



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

14th Assembly

PUBLIC ACCOUNTS COMMITTEE

Public Hearing Transcript

9.30 am Thursday 27 October 2022

Sea Rights Room

Buku-Larrnggay Mulka Art Centre

Yirrkala

Members:

Mr Joel Bowden MLA, Chair, Member for Johnston
Mr Steve Edginton MLA, Member for Barkly
Mr Yingiya Mark Guyula MLA, Member for Mulka
Mr Brent Potter MLA, Member for Fannie Bay
Mr Bill Yan MLA, Member for Namatjira

Witnesses:

Laynhapuy Homelands Aboriginal Corporation

Ms Kerry Legge: Chief Executive Officer
Mr Barayuwa Mununggurr: Chairperson
Ms Yananymul Mununggurr: Director

Yolngu Nations Assembly Aboriginal Corporation

Ms Shannon Voss: General Secretary
Ms Nyomba Gandangu: Vice Chair
Mr Anthony Hayward-Ryan: Researcher

Arnhem Land Progress Aboriginal Corporation

Mr Matt Stevenson: Community Development Program Manager
Ms Faye Matjarra Garrawurra: Board Director

Aboriginal Resource and Development Services Aboriginal Corporation

Mr Ben Grimes: Chief Executive Officer
Mr Gawura Wanambi: Chairperson

East Arnhem Regional Council

Mr Dale Keehne: Chief Executive Officer
Mr Lapulung Dhamarrandji: President
Ms Joanne Baker: Local Authority Member

Inquiry into Local Decision Making

Laynhapuy Homelands Aboriginal Corporation

Mr CHAIR: Thank you. We welcome today the committee from the Laynhapuy Homelands Aboriginal Corporation—hope I have that close. Here today are the Chief Executive, Kerry; the Chairperson; and others. We thank you.

This is a formal proceeding of the committee. The protection of parliamentary privilege exists within this hearing. It means you can say what you want to say. Does everyone understand that? Say what you want to say, how you want to say it. There are no issues with that at all.

There is a transcript, so the microphones are on. If you can speak a bit louder to make sure we can get it; that is good. If, at any time, you will say something you think you do not want everyone to hear, there is the opportunity for us to go into a closed session, which means it would just be the committee and one other person. If you say something and think, 'I do not want anyone else to know or hear this—this is really private or personal', then just say, 'Please can we go to a closed session'. Unfortunately, that means everyone who is here in the gallery has to leave. Is everyone okay with that? Yes, you understand that.

When you speak, please state your name and position; it helps with the transcript.

I will hand over to Kerry as the CEO to make an opening statement. The way we work is opening statements and then questions—pretty free-flowing. We are running a little late but we have time and will take as much time as we need to make sure you feel like you have the time and you can say what you want to say.

As a bit of context, we have been doing this for about a year and a half. We have not been able to travel a lot, but we have been to Alice Springs, Kintore west of Alice Springs, and we are trying to get around where we can. It has been great that Yingiya has helped us come out here today and organised it. It is so good to see so many people here.

Ms Kerry LEGGE: Thanks, Joel. Thanks to the MLAs who made the effort to come here today. We really appreciate you being here and listening to what we have to say.

Laynhapuy—or Laynha is the short name we use—I sent in a submission on behalf of Laynha in 2021 and talked about our views and experiences of LDM at that time. When I was reading it this morning, I do not think my views have changed at all.

Laynha has been around since 1985. It was set up by Yolngu people to be the organisation that helps Yolngu people live well on homelands. When I think about that, it looks like already a form of local decision making and local empowerment and that sort of thing. The engagement with the directors at Laynha does not recognise that. Is that fair?

The Yolngu directors of Laynha engaged in a process early on and that was disbanded. What happened then was, unbeknown to them, some of them knew what was going on, but some did not. The way that people were communicated to led to an agreement being made in the Laynhapuy homelands with a different organisation—which we are very respectful of—but it was kept a secret from Laynha. When I asked for information about it, I was told it was cabinet-in-confidence.

Mr CHAIR: The local decision making agreement?

Ms Kerry LEGGE: Yes, in its draft form. I found out that was not right and we were able to share information about it. It was all a bit too late then.

I see my role as sharing information and enabling things to happen. The engagement should not be through me, it should be with Yolngu people. If the Yolngu do not know what is happening, how will they be engaged with? That is my entire into it all.

Laynha also has a very strong indigenous ranger program called Yirralka Rangers. We also have a lot of local decision making being made in that group but for some reason, that was not recognised by this process either, and still isn't.

So that's what was written in my submission to start with. I would like Yananymul and Barayuwa to continue the conversation.

Mr Barayuwa MUNUNGGURR: When we first signed up for local decision making with the Chief Minister of the Northern Territory, Michael Gunner; when was that? 2019.

I thought that was to sign up for all homelands with other areas such as Elcho and Milingimbi. We all signed it. But, it started to go our way a little. If it is a local decision making, it's the local people that should be making the decisions, on the ground, talking with our elders and communities.

I think we are heading in the right direction because when it comes to local decision making, I thought for a while that this one is not new in Yolngu thinking. It has been there in place for a long time, local decision making. You know we have been making that decision. The old people are gone and now we are here. We want a story about how it can connect and how it can be passed on to individuals or to the people, about what we are talking about. Is it a local decision making? Local, are we the ones who are going to be making the decisions, or is somebody else making the decision for us? We need to be transparent on this one, because we do not want to confuse if we have been taking for a long time. Again, those behind think it is new but we just need to focus very closely. Because it is the people that is going to make the decision, people on the ground.

Mr Chair: Thank you.

Ms Yananymul MUNUNGGURR: First and foremost I pay my respects to the regional people, past, present and future. My name is Yananymul Mununggurr, I am a director for Laynhapuy Homelands Aboriginal Corporation. Local decision making should be Yolngu people. Yolngu people being the group to be decision-making at the local level—decision-makers. When we first started to talk about the local decision making initiative, going back a couple of years ago, we set up a working group, a working group made up of all the Aboriginal organisations, and we signed an agreement, an agreement on how those organisations would be working together to work towards making a local decision making initiative for Yolngu people.

My frustration, personally, when I first got involved in those discussions is for Yolngu, Yolngu people all across—and for Aboriginal people all across the Northern Territory—to have control. As my Chairman said, local decision making has always been something that we practised over time, for many years. Our forefathers were doing it and passing it on to generations and so on. We are still do it today, but the government does not seem to recognise that.

Government is directing Yolngu people on how it should work and how it should happen. That is the thing that frustrates me and also the fact that government is working with organisations instead of focusing on the Yolngu people on the ground—the grassroots people. That is my frustration. Government shouldn't be doing that, talking to organisations to have a local decision making agreement. They should be talking to the people, the clan groups. Laynhapuy Homelands has a three-ward structure within the Laynhapuy region, the Miyarrkapuyngu region, the Laynhapuy region and the Djalkiripuyngu region. The Djalkiripuyngu people came up with their own plan. We support that move and we have a good relationship with the Djalkiripuyngu people, because they wanted to have their own plan, and for Laynhapuy Homelands Aboriginal Corporations is the organisation to work in partnership with the Djalkiripuyngu people.

There was a meeting a couple of months ago, in March, at Banyala where I expressed my disappointment to Selena Uibo and representatives of the Northern Territory Government and Chief Minister's Office that government should be working with the Yolngu people. We talked about establishing an overarching agreement with the whole of the region, including the Djalkiripuyngu people, the Laynhapuy people and the Miyarrkapuyngu people.

Those discussions are still happening. This is not involving organisations. Laynhapuy Homelands Aboriginal Corporation won't be a part of that agreement; it is just the people, the clan groups that make our region. There are 13 clan groups within the three-wards region. That is the thing that we are working towards, that's the thing we want to achieve, but it is still discussions at the moment.

The way I see it, I think government would rather find it easier to work with organisations instead of the people. That is how I see it. That is why there is a delay in the process.

Mr CHAIR: That meeting was in March?

Ms Yananymul MUNUNGGURR: Yes.

Mr CHAIR: Are you still negotiating?

Ms Yananymul MUNUNGGURR: Still negotiating ...

Ms Kerry LEGGE: There has just been silence.

Ms Yananymul MUNUNGGURR: There has been silence after that.

Mr CHAIR: Since March?

Ms Yananymul MUNUNGGURR: Yes.

Ms Kerry LEGGE: We had another meeting, then more silence.

Mr CHAIR: When was that?

Ms Kerry LEGGE: In August.

Ms Yananymul MUNUNGGURR: That is right.

Ms Kerry LEGGE: I gave all the names.

Ms Yananymul MUNUNGGURR: *Yow.* It has been silence since August. There is a delay—this is just my point of view. I think the government is finding it too hard to work an agreement that will only involve the Yolngu. They are finding it too hard.

Mr CHAIR: That is the 13 clans?

Ms Yananymul MUNUNGGURR: Thirteen clan groups within the Laynhapuy region, the Miyarrkapuyngu and the Djalkiripuyngu regions. We are talking about an overarching agreement, not just separate agreements or an agreement between just with an organisation. We do not want that. The way I see it, local decision making should be between government and the Yolngu *mala*, Yolngu *mala* that is just within our region, not Yolngu from other regions. Just Yolngu, just within our regions. That is what we are trying to achieve and working towards, but we just finding it hard. It frustrates me, for government to not listen to what we are saying.

Our service providers, like Laynhapuy Homelands Aboriginal Corporation, would just be there to support the Yolngu people. That is what the organisation's purpose is, hey? Laynha's mission is to help the Yolngu *mala* achieve our own dreams out on the homelands.

This agreement, the agreement that I'm talking about, this agreement would be just between the Yolngu and government, not Laynha or government, no.

Mr CHAIR: So what we are here to do is to listen and hear these frustrations and concerns. I probably forgot to introduce everyone. We have Steve Edgington, the Member for Barkly, which is the Tennant Creek region. It is the biggest electorate in the Northern Territory. We have Bill Yan, who is in Namatjira, south-east of Alice Springs in the Eastern Desert. Brent Potter is in Fannie Bay, which is small compared to Namatjira and Barkly. I am in Johnston which is tiny compared to Namatjira and Barkly. Yingiya is here also, who you all know.

Thank you for your opening statements. I will open it up to the floor for questions and more conversation because what we are trying to give you an opportunity to air your frustrations, to tell us that since the March and August meeting, there has been silence. We can then take that back. We can't anything other than report and say to government—which we are all part of, all part of—these are the frustrations of this group or that group. We plan to report on this later in this year and table it in parliament next year. That is our plan. But I'll open it up if there's any questions, comments.

Mr YAN: I have listened to what has been said and I am interested in how you would see that communication line working between your clans or groups and government to form that plan. At the moment you are saying that government comes and talks to organisations. How best would you see government actually communicating down to that next level, to communicate with those clans rather than those organisations, to develop that process and to be able to do that communication? How best would you see that happening?

Ms Yananymul MUNUNGGURR: In our case, homelands case, I think you would talk to Laynhapuy first—Laynhapuy Homelands Aboriginal Corporation—with Kerry and then Kerry would arrange for the people. Homelands members do not want to come in to Yirrkala to have meetings like this to be consulted here at Yirrkala or Nhulunbuy. You gotta come out and visit us, you came and visit us. For the communication it's best for government to be talking to people at Laynha, like in our case CEO and she can relay the message to homelands and we could arrange a big meeting. Then for you guys, you mob to come out, come out bush; see our environment which is variable.

Ms Kerry LEGGE: I have also shared that information as well and still silence.

Mr POTTER: Can I follow on that question? Of the 16 individual Yolngu groups, do they all fall under you and do they all agree to come under homelands? Or, would that be a complete representation going to one entity to get to those 16?

Ms Yananymul MUNUNGGURR: Sorry, you've to speak up.

Mr POTTER: There are 16 different groups that you talk about all under Yolngu, do they all fall under homelands Aboriginal corporation?

Mr Barayuwa MUNUNGGURR: Yes.

Mr POTTER: So all 16 you talk of are all members.

Ms LEGGE: It is not location-based. If you look at the map, it is the location of the Laynhapuy Homelands. There are clan groups living here as well.

Mr Barayuwa MUNUNGGURR: We are not trying to avoid it. Those people who are living out there and not hearing what is being said. Every member need to hear about this or you go to be with the people and show yourself. That way there is no communication gap; at least we are talking on the same level. I think that is what we need to see and we can achieve something from it.

Ms Kerry LEGGE: I think the other thing we have not mentioned is Yananymul, Barayuwa and the other homeland leaders saw LDM as also a way to move towards treaty because there is a lot going on; the treaty, the Voice, Empowered Communities. You are talking to the same people and it sounds like it is all about closing the gap and government working better with Aboriginal people, but everyone is doing their own thing. What the Laynha homeland leaders ask for is to have a single consultation and all that information being shared for all these different purposes.

Mr POTTER: Can I jump on that and further ask some questions? You are saying that a practical solution for everyone's individual initiatives is to have one centralised meeting for example. Would that be something you would be talking about; coming at one period of time and working through each one? Would that be a practical way to get through?

Ms LEGGE: Yes.

Mr CHAIR: In a general sense of LDM, what does the community think? Is it good or bad? Does it work or not work? That is easy enough—good or bad, working or not working? Is it good?

Ms LEGGE: I do not know what it is.

Mr Barayuwa MUNUNGGURR: Yes, it is a just a mixed feeling at the moment.

Ms Yananymul MUNUNGGURR: For Yolngu to have the power and control of decision-making is a good thing. It a good thing for the Yolngu to be continuing on practising local decision making. It is good for us because we want our voices to be heard.

Mr CHAIR: The concept of local decision making is positive.

Ms Yananymul MUNUNGGURR: Yes.

Mr CHAIR: But I think, if I can try to distil it, talk about it a bit—you are saying it is a good idea but we don't know what it is exactly. It is frustrating that now there is also these other pieces, which is truth, treaty—there

is a treaty in the Northern Territory but there is also plans for a treaty in Canberra with the new Labor government, Albanese, and the Voice to Parliament. I think what you are saying is there are frustrations with, how it all works. It is not an easy way to understand. The concept, yes, but the actual mechanics of how it works is still not known. Is that fair?

Ms Yananymul MUNUNGGURR: Yes.

Mr Barayuwa MUNUNGGURR: Yes.

Ms Yananymul MUNUNGGURR: It is for people like me and Barayuwa and for homelands, homelands is always in the too-hard basket when it comes to the Northern Territory Government. People like me and Barayuwa we are always talking and lobbying to the government of what we want to achieve. Most of the time it takes years to achieve things. Currently, to be honest, we are not satisfied with how things are going with local decision making. We are not satisfied, we are not happy. The way I see it government hasn't been listening to us. Government is working with organisations, not the people. Government is creating disputes amongst the people. Then Yolngu all across the region we have different mindsets and then we are competing with each other.

Mr Barayuwa MUNUNGGURR: Competing, yes.

Ms Yananymul MUNUNGGURR: At the moment we are now competing with each other and we do not want that. We do not want Laynha to be in that situation, no. We want to work with other organisations. We want to work with other Yolngu people, and we gotta fix that. We have to fix that because the way the government is rolling out this local decision making process is not good. The whole thing has separated us, and organisations are not working with each other. So we have to fix this.

Mr CHAIR: Have you got any ideas how that could be fixed?

Ms Yananymul MUNUNGGURR: I think government has to change the thinking on how you are working now, change how you can listen to us, what we have to tell you, you gotta come and listen to us. You are going all over the place, separating the Yolngu, separating our regions. You gotta stop what you are doing now and listen to what we have to tell you—which way to go. We will tell you which way to go.

Mr EDINGTON: Can I just ask a quick question? On the LDM that was signed. What are the key aims of that local decision making agreement?

Ms Yananymul MUNUNGGURR: Are we allowed to talk about that? It is not our thing.

Ms Kerry LEGGE: We're a partner. We only came in at the end to be a partner to it, so it is not really our agreement. A lot of the ...

Mr EDINGTON: Who are the partners to the agreement?

Ms Kerry LEGGE: We Laynha is the founding partner, so there is another entity that was created for the purposes of LDM. Government encouraged organisations to create their own new Aboriginal corporation for the purposes of LDM. This agreement is a new Aboriginal corporation and they invited us right at the end to be a partner to it.

A lot of what is in this is what Laynha is already doing, as well as what the school's doing and other organisations are doing and then they've committed to implementation plans. Some of the implementation plans are to do with infrastructure like power and water, but some of those things, the organisation Laynha the corporation is already working on.

Mr EDINGTON: Well that's going to be my next question because I assume that Laynha has a homelands agreement with the government; that you receive a certain amount of money to deliver services. Would that be correct?

Ms Kerry LEGGE: Yes.

Mr EDINGTON: Following on from there, that was my next question. What's different between your homelands agreement and the local decision making agreement?

Ms Kerry LEGGE: This is broader. So we have lots of different agreements with government. We have an agreement about delivery of primary healthcare. Laynhapuy may have 90 different agreements with government on how we deliver services. That doesn't change when you layer this over the top. So this is actually another one that we have to try to understand—another agreement with government on top of all the other ones that the corporation already has.

Mr EDGINGTON: Well that's what I am getting at, I'm trying to get a sense of what the real difference is between your existing agreements with government versus the local decision making agreement on top of all of that.

Ms Kerry LEGGE: It doesn't...

Mr EDGINGTON: No difference?

Ms Yananymul MUNUNGGURR: It doesn't make any.

Ms Kerry LEGGE: Not for us. It might be for these people. They might ...

Ms Yananymul MUNUNGGURR: I think it could be what you are saying because this is a different organisation to that of Laynha, right? That is why I think it's different. The other thing I'd like to just say is when it comes to our region and when it comes to this agreement, the government—Chief Minister's Office—in their heads they were thinking that Djalkiripuyngu people are separate from the Laynhapuy people and the Miyarrkapuyngu people. That's not the case. We are all family. For example, I am in the Laynhapuy area. I am a Laynhapuy person in the Laynhapuy area, but my grassroots is Djalkiripuyngu, Djalkiripuyngu area. So we are connected, we are interconnected through our law, our family, our clan system, our kinship system.

I believe this is what is happening. Government is thinking that we are different people, different clan groups, but we are all one. All the homelands people, we are all related to each other. All the homelands within our region, and the people, we are all related to each other; *yirritja* and *dhuwa*. That is another thing I'm just making clear. I've said this many times to the Chief Minister's Office, that they should not think like that. We are all one, we are all interconnected. I think to have three different agreements is not important in our eyes; that is our point of view. We could have an overarching one for our region.

But having said that, we support this and for this to happen, there were a lot of hard discussions. We had to sit with the Djalkiripuyngu people and make things right and for all of us to agree with this. We agree with this and support this but it is still a work in progress; we're still talking about it, sorting out what needs to be done, working into the future.

Mr CHAIR: Thank you.

Mr POTTER: Just a follow up question. Is the position of the corporation that they support that LDM or they'd like to see three separate LDMs?

Ms Yananymul MUNUNGGURR: One LDM.

Mr CHAIR: For everyone?

Ms Yananymul MUNUNGGURR: An overarching one.

Ms Kerry LEGGE: Not split everyone.

Ms Yananymul MUNUNGGURR: Yes, that is what we are trying to achieve. We've had discussions about having an overarching one with the Djalkiripuyngu people and we are still talking about it, we should have an overarching one for everyone.

Mr CHAIR: Does anyone else want to say anything? Can you come and speak to the microphone to make sure we get it, otherwise we can't here. Is that alright?

Mr Dhangatji MUNUNGGURR: I want to talk about self-management, self-determination and self-efficiency. This is a vision for our old people. When the homeland movement started and when the mine came in, all the clan decided to go back to their homeland where they were more comfortable staying on their own land because they have connection to that land. That is where their songlines, their totem, their arts come from.

That is when the homeland movement started. Their vision was self-management and self-determination, to do their own affairs.

Now we have a lot of Yolngu organisations which, depending on other shires [Yolngu spoken.] We all under their umbrella, see we all under their umbrella but the old peoples' vision was self-management and self-determination to do their own affairs without relying on other organisations to do your job. When is that time for Yolngu to control ourselves? When is that time? How long does it take? Another 20 or 30 years for us?

[Yolngu spoken].

When is that time? That is what we do not know. Local authority no, local decision making, yes?

[Yolngu spoken.]

To do our own affairs.

[Yolngu spoken.]

It is about time when Aboriginal take over. How long it take for Aboriginal to take over and do our own affairs?

[Yolngu spoken.]

Local decision—normally a program—aged care, Centrelink,

[Yolngu spoken.]

Yolngu controlling.

[Yolngu spoken.]

That is all.

[Yolngu spoken.]

Mr GUYULA: Yes, I told Russell already. He is talking about local decision making should be created under the platform of just a community, the Indigenous community, Yolngu communities, out there, not under some organisation's platform, except at local decision making at the grassroots of the community people. That is what they want to see, not under some organisation who looks after that platform where they stand. They need to stand back on the grassroots people. That is what they want to see.

Ms Yananymul MUNUNGGURR: In addition to that, my brother is also talking about all the services that are being provided to the homelands to be controlled by the Yolngu people under a particular local decision making agreement.

[Yolngu spoken.]

Mr Dhangatji MUNUNGGURR: [Yolngu spoken.] My background is homeland. That where my elder's vision and the legacy. I have talked on behalf of them when they all passed away. Yes? I just followed their vision and dreams, and their mission statement that was presented back in 1970s. So it's their vision that I am talking about. We would like to see Yolngu people controlling ourselves—making decisions and instead of depending on the shire or any other organisation that we are under them. It is about time we control ourselves and start making our own decisions to know how it works. It has taken nearly 30 years for Yolngu to control ourselves, and hope this one will work everywhere so that we are all under their umbrella. It is now about time this meeting, it is time for us to control ourselves everywhere.

Mr CHAIR: Is there anybody else?

Ms Marpulawuy MARIKA: I want to introduce myself, my name is Marpulawuy Marika. My father is Doctor Gumana. He lives on homeland. The thing that came to me—I think it was in the paper a long time ago—if you want to shoot me shoot me first, before you that I go back to the home, or the house, that I like at Yirrkala. He really meant that he wants to really stay in his community. The ongoing frustration that he had he would share with me—is about the infrastructure at Gan Gan; I will talk about that only—about how he can be able to work and live on the land, and that is with the help of Laynhapuy.

Speaking with Yananymul I wrote down what he said, he wants to have one LDM for Laynhapuy. That is a good decision, that is something that needs to be built on, that is something that needs to be explored: what is the best pathway to have a local LDM for Laynhapuy? I do not want to make decisions for them, let them be the drivers. Let them be the drivers in all the homelands, because the best thing about the homelands is it's away from all these things that affect our young people, that are affecting us as well. It is more safe, safe living, safe environment, healthy living, just looking after the land and living on the land is more healthier than living in the home house. There is something that they know, they know what is out there and that it can be looked on, it can be explored more. What is there that needs to be untied? What is there that I maybe missed a point there? What Yananymul said, coming to the homelands—because Nhulunbuy is part of, like a Darwin—we have big planes that arrive here like Qantas—this is something for you to look at. I am not trying to manipulate you but local engagement on the ground should be worked together. The services that Laynhapuy have that need to be looked at and listened to. We can listen to you and you can listen to us, vice versa, it needs to be listened to and needs to be looked at carefully in a way that we can move on. I will speak on behalf of them, the Laynhapuyngu, because of my father and because of my family that lives out there. Thank you.

Mr GUYULA: [Speaking in English and Yolngu] Just to clarify, at the moment this is a Public Accounts Committee hearing made up of ALP, CLP and Independent MLA from the Legislative Assembly. We collect information as a committee and give it to the government. At the moment, or whenever there is another government, that is the story we are putting in here for them, for the government. That is where we are but I can't really know. We sit here and listen to all the frustrations, complaints—whatever. We're here to listen.

Mr CHAIR: What we will do, with the help of the team, we will table a report in parliament about what we have heard. We have a number of other groups coming through and we are running a bit late because of the plane ...

Ms Yananymul MUNUNGGURR: Could I make a statement?

Mr CHAIR: Sure. This is what I think I have heard today. You tell me if I am wrong.

From our conversation over the last half-an-hour to hour, that the ideal of LDM is okay. The Yolngu people want LDM, which is local decision making, but there needs to be transparency and there needs to be openness in that plan. You need to know; it should not be something called LDM, it should be 'here is how it works'.

Mostly, Yolngu and the homelands all want self-determination. You all want to make the decisions that impact your lives. You are one people and there needs to be one LDM for Yolngu. Yes?

A Witness: Yes.

Mr CHAIR: But you're frustrated and you do not want the sounds of silence; you want communication and you want to know what is happening because it should not take another however many years. Is that sort of right?

Ms Yananymul MUNUNGGURR: Yes. Currently, we already have agreements through our ranger programs. We have what you call a ward *mala* and the people within that group is made up of Djalkiripuyngu, Miyarrkapuyngu and Laynhapuyngu. This is something that I will put forward for your consideration: the government maybe consider looking at that group working towards an overarching agreement, working with that group. It is what we call a ward *mala* group. It is already current. We already have meetings. Maybe it's something for you to consider to think about that group, our ward *mala* group through our ranger program.

One last thing, because this is the government in power initiative—the ALP—we want to see a bipartisanship from both governments, support two parties, to support local decision making for all Aboriginal people across the Northern Territory, not just us. It needs to be supporting by the shadow government and the government in power into the future.

Mr CHAIR: I think as Yingiya pointed out, Brent and I are in Labor and Steve and Bill are in the CLP, and Yingiya is Independent. So we're are trying, through this committee, to be bipartisan. Yes?

Mr Fabian MARIKA: My name is Fabian Marika ...

Mr CHAIR: Do you want to sit up here, Fabian, so we can make sure we get what you say?

Mr Fabian MARIKA: I am Fabian Marika, landowner of this land, grandson of Milirrpum Marika, Roy Marika—the first landowners. Just to that person, my cousin who has spoken—the visions and dreams of old people. Local authority is a perfect spot so we can get some feedback from the community and the people. We want to see good things happening in the community and the people. That is why we like local authority to change a bit and grow a bit so people can see what they are doing; and government can see what the community are doing. So that's a good thing about local authority: feedback about what is happening in the community.

Ms Yananymul MUNUNGGURR: Local authority in Yirrkala.

Mr Fabian MARIKA: Local authority in Yirrkala and community homelands as well. This where the homeland people started.

Mr Lapulung DHAMARRANDJI: Good morning everyone, Lapulung Dhamarrandji, president of the East Arnhem Regional Council. Just on the point of the perspective of what I have heard spoken by Laynha, homelands is one of the best dialogues that needs to be put together and you people need to take that to your account as well because it's a possibility of opening a new door and the seed for opportunity where you can work with the people. So this particular thing that we have heard, it's about Laynha homelands and how they are intertwined through their cycle, through their *yothu yindi* clan and all the people living in the homelands has the right to say what they want.

Apart from the Milingimbi community, I would like to try and put that practically to your people here sitting around. Milingimbi community, Ramingining and Galiwinku, local decision making, local decision was here before time. It was here by our forefathers and it was authority that was nourishing the deed and the manifestation of the people living in Arnhem Land; our ancestors and the ancestors before them. So when we talk about this decision-making, local decision making, it was here in former days.

Today we are living in a modern society engaging to build a bridge of commonality and a momentum of understanding. We need to, heart to heart, soul to soul, embrace and to work side-by-side: Yolngu and balanda.

With local authorities on the ground, it gave us the choice of freedom within the community and we see that valuable task within the community from East Arnhem Regional Council because you have heard what the Laynha people have said. They are people that are manifested and empowered from that homeland, which they feel comfortable, to nurture and navigate, and to have that say, rightfully, for what they want.

For us, it is from the interior of Western Arnhem Land and Milingimbi, Gumurr, (inaudible) Ramingining (inaudible) out of sight, then Galiwinku. We were put into an area where, back in the days, we were one people with one authority. Since white people came, we were put into communities and now we are living in that area.

Today we wanted to make this truth-telling revealed in the heart of people. We admire what we want and the government should listen to us about what we want; how we want to structure this decision-making made by the Yolngu throughout the interior of Arnhem Land and that's my say. I wanted to see that happening in the lives of my people. But we are sustained it and empowered in our own fertile land with the lineage of our forefathers and ancestors that were here from back in those days. Thank you.

Mr CHAIR: Thank you. So today, we have the Yolngu Nations Assembly Aboriginal Corporation, Arnhem Land Progress Aboriginal Corporation, Aboriginal Resource and Development Services Aboriginal Corporation, East Arnhem Regional Council and the Department of the Chief Minister and Cabinet . Unless there is anyone else who wants to contribute, we will have a break.

