

## Northern Territory Government response to the “Inquiry into Local Decision Making” by the Public Accounts Committee.

### Local Decision Making: VISION

*“Aboriginal people determining their own futures.”*

## BACKGROUND

International research and evaluation confirms the most effective approach to achieving outcomes for Indigenous peoples is through self-determination and community-based decision making. The Northern Territory (NT) Government’s Local Decision Making (LDM) is a ten-year plan founded on this premise. It was implemented with the intention of providing Aboriginal communities with greater input and decision-making authority around service delivery within the communities. The Northern Territory Government developed the Local Decision Making Policy Framework in response to consultations undertaken across the NT in which there were consistent messaging from communities that they had been disempowered. This related to a number of higher level policy and legislative reforms delivered by government, such as the Commonwealth’s ‘Intervention – Emergency Response’ and the Northern Territory Government’s ‘Shire Councils’, moving away from the former community councils. After extensive consultation with NT government agencies, non-government organisations, Aboriginal communities and working closely with the Aboriginal Peak Organisations of the NT (APO NT), the LDM Policy was endorsed by Cabinet in August 2018.

### Related Initiatives

The Northern Territory Government’s Local Decision Making Policy is consistent with the United Nations Declaration for the Rights of Indigenous Peoples, specifically under Articles 18, 19 and 23.

LDM is specifically referenced in three recommendations of the Royal Commission into the Protection and Detention of Children in the Northern Territory Report’s (the Royal Commission). However, taking a place-based approach, involving Aboriginal organisations and communities in policy design and decision making is a theme throughout the recommendations. The Local Decision Making Policy includes a set of principles that can be easily reflected within the UNDRIP Articles above and across several others, as well as being consistent with the APO NT Principles and the Northern Territory Government ‘Remote Engagement and Coordination Strategy’ (RECS). These LDM Principles guide the Northern Territory Government approach to working in and with Aboriginal communities. Where NT government agencies are not party to a LDM Agreement, they are still expected to adhere to the LDM Principles below when undertaking engagement or service delivery in communities.

- **SELF-DETERMINATION:** Aboriginal people will lead decision making processes based on their needs.
- **PLACE-BASED:** Government adapts to different locations, communities and services for each place.
- **FLEXIBLE:** We will take time to get it right and will respond to local priorities.
- **CO-DESIGN:** We will work with community, not design something then come to community for input.
- **COMMUNITY CONTROL:** We will support community to reach their aspirations.

## Community Aspirations

Remote communities identified key areas where they wish to have greater control, these are housing, education, law and justice, health, children and families, and local government. Other areas for LDM includes agency programs or projects, especially those impacting or happening in communities and remote areas. These include things such as:

- Management of parks, (land and sea management) and/or Aboriginal engagement on management boards and committees.
- More innovative business models to engage Aboriginal people, including tourism, fishing, civil works or community liaison personnel to assist public servants.
- Greater engagement and support for communities to determine what and how social enterprises should be supported and operated, for example, youth, women and men programs.

# PROGRESS

## Implementation

In the spirit of LDM, the NT government remains flexible in the approach to working with community and/or community representatives. As such, there are a number of different community-led models underway across the NT. The various engagement models are determined by each group, community or relevant representatives and can change depending on aspirations and relationships.

Some ways communities are engaging in Local Decision Making:

- **Individual Aboriginal Corporations.** This might be one corporation working on one or more services.
- **Alliance Model.** Aboriginal Corporations coming together to form an alliance. This is generally an agreed approach where relevant service delivery is allocated to a specific corporation, or where corporations come together for any major decision-making.
- **Cultural Governance Model.** Aboriginal Cultural governance systems used and incorporated into the corporation governance structure to ensure appropriate representation.
- **Regional Model.** This is an approach including several communities and their organisations or other relevant representative groups.

## Examples

### *Individual Aboriginal Corporations*

- Yugul Mangi Development Aboriginal Corporation; Gurindji Aboriginal Corporation; Jawoyn Association Aboriginal Corporation. All three of these corporations have recently undergone a review and updated their LDM Agreements using an Aboriginal **Cultural Governance Model**.

### *Alliance Model*

- Kardu Alliance was established as an alliance of six Aboriginal corporations in Wadeye community with each corporation working autonomously in service delivery, however, coming together for any major decision-making. This model is currently undergoing consultations to work towards a **Regional Model** as a Kardu / West Daly Alliance.

### *Regional Model*

- Baniyala/ Djalkiripuyunu began as an **Individual Aboriginal Corporation** model but has since changed to a Regional Model for the Blue Mud Bay region.
- Yolngu Regional Partnership is a Regional Model.

*\*See ACHIEVEMENTS for further details of the different engagement approaches.*

### **NT Police Initiatives**

Progress towards incorporation of Local Decision Making (LDM) Agreements into police service delivery in regional and remote communities has been realised, with incorporation of LDM agreements into the Regional and Remote Policing Plan (The Plan).

The Plan will see police partnering with stakeholders in Aboriginal communities to assist, enhance and progress programs that deliver safety and crime prevention in the community. In frontline service delivery, Community Safety Action Plans (CSAP) are being delivered in every remote community to ensure that the community has an open forum where they are able to articulate and responded to safety concerns directly with police and key stakeholders.

In the Barkly Region police have recently formalised a Memorandum of Understanding (MoU) between the Julalikari Council Aboriginal Corporation and Barkly Regional Council, which aim to support the activities of Community Patrols within the Barkly region;

Police will lead discussions through The Plan to formalized MoUs with Community and Night Patrols in every regional community. Police are invested in enhancing Community and Night Patrol service to remote communities and ensuring that services are aligned with police response and provided with the right support to effectively undertake their programs to the benefit of the community.

### **Department of Territory Families, Housing and Communities**

LDM is central to the Territory Families, Housing and Communities (TFHC) vision of “Connected Communities, Thriving Places and Empowered Territorians” and is increasingly becoming integral to TFHC program and service delivery and new initiatives. LDM and community engagement are key principles of the \$1.1 billion “Our Community. Our Future. Our Homes” program and through LDM groups, communities make decisions about the scope, design, timing and location of housing solutions and how the work will take place. In addition, the revised procurement approach for new remote property and tenancy management contracts is based on commitment to maximizing opportunities for local Aboriginal organisations and local Aboriginal employment, wherever possible. This includes select tendering for Aboriginal Business Enterprises (ABEs) where LDM agreements are in place. Grant programs with delivery in Aboriginal communities must be developed by, or led in consultation with the relevant community.

Using LDM Principles, development of youth justice programs has occurred in consultation with communities, local providers, identified community leaders and Councils. This process has occurred for community youth diversion programs in the regions of Top End, East Arnhem, Big Rivers, Barkly, Central Australia and for youth camps in the Barkly and Darwin, Palmerston, Litchfield region. The Remote Management Office in partnership with the DCMC Regional Network is engaging with communities, Aboriginal controlled organisations and their elected boards in sites across the NT to establish 11 new Aboriginal-controlled Child and Family Centres.

## **Investment**

The Housing Program Office promote utilisation of Aboriginal Business Enterprises for delivery of housing related works, where capacity and capability are established, and have introduced period construction contracts for capital works to enable local employees be trained in apprenticeships through a pipeline of works.

The recent Remote Housing Maintenance Services tenders have a focus on developing local Aboriginal Business Enterprises, especially those with LDM agreements in place.

Aboriginal employment requirements are embedded in all contracts for housing related works. In 2020-21 the requirement is 42 per cent of staff to be Aboriginal and in 2021-22 this will increase to 44 percent.

Multi Agency Community and Child Safety Teams (MACCST) are locally led decision making forums that deliver timely, coordinated, action based, early intervention responses to respond to the safety of children, families and communities. Since September 2020, MACCSTs have become operational in 12 communities and more will be established across the NT.

