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To: [LA PAC](#)
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Subject: Submission to the Public Accounts Committee Inquiry into Local Decision Making
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Public Accounts Committee

Unfortunately, Djalkiripuyngu leaders representing Blue Mud Bay homelands were not given time to present to your committee hearing in the 'Sea Rights' room in Yirrkala on 27 October 2022.

We provide you with a written submission, and suggest that next time you seek to learn about local decision making that you give time and consideration to the Yolngu from homelands who have spent the last four years successfully negotiating a Local Decision Making Agreement.

Local Decision Making is our past and our future

Our ancestors governed our lands and seas for millenia through our Ngara, using local decision making founded in our sacred law and culture.

The Ngara is our 'parliament' - the pinnacle of our authority. Through the Ngara our Dilak - our executive leadership - our fathers spoke and made local decisions for our country and people.

The Djalkiripuyngu Ngara and Dilak exist today.

The Djalkiripuyngu Dilak, is represented by the Djalkiripuyngu Aboriginal Corporation.

The Djalkiripuyngu Aboriginal Corporation is recognised to manage the Blue Mud Bay No. 2 Native Title determination - the determination that gave us 'Sea Rights'.

In this way, our Ngara and Dilak are both recognised and empowered by the Djalkiripuyngu Local Decision Making Agreement and as a Registered Native Title Body Corporate to represent and create a strong future in our homelands.

It is very dangerous for Yolngu, as individuals or through organisations they currently lead, to try to undermine our Dilak or disregard decisions made through our Ngara. In our history this would lead to war that cost many lives, and was only resolvable through Makaratta.

Our vision is for homelands to be places of strength and opportunity

Through the Agreement, the Djalkiripuyngu Aboriginal Corporation will guide improvements to education, health, infrastructure, housing, essential services, community safety, culture and heritage in Blue Mud Bay homelands.

Djalkiripuyngu are generous and want to share their success with other Yolngu groups wishing to strengthen homelands.

Through accepting a partnership with Laynhapuy Homelands Aboriginal Corporation in the Agreement, the Djalkiripuyngu want to help improve regional homeland service provision.

The Djalkiripuyngu also welcome partnerships with other organisations, such as NIAA and NLC, to streamline their engagement with our region.

Djalkiripuyngu and the Northern Territory Government have worked closely and with respect to create a powerful Agreement

The Agreement, and the long and careful process through which it was realised, represents more than just an outcome of program and service level negotiations with regional organisations or service providers.

It is seen by the Dilak as a true pathway towards a treaty or compact - something Yolngu leaders have been working towards since we gave our sacred patterns and designs to strengthen the Barunga Statement in 1988.

An important connection realised in 2018 when Djambawa Marawili AM attended the 30th anniversary of the Barunga Statement, which also coincided with a joint Land Council meeting at Barunga.

As one of two remaining artists of the Barunga Statement, Djambawa spoke about renewing the fire in the next generation of Aboriginal leaders seeking self determination.

Djambawa was impressed by the vision of the former Northern Territory Chief Minister Michael Gunner who spoke about his governments new approach to work with all Land Councils through an MOU to grow and strengthen our Northern Territory together.

Following the ceremony, Djambawa approached the Chief Minister and asked whether the Northern Territory Government would consider this collaborative approach for Blue Mud Bay homelands. The Chief Minister agreed to start negotiations.

That evening in Beswick, Djambawa and other leaders discussed their concerns and priorities for homelands and wrote the 'backbone' of what would become the Agreement.

At Baniyala on July 2018, at the 10th anniversary of 'Sea Rights' at Blue Mud Bay, Minister Selena Uibo stood within the Yingapungapu and signed a statement of commitment from the Northern Territory Government to negotiate a Local Decision Making Agreement with the Djalkiripuyngu based on the priorities developed at Barunga.

This was witnessed by Yolngu leaders from across the region, as well as the former Minister for Indigenous Affairs Senator Nigel Scullion, Northern Land Council Chair Samuel Bush-Blanasi and former Northern Land Council CEO Joe Morrison.

Discussions were scheduled and held through 2018-2019, coordinated by the Northern Territory Department of Chief Minister and Cabinet. These meetings were held at Baniyala and Gan Gan and covered all key priority areas - community safety, health, education, infrastructure and housing, and business and jobs - as core culture and country were included in each of these discussions.

Relevant Northern Territory Government agencies attended and had clear discussions with Djalkiripuyngu leaders about a shared vision and pathways for improving services, infrastructure and employment in homelands.

Many national and regional organisations were invited to participate - again supported by the Northern Territory Department of Chief Minister and Cabinet. These included Laynhapuy Homelands Aboriginal Corporation, Miwatj Employment and Participation,

Northern Land Council, CSIRO, DEAL and PMC/NIAA.

Djalkiripuyngu leaders were disappointed when at the beginning of this open and collaborative process, the former Laynhapuy Homelands Aboriginal Corporation CEO Chris Francis directed his organisation not to engage with the Djalkiripuyngu Local Decision Making process - although some Laynha staff ignored this direction and attended to discuss improvements in health delivery.