The committee suspended.

Yolngu Nations Assembly Aboriginal Corporation

Mr CHAIR: Welcome. We are the Public Accounts Committee, which is the government accounts committee. I introduce Steve Edgington from the Barkly; Bill Yan from Namatjira; Brent Potter from Fannie Bay; me, Joel Bowden from the electorate of Johnston; and Yingiya Guyula, who you all know.

I welcome the Yolngu Nations Assembly Aboriginal Corporation, welcome to you Chair, Nyomba; Shannon; and Anthony. Thank you for coming here today. We appreciate you taking the time. This is a formal hearing of the committee, which means it is recorded and we will have a transcript. Elise has all the technical stuff, so if you wanted to say something, or if you come forward, bring your chair up to be closer to the microphone. Give your name for us.

Because it is a formal committee hearing, there is parliamentary privilege which means you can say whatever you want. If you wish to say something and you do not want anyone else to hear, but you want it to go on the record, you can ask for everyone to leave and it will become a 'closed session'. It would just be the committee and would just be whoever is sitting up the front.

Shannon, would you like to make an opening statement?

Ms Shannon VOSS: We would like to thank you for allowing us to speak today to the Public Accounts Committee on our submission. We have with us our researcher, Anthony Heyward-Ryan and our Vice-Chair Nyomba Gandangu.

We have been involved in some of the local decision making meetings in Gove, but not many, sadly. So we would like to discuss our submission. Nyomba will be speaking mostly as a Golpa woman, she is an initiated female law authority from Galiwinku. She has been working with YNA in a voluntary basis since 2008. YNA was established during the intervention as a Yolngu platform for government agencies to work through, when engaging with Aboriginal communities, about things like services, local decision making and anything that was going to impact Yolngu communities. It was established on the backend of former village councils and goes back as far as 1975. That is a bit of a brief history about us.

There is the assembly, which is a representative body of male and female law authorities from the eight regions in Arnhem Land and there's a corporate entity, which is the administration which is my job. My job is merely to facilitate the work of YNA. I am not a decision-maker but a broker, of sorts, between the Yolngu law authorities and the Territory government when they allow us to engage. I will leave the talking to Nyomba.

Ms Nyomba GANDANGU: Good morning everyone. My name is Nyomba Gandangu and my clan is Golpa. I was born in Galiwinku, that is my birthplace, but I grew up in my own country in Wessel Island.

I'm appreciative about this event that we came to talk in public speech, which is really good because I've been hoping to give what we need, what needs to be on the table that has to be known by the government people. Who we are, where we are coming from. As you can see there, this symbol is for the Yolngu people. We have our members from eight wards, which was established in 2008, and the YNA came in 2011. This logo is not from balanda, from the western side, idea it is from Yolngu, coming together as a local decision making. It symbolises who we are and what needs to be done.

Mr CHAIR: Yingiya, while you have a second, do you want to talk a bit about the little bit of stuff we have been doing, like going to Kintore, so everyone knows?

Mr GUYULA: [Speaking in English and Yolngu] Yow. This is a public accounts committee in the parliament. We came up with this issue local decision making. How can we do it in Darwin? We need to go to the communities and talk to people in small towns, homelands and communities where local decision making will fit into that area. So they agreed with me, and we travelled to Alice Springs and Kintore first last year. It was the same thing, different organisations, *mala* came and put their story on the table and how they see local decision making is. People could make comments on it, talk about it and sort it out—put it all here through those microphones so that our committee records it all and takes it back to the government. It all about taking your frustrations, your visions, what you want to see, how you want things to work and maybe we will get together and how we can get together to create a better to community. It is happening now; I am impressed with that.

Ms Nyomba GANDANGU: Yes, that is my opinion that we would have to have our local decision making, our community-making, our homelands, because we have people in homelands like Laynha, (inaudible).

Those areas, when we looking at homeland, there is the place we call (inaudible). That is the place where we sing. That is our good environment, our free environment where we feel the nature and the land itself that talks to us and we negotiate with everything that is there. That's where our paintings are, our songlines, that's where our dance ceremony comes from. We need to have those local decision making with us, back in our community, because there are many that is walking over us.

We are people of destiny; we have our vision. We see what our Yolngu children have to achieve. They have to have their own leadership in future. They have to have their own leadership in ceremonies, even in a place like this, and we need to go with it. We have to have our local decision making with the people. We have our own homelands, but it is the government policy that came in and said, 'Okay, this is the community that has been established; bringing all the people into one'. But the homeland is out there that we need to move back, and to take our children to our very good environment where they can learn more and to have that healthy life.

I am saying this because I feel really worried about our young people. We need to achieve something better for them that government has to allow. Give us the space. Give us something that we need to achieve for our children out there coming in. All these people here in this room—we won't be here, so we are throwing our voice, we are throwing our opinion and our destiny, our vision for our young people who are just coming through.

These people here, we won't be long—maybe I will be passed away within five years' time. I have to have something that has to be on table in the parliament for my children, my Yolngu people. As you see all these people here, we all know each other. We are different tribe but there is a connection that is linking to us. We all have *gurrutu*. We are all the same; we know each other. We know whose tribes are we.

That is where the government does not see. *Gurrutu* is the most important system in our whole nation. That is very important, because we grew up with that. That is where, when we come, when there is something happening like ceremony, *bapurru* or children who aren't behaving well. We come with the local decision making within the family and the tribe. That is our local decision making; it is happening and it happened way back when, way back, many years ago. It is not new. We had that within our spirit. We carry that with our own spirit. We are people that contain our spirit. We have picture in our spirit and we know who we are and how we need to make it into a space that has to be balanced, has to come together.

Don't think like that, that we are nobody. We are people of destiny. We are people of vision. If you come to my community, you can't make my local decision making. You can't demonstrate my role, my culture, my ceremony—you do not know. It is me; it is my people, my clan. They know how to handle that ceremony. [Yolngu spoken]. That is where the local decision is there already; it is in the community.

Come and sit with us, talk with us in a respectful way. We need to respect one another because we are all human beings. We are not different, but the language and the colour is different, but we are all human beings. That is where we will have to negotiate, sit together and talk with our camp leaders, our elders. That is why we have this Yolngu Nation Assembly. That is [Yolngu spoken]. That is our local decision making parliament. That is where everything—our products, our stories and everything are held—in this logo. Please governments—whoever come and sit with us, on the table or on the ground under the tree—come and sit with us. You can't just turn us around all the time; that's not on. We need to see something good for our future, for our children.

We are throwing our voice, not for ourselves, but for the youngest that are coming along. We need to put something that government has to recognise, and see the open space for our people, our young children. I am talking this from my heart because I need to see something changes. It is about time, the turning point. Comes and sit with us and hear the voice, capture the voice of us, what we need and what needs to be done.

If you go out fishing, you've got hook, sinker. If that hook and sinker all gone, what is the next thing you can catch the fish? Nothing. Come and get the teaching from the Yolngu. Hey? When you have no hook, no sinker, you have the special very important material with you—it's the spear. Hey?

That is how we have to work together. If you are on your own and you will see the fish sim, how can I get that this because I have no hook here and no sinker? How will I get the fish? That is why you will have to come and get the teaching from the Yolngu. They will show you how to make that spear. That is your next thing to catch the fish.

[Yolngu spoken]

That is what you need to know about the Yolngu. I am talking on behalf of all the Yolngu, from every community, from here, sunrise to sunset, because they are my people. I am related to them; there are many of my descendants are here in this community. That is what the government has to know; we are coming from immediate to extended.

That is why we have to have this local decision making back in our own community, in our own homeland. Please listen to us. Hear our voice. We need to see something changes in our community and in homelands. Okay?

Mr Anthony HAYWARD-RYAN: There is one thing I would like to say and it is very fundamental. That when we use the word decision making, the phrase community decision-making, there are two totally different meanings—in fact, diametrically opposite meanings—embracing that term.

There is the balanda version, which is unilateralism—a person making a decision for all the other people. Whether you call it representative or not, it's still unilateral, it's still a pyramid power structure. For Yolngu [Yolngu spoken] there is no [Yolngu spoken] for community decision-making. It is [Yolngu spoken], and there are protocols. It is not just loose; it is structure. Everybody has their say [Yolngu spoken], all in their turn.

When we are talking decision-making—and I read this document first five years ago—I have not seen any recognition that we are sure, living in one country, but we are living in two worlds. There is no recognition of that.

I have been doing this 50 years and I have never seen community decision-making yet. I'm really looking forward to it; I'm an optimist but I still have not seen a sign of it yet and I think that is what everybody else is saying. I am hoping you can hear this. That's all I have to say, thanks.

Ms Shannon VOSS: I'd like to add something as well, if I can. In the engagement I have had with local decision making here, something I see as quite a major challenge is we have non-Yolngu-speaking facilitators. We have people facilitating this who have never spent time in an Aboriginal community in Australia, let alone Arnhem Land.

How can that be facilitated for Yolngu without proper Yolngu guidance? We need to have cross-cultural competency as a pivotal factor in local decision making, if it is to be run by non-Yolngu facilitators. They have to know the people, they spend time in community, they have to be in the community sitting on the ground with Yolngu camp leaders, Yolngu law leaders, Yolngu communities and homelands to find out exactly what it is that is the right (inaudible) for Yolngu because as Nyomba says, it's for the future of the Yolngu (inaudible).

Elcho Island is a classic example of the overriding of an existing structure of Yolngu law and governance. It is wrought with break-ins and crime because the traditional leaders are not being recognised within their own community. They have people going in and establishing new groups that are overriding existing groups. Now how can that possibly work? What it does is it creates a big mess for Yolngu and then they have to go over and fix all the work that has been undone. It is cross-cultural incompetence at its highest level, in my opinion.

I have lived in communities here for seven years and in the Cape and Groote Eylandt. I am a conversational Djambarrpuyngu language speaker and I have spent a lot of time in this law leadership over the last five years. I am not an expert at all, I learn from them on the ground all the time. I try and put these things into practice to follow the right protocols in my job but I would not claim to be an expert and I would never try to facilitate something like this on my own, as a non-Yolngu person.

Ms Nyomba GANDANGU: One of the very good pathways that has been built for the last two years that I really acknowledge is the Yolngu Nations Assembly is the event which is happening on 15 November in Gan Gan. That is very important that we need to see that. [Yolngu spoken.] We know that the Governor-General can't fly out to any homelands, he can't but look what is happening, with the help of YNA. The Governor-General is flying to Gan Gan on 15 November to give awards to those people about their rescue—Yolngu rescue, by the help and the support of YNA.

I really acknowledge Shannon, that she had that advice from us as our administrator, for working along with us. She has been going through the right pathway to get to the point and get to the goal. I really appreciated her about that. Giving our expertise of the bravery award to Yolngu—it just makes me cry!

Yolngu rescue, and balandas come with papers, everything you can bring along. You will see the map and everything like that, but Yolngu map is within us; we know where to go, where to find. We've got our maps inside ourselves. We are people of everything that you can't see. You go with documents, but our documents are within us. We follow that in our spirit because we know. I'm really acknowledging about that [Yolngu spoken]. On 15 November the Governor-General will leave his comfortable chair, leaving his comfortable chair and coming to see the homeland, where the people is. Eight people are coming.

Mr CHAIR: Nyomba, could you please explain to me what is happening on 15 November?

Ms Nyomba GANDANGU: It is the bravery award. The Governor-General is coming to see and he will be awarding, he will be giving out the awards. Mark Guyula. The bravery award.

That one of the very important that government or whoever services—like rescue mob or whatever they call themselves—please listen to Yolngu, follow Yolngu, then you will find what you need to find.

Ms Shannon VOSS: Without discussing the matter publicly—it is culturally inappropriate for Nyomba to go into detail about the event that led to this—the Governor-General is travelling to Gan Gan on 15 November for an investiture ceremony. Eight men in 2018 underwent an extremely brave act and I nominated them for a bravery decoration and they are getting it.

Mr GUYULA: [Yolngu spoken]. Just for understanding, you need to make it clear.

Ms Nyomba GANDANGU: We will make it a bit more clear after.

Ms Shannon VOSS: But further to that, I actually followed a proper Yolngu governance process to allow that to happen, and worked with Canberra. It was almost a one-year long process just to get permission for the men to receive the awards. It was not the men themselves. So it was a really big process.

We are trying to articulate that if you follow proper Yolngu governance processes for your local decision making, you will succeed. But if you have a room full of non-Indigenous people trying to hand back services in the community from a unilateral perspective without a consensus, without groups meeting on country, in the homelands, in communities from a Yolngu space, you will fail.

It has to come from Yolngu people and it has to come from their world view and their jurisdictions.

Mr Anthony HAYWARD-RYAN: And be a consensus.

Ms Shannon VOSS: And be a consensus, yes.

Mr CHAIR: But not consensus as I know it.

Ms Shannon VOSS: No.

Mr CHAIR: Consensus as you know it—Yolngu.

Ms Shannon VOSS: Yes.

Mr POTTER: We spoke about Yolngu decision-making and how it is protocol-based consensus and experience. If could shorten that very complex decision-making process to that. How do you see that playing into a local decision making over all the clans we have been talking about? How do you come to that consensus with so many people for something that is ultimately local decision making is a process that we can understand as a government to hand back services—how does that play out or how do you see that playing out?

Mr Anthony HAYWARD-RYAN: Europeans respond to the new places they've come to live in their suburb or their town. For Yolngu, we are talking a clan (inaudible). There are some in Milingimbi, some in Ramingining, some at Gan Gan, some here. It is a process that takes time. There's protocols, consensus protocols that are across grid. Only Yolngu will ever understand them; they have to initiate it. It has to be under their control.

Without getting too complicated, because it would bog us down, the word 'consensus' is key to all of this. I have to say we have a shire influence, consensus cannot work in the Yolngu way. You can see the problem before we even start.

Ms Shannon VOSS: You have eight regions in Arnhem Land and you would have to gather the clan groups from each of those eight regions and have proper Yolngu consultations on the ground with clan and camp leadership probably and please correct me if I am wrong Nyomba.

Ms Nyomba GANDANGU: Yes, you are right.

Mr CHAIR: That's going take a long time?

Ms Shannon VOSS: Yes.

Mr Anthony HAYWARD-RYAN: Depending on the complexity of the subject.

