the Groote Archipelago. The model for such a facility is yet to be determined but will aim to include access for clients to rehabilitation services that assist and address factors causing or likely to cause criminal behaviour. This will be a three (3) year pilot project to determine the feasibility of the project long term.

NT Government Commitments

Resourcing with the ALC joint feasibility studies and negotiating an implementation plan to implement the agreed options.

Commit operating costs for the facility.

Continue to ensure that legislation enables the Local Court to order, where appropriate, that individuals pay restitution from that individual's royalty money by redirection of ALC individual royalty distributions.

Coordinate local police services to establish programs that educate and positively engage members of community in ways that aim to reduce the rate of offending on the Groote Archipelago.

Work to establish and maintain 24-hour police services in Angurugu.

ALC Commitments

Commit to participating and contributing content to the development and implementation of the Northern Territory Aboriginal Justice Agreement.

Facilitate the formation of a local Anindilyakwa Law and Justice Group to progress this priority.

Commit to jointly resourcing feasibility studies from the income of traditional owners and negotiating an Implementation Plan to implement the agreed options.

Facilitate contributions from the income of traditional owners to contribute to the capital costs to build the alternative to custody/prison facility.

Nominate, with set jointly agreed criteria with NT Government, the location for the alternative to custody/prison facility.

Provide local Aboriginal people to work within the alternative to custody/prison facility.

Support the NT Government and local police services to establish programs that educate and positively engage members of community in ways that aim to reduce the rate of offending on the Groote Archipelago.

Timeframe for Agreement of Implementation Plan

By 30 June 2019

Education

Outcome sought

A new, community-controlled, bi-lingual education system in the Groote Archipelago that allows for Anindilyakwa people to control and take responsibility for their own schools, has a curriculum to enable Anindilyakwa people to live in both worlds, and facilitates a single governance model for education in the Groote Archipelago.

Service Delivery Model

Establishing and sustaining a Joint School Council under the NT Education Act that partners with the ALC and Northern Territory Department of Education to achieve this outcome, including:

- building an independent boarding school for students located in the Groote Archipelago that is to be owned and operated by an Anindilyakwa entity;
- establishing an ongoing program of Anindilyakwa education workers to travel 'on country' and engage both pre-school-aged and school-aged children who are not in school, with the support of the Commonwealth Government;
- prioritising Early Childhood development and education for children aged 0 - 5 including supporting Save the Children's Play to Learn program, Families as First Teachers and the establishment of a Child and Family Centre maximising opportunities for Connected Beginnings.

NT Government Commitments

Supporting the Joint School Council that, with the ALC and Anindilyakwa entity that owns and operates the independent boarding school, will together rejuvenate education in the Groote Archipelago including taking all steps needed for Local Decision Making.

Provide resources on a joint basis including for the engagement of consultants to support the rejuvenation of education in the Groote Archipelago.

Contributing to the development of the project plan, funding model and financial sustainability plan for the independent boarding school that ultimately is able to be registered under the *NT Education Act*.

Commit to bilingual education in the Groote Archipelago in combination with the ALC's Language Centre.

Enter into an Implementation Plan with the ALC and the Joint School Council.

ALC Commitments

Developing and resourcing the Anindilyakwa entity to own and operate the independent boarding school, including its incorporation.

Facilitating funding contributions from the income of traditional owners to support the construction and operation of the Anindilyakwa boarding school and the Save the Children program.

Entering into an Implementation Plan with the NT Government and the Joint School Council.

Timeframe for Agreement of Implementation Plan

By 31 December 2019

Health Services

Outcome sought

Transition of control and responsibility for health clinics in the Groote Archipelago from NT Health to an Aboriginal Community Controlled Health Organisation nominated by the Anindilyakwa people.

Service Delivery Model

Transfer of control and responsibility for health clinics to an Aboriginal-controlled Health Service agreed to by Anindilyakwa people.

NT Government commitments

Commit to negotiating an Implementation Plan with the ALC to transition the clinics, to bolster services including on Bickerton Island and for MJD sufferers, and to facilitate community led strategies that promote better health.