In 2019, at the 11th anniversary of Sea Rights celebration at Baniyala, the Northern Territory Government confirmed its support to finalising the Local Decision Making Agreement.

Also in 2019, the former Northern Territory Chief Minister Michael Gunner visited Baniyala with several Northern Territory Cabinet Ministers to meet with Djalkiripuyngu leaders and witness the signing of a Service Level Agreement between NT Police and Djalkiripuyngu leaders to improve homelands safety.

This put Djalkiripuyngu leaders in a good position when responding as a region to the challenges of COVID in 2020 - with the Baniyala Community Safety Committee leading homelands COVID readiness and food security planning for the Blue Mud Bay region.

Also in 2020, Djalkiripuyngu leaders established the Djalkiripuyngu Aboriginal Corporation with the support of the Northern Land Council and CSIRO. The Djalkiripuyngu Aboriginal Corporation is designed to manage regional Native Title responsibilities, lead local economic planning and provide local coordination and support to achieve the priorities outlined in the Djalkiripuyngu Local Decision Making Agreement.

During COVID, Djalkiripuyngu leaders through the Djalkiripuyngu Aboriginal Corporation and the Northern Territory Department of Chief Minister and Cabinet continued to refine the Local Decision Making Agreement based on previous meetings and new opportunities.

Djalkiripuyngu leaders want to thank Jim Rogers and his Nhulunbuy team for their efforts to keep the Local Decision Making process going through this challenging period.

In 2021, several Northern Territory Government Chief Executives visited Baniyala to engage with Djalkiripuyngu leaders on homelands issues and discuss finalisation of the Local Decision Making Agreement. It was agreed that the Agreement would be signed in 2022, at the 14th anniversary of sea rights.

In 2022, the Djalkiripuyngu Aboriginal Corporation and Northern Territory Department of Chief Minister and Cabinet worked closely to finalise the Agreement.

However, at the final hour, Laynhapuy Homelands Aboriginal Corporation decided it would communicate its opposition to the Agreement claiming it had not been appropriately informed of its content and had not been invited to be a part of negotiations.

This really confused Djalkiripuyngu leaders who remembered that Laynhapuy Homelands Aboriginal Corporation had chosen not to participate in local decision making meetings, even though they had been invited several times.

In April 2022, Minister Selena Uibo attended a meeting at Baniyala requested by the Laynhapuy Homelands Aboriginal Corporation Board, where Laynhapuy leaders had to

openly recognise that the Djalkiripuyngu Dilak was entitled to seek an Agreement through the Djalkiripuyngu Aboriginal Corporation.

At this same meeting, Djalkiripuyngu leaders generously agreed that Laynhapuy Homelands Aboriginal Corporation could be a foundational partner to the Agreement, to learn from the successes from Blue Mud Bay and work with the Djalkiripuyngu Aboriginal Corporation on areas relevant to homelands services, housing and health.

Following this meeting, Djalkiripuyngu continue to be confused by the actions and words from Laynhapuy leaders criticising the Agreement and at the same time trying to control it through an overarching agreement that they wish to negotiate for all homelands serviced by Laynhapuy Homelands Aboriginal Corporation.

Their approach is not in the spirit of their partnership with Djalkiripuyngu - to openly work together to strengthen Blue Mud Bay homelands and develop opportunities in homelands across the broader East Arnhem region.

Their actions and words seek to undermine the Djalkiripuyngu Dilak to make decisions for Blue Mud Bay homelands through appropriate local processes embedded in sacred Yolngu Rom and Ngara.

Our collective Yolngu voice is strengthened through recognising the authority of each Dilak to speak their vision and manage their people and country. This is our real system - not the one built by corporations and greed for Yolngu living with royalties in towns.

On 30 July 2022, at the 14th anniversary of sea rights, Minister Selena Uibo and Attorney General Chanston Paech signed the Djalkiripuyngu Local Decision Making Agreement at Baniyala, along with Djalkiripuyngu leaders, Djalkiripuyngu Aboriginal Corporation Directors and Laynhapuy Homelands Aboriginal Corporation Directors.

Djalkiripuyngu leaders again want to thank the Northern Territory Government, especially Jim Rogers and his team in Nhulunbuy, for their professionalism and care in coordinating the complex and sensitive local decision making process. Their approach required great skill and understanding, not just of government processes but of Yolngu systems and stakeholders.

On 15 September 2022, the Northern Territory Chief Minister Natasha Files signed the Djalkiripuyngu Local Decision Making Agreement at Baniyala and was presented with a 'letter stick' to take to Canberra to the Prime Minister to share the fire / vision from Blue Mud Bay homelands.

Djalkiripuyngu leaders are committed to the success of the Agreement and look forward to bringing new opportunities to homelands in partnership with the Northern Territory Government and other organisations who want to see strong homelands.

If you have any questions please contact me or the Djalkiripuyngu Aboriginal Corporation.

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