## **LDM Monitoring and Evaluation**

The Northern Institute at Charles Darwin University is developing a LDM Monitoring and Evaluation Framework using a “Ground Up” approach. The Northern Institute is renowned for this place-based approach to collaboration, which incorporates the knowledge systems and governance of both Aboriginal and government people and organisations. Initial work started in 2019 on two sites, Kalkarindji (Big Rivers region) and Alice Springs town camps (Central Australia region). Subsequent to their diverse contexts, these two sites provide insight into the development of a Monitoring and Evaluation framework across the Northern Territory. The Kalkarindji and Alice Springs town camps monitoring and evaluation projects presented different approaches to LDM, indicating the significance of adaptability to local situations, priorities and criteria of success, including a focus on both specific projects and broader policy practices and assumptions. LDM monitoring and evaluation work and approaches are being developed and addressed through regional approaches.

# **ACHIEVEMENTS**

## **Eight LDM Agreements (community-led), with five in various stages of implementation**

**Yugul Mangi Aboriginal Corporation** – LDM Multi Agency Partnership led to civil works contracts being awarded. This agreement has recently undergone a review and new agreement for 2020 - 2023. Achievements to date:

- Awarded ‘select tender’ contracts for road works over 36 months.
- Grants provided to assist with education and skills training programs to support civil works projects.
- Awarded two years funding as the service provider for the Ngukurr Children and Families Centre.

**Gurindji Aboriginal Corporation** - LDM Multi Agency Partnership led to additional contracts being awarded for housing projects across the region. This agreement has recently undergone a review and new agreement for 2020 - 2023.

- Previously awarded significant contracts for housing upgrades.
- 15 community members completed relevant building/construction accredited training, 8 of which maintained employment with GAC, 7 progressed to other employment.
- New Joint Venture with building industry partner, currently being awarded contracts for housing.
- NTG is working with GAC and Central Land Council to convert Crown Lease to freehold for GAC.
- Grant funding provided to GAC for upgrades to the Caravan Park.

**Jawoyn Association Aboriginal Corporation** – LDM Multi-Agency Partnership led to significant contracts for upgrades to Nitmiluk National Park and to assist with the construction of a mountain bike trail. This agreement has recently undergone a review and new agreement for 2020 - 2023. Achievements:

- Grant to support the establishment of Jawoyn constructions business enterprise which has since been awarded contracts.
- Extensive contracts awarded for upgrades to Nitmiluk National Park going into its second year of contracts.
- JAAC recognised in the NT Brolga Awards for tourism excellence.

**Groote Archipelago** – Heads of Agreement signed in November 2018.

Since then, Implementation Plans to transition to community control in the priority areas of housing, law, justice and rehabilitation, regional economic development and education have all been signed. Implementation Plans have not yet been signed for health and local government, but are both well advanced.

- Anindilyakwa Housing Aboriginal Corporation registration under National Regulatory System for Community Housing. AHAC will take control of managing community and outstation housing.
- Establishment of Working Group for joint decision-making processes to determine location and model for the Cultural Rehabilitation Centre that will provide alternative options in terms of imprisonment for males 17-25 years of age.
- The agreed outcome for Education is a new community-controlled, bi-lingual education system in the Groote Archipelago that allows for Anindilyakwa people to control and take responsibility for their own schools, has a curriculum to enable Anindilyakwa people to live in both worlds, and facilitates a single governance model for education. This includes an Independent Boarding Schools planned to open in 2022.

**Alice Springs Town Camps** - Heads of Agreement. Invitation to apply for Tenancy Management contracts which will operate as a full tenancy management model (including statutory responsibilities such as inspections and rent collections) and has been developed through co-design as part of the LDM Agreement.

- Establishment of Working Groups for 'Shelter and Housing', 'Keeping Our Country', 'Community' and, 'Knowledge'.

**LDM Statement of Commitments towards LDM Agreements**

- » Kardu / West Daly Alliance – Regional Statement of Commitment.
- » Yolngu Region – LDM Partnership. Government had agreed to fund a Yolngu region LDM workshop which would bring together 80-100 Clan leaders, however, this was impacted by COVID-19 in 2020. Smaller regional workshops will be implemented later in 2021.
- » Baniyala Aboriginal Corporation / Djalkiripuyngu leaders – Commitment Agreement.

### **Barkly Regional Deal**

- Has identified 28 initiatives identified during consultations across the region which have been grouped into three key areas: Economic Development; Social Development; and, Culture and Place-making. The Deal brings together funding from the three spheres of government with a total commitment of \$78.4M.