Ms Shannon VOSS: Yes, that is true.

Mr CHAIR: Yes, it depends on what it is. That is okay, is what I am thinking.

Mr Anthony HAYWARD-RYAN: It would actually be faster the more often it is done.

Ms Shannon VOSS: Yes. If Yolngu know what it is about and what the outcomes will be ...

Mr Anthony HAYWARD-RYAN: It can be quite quick.

[Multiple community members speaking in Yolngu.]

Mr Dhangatji MUNUNGGURR: I have a homeland background but I work with (inaudible). All these people here, all these people here we represent the organisation we work with. We work with all different organisations. We don't want those organisations to tell us what to do. Don't tell us what to do. This is the time for the grassroots people to make the decisions, making our own decisions. Those organisations that we work with, they can help us.

Ms Shannon VOSS: Facilitate.

Mr Dhangatji MUNUNGGURR: Yes, facilitate but these decisions will come from the grassroots people—this is what we what LDM to do. [Yolngu spoken]. For too long, the departments have been telling us what to do. [Yolngu spoken] job description [Yolngu spoken]. It is about time that Yolngu makes a decision by creating jobs for Yolngu people in the homelands.

[Yolngu spoken.]

That's what I would like to see, all the decisions to coming from the local decision making from the Yolngu people, not from the organisations that we work with. They are not going to tell us what to do. It is about time we do our own affairs for Yolngu people. Thank you.

Mr Yingiya GUYULA: What he means is: don't tell us what you think is best for us, but let us know, we know what is best for us.

Mr Dhangatji MUNUNGGURR: [Yolngu spoken] representative for each of the organisations

[Long contribution in Yolngu].

Ms Shannon VOSS: A good example of this, what they are talking about, is we're currently undertaking a federal project—and I am the project co-ordinator for that project—but it is being Yolngu-led and what we require in that project is a lot of clan meetings and a lot of clan consultations and a lot of consensus forming for the project to just go one tiny step further. It is a really lengthy project and we've been working with AIATSIS and explaining the process to them. We have had to do an ethics application for the project.

It is this process in practice that we are doing at the moment. Yes, it takes time but you have to trust that this Yolngu leadership know exactly what they are doing in regard to local decision making.

The considerations that need to be addressing with local decision making, if you hand back services to the community—how will a consensus be presented to the government? These are all things that need to be considered by LDM. If it is to be led by Yolngu in the proper Yolngu governance process and from proper Yolngu leadership, then how will these leadership present that to the government? There needs to be a facilitatory body that can do that in a culturally appropriate way, being guided by Yolngu.

I would love to rush our project through and get it finished, 'I am finished now and will move on'. But out of respect for Yolngu and Yolngu culture I have to wait [Yolngu spoken] because it is not the Yolngu, way to hurry things through. Trust relationships need to be built as well in communities and homelands. It is a long process, but it works. If you are doing things properly, Yolngu leadership is recognised and respected within

and outside the community. The young people in communities their losing their grounding, because leaders—*bunggawa*—are being stepped over by non-Indigenous government people trying to guide them through something that they have no knowledge of. In that process, the young people are lost and confused and turn to crime. We definitely do not want to see that.

Mr Anthony HAYWARD-RYAN: Could I add a word? A summation of everything you said is that the authority for this consensus of decision-making comes from the homelands; you cannot cut that out of the equation. Songlines/homelands is the same thing, everyone's identity. *Gurrutu rom, mari*, everything comes from the homelands. The government has to come to terms with that, both federal and NT governments have basically turned their back on homelands in the last 15 years. Whatever else we try and do is not going to work unless we have it from homelands. If you speak from your homeland, you speak with authority. If you're in someone else's community you have no authority. Everyone here is thinking the same thing.

Ms Shannon VOSS: We have attended meetings of LDM and there has been a majority non-Indigenous and maybe five Yolngu people; not representative of all the regions. A recommendation moving forward, it would be good to have a majority of Yolngu attendance to those meetings.

Mr POTTER: On that point, is that the government people or is it actually representatives of the other organisations?

Ms Shannon VOSS: I agree that the government organisation representative should be present but in a facilitatory fashion only.

Mr POTTER: The remainder of those people at those meetings for Yolngu that need to be there are other organisation representatives. Is that right?

Ms Shannon VOSS: Government people and organisation representatives which are a necessity, but as a facilitatory only. Listening not speaking so much. These people are experts in the area of law and governance and decision-making. Two sitting here, probably many others in the room; I can see (inaudible) leaders here; they need to be left to do this job with you and you need to be guided by them, patiently.

Ms Nyomba GANDANGU: Thank you for listening to our voice.

Mr CHAIR: Thank you. Does anyone else want to say anything? Come to the front so we can hear you.

Mr Graham MAYMURA: Good morning. My name is Graham Maymura. I am chairperson for NEAL Corporation, as YBE formed by 13 clans that lived here in Yirrkala.

I've heard a lot of talk here this morning. We have had a lot of talk on the same issue, local decision making. At YBE, or NEAL, the decisions there are made by 26 clans. It is not run by white fella or the chairperson—myself. No, it is by the people—26 clans.

The whole meeting here reminded me of where is the decision that right now local people make decisions through organisations—where does it go? So, the decisions are sitting somewhere, sitting somewhere, that the government don't want to look at it, or the people are asking questions on the ground about that decision. That decision has never approached anyone.

What we need, I think local decision making is doing a great job, but not enough, not enough. We need to have some sort of governing body, the Yolngu people, have their own governing body. I am talking about independency, so that representatives from as far as (inaudible), can sit on that forum, and Laynha can all sit—the Yolngu people—like the parliament in Canberra. So whenever they made a decision they make goes straight to parliament in Canberra and back to the Yolngu, so the decision is not stopped halfway. It goes straight to the parliament in Canberra and comes back straight to the Yolngu where the decisions can be heard, not stopped halfway.

I think that's our problem—our decision has been stopped somewhere halfway. It has not been heard in Canberra.

Ms Shannon VOSS: It has not been heard. That's why this was established, so that you could have that voice to Canberra.

Mr Graham MAYMURA: I strongly say that we need to set up own government in Arnhem Land—independency. Thank you.

Ms Shannon VOSS: This logo—just to explain it. We have both systems of parliament on each side of this logo—Australian, Westminster System and Yolngu parliament, *dhuwa* and *yirritja*, the eight regions of Arnhem Land and the six states and two Territories of Australia, [in Yolngu]. This is both working together for a voice to Canberra. Our *djama* is to take those decisions to Canberra and then bring the answer back to you. That is the role of YNA.

Mr GUYULA: Can I ask a question of Tony—you are a balanda but you have lived with Yolngu. Can you explain quickly what is local decision making in your balanda view and what is it in Yolngu? Can you try that?

Mr Anthony HAYWARD-RYAN: That is a big question.

Mr GUYULA: Yow, sorry. What I am trying to say is there could be a different thing in balanda, a version of what local decision making is and different thoughts from Yolngu people.

Mr Anthony HAYWARD-RYAN: In western culture we actually operate in lots of beliefs that do not necessarily parallel to reality. We use the word 'representative' which actually has two meanings. We can send somebody off to make our decisions for us or that person can go off and reflect exactly what we said, say, to parliament. Two totally different concepts but we call it one. Representational democracy. It's actually an oxymoron.

We have a system that barely works that we call democracy. Increasingly, it is acknowledged around the western world that there less representation from the electorate, from the community, and more from somebody on top, often that nobody even knows who it is—I would say New York, London—being realistic.

Now from Yolngu 1975—rather than answer directly I would say what all the ceremony man on Galiwinku, or Elcho Island, told me in 1975. They sat me down and explained what exactly that means, decision-making in Yolngu *rom*. Whatever the subject it doesn't matter—I am telling you just so that you know the history of it—all decisions involved some place. The person whose name tells you where they came from, the custom is, or the rule is, that that is the person who opens up the discussion. The importance of this is it is never the same person it is always someone different. Nobody gets power. We are talking flat power as opposed to pyramid power.

That person would mention the problem, or the question to be answered or the problem to be solved and that is the signal for everybody else to talk about it—*bukmak*, everybody. Eventually he will notice, he will be listening, everybody is saying the same thing and he will hesitantly say, this seems to be the consensus, all the time watching to see physical signs of someone who is not happy, but when he sees everyone is happy he announces the decision, everyone is happy and they do it. This can take minutes, it can take hours, it can take weeks, it can take years. It depends on the subject but this is traditional Yolngu decision-making. I was only in my twenties when I was told this. I had no idea why they told me. Now I can see exactly what they were doing. Basically, they stuck a key in my back and turned it. Very clever. I got stuck with that task. So that's why I am telling you now, I am actually saying right now what they told me to tell you, all those years back. These were very wise people.

Does that answer your question?

Mr GUYULA: Yes. It's clear.

Mr Anthony HAYWARD-RYAN: It's a structured consensus, very structured.

Mr GUYULA: Where I was going is that when Yolngu uses the word we adapt these words—local decision making—and we understand it the way we understand it through our Yolngu initiative. We then give it to balanda issue to try to explain it and balanda won't understand it.

Mr Anthony HAYWARD-RYAN: I forgot to say one thing. To make it work between the two cultures, we have to go back to 1942 and anthropologist Elkin who said, he told governments: 'If government officers don't learn the Aboriginal language, we are wasting our time. You cannot use scripture, you cannot use interpreters, you cannot use translators. It doesn't work. Government officers and liaisons must learn Aboriginal languages'.

When I worked for the government I had exactly the same message and I had as much success as Elkin; no-one was interested. People say: 'oh, but there are too many languages'.

Mr Graham MAYMURA: It's like when Yolngu say something in their term to a (inaudible), they put it in their term. Then the Yolngu has to sit down and wait for the answer, when it's going to come. Now, you have to wait until I do my bit; that is what the white fellows does. That's where the frustration of Yolngu people is now of their leadership making decisions. That's our frustration, the Yolngu people. It has to be heard because we need to do that governing now, all over Arnhem Land. Let's do it ourself, the Yolngu people. We make the decision instead of wasting our time listening to government in Darwin, or wherever it could be.

Mr GUYULA: I would like to talk about this word, a word I always come across. *Raypirri* and discipline. You try and explain *raypirri* and put it into English and balanda puts that word discipline and put it into Yolngu Matha, they are not very, very close to each other. We are not 100% perfectly exact words that make up balanda and Yolngu language unless we come and sit down together and work together.

Ms Shannon VOSS: And explain the concept.

Mr GUYULA: *Yow.*

Mr Anthony HAYWARD-RYAN: If you have a father who has learned the language, he has been there long enough to understand that; that is the importance. We are talking breaching cultures that are poles apart. We do not have any word, that I know of, that means the same thing.

Ms Shannon VOSS: Then add to the mix non-Yolngu speaking facilitators. It is a big problem.

Mr Anthony HAYWARD-RYAN: Everything I have said I have documented. If anyone wants a paper on it, I have written one already to make it easier. This is hard stuff to understand.

Ms Yananymul MUNUNGGURR: [Yolngu Spoken.]

With what they are saying, with all due respect to Yolngu Nations Assembly, and my *mumalkur*—I cannot say her name—from what I understand they want to establish an agreement for the whole of the region. I just told them I don't agree with that. Why I said that, as I have said before in our presentation, our homelands are made up of the Djalkiripuyngu, Laynhapuyngu and the Miyarkapuyngu regions. Gan Gan is a part of that. Gan Gan is also a part of the Djalkiripuyngu agreement for [Yolngu spoken]. For Yolngu Nations Assembly to say they want to create and establish an agreement for all homelands in our region. As I said, I do not agree with that. They should be just looking at the (inaudible) regions. They should establish an agreement in the (inaudible) region, not in our region.

With that ward knowing about the celebration coming up [Yolngu spoken].

Because those people who are the award recipients for the bravery award are our, rangers Laynha rangers. The families affected—why they are getting award, not all family was communicated properly because they may not be part of that family. [Yolngu spoken]

Don't think that Yolngu nations can talk for our regions, don't think that. They can only [Yolngu spoken]. Don't think that people at Elcho, Yolngu Nations Assembly will talk for me, my community and for my family in the Djalkiripuyngu region. Don't think that.

As I was saying, we would rather see our own agreement with the structure we have in place. I know you are doing a good job out there with all the things that you do for your people ...

Ms Shannon VOSS: Your people, your people.

Ms Yananymul MUNUNGGURR: No, not my people. I am not part of your people. We are family, but Yolngu Nations do not represent me. Yolngu Nations do not represent my family at Gan Gan or Baniyala or anywhere in (inaudible), no.

Ms Shannon VOSS: We have not said that we do. We do not wish for an agreement, *yapa*.

Ms Yananymul MUNUNGGURR: I am just putting out my thing. [Yolngu spoken]

[Several community members speaking in Yolngu.]

A witness: I am not a nobody.

[Witnesses speaking in Yolngu.]

A witness: We are all connected.

Mr CHAIR: Nyomba—excuse me, sorry. Do we want a break and you can keep talking? We can have some lunch.

Ms Nyomba GNADANGU: I am just talking about ...

A Witness: We just want to put our views across, so we are all on the same page.

[Witnesses speaking in Yolngu.]

Ms Nyomba GNADANGU: It is just the way we talked about the one day this happening—event on 15 November. It is not about promoting YNA, but it's promoting how we Yolngu know the cycle of our perspective in Yolngu.

[Witnesses speaking in Yolngu.]

Ms Nyomba GANDANGU: We are patient people. They had that speedboat, they put that motor in and they just go whom.

[Yolngu spoken] ... we are pedalling slowly to reach where this, whoever has to see that we are people of patience. We are people of harmony. We need to see our destiny, and they have to achieve and to be an open space.

[Witnesses speaking in Yolngu.]

Mr CHAIR: I can't follow.

Ms Shannon VOSS: I do not think this is about inter-corporation disputes, I think it is about Yolngu decision-making at the end of the day, yes?

Ms Yananymul MUNUNGGURR: Today it should have just been Yolngu people doing this.

Mr Anthony HAYWARD-RYAN: Except for one thing. Accountability. The taxpayer pays money and government distributes it and somebody has to be accountable. That is the one reason why we do have to have these words said in both cultures. It is the only compelling reason, otherwise Yolngu would've declared national sovereignty a long time ago and just run their own affairs.