Engage the Commonwealth to ensure its support including funding.

ALC commitments

Facilitate consultations with communities to build understanding and support for the transition of health services to an Anindilyakwa controlled Aboriginal Medical Service.

Negotiate an Implementation Plan with the NT Government to achieve the outcome.

Timeframe for Agreement of Implementation Plan

By 30 June 2020



MEDIUM TERM

Local Government

Outcome sought

Anindilyakwa people take responsibility for local government in the Groote Archipelago, by the establishment of an Anindilyakwa Regional Local Government Council.

Service Delivery Model

Under the NT Local Government Act, the Groote Archipelago is taken out of the East Arnhem Regional Council area and a new Regional Council is established for the archipelago that includes (either initially or at a later date) the Alyangula township (by agreement with GEMCO and the NT Government noting it is currently an unincorporated area).

NT Government Commitments

The NT Government agrees in principle the outcome sought and service delivery model. However, it notes the need to undertake a detailed assessment and analysis of important considerations for both the NT Government, the ALC and other stakeholders including:

1. legislative requirements;
2. transition costs;
3. division of available funding sources;
4. future viability of each of the East Arnhem Regional Council and a newly formed Regional Council; and
5. other elements including the impacts to Commonwealth funded services.

The NT Government commits to commence this assessment and analysis report and provide this by the end of 2019 for the Parties to consider and to assist the development of the Implementation Plan. Any costs associated with the development of this report are to be shared equally between the ALC and NT Government.

Pending the outcome of the assessment and analysis report, and agreement by both parties to move forward, the ALC and NT Government will develop an Implementation Plan which includes a transition committee comprising of membership from the ALC, East Arnhem Regional Council and GEMCO (if relevant) and supported by senior officers from DHCD.

It is acknowledged by the Parties to this Agreement, that agreeing in principle to work towards the proposed service delivery model, that this does not represent a commitment of the NT Government to de-amalgamate Regional Councils across the NT. The NT Government decision to support the ALC proposed outcome is based on a common understanding that in the establishment of the Shires during the 2008 local government reforms, a Shire (or Regional Local Government Council) could have been established to match the ALC Groote Archipelago geographic area given the Anindilyakwa cultural boundaries and island (or geographical) nature of the Archipelago.

The parties acknowledge that this does not represent a change in policy of the NT Government as it relates to Local Government and a very important factor in any decision to establish the Groote Archipelago Regional Local Government will be ensuring the financial sustainability of the East Arnhem Regional Council.

ALC Commitments

Consult with communities and traditional owners to obtain their informed consent to the necessary elements of any decision to establish a Groote Archipelago Regional Local Government Council.

Participate in development of the Implementation Plan and the transition committee and provide agreed financial commitments set out in the Implementation Plan.

Timeframe for Agreement of Implementation Plan

Analysis and assessment report completed and provided to the NT Government by 31 December 2019.

Implementation Plans discussions commence following and be completed by 30 September 2020, followed by establishment of transition committee. New council to commence after necessary legislative changes are enacted and in accordance with the agreed Implementation Plan.

Sustainable Long Term Power Solution**Background**

Currently, the major generator of power on the Groote Archipelago is GEMCO/South32 who supply power to Alyangula and, through Power Water Corporation, to Angurugu and the satellite communities on the grid. Power Water Corporation provide diesel generation in Umbakumba and hybrid diesel/solar generation in Milyakburra. Satellite Communities (Homelands) and areas between systems are supported through the NT Government Homelands Municipal and Essential Services program.

As part of securing a sustainable economic future for the Groote Archipelago post-mining, the ALC would like to seek a sustainable long term power solution, with a focus on renewable energy. It is important that any discussions on a long term power solution includes GEMCO/South32.

Outcome sought

Transition to a long term power generation solution that provides low cost, reliable, safe and clean energy for all communities in the Groote Archipelago. Consistent with the NT Government's commitment to adopt a 50% renewable energy target by 2030, the long term solution should focus on renewables.

NT Government commitments

Work with GEMCO and the ALC to fund a feasibility study further to the 28 May 2018 T&O Energy Consultants Renewable Energy Systems Assessment to determine preferred options for a transition to a long term, sustainable energy system on the Groote Archipelago.