## **FOSTERING COMMUNITY LEADERSHIP**

### **Building and Supporting Strong Aboriginal Organisations**

An important goal in LDM is building of strong Aboriginal organisations. Strong Aboriginal organisations will lead to Aboriginal empowerment and control through greater decision-making and localised service delivery models. This approach can contribute to local job opportunities, more effective service delivery, social and cultural sustainability, and, land use agreements that provide economic development opportunities. APONT has been engaged in a partnership in designing and implementing the LDM framework, as well as in the assessment and capacity building of Aboriginal organisations engaged in LDM initiatives. In addition, the Northern Territory Government has options for various grants to support Aboriginal leadership and capacity building that helps to ensure good governance and management of Aboriginal organisations.

#### Grants

There are three types of grants related to LDM that are administered by DCMC which includes the Remote Aboriginal Governance and Capacity Building Grant, Local Decision Making Grants and Regional Grants.

- Local Decision Making Grants are available to progress existing or support emerging LDM agreements. Total \$500,000.
- Remote Aboriginal Governance and Capacity Building Grant is a flexible grant program designed to build governance capability in organisations without any requirement to enter into LDM Agreements. However, they assist capacity building of Aboriginal groups and organisations to enable them to enter into negotiations for LDM if or when they choose. Total \$500,000.
- The Regional Grants are flexible and available where no other grants can support projects that are locally-led for the benefit of local communities. Total \$500,000.

These grants have supported a number of initiatives under LDM, which includes the below examples:

- The development of Localised cultural competency training programs. These are specifically designed at the local level for contractors or government employees new to the region and provides business and employment opportunities for local Aboriginal people.

- The Walangeri Ngumpinku Aboriginal Corporation (WNAC) received a grant to engage a 'transitional manager' for purposes of supporting the:
  - Transfer of the Walangeri Visitor Accommodation Complex from the Regional Council over to WNAC,
  - Transfer Commonwealth Government Complex to WNAC and establish a business centre,
  - Recruitment and appointment of WNAC General Manager, and a number of other initiatives.
- A LDM cultural exchange was funded between Gurindji and Jawoyn Aboriginal Corporations to share lessons and ideas related to their respective LDM Agreements and other community-led initiatives.
- Numburindi LDM Agreement: Numburindi Development Aboriginal Corporation (NDAC) have been awarded \$30,000 through LDM grants for LDM pre-establishment works, auspice through Yugul Mangi Development Aboriginal Corporation in Ngukurr due NDAC lack of administrative support, funds to contribute to the development of foundational documents, governance and initial software.
- Werenbun Homeland LDM: Circulanation were awarded \$40,000 through LDM Grants for LDM pre-establishment work for Werenbun Homeland, funds to contribute to engagements with homelands residents and the development of an LDM Agreement and Implementation Plan with Werenbun Homeland.

TFHC is also providing professional development and capacity building opportunities through forums such as Community of Practices and Aboriginal Child and Family Centre Forums which bring providers and leaders from across the NT together to learn from each other.

## **IMPACTS**

### **Technology**

In 2020, the former Department of Corporate Information Services expended \$26,000 to undertake consultations, for \$5.8M investment across three communities of the proposed installation under the Telstra / NT Government Remote Telecommunications Co-investment program.

Information Technology is an important tool for remote Aboriginal communities to ensure they have access to up to date information and can effectively communicate with the rest of the world. The cost of installing telecommunications infrastructure for communities and homelands not yet connected is very high in both absolute terms and measured relative to population or service users. The lack of commercial viability for telecommunications should be recognised as a starting point, noting substantial limitations and a need to source alternative funding for infrastructure and services.

Alternative telecommunications solutions are being investigated and trialled to explore and hopefully find a suitable telecommunications service for small remote communities that will be similar to urban 4G and broadband service at a cost effective price.

Aspirations to deliver better health care and education services (amongst a growing number of other government digital services) will require appropriate telecommunications. Programs to deliver health and education services could consider references to cost and funding for telecommunications as an integral part of the proposals.