Ms Yananymul MUNUNGGURR: Can I finish off what I was saying? With the local decision making agreements generally we have three wards—Miwatj region, [Yolngu spoken] region—[Yolngu spoken]. Within the Miwatj region we have homelands. Within the (inaudible) region they have homelands; within the (inaudible) and (inaudible) region they have their own homelands. Don't think that we should have one big overall agreement for all the homelands. We should have our separate, all the regions. Thank you.

Mr CHAIR: Thank you.

Ms Nyomba GANDANGU: Coming to what my cousin said [Yolngu spoken], what she said—We are all here and we come from our different services. All these people are wearing different hats because we work in services. It's about local decision, you have to wear your own hats—where you are from. What you need to invest your voice for what needs to be done. We have to go with our own hats. [Yolngu spoken].

To be recognised and to be in the stage they have to come and sit with me. [Yolngu spoken] I am here for my people. I need to come in my own hats. They are my people. They are people of [Yolngu spoken]. They are not nobody. We need to come with that mission [Yolngu spoken].

We have to come with a mission, what needs to be done for our people. It is not about me, it is not about Nyomba. I'm making a pathway for my Yolngu children to come through that right pathway and to meet what they need to achieve with our voice. We are throwing our voice and we building a pathway for our young children that are coming along. It is not for me. I am here to represent my Yolngu people out there. [Yolngu spoken].

Ms Shannon VOSS: Not a corporation.

Ms Nyomba GANDANGU: Not a corporation. But it's our voice that needs to be heard and that needs to be documented—a voice that can be documented for my young children that is coming along. They have to have that in future. When I will not be here sitting and talking. I will be resting in peace, but I need to put something that has to be as a goal for my young children to recognise and to sit in the way we have been giving our presentation for this local decision making. That is where we are heading. That is all I need to say.

Mr CHAIR: Thank you. We might break for some lunch. We have some food here. We are well behind time.

Ms Shannon VOSS: Sorry.

Mr CHAIR: No, that is all right. If there is anyone—Matt, Ben or Dale—we need to reshuffle the order because someone has to go. Please let us know in this break and we will come back in a little—say, start back at 1 pm. Can we do that? If anyone needs to go next, for instance, just let us know and we will arrange that for your. Is that okay? Thank you, Nyomba.

Ms Nyomba GANDANGU: Thank you for pronouncing my name well.

Mr CHAIR: I try.

The committee suspended.

Arnhem Land Progress Aboriginal Corporation

Mr CHAIR: Welcome to the Arnhem Land Progress Aboriginal Corporation; Matt Stevenson, Community Development Program Manager and Faye Garrawurra, a Board Director. Thank you for coming today.

This is a formal proceeding of the committee, parliamentary privilege exists, but also there is that obligation not to mislead the committee. A transcript will be produced to go back and check what you have said. At any time you think there is something you want to say and you are concerned it should not be made public, if you really want to say something we can make it a 'closed session' and it will be just the committee. That would mean we would have to ask everyone to leave. It has not happened yet and it probably will not happen.

Matt would you like to make an opening statement?

Mr Matt STEVENSON: My name is Matt Stevenson. I'm the Community Development Program Manager at ALPA. Good afternoon and thanks for the opportunity to present to you today on behalf of ALPA.

ALPA has been a part of the fabric of East Arnhem Land since the organisation was founded in 1972. It has since grown to become the largest Aboriginal Corporation in Australia employing about 1,200 staff and operating in 29 remote communities across a 1.2 million square kilometre footprint. ALPA is financially independent, owned by our Yolngu member communities and governed by our Yolngu Board of Directors.

The ALPA board believe that local decision making, if implemented correctly, has the ability to be transformative in their communities; returning self-determination to Yolngu people and creating opportunities for them to shape crucial areas such as health, education, housing, employment and economic development. Our board believe that the process of working in genuine collaboration with community is as important as the final outcomes achieved by LDM and they strongly support the principles of LDM.

With regard to LDM in East Arnhem Land, ALPA provided support for the consultations that took place in 2021 and assisted community members to be part of these consultations. However, ALPA as an organisation does not see itself as a decision-maker in the LDM agreement development.

At the most recent ALPA board meeting in September 2022, the ALPA Board of Directors reaffirmed their position that local decision making must be undertaken through *bäpurru mala* and *gurruthuclan* and family structures and that local decision making should only be navigated and decided on through these structures not by organisations and not by government bodies.

In the words of our Chairman, Rev Dr Djinyini Gondarra OAM, this is how Yolngu have reached consensus on complex decisions for thousands of years and in our view, it is the only way that these decisions can be made, with full integrity and buy-in from our communities. It is the only way to engage the rightpeople in the right way.

In more recent times, Yolngu leaders have been dispersed across many different bodies and groups in order to work with government and other agencies, which has often created overlap, duplication and sometimes confusion. Reverting back to working through clan and family structures is a way to avoid this duplication and create a clear, deeply-understood structure for navigating LDM.

While it may take more time, in the long term working through these structures will create much more robust and sustainable outcomes.

East Arnhem Land is a very complex working environment, with over 60 clans represented within the region. In order for LDM to succeed in the region, ALPA strongly believes that more time and more consultation will be required to finalise any agreements that support the overall development of the region, and build LDM capacity in the Yolngu leaders.

ALPA is proud to participate in the LDM process and supports the returning of decision-making authority to communities. Our board has reflected that there is a strong level of local support and commitment for regional LDM in East Arnhem Land and are excited that much of the work in identifying the Yolngu wardsand forming a joint vision has begun.

We acknowledge that there's obviously not been a lot of movement in LDM in the last 12 months that we are aware of. We understand that was largely due to the COVID travel restrictions. We look forward to supporting the work and seeing it continue in our region.

Mr CHAIR: Thank you. Does anyone want to add anything?

Ms Faye Matjarra GARRAWURRA: My name's Matjarra Garrawurra. I'm on the Board of Directors for ALPA. What I have been hearing from everybody is we would like to see that happen for us, as Yolngu people in Yolngu organisations or Yolngu groups. We want to talk about our businesses, whatever it may be. We want to do and to decide on our own things and then pass it on to whoever it may concern.

There was one talk I heard here about how our Aboriginal peoples started. We know our structure, we know our structure as Yolngu people. We could be helping one another where our links are. What you heard here, it started out with our Yolngu people, our older people—it started out in trades. It grew from there and it's now a bigger business.

[Yolngu spoken].

We want to grow in our thoughts, in our way. We want us to grow in our businesses or whatever we are thinking for ourselves, for our children, for the future for all of us.

At the moment, in our communities we are not in a clear picture or in a perfect space. We are all messed up and we're trying to fix our problems. Fix our problems, that sometimes we sort it out and sometimes we slip on it.

To me, it's my first time. Maybe it's the first time for you to be here listening to us. Or it must be second time. Yes, it's the first time sitting with you, talking to you, but I am comfortable, I'm comfortable enough to share what goes on in our communities. We are talking about things. Yesterday we just had our elders meeting and we were talking about what we can be doing with our young people and we thought of some things but we haven't come up with an idea or decision that could make what we were thinking of happen. [Yolngu spoken.]

To me this is [Yolngu spoken] good, whereas before we would ask for someone or we would have a meeting and then we would ask, who can we talk to take this concern for us to the government, or whoever is looking after us. Like what (inaudible) said, we take that to this middle person, we will share our concern to this middle person and this middle person will pass it on to the other one and then this other one will pass it on to another and then we will wait on what will come back to us, and it takes a long, long time.

I know everyone says that this can't happen overnight. We want Yolngu people to be heard because we want things to happen for us. It doesn't matter whether it's taking too long or can happen straight way we want

things to happen for us. That's what we want to do, that's what we want to do. Like this thing that happened, what old people did for us in trades that's the base and foundation, and on that we want to build. We want to build on that wherever we go. Wherever we do businesses for ourselves or in all things: in education; work; everything. We want to be in that. One thing I remember from times where in mission days to town councils. From town councils to (inaudible) [Yolngu spoken]. Town council [Yolngu spoken] in the mission is where all people got together and talked about things and they were with the regional council. After that town council started regional one of their regional council what is happening.

Today there is an organisation which may be just a community with lots of organisations and that is where we find it hard. What we don't like, what we don't like is conflicts with balanda people in our communities. That makes it hard for us. [Yolngu spoken] conflict with balandas because we don't have nowhere, we don't have a position where we can be working together. We are just out there doing our *djāma* work. Balanda do their *djāma* inside.

In the superintendent days or in the council days when I can see these people, they have the knowledge for the kids tomorrow. They are the last people to give knowledge to our children and to stand with our children to go forward, to be wherever they could be, for us, and for all the people and for themselves and the children.

When I see old person go, maybe he is taking the knowledge with him, but it's just someone that can continue that. This is a base thing. Something like this is a base thing. If something like this is in people's hearts, we should work together because old people are going, going, going, and we are the last people to stand for ourselves and for our children, because we are never going to be by ourselves.

I am thinking also when I see old people go and see us, some people talk about how they want this to happen, 'I want my dream to happen. I want you and you and you to help me start this.' But if I became frail and I am talking about this, should I have thought about it before when I was strong, so I could have just kept on, kept on and today now it should have been not you sitting there but us.

What we learn from our old people, that's our base thing. What we learn from our old people, stand on that, work on that and build on that.

We can share our thoughts and share our concerns, but maybe they are hearing it. They are hearing it like now. When you pray to God to help you with your problem, to help you with your child, then you wait. Sure enough, you will see the changes [Yolngu spoken] blessing when we are praying. That is what it is. When you are sharing things, your concerns to the people, to our people who help us or who will help us.

Like we say, or everybody says, it doesn't happen straight away or overnight, it will take a while before you get paid. You need to be in prayer; later on you will get paid. We wait, we work, we pray and that blessing comes. When you see changes, that's your answer.

I'm sharing because I see and I experience sometimes (inaudible) I go through that even though I am a board member and I don't take my own thoughts to this one. I am listening at home, I'm listening and watching and then I go and share.

I understand now and I have been listening when I am in the board, I'm listening. Old man Terry starts off with [Yolngu spoken) from our older people in trades and trading and left this for us. We need to build on that for whatever we are doing. Whatever we doing we need to remember how our old people did it and we should do it that way, too. And we may say no, I'm a new generation person in our modern world, our past guiding to the future and even to our present time.

So that's my story and [Yolngu spoken] sitting and talking about what is not individuals who are sitting there, but for the community. We look after five stores: Ramingining; Milingimbi; Minjilang; and Gapuwiyak. There are other stores as well around us that are managed.

Mr CHAIR: Are there any questions or further comments from the floor?

Mr Dhangatji MUNUNGURR: Ever since the CDP started back in 1977, when it was under Laynha, there were a lot of programs in the Laynha and even in the homelands; housing, essential service, building, airport, everything. [Yolngu spoken] It was going very well and it was creating jobs for Yolngu people here and in the homelands. Back in 77. Now that ALPA has taken over the CDP program, I have a lot of Yolngu people signing up for the job seeker payment—sitting down money. A lot of Yolngu people are on no Centrelink payment.

Under Laynha, there was a lot of *djāma*, a lot of job creation by Yolngu people with the CDP program. But when ALPA took over, everything changed. It was taken away from us from Yolngu organisation to ALPA and seen a lot of changes there; employment, unemployment, lot of Job Seeker, Yolngu people are signing up, our young people are signing up on that program. That's all, thank you.

Mr CHAIR: Thank you.

Ms Yananymul MUNUNGGURR: I have a question. Are you from the CDP department?

Mr Matt STEVENSON: I work in CDP at ALPA, yes.

Ms Yananymul MUNUNGGURR: One question, with this local decision making, it's a Northern Territory Government initiative—CDEP is a federal government program. How is local decision making initiative going to apply to a program that has been funded by the federal government?

Mr CHAIR: I'm not sure how the ALPA program works so I will leave it to Matt to talk to that. But it's a good question. Matt, do you want to talk to that?

Mr Matt STEVENSON: Yes, I can speak to it in a general sense, in terms of they're talking your NTG LDM process but there's also been talks of the voice to parliament and what the whole local decision making matrix looks like in regard to the local system, the state system, the national system and I think if we can find that right mix of who is that correct local decision making body, then I think they've probably got a claim to say to the federal government as well, 'hey, you know, we're the right people to be making the decisions on this'.

Ms Yananymul MUNUNGGURR: I think it is one area of the program that I am talking about because ALPA has taken over our contract, they've got out contract for our homelands.

Mr CHAIR: Is that for the CDEP?

Ms Yananymul MUNUNGGURR: Yes, I am talking about CDEP.

Mr CHAIR: Hopefully CDEP is finished ...

Mr Matt STEVENSON: Yes, it was CDEP RJCP CDP now.

Ms Yananymul MUNUNGGURR: Community Development Program. At this stage ALPA still has the contract, but working around local decision making for that particular program, with all due respect to ALPA ALPA does a great job, like here at Yirrkala, Galiwinku, Ramingining, Gapuwiyak and Millingimbi. They do a great job in consulting with those communities, but there is always an ALPA in the room and this has been one of our biggest issues, CDEP. There is not good consultation process being carried out to us—homeland people. I am talking about our homeland—Laynhapuy, Miyarrkapuyngu and Djalkiripuyngu regions. The consultation process is not satisfying. At this stage they're working on a proposal which we don't know about and this is in relation to the CDEP. So when it comes to local decision making we need to be transparent. We need to be communicating with each other. ALPA needs to find a way on how they can communicate with homeland people when it comes to CDEP and when it comes to local decision making as well. ALPA needs to find a way on how they can involve homeland Yolngu people from the three wards I was talking about, to be a part of that process. We are all about working together.

To be honest, [Yolngu spoken] with the CDEP rollout, with the process [Yolngu spoken]. That needs to be solved when it comes to local decision making because the program we are talking about here they only look after CDEP—ALPA, that's the program that ALPA needs to get involved, the Yolngu *mala* out bush and we need to be communicating about what needs to be done. For example, my homeland, Garrthalala. I need to know what is in their proposal. I need to know what local decision making initiatives they have for our homeland when it comes to CDEP. That's all I want to say.

Mr CHAIR: No doubt that space is changing and I think ALPA is part of that bigger LDM piece, which is what we are hearing about today. Thank you.

Any question? If there's no questions, we will move on. I have to put ...

A Witness: I have one question. Just one little question to you guys. What's in your mind? How are you thinking about Yolngu people in community? The Yolngu nation that wants to develop things around this community, we are thinking. In your mind, what are you thinking about us, as a local authority?