Engage with GEMCO as the current primary electricity generator so seek their agreement and support to transition to a long term solution as part of the Alyangula Futures Reference Group.

If a solution is agreed between parties, provide to the new renewable energy system operator an equivalent subsidy in the electricity price that the NT Government provides to Power and Water Corporation and GEMCO for electricity, so that the ongoing cost to the remote communities on the Groote Archipelago are kept at the same level that applies to the 73 remote communities in the NT.

Negotiate an Implementation Plan with the ALC.

ALC commitments

Contribute funding with the NT Government and GEMCO for the feasibility study further to the 28 May 2018 T&O Energy Consultants Renewable Energy Systems Assessment that is required to determine preferred options for a transition to a long term, sustainable energy system on the Groote Archipelago.

Facilitate funding investments (including from the income of traditional owners) for the capital and operating costs of the new system.

Suggest a community-owned organisation to partner with the NT Government and operate the new system, noting the NT Government has established a market based approach to electricity supply to ensure best value for the NT.

Timeframe for Agreement of Implementation Plan

By 31 December 2020

LONG TERM

Regional Control of Other Services

Outcome sought

Anindilyakwa people have control and responsibility for key services presently delivered by the NT Government.

Service Delivery Model

NT Government transition of control to Anindilyakwa people of these types of services, within the ambit of the NT Government. The ALC and the NT Government to explore opportunities with the Commonwealth for transition of services that are the responsibility of the Commonwealth Government.

NT Government Commitments

Consider this priority in greater detail at the first three-year review of this agreement.

ALC Commitments

Consider this priority in greater detail at the first three-year review of this agreement.

Timeframe for Agreement of Implementation Plan

By 31 December 2024

Future of Alyangula

Background

GEMCO operates the manganese mine on Groote Eylandt. At the time of this agreement, the expected mine life is approximately 10 years.

GEMCO currently operates and maintains the Alyangula township, including municipal and essential services and community infrastructure. Alyangula is located on a Special Purposes Lease (SPL) held by GEMCO and is Aboriginal Land held in escrow under the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth). On expiry or termination of the SPL, title of the land will vest in the Land Trust.

Between the present and the closure of the mine, the composition of the mining workforce in Alyangula may change. This transition needs to be carefully managed to ensure the impact on business, government services and broader Groote Archipelago community is minimised and the transition supports the agreed transition plan for the community.

Outcome sought

Controlled management of GEMCO transition impacts on Alyangula and the Groote Archipelago, and support for the Anindilyakwa people through the transition to utilise Alyangula in establishing a successful, local, diversified economy that provides jobs and opportunities for the Groote Archipelago.

Service Delivery Model

The Alyangula Futures Reference Group (comprised of the ALC, GEMCO, the Commonwealth Government and the NT Government) (AFRG) will continue its role as the primary group guiding decisions on management of the transition impacts and assessing opportunities for all stakeholders to contribute to, and improve, socio-economic development outcomes for Alyangula and the Groote Archipelago (including in education, health, community safety and children and families).

NT Government Commitments

Identify all ways that the NT Government is able to assist in the AFRG meeting its objectives, and in the work of the parties to achieve the outcome sought under this agreement, and offer that assistance to the relevant stakeholders on the Groote Archipelago.

ALC Commitments

Represent the interests of the Anindilyakwa people, and assist where appropriate, in the work of the AFRG to meet its objectives and in the work of the parties to achieve the outcome sought under this agreement.

Timeframe for Agreement of Implementation Plan

By 31 December 2026

i ALC 15 Year Strategic Plan (2012-2017) – 2012 <https://www.anindilyakwa.com.au/uploads/images/ALC-15-YEAR-STRATEGIC-PLAN-FINAL.pdf>
ii Groote Archipelago Housing Master Plan – 2016 and as revised – Cox Architecture
iii Social Ventures Australia – Future Groote Strategy – 2018
iv T&O Energy Consultants – Renewable Energy Systems Assessment – 28 May 2018