Telecommunications are expected to be considered for each LDM, either directly reflected or as a foundation for other initiatives. This will guide coordination of activity for appropriate telecommunications solutions and identification of costs and limitations.

The NT government LDM website has a range of tools and information available for remote Aboriginal communities to assist with sharing information relating to LDM.

Interest and commitment to new LDM agreements can be fostered through education, similar to the eight-part radio series in Yolŋu Matha (Arnhem Land).

### LDM Website

The LDM website since November 2018 and is regularly updated. Resources and tools have been developed to assist Territorians to understand the LDM Policy Framework and Initiatives. NTPS employees and general public have utilised the resources and tools to assist, promote and engage in conversations about LDM with communities.

Evidence shows communities and organisations are accessing the website and utilised these resources, data statistics are as follows.

- LDM website data views recorded for the period 1 February 2020 to 7 July 2021 is as follows:
  - o Page views (16,775) shows the number of people who have looked at the page;
  - o Unique visits (12,138) shows the number of people who have accessed the LDM website sourcing information, resources and tools.
  - o New Users (3,452)
  - o By device:
    - Desktop – 2,753
    - Mobile – 523
    - Tablet - 213

Number of language and LDM video views are as follows and vary with the time period, current as at 7 July 2021:

<ul style="list-style-type: none"> <li>▪ Alyawarr (112);</li> <li>▪ Anindilyakwa (168);</li> <li>▪ Anmatyerr (42);</li> <li>▪ Burarra (35);</li> <li>▪ East/Central Arrernte (40);</li> <li>▪ Kriol (39);</li> <li>▪ Kunwinjku (40);</li> <li>▪ Murrinh Patha (25);</li> <li>▪ Ngarinyman (82);</li> <li>▪ Pitjantjatjara (37);</li> <li>▪ Tiwi (45);</li> <li>▪ Warlpiri (31);</li> <li>▪ Warumungu (113);</li> <li>▪ Yolgnu (40);</li> </ul>	<ul style="list-style-type: none"> <li>• John Paterson (APONT) video (371);</li> <li>• Wadeye – Room to Breathe (2176);</li> <li>• LDM – Vision (173);</li> <li>• Implementation (121);</li> <li>• Road Map (125);</li> <li>• Office of Aboriginal Affairs (241);</li> <li>• Jabiru MoU with people (254).</li> <li>• Gunbalanya School (1833);</li> </ul>
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The First Circles Leadership program was established in 2014 and is about identifying, mentoring and supporting the emerging Aboriginal leaders across the Northern Territory, with a strong focus on remote leadership. First Circles is an annual leadership program offered to 30 Aboriginal participants, from across the regions of the Northern Territory. Membership is filled through expressions of interest.

The leadership program is tailored to meet the needs of remote emerging leaders and provides an opportunity for participants to directly engage with NT Cabinet.

Members are provided with leadership training and are mentored and supported through community visits and workshops; concluding with an opportunity to talk directly with Northern Territory Cabinet Ministers about issues impacting them and their communities. Members have the opportunity to develop their professional profiles and communication networks that continue to be useful once completing the program.

This initiative helps to build leadership capability across remote NT, which contributes to having stronger representation, including through (but not limited to) Aboriginal organisations currently undergoing or wishing to undergo LDM Agreements.

## **Treaty**

The Northern Territory Government has committed to begin discussions on developing a Treaty or Treaties in the Northern Territory. A Treaty will be a new way forward and an important step towards empowering Aboriginal people in the Northern Territory. There are linkages between Treaties and LDM Agreements, as they are contracts negotiated between the Northern Territory Government and Aboriginal people. Similar to LDM Agreements and the various models implemented by Aboriginal people, there may be more than one Treaty and more than one Aboriginal group.

The Northern Territory Government discussions with Aboriginal people will determine how they are represented in the Treaty-making process which may or may not be an extension of LDM Agreements.