Mr CHAIR: There is no way I can answer on behalf of everyone here but I can say that our objective over this past, it will end up being two years before we write a report, is that we have listened and hopefully heard what has been said—not just the Yolngu but also Central Australia or the West MacDonnell region. Not all the regions, because we will not get to all the regions, but as many as we can get information from. There are some similarities across the Territory to what we're hearing, and then there are specifics that are specific to Yolngu or specific to another area.

That's why we are recording everything, so we can go back, look at it and think about it, and try and then, our job is to then give some advice to Minister Uibo or the relevant minister or the Chief Minister, to say, 'This is what we heard.' For instance, Bill might have heard something that I didn't pick up, and he says, 'You know what, that was really important.' Elise, who is doing the unenviable job of trying to put it all together, finds that piece.

So I can't answer that question about what we are thinking, but what we are trying to do is be available for the feedback that you are giving us today.

Does that make sense? That answer is okay? A bit like Shannon spoke about earlier, she's facilitating the program for that corporation. We're trying to facilitate a feedback loop which is from you to us, then to whoever is looking after that specific area. Jim is here from the Chief Minister's Department. He has been sitting here all day listening as well. He may pick something up because my ear is not trained to Arnhem Land, like Tony was saying. Jim has been here a long time—sorry, Jim, I am throwing you under the brook here—but he's got a better ear, of which all of you people have a better understanding and having this conversation public may mean that you have different conversations as well. I do not know, but it might be. We're trying to facilitate that and trying to help the process. Because what I am hearing is that LDM—the concept of LDM, of local decision making is a positive one that you think is good. That's a consistent theme across the board—self-determination, you know, don't tell me what to do.

Ms Yananymul MUNUNGGURR: I think it's a process that needs to be recognised at the government level, for your Yolngu *mala* and for all our organisations that's trying to do what us best for our communities and all the members across the East Arnhem region—government has to do it properly—properly consult with the Yolngu people on the ground, and not talk to organisations. Organisations can come in later on the service providers, on the program providers. They come in later. I'm always talking for homeland group. I live in a homeland and it needs to be done properly and done the right way. If you're to be talking to organisations that don't have a presence at Garrthalala my homeland, it's not gonna work, and I'm always be suffering. Same for the other homelands as well.

We need to have presence of the people that's are delivering services, presence of the people who're funded to run programs within our communities. They need to come and talk to us. The need to come and consult with the Yolngu people. When it comes to homelands we need that transparency so we know what is happening and how the program will be delivered. We know what's gonna be stated in an agreement. Thank you.

Mr GUYULA: I just want to clarify for the committee's knowledge: the question he asked was, 'What are you going to do?' He is asking us, this panel, what is the government going do. That's what he was asking. We're gonna take this back and put it down to the government to see what are you gonna do about this question of local decision making. [Yolngu spoken].

Ms Yananymul MUNUNGGURR: [Yolngu spoken.]

Mr GUYULA: Although he pointed at you, really he is pointing at the government because we are only the Public Accounts Committee all together.

Ms Yananymul MUNUNGGURR: There's also the difference. They are different than us. We are homeland-based, they are Yolngu people like the ones at Yirrkala [Yolngu spoken]. If government is talking about local decision making and they want to help us achieve agreements for the Yolngu people all across the region, they need to be talking to the people who's living at homelands and who's living here at Yirrkala or Galiwinku or anywhere else. They need to be communicating with those people, not just—we don't want government to try to talk to people here at Yirrkala and for people here at Yirrkala to be making decisions about homelands. We don't want government to go and talk to Galiwinku mob, to be making decisions about people living at our homeland. Do you see where I am getting at?

That's the thing that I want to make it clear to government. Government has to talk to the people on the ground—and also, before I shut up, organisations at the regional level. ALPA is at the regional level. They look after a whole lot of areas. You need to be talking—not going through ALPA. I say this strongly, with all due respect to ALPA, what you doing, what ALPA is doing—I am happy with everything that has been happening all across the region. I am very very happy with what they are doing within the bigger communities, but when it comes to homelands, please take this message: come and talk to us. We expect people from the government level to come and visit us in the homelands.

Mr CHAIR: That is loud and clear—the transparency element and come and sit with us. Yes?

The committee suspended.

Aboriginal Resources and Development Services Aboriginal Corporation

Mr CHAIR: Welcome to Aboriginal Resources and Development Services Aboriginal Corporation. Ben Grimes is the Chief Executive and the chairperson is Gawura Wanambi.

Parliamentary privilege exists. There is a recording happening. If there are any issues and you want to make it a closed session, we can do that. Ben do you want to speak or does Wanambi has an opening statement?

Mr Gawura WANAMBI: First of all I want to acknowledge [Yolngu spoken] everyone, especially [Yolngu spoken] and the other clans that are here. I acknowledge the leaders from the past, now present and emerging.

My name is Gawura Wanambi. I am a marrangu man from the western side of the (inaudible) region. That is where I come from really but my family is actually from here, my grandmother's from here, my grandfather's from here, from this region.

That is who I am and also I am the chairperson of the Aboriginal Resources Development Services, Aboriginal Corporation now. I have been for the last one and a half years. Our presentation or what we are going to show here to everyone is that ARDS has been one of the bodies or the organisation that has been in that first agreement that people were talking about already. ARDS was one, ALPA was one, Laynha was one, another. When we did that agreement with the Chief Minister Gunner back in that year.

The main reason why we are here is to show where ARDS been standing when this LDM process started, how it started and ARDS been in that from the start—not to be the main player of it, for it, but just to be there to support. ARDS was being recognised by the NT government as to be a middle person between the government themselves and the Yolngu.

Now in history ARDS is a fifty-year-old organisation and the only thing that ARDS was sort of changing was its name from CEDA to AADS and then to ARDS. Probably most of the Yolngu people know about this. They came through the Uniting Church from Yirrkala right up to Croker and Goulburn Islands. That is how far their organisation has been.

What's been done in ARDS in those early days, before my time, it was those leaders, Yolngu leaders that got together. It all started with the Uniting Church. I think all of us here [Yolngu spoken] are aware of this.

(Inaudible) and how those, leaders Yolngu leaders were doing what their visions were, what their dreams were for our people right across, and they were doing it for the sake of our people. Ever since, from that day onwards their legacy, because most of those leaders, most of those Yolngu people are long gone now, but their legacy of theirs still continues and we are working on that. Right now ARDS is doing that the way those leaders wanted it to be for the sake of the Yolngu people right across.

Now there's about four different areas right now that ARDS is working on. In ARDS there is a Yolngu radio that's in (inaudible) language, community development and Yolngu radio and the creative media. Those are four things operating here in ARDS right now at the present day.

One thing that came into that was LDM, local decision making, because ARDS area was more like going out talking to people, dialoguing with people—that was main area for ARDS. That's where ARDS has been before my time, was very good for, and I think that's where the government saw and recognised ARDS to be the body or the organisation to be in there to work on this LDM process; not to be the main player for the decision-making but work in there just to sort of be in the middle and to get the understanding so both sides of the parties will have to understand what is going on, what it's all about.

Before I hand over to my CEO, there are about six points that we are gonna share with you. Now ARDS is in here, in this space here as an LDM has to be just facilitation: *garma*; the facilitators, not to be the bosses, not to steer the whole thing. ARDS is here for what I just said, to create that understanding between the two parties, Yolngu and government, balanda government. So we are in a neutral area where we are not political in both sides.

Now there are six points that I want to just list here, before I hand over to. First of all, the ARDS role, I've already spoken about the role of ARDS; secondly, meetings and discussions so far; number three, facilitation approach; number four, common discussion points about LDM and some lessons learned; number five, challenges; and number six, ideas for future work. These are the six points that we are gonna present here today and we are gonna make it in only 30 minutes.

Mr Ben GRIMES: Thank you and it's good to be able to share with you, I think to summarise some of the discussions because there have been many similar discussions happening in other communities and so we'll summarise some of the things that come up in almost all of those discussions.

I won't go through all the meetings and discussions that we've had so far. You've got that in there and you can see some of that work. Just one little point, from what you have heard this morning; there was some discussion about the Djalkiripuyngu agreement that wasn't something which is part of this process we are talking about—and some comments from Galiwinku and equally, there hasn't done any facilitation work in Galiwinku. So most of the work has been done in Gapuwiyak, Ramingining and Milingimbi and so we're sort of summarising what we've heard and what we've learnt from those discussions so far.

I think a lot of the things are things that in some ways you've seen for yourselves this morning. So one of the big things that came up very early on was what's the right balance and what's the role of Aboriginal corporations or organisations and where does Yolngu authority come from and how is Yolngu authority reflected in Aboriginal corporations and organisations. There's been a lot of discussion on that and one of the reasons why that has been a big point of discussion—I think you've again heard that this morning— is increasingly you heard the phrase, 'we wear many hats, Yolngu wear many hats'. Often people will be on multiple boards, they'll be part of many different organisations and all of those can pull people in different directions.

A really common point of frustration is that the lack of transparency around funding of programs and funding of Aboriginal Corporations. What that means then is that organisations often feel like they are in competition with each other and they don't know why some people get money and why they don't get money. They don't know what the process is for some organisations getting chosen to be given funding. This then creates distrust amongst organisations so rather than being able to work together in partnership, it creates an environment of competition. What that then means is that people who are on the boards or employees of those different organisations can often get pulled into that same distrust which then, as we have heard in many discussions, that then breaks down *gurrutu*—breaks down kinship—breaks down then normal way of doing things and can be very damaging to that.

A big point of discussion was do Aboriginal corporations represent Yolngu authority or do they not represent Yolngu authority. Very consistently, almost without exception our people have told us that Aboriginal corporations don't represent Yolngu authority. Yolngu authority exists separately and exists outside of Aboriginal corporations or outside of any organisations and to the extent that agencies and organisations need to be involved, they need to be involved as a supporting, serving role, not in the drivers, leading role. That, generally speaking, has been very consistent.

That, of course, makes a challenge for LDM because government traditionally has signed agreements and contracts with corporations and what are the mechanisms to sign agreements with clan leaders who are not recognised as a legal entity? So that fundamentally has created some of these questions about how do you balance the desire—like we've heard today and like we've consistently heard in our meetings—to have a direct link between Yolngu authority and government with no middle person, no middle organisation, nobody controlling the flow of information and yet government doesn't have capacity to give funding or to sign

agreements absent an entity that has a legal presence. So that's fundamentally an issue that keeps coming up and it causes a lot of these tensions that we've been seeing.

Another related question then is some of the pre-existing tensions because, like we have heard, agreement comes through consensus. So what that means is if there are pre-existing tensions, situations where one organisation has received funding and another organisation hasn't; where there have been hurt feelings; where there's been a lack of transparency; even if those things have happened in the past, they flow through into the ability to achieve consensus—and everybody agreed today about LDM—even if those agreements or discussions have nothing to do directly with LDM. So one of the things that has happened a lot with facilitation roles is the discussion starts, it becomes clear that there are a number of pre-existing background tensions that are not directly related to LDM but LDM can't proceed unless those background tensions are sorted out.

Those are things that generally cannot be done in a public meeting, or shouldn't be done in a public meeting but if those background tensions and disputes aren't dealt with, then consensus will never be possible and LDM will never be possible. There's been quite a number of times where the LDM discussions have needed to slow down so that there can be background mediation, bringing people together to talk about issues that are completely unrelated to LDM. If we don't do that then it will be a short-cut process and there won't be proper consensus, so the need for consensus which you have heard that is consistent. Almost every single discussion, people are saying the same thing. The problem is there is a lot of mistrust, particularly in the last 10 or 15 years that we need to wade through before we can get to a position of consensus.

Another issue that comes up that...

Mr Gawura WANAMBI: Just to add on to that they all something here, what we are about to say here and tell you is what we have been saying how we understand that there's always the question from everyone/ There is always a question, right now there is a question in the minds of everyone here, from the government, from the Yolngu and even from me. We are asking how many years it has been so far and nothing happened? Why is it slow? Why is this process very slow? When will it happen? These are the questions that are in the minds of the people right now. As I said, the question is from the government, question from the people, question from us. What is the answer to that?

There is, as one of them was just saying, some of those points that is holding the whole thing up. Now, I think the problem lies with everyone here. There's a problem with me as a Yolngu towards what'll I do. There is a problem with the government, a problem with the Yolngu, a problem everywhere. There's problems everywhere, so therefore, the way I can see it, it's not to blame one here. We, as Yolngu we need to—if we really want to do this, if we really want to be as one.

There's a saying, some people do, to be honest, some people do think about okay, Yolngu people; whoever. I say, right now, there is something there that looks very good, nice, pretty. I need to run for that and forget about the past, forget about what is behind me. I think there is a bit of a lacking there, for me as a Yolngu, if I want to do that. For me as a Yolngu, if I want to be that Yolngu, how our forefathers were, that's where my strength lies. I need to think about that. The strength will go from there for me to go forward.

There has been so many influencing to our people, to our (inaudible), to our kids with this where they are now. There's a lot that is happening right now. We need to straighten that, get that power how it was before for Yolngu where Yolngu people used to go and have a big ceremony. Everyone comes and participates, be part of the (inaudible) because they are connected. Yolngu people are holistic; we are one people. Whatever ceremony that is held—I am from, as I said, I am from Arnhem Land, Arnhem Bay, but my *mari*, my grandmother and my grandfather are from this side. My grandfather and grandmother had to go and pick me up from Raymangirr. I had my ceremony here, down there at the beach right there. I am from that place. That's how people are connected. That's how they came to be as one—make one decision and then made it happen. Then I became a man.

That's the spirit. For me as a Yolngu. Think about that and go back to that, then I'll see the picture that it's gonna be all right for me. That, I think, that's one of the points that me myself as a Yolngu are missing out. [Yolngu spoken].

A witness: That's why we are here.

Mr Ben GRIMES: A related point we have also heard today is that to do this properly does takes a lot of work and it will not be quick. One of the things that is asked a lot is why should we go through, do all this work to try to come up with LDM if government will change in three years, if government will change in six years? It

will take that long to do it properly at least, and then there is no confidence that we don't start again with the new government and with new government policy. That's an experience people have had over and over again so to even pass that first hurdle of saying it's worth the effort, when all of this could be pulled away from us at any moment, it's very hard for people to buy in. You've seen the desire for self-determination, but there's a strong mistrust that government will actually follow through with the amount of time that it might take to do this properly.