## **Truth-Telling**

Truth-telling can involve activities at local, state, national, and international levels. Local truth-telling is particularly powerful, especially when it occurs in small communities where people are able to develop personal relationships through the process, or build respect and understanding. Truth-telling doesn't always need to go back 200 years, it can include the last 100, 50 and even 10 years of government policies that have adversely impacted Aboriginal people. Through LDM Agreement making processes, it is recognised that government must share information and data and to acknowledge past failures to ensure Aboriginal people are able to make free, prior informed decisions.

More recently, the Uluru Statement from the Heart called for a Makarrata Commission. Makarrata is a Yolgnu word meaning the coming together after a struggle. It captures Aboriginal and Torres Strait Islander aspirations for 'a fair and truthful relationship with the people of Australia...based on justice and self-determination.'

The LDM Policy and Truth-telling share a common message that there is a need to understand the truths of the past to avoid repeating the wrongs of the past today. Further, it is recognised that when wrong decisions are made in Darwin, they are hard to fix, when wrong decisions are made in Canberra,

they are harder to fix. LDM is best placed to ensure wrong decisions are minimized, but also that they are easier to fix when it's made closer to where decisions are being implemented.

The Northern Territory Treaty Commission has released a Discussion Paper on Truth Telling: *Toward Truth Telling*. The Discussion Paper provides fundamental understandings of how truth telling has occurred in Australia and around the world, and identifies key issues, challenges and opportunities in developing a truth telling process in the Northern Territory. The Discussion Paper makes seven recommendations for a truth telling process in the Territory, The NTG is reviewing the discussion paper as part of its overall response to Treaty making in the Northern Territory.

### **Indigenous Voice – Commonwealth’s National Indigenous Australians Agency**

The proposals for an Indigenous Voice would provide a way for Indigenous Australians to provide advice and input on matters that are important to improve their lives. This has some similarity to the Northern Territory Government’s Local Decision Making Policy, in particular in the manner it could be represented in two parts – Local and Regional Voice and a National Voice. Obvious differences are that LDM is limited to the Territory and is more than a voice to parliament, it’s more about taking control of services that impact Aboriginal people.

There may be some potential that LDM representative groups could make up Local and Regional Voice in the Northern Territory.

Some agencies are concerned about the potential duplication of the Voice principles and LDM initiatives increasing possibility for confusion at the community level. Also some concern around the time commitment of individuals (same cohort input) Truth Telling, Treaty, Voice and LDM.

## **CHALLENGES**

### **Information about Agreements versus Principles**

As raised earlier, where agencies are not party to a LDM Agreement, they are still expected to use the LDM Principles when working with or in Aboriginal communities. In theory, this should see improvements in the way government delivers programs and works with Aboriginal communities. The reality is that many agencies have simply ‘rebadged’ their consultation or engagement models with LDM without actually changing the way they operate. The feedback NTG has received from some stakeholders is that they feel LDM is only working when it is being led by DCMC. These stakeholders believe that all NTG agencies need to do more of their own LDM Agreements but can still use their current processes as long as they align with LDM. More work needs to be done to ensure agencies fully understand the LDM Policy and its intentions, then commit to these for every program delivered in communities or impacting Aboriginal people.

Some examples of agency engagement in LDM Agreements versus LDM Principles below:

Agency	LDM Agreement	LDM Principles
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Attorney-General & Justice	Groote Archipelago; community-based alternative to prison for young men.	Aboriginal Justice Agreement; strategies informed by Aboriginal people, place-based, community decision-making. However, requires commitment from all agencies.
Education	Groote Archipelago; Education Implementation Plan to take control of the community schools, including the construction of a Boarding School.	Local Engagement and Decision-making (LEaD) committees; contribution to Community Led Schools. Provision of advice to Principals and school boards.
Housing / Infrastructure	Grundji Aboriginal Corporation; awarded contracts to delivery remote housing upgrades 2018 to 2020. Additional contract to upgrade Government Employee Houses.	Local Decision Making groups are different in each community and can include Local Authorities, Traditional Owners, Housing Reference Groups, Aboriginal corporation boards, and traditional governance groups. These groups provide input into the program to support decisions.

Where there is no formal LDM Agreement, in communities where the remote housing program is being delivered there is a discussion which is held with community representatives (Housing Reference Group, Local Authority Group or similar) regarding the housing program for their community. There