Mr CHAIR: The cycle is so short in relative terms.

Mr Ben GRIMES: That is right.

Mr CHAIR: Four years is not a long time. Is that the sentiment? Is that right?

Mr Ben GRIMES: Yes.

Mr Gawura WANAMBI: One thing I missed before. Now going back to the time period when it comes to making an agreement. In this society here says that there is the travelling here in two or three days I want that to happen. Or in about a week's time or a month's time, I want that to happen. On the other society, it's saying, 'that there is very, very slow process, very, very slow process.' I'm talking about Yolngu. It's a very slow process to come up with something. We need to go through that, talking to the right people, getting the right people, getting the consent from the right people, and the agreement from the right people. It takes a long time. That's where this whole thing is to understand—the government needs to understand, sorry—or this society needs to understand that is how slow the Yolngu process is to work on something. You do not take one week and then—boom—LDM is done. No.

Mr Ben GRIMES: The last thing I will say about the local context of facilitating LDM discussions and its related to the feeling that organisations are in competition with each other is then organisations are worried about the impact that LDM will have on their funding situation. There is a certain aspect where people understand the balance as it currently is, but LDM has the potential to significantly change funding for different organisations and so it creates a risk simply because it is unknown.

So at an organisational level, organisations can be quite worried about what are the implications of LDM on what work they are given to do, what contracts they are given to do and the amount of funding they are given. There is risk to organisations which then feeds back into that loop we talked about at the start about Yolngu authority coming from clans versus Yolngu authority being expressed through organisations.

A few of the challenges, more on the government side, one you have already heard and we have to say it because it is causing problems, we have so many similar programs. We've got the Voice, we've got Empowered Communities and they're all effectively saying the same thing and they're all running similar or different consultation processes. So sometimes it is simply the case that if another consultation process comes in from a federal government level, you can't continue to have that conversation for at least another month or two in order to make sure there's proper understanding about the difference between those two programs or people have simply talked too much and are sitting in too many meetings. The idea of too many meetings, too many requests to consult and too many similar overlapping problems means that it is very hard to create enough time and space to have the depth of conversations that are needed for LDM.

Mr CHAIR: The duplication creates complication and no-one knows what is going on. Is that what you are saying?

Mr Ben GRIMES: Yes. To understand the difference, if you want to talk about ranger programs you talk to the federal government don't talk to the NT government; but if you want to talk to CDP, you talk to the federal government; but if you want to talk about roads, who do you talk to? We did, on one five day meeting, on the fourth day of the meeting we asked all three levels of government to join in with the idea that you bring all three levels of government together but simply, there are too many agendas in the three levels of government to bring it all in together at one time. We didn't find that to be a particularly successful model. In theory it sounded nice but when you actually bring three levels of government with competing agendas, it's very hard to have the depth of discussion on any one particular issue. That's just the reality of multiple levels of government all with different programs and agendas at the same time.

One thing has really come up in discussions again and again—unfortunately we do not have the diagram for everybody else to see. In different workshops, people have either drawn their own pictures or talked about this in different ways. This picture here—for those of you who've got the slides—is about trying to unpack how does balanda authority and Yolngu authority work together and the idea of 'balanda gatekeepers' keeps

coming up in different ways, sometimes intentionally, sometimes unintentionally. But there's this sense where often you might have government or organisations calling Yolngu people together, asking them to make a decision on a committee, advisory group or board or any one of a number of types of situations but before that meeting, all the control still sits with balanda—it could be with a balanda CEO, like myself, or it could be with a project manager.

Effectively some of the things people have been saying, it's usually the balanda who decide the time and place of the meeting, it's usually the balanda who set the agenda of what will be talked about at the meeting; it's usually balanda who have all of the background information and choose what information gets given to people and whether it gets given to people in advance or not; usually balanda who are in control of the money and get to decide who flies there, who gets accommodation, whether people get paid for their time, whether they don't get paid for their time. All those things mean that before the meeting even starts, there is a huge amount of control sitting with balanda rather than Yolngu.

Then in the meetings, there are a number of things that can happen which shift control and power back to balanda. Sometimes it can be language—most of our discussions today have been in English. Often balanda will do most of the talking; balanda information and ideas are the things that are being presented to people, so it is the balanda story which takes up the time. Or you just have balanda who are too pushy in the meetings and aren't listening.

All of that can then impact of Yolngu decision-making and then after the meeting there balanda control as well which comes in the form of usually it's balanda who write the minutes, who say what happened, balanda who will email out to other organisations or agencies to say what the outcomes of the meetings are. Often balanda workers are the ones who implement the decision, and the people who made the decision may not have any capacity to correct or say, 'No that's not what we meant and that's not what we actually talked about'.

That presents a real challenge, which is where a lot of the discussions are starting to go to now. We know—and you have heard so strongly—that there is a system of decision making, it's a very effective system of decision making and strong system of decision making, but how to let that system integrate with the dominant culture system of decision making in a way that doesn't create intentional or unintentional gatekeepers.

That's again an inherent risk in this type of process and people have seen it play out in previous occasions, which is when that power to control the time and place of the meetings, to be the secretariat support, to take the minutes, when that power gets vested in one organisation, then that organisation gains a disproportionate amount of power. So there is a lack of trust about any one organisation being willing to let another organisation be the one that have sole control over facilitating that decision making process.

Those are some of the nitty-gritty realities. There's fantastic discussion happening, very deep discussion happening, but effectively it's trying to untangle how these two systems of authority can meaningfully work together. I would say at this stage, whilst there are some good suggestions coming up, there's still a lot more talking that needs to happen to deal with the practical realities of the power imbalances and the concerns about the lack of trust that exists.

Mr POTTER: I have been thinking as you have been going through when we talked of finances and the corporate governance structures and the obligation that government has to give those entities the money. Is there a pathway forward that you can see in all that? I know we are trying to remove—going down to grassroots level, take the structures out of it, take the organisations' competing priorities and get down to grassroots TOs. Is there a way? Is there a traditional method that currently exists that could be brought in and meet the corporate governance requirements, but still be grassroots?

Mr Ben GRIMES: It would depend on where NT Government is willing to send money and to whose bank account the NT Government is willing to send that money to. That's at a very practical level. One of the discussions—again it's a very important and necessary discussion—it's how, given that we have 50 or 60 clans and eight subregions—and we've heard this morning already—do you start very small at a localised level of individual homelands and build up towards a bigger decision, or do you start at a broad regional decision and then work down? There are differences of opinion about that.

So there are traditional governance mechanisms but it depends on how broad in scope you would go.

Mr EDGINGTON: You spoke about the three levels of government and some of the issues around treaty, the Voice and all those sorts of things. You also spoke about the competition for government funding. How many Aboriginal corporations are there in this region?

Mr Ben GRIMES: I would throw it open. There would be at least 12 to 15?

A witness: Twenty-five or so.

Mr Ben GRIMES: Yes, some very small ones all the way up through to some very big ones.

[Yolngu spoken by several people].

Mr Ben GRIMES: East Arnhem Land, north-east Arnhem Land.

Ms Shannon VOSS: Over 50—in the whole region.

Mr Ben GRIMES: Organisations?

Ms Shannon VOSS: Yes.

Mr Anthony HAYWARD-RYAN: Fifty organisations at least.

Ms Shannon VOSS: There are at least 12 at Groote Eylandt. That is just one example.

Mr EDGINGTON: All competing for government money.

Ms Yananymul MUNUNGGURR: I'll give you an example. For our wards, for the three wards that we provide services to—the Laynhapuyngu, Miyarrkapuyngu and Djalkiripuyngu wards—Laynhapuy Homelands Aboriginal Corporation has been there since the 1970s. Now for our region there one Laynha; two ALPA; three NEAL; four Gong-Dal, which is based at Gapuwiyak ...

A Witness: Mabunji.

Ms Yananymul MUNUNGGURR: Not that one, just for our region. There are about four Aboriginal corporations competing with each other how to best deliver services to homelands. That is a problem for us. I see [Yolngu spoken] and there are also other organisations that looks after aged and disability patients. They're called Country Connect I think, but we've got our own homelands primary healthcare through Laynhapuy.

I see about six different organisations come to Garrthalala. Six different organisations just for a little outstation—homeland. It gets on my nerves, and most of the time the other organisations, they don't communicate with me or my family Garrthalala, and it's the same case in the other homelands. It's like we competing with this other how to best deliver what we need to see happen up there. That is a real problem.

Mr CHAIR: Yes. Amongst all that is LDM, in its concept, an opportunity to try to fix some of those problems or does it make it worse?

Ms Yananymul MUNUNGGURR: Yes, I think we need to fix that problem. There needs to be transparency across communities.

Mr CHAIR: I am trying to think of the words to summarise today, because we only have another half an hour—is it the sense that LDM can help fix some of those things if they work together? If government and Yolngu sit down and government starts listening?

Ms Yananymul MUNUNGGURR: Yes.

Ms Shannon VOSS: On Yolngu terms.

Ms Yananymul MUNUNGGURR: On Yolngu terms.

Ms Shannon VOSS: Not in a space like this.

Mr CHAIR: No, no, no, under a tree, like you said. Like in the dirt.

Ms Shannon VOSS: Yes. From a Yolngu space it would work.

Mr CHAIR: What I hope I am not interpreting incorrectly, and please tell me if I am, is that the view of LDM in its concept is good but it is just another something that we do not want to have to deal with. If we took that view away that would be the wrong view. Is that what you are telling us?

Ms Yananymul MUNUNGGURR: I think it needs to be done properly. I am sitting out bush and looking at these people come and go. Most often they come without respect. They don't even call; they just come at their own will.

Mr CHAIR: We need to do it respectfully, we need to do it transparently, we need to do it right. Then the Yolngu mob, you mob, are saying yes, is that right?

Ms Shannon VOSS: You need to do it through the right pathway.

Mr CHAIR: Yes, do it the right way.

Ms Shannon VOSS: The red carpet; not through the window, yes.

Mr Ben GRIMES: Just to add to that summary, is to create a process that avoids gatekeepers, or avoids the risk of all the power sitting with one agency, one organisation or one group because that's what creates the risk—because of the gatekeeper and the control, even if it happens unintentionally. We're working on that, and we would love to hear if you have any thoughts on applying separation of powers to a local context.

Mr CHAIR: Thanks, Ben. That is a big one. Thank you Ben, thank you Gawura.

We will jump straight into East Arnhem Region Council, if that is alright. Thank you.

The committee suspended.

East Arnhem Regional Council

Mr CHAIR: We welcome the East Arnhem Regional Council and its Chief Executive, President and a committee member. This is a formal proceeding and a transcript will be made available. It is parliamentary privilege and it can go into a closed session if required. Dale or Mr Dhamarrandji, would you like to make an opening statement?

Mr Lapulung Dhamarrandji: Before I start my speech and acknowledge the importance of what I am about to say. I admire that we are so proud to be in this land—especially the traditional land owners of this country, especially the Miyarrkapuyngu clan nation and the emerging leaders as well.

I would like to take this opportunity to enter into this dialogue and momentum of understanding through the East Arnhem Regional Council. As probably you have seen, some of the call for recognition from the East Arnhem Regional Council. We wanted to, on this pathway, open a dialogue of understanding to these (inaudible) forms that I wanted to pass to my CEO so that he can read one of the important tasks and to have that genuine dialogue into the momentum and ability.

We, as a regional council of Arnhem Land, we have that empowerment, we are culturally nourished, we are embodied in the cultural foundation and we are leading the way from the importance of what we are doing; that is apart from the government and local authority and the local regional council in Eastern Arnhem Land. Thank you.

Mr Dale KEEHNE: Thank you, Mr President. We have Joanne Baker as well, she's a local authority member. Lapulung thought it was very important that Joanne be here too. We have 14 elected councillors by the six electoral boards, we also have local authority members, up to 14, in each community. Lapulung thought it would be important that Joanne was here and about to talk as well. We have had a number of our councillors and local authority members to Milingimbi, Ramingining and Gapuwiyak here, and Yirrkala of course, today as well.

Mr CHAIR: Thank you all for coming.

Mr Dale KEEHNE: Yes.

Mr CHAIR: And being here all day as well.

Mr Dale KEEHNE: A couple had to leave on the charters; they are getting harder these days.

As is always, Lapulung is my advisor, I am the CEO [Yolngu word]. He is the [Yolngu word/s spoken] culturally that's the top boss. I'm just doing things that council tell me to do and then learn through the staff and Joanne all the other local authority members as are here today, the councillors and other authority are my boss and tell me what to do and I make sure the staff do what they want.

In terms of some of the detail that we have out of council positions and so on, on all of this. You have had our submission, it's seven or eight pages I think from memory, that came out of consultation with each local authority, as we do on all the issues, each of the nine local authorities. Then, in turn, council reviewing all of those views and putting through one united, combined submission. So you've got that. Just in terms of updates since then, there has been a few changes—it has been quite a while, four years this whole process but we did go originally the Chief Minister got everyone together in one or two meetings, essentially. That was the plan. I think Yananyumul raised the point that there were not enough Yolngu people there, then COVID hit and so then we split up into a few months later, six months or so, into alright let's just do those one or two sessions. We've had about one-and-a-half sessions. One session at Miyarrka, Gapuwiyak and homelands, that was a full session for a week. Then we had about a day, two and a half days in Milingimbi but sorry business cut that off as one of our councillors actually passed away.

That was difficult for everyone but Ben described really well a lot of the challenges through that process from ARDS as facilitator. Then we moved to a position of—since then a petition has been put out to all the different stakeholders and we were sent a letter saying about ARDS had role that Ben has talked through, facilitating but much more locally with individual clan leaders, maybe one or two and ARDS having that role engaged, as I understand it, through the Chief Minister and Cabinet in this region.

So there's been three different attempts at it. We did consider that council with each local authority and council and their resolution was in terms of do we support that approach of one on one or one on two, the clan leader here a couple of TOs there? Their view was that even though the intentions we know are good and we respect ARDS greatly, as we do all the other Aboriginal organisations, our Aboriginal government, we just believe and the council's position on that, was that it did not support that approach because it is—and Lapulung said this again and again repeatedly, it's about, it divided—unfortunately unintentionally totally we understanding that- unintentionally it is dividing because of the imbalance of power and information.

Garawu you can see as chair like Lapulung are extremely able people and there hire people like Ben and me to do work. We've got an administration of 320 people; we've got major capacity and are actually a level of government. So with that we're saying that the concern is we all want to work together, how we can work on that? So it's not unintentionally just talking to one group here or that group there because a lot of the community will not even know that a discussion happened.

Out of that, another thing the council has raised—and I talked about this with Natasha Fyles, a few weeks ago out at Galiwinku when she came to Milingimbi—she talked about this issue about alcohol and kava, for example, what do we do? She said we've got to talk to the TOs. We inherently of course, deeply respect the TOs but in any community TOs are only a fraction of the people there because those communities by nature are something that come from the mission days, and then after like Ramingining, but where you've got multiple clans from all the homelands. That is a significant issue that it is not—what we want is always to work with everyone—is how to engage all of the people, all the clans and, quite frankly, all the people because younger people, people with (inaudible), people from not the powerful group, in law council is required to be there to hear all the voices of all the people. They come in any time. Lapulung, as we always do. Would you like to comment on that?

Mr Lapulung DHAMARRANDJI: Yes. Talking heart to heart, soul to soul, here, as human beings. As we understand at this point of time, difficult times, we need to move on with our lives and what we are enhancing and doing for our people. We need the rights to stand. We need the voice of our people on the ground. We would like to enter into dialogue with ARDS or any other facilitators that can be joined in with East Arnhem Regional Council to enhance that breakthrough, a proper dialogue—a momentum of understanding to give

us that hope, freedom and choices of rights so that we can get along with our lives in this 21st century in this modern Australia, working together to sustain our nation, together both Yolngu and balanda. Thank you.

Mr Dale KEEHNE: And so the next key parts of where council got back—again through consulting every local authority and getting a range of really good ideas and views and then council taking in all of those about the current approaches or the approaches in the last six or seven months—is this concern about there's no recognition, 'Yeah, we can just flip this, that'd be great' in terms of the clear and formal role for the other three major entities that are missing in the approach at the moment it's coming out of NT Government. The three entities, as we see them—this was raised at Miyarrka where we had one whole week there on the discussion on local decision making—is the Northern Land Council—our council inherently deeply respects the land council and traditional owners and we pay all our section 100 leases and do all of the right things, of course, and never do anything involving land without their approval.

But if any of these innovations, projects or programs are going to happen, it's going to have to go back to land council anyway so why can't they be at the table and also they have good funds as well. They have the extra \$600m-odd the ABA grants so we could combine together. The Northern Land Council already do a great range of work but there are more opportunities there if they were involved and in terms of the correct recognition of TOs.

The second one is the Australia government. We find this over the years, I started up here 18 years ago. Lapulung and I first met in Milingimbi and we were dealing with this then. The biggest one I can think of is from 2009, a year after the council started, for five years.

A Member: This would have been linked to the intervention?

Mr Dale KEEHNE: Yes, to the intervention and its Remote Service Delivery Strategy. That was a more positive side. You know the former president, Banambi Wunungmurra, found that as we went around and around, all of us—the Australian government, the NT Government and the council—with community, in each community for years—Major General Chalmers flying in on Air Force 2—all of this and at the end of the day, we were finding that was very problematic because of these LIPs—Local Implementation Plans. They look really nice and had great photos and they were big like this, but Banambi the former president before Lapulung for 10-plus years, said, 'This is lip service and we're sick of it'.

I just want to flag that today because—Ben picked up really good points as well that wherever we go with this, we're not naïve about it, that all of this whole-of-government planning—one, it has to be both because the feds have the most of the money, let us be frank, and it has policy levers on CDP to multiple things and there are great opportunities. But the NT Government is so important for running health, education, law and order and infrastructure. Together, with communities guiding and all the homeland areas, like Yananymul articulated so well, that's how we would get somewhere.

We are also mindful there needs to be (inaudible).

Mr Lapulung DHAMARRANDJI: Yow. There needs to be a genuine dialogue to set this core foundation for the Voice, as well. When you do engagement with people like *wāwa* here, ARDS which got the heart, and also the Yolngu Nations Assembly to sustain, to build the capacity, and momentum of understanding and a memorandum that is there for the people for the rights of Arnhem Landers within the community. In the first place, where I said I am coming from a cultural barrier. This man sitting here is my cofounder. We have something in common that we need to build that capacity, nourishing into the co-foundation wherether the Yolngu *rom* meets to bring that awareness into the government and educate the government to respect us, to respect the First Nations, the people of this land. Thank you.

Mr Dale KEEHNE: That leads well Lapulung, to the third key party that hasn't been involved in terms of a formal arrangement to work with them clearly on this. First of all, the Northern Land Council, second of all the Australian government and the third one is East Arnhem Regional Council, local authorities and regional council.

You've heard from a range—where they are extremely important Aboriginal corporations under the CATSI Act in Canberra corporations, and they do great work, and there are others, Miwatj, (inaudible), Gumatj—so many across the region. Lapulung is extremely strong and it's an honour for me to have him as president and council about this is an arm of government run by Indigenous people. Up to 126 Aboriginal people run this place, and they inherently do not need to be convinced by anyone that you need to consult with the clans to respect the TOs.

Mr Lapulung DHAMARRANDJI: Respect: heart to heart; soul to soul. They're our embodiment. We work under the pillar of rights through culture. They're our people, they are our leaders. They hold the constitutional legacy from Yolngu perspective. We need to work with those leaders, ceremony leaders, and we need to engage with Yolngu entities like ARDS and Yolngu Nations Assembly to build that capacity, on formality, on core common ground. You know what I mean?

Mr Dale KEEHNE: To that end, Lapulung has led the development and call for recognition of identifying the core recognition this is Arnhem Land, and council's role in that as offering a bridge of commonality, I think is the term you used, most.

Mr Lapulung DHAMARRANDJI: But again at the end of the day it's Yolngu voice, it's Yolngu empowerment, Yolngu making the decisions to benefit the Yolngu, and we have that engagement with the government. We can work with the government.

Ms Joanne BAKER: It is like when we make laws, like in government, we make the laws and we break the laws. And when people put in their voices the community, not the ones that are elected, but the community, when they give their voice to their leaders and then take it to you mob, as people are saying already, where does it go to?

That middle man—whoever that middle man is—is the one that picks it up and throws it into a bin. You know who that middle man is that I see, as an observer of a fifth generation, is the TOs. The TOs. If we didn't have any TOs, because we are all Yolngu people and we all own this land—but because the middle man, all the time the government talks with them before it goes to the people that built that city, like Yirrkala, Milingimbi, Elcho, Ramingining. And hello people, we in a civilised world. We are not babies, we cannot go back before that time. That's both for balanda and Yolngu. If we put in our concerns of what we want, why can't it happen—because I know the government every five years (inaudible) the next five years our voices will be chucked in the bin because you won't be there anymore.

Yolngu people want to show our talent, our skills and our knowledge. No-one taught us; we were taught by the spirit. It was in our DNA to know; you can in Mark for us. This man is now a member of parliament for us, where this man is now East Arnhem president. Where all these people on there, now with titles. We learned from you, but when are you going to learn from us?

Mr Dale KEEHNE: Joanne, can I add to that like I suppose it's fortunate we can reflect on people for the *dhumitji* today you have spoken so strongly as well as Graham Maymura, the chairman of NEAL. So I just want to point out because this unpacks their frustration and dynamic on the *dhumitji*—it is on our local authority and runs things up here every second month and advises council, which people want in Yirrkala. Graham Maymura is on it and is the chairman. Now you've heard their frustration today and so this is the frustration because they have written a number of resolutions around many things, but we get the letter back two months, written by a junior bureaucrat who sent it to a minister, and they say, 'In the fullness of time it can't be done' That is why they are frustrated.

But in the NT we have a unique advantage and unique position, compared to Far North Queensland, WA and so on, because we have large regional councils. In we did have in the earlier years, absolutely we had concerns about the loss of community council but over those years community members have arisen and created strong local authorities and strong councillors working together. It is an avenue—Mr Marika, who passed last year, used to be the Chair of (inaudible) and then he became the Deputy Chair of this one. Lapulung used to be Chair of Milingimbi Council and he is the president of this one. Together we are actually meeting one of the—actually it is the fifth key policy, important policy objective why this place was created; the East Arnhem Regional Council. Firstly, it was viability, governance, how to spend the money properly right, which we've done every single thing. Probably, the most important was to be able to engage with the other two balanda levels of governments more effectively. That was real wisdom from the Prime Minister and Clare Martin at the time who decided that bilateral agreement in 1996. We have done that but of course that is the hardest thing.

You can feel the solidarity in this room, even though there are differences and disagreements, there is still that cultural underpinning. That is where Lapulung and council is offering to try to assist in that process. Inherently, we are only trying to help the all different voices be heard.

Mr Lapulung Dhamarrandji: At the end of the day we need your heart to help us. Thank you.

Ms Marpulawuy MARIKA: I am a councillor as well.

Mr Dale KEEHNE: There are a few people who have not got their council shirts on.

Mr CHAIR: We have about five more minutes, but we have to wind up and catch a plane to another meeting tomorrow.

Ms Marpulawuy MARIKA: I remember my husband, Mr D Marika, said to me lots and lots of times, 'We need a white hand and black hand, and let us fly together'. Maybe that can be a metaphor for all of us. We are all Australians, we live on a common ground and in a society that is complex for us, as Yolngu, to be able to go into your world. For you, it is a complex for us to understand our language and understand our culture. And that is the thing that is very, very hard.

Coming to this meeting with the idea of how can we be able to implement the decision making in a way for us Yolngu to understand. That is for us to go back to our communities and talk about it. I did not mention it to you president and to you CEO, we had a visit from the APO NT, and that again she was here, and if both governments, or wherever you come from can that be something we can work on in the near future, coming out and working with all of us on the ground? Because it has seven things that I just find out about Aboriginal Peak Organisations of the Northern Territory—who are they? It is all in here.

We need to have time ...

[Yolngu spoken].

You can interpret that. Thanks very much for listening.

Mr GUYULA: Yolngu Matha need to get together and sit down and take time to examine where we are going, what our visions are and who we are working with, and strive to find a way how we can heal the wounds and start to work towards a goal where we need to find a brighter future and a vision what we hope to make a better community for both balanda and Yolngu living together—I hope.

Mr YAN: I've just got a quick question, picking up on your discussion about traditional owners. Do you think through the local decision making process, if it is done properly and the right way, that governments can then find out the right people to talk to? Because if government is not talking to the right people, then government are making bad decisions based on the information their getting. What I am trying to get to is how do we make sure the government are talking to the right people?

Mr Dale KEEHNE: Invite them to meetings. You invite them to the meetings—the right TOs and the land councils ...

Mr YAN: How would we, as government?

Mr Lapulung DHAMARRANDJI: There are people on the ground who can help you and direct you to the right people.

Ms Shannon VOSS: There is an organisation here that has been developed to do that.

Mr YAN: I'm thinking about my area as well in Central Australia, the desert mob down there. It is a clear way to do it here with Yolngu people in this region in Arnhem Land. I am looking further afield into the rest of the Northern Territory in how we identify who the right people are that we talk to, so we do not talk to the wrong people.

Mr Anthony HAWYARD-RYAN: I think you need to identify tools and pathways to communication and obstacles. Go round the obstacles, use the tools.

I have been listening to everybody. I have been jotting down in shorthand how that could possibly work. I'm not going to show anybody.

Mr Dale KEEHNE: Tony, we have had all day. This is a key point for council—another one. All the points we raised were key. This last one—this is why it is last; because it is not what we are driven by at all.

The reality is with the current unfolding rules on local decision making and now in turn Closing the Gap Northern Territory Implementation Plan, which seems to basically plug in and follow the NTG's lead, is

Aboriginal councils like this one, MacDonnell, Barkly, West Arnhem and so on—all nine of them—are increasingly not considered Aboriginal organisations. Ridiculous right. We do so much great work. So do all the other organisations and we partner and we outsource and everything. But we've already started losing money down at Groote for youth services and bush (inaudible). We had an explicit letter back from the NT department because that is under the local decision making agreement. It doesn't matter that we provide youth services across the region—high capacity and everything—boom!

If that happens more and more, that's going to undermine sustainable service delivery we have had for 14-odd years, and the enabling the ability of council as a big organisation to support and partner with Gumatj and Rirratjingu and so on, if we're going to progressively under a banner that apparently we're not Aboriginal—that Lapulung is not Aboriginal and all these leaders are not Aboriginal.

We are way more Aboriginal than the average ORIC which run out of Adelaide and Sydney, to be quite frank, and we run out of here. I just want to get that out there in terms of the procurement guidelines that they are clearly written and amended to get rid of that problem, and we're not excluded from local decision making, and in term the federal government. It is only this Territory, for the whole nation, Closing the Gap there's four criteria. In the Territory at the moment, in the draft—we are working with LGANT to challenge it—there is an extra clause that basically wipes out local government. That's ridiculous because it does not take into account the opportunity we have here to all work together and do so much.

Mr CHAIR: Thank you, Dale and Lapulung.

Mr Dale KEEHNE: Thank you, Chairman and members.

Ms Joanne BAKER: One last thing. All I want, as a good federation for the fifth and sixth generation, good education, good health wellbeing, a healthy, safe environment community—all those things because these things have been promised by the elected candidates that we vote for. Then it goes to your government. I want to see those things before I die, to see my grandchildren and great-grandchildren to be in a healthy environment.

Mr CHAIR: I think that's what we all want—good health, good education and a good, safe environment to live in.

Ms Joanne BAKER: Because our education, our mainstream education has gone down to preschool level in all our community schools. Why?

Mr CHAIR: We have to do more in all of those things. Thank you everyone.

Mr Lapulung DHAMARRANDJI: Thank you all.

Mr CHAIR: People have travelled; we have come here. This is not a normal situation with five white fellas up the front but everyone I think was really open. I thank you for that; it was really good. There are obviously issues and problems. There is that tension you can feel and everyone has spoken about but if there is a respectful, transparent process that has Yolngu at the centre—if we can take that back, because there is a sense of hope here.

Several people talking.

Mr CHAIR: We will write a report, we will write an extensive report on this that will be tabled in parliament. We will make sure that the report goes to everyone.

Mr Lapulung DHAMARRANDJI: It needs the patient and unhurried time to negotiate and discuss.

Mr CHAIR: Thank you for your patience today.

The committee concluded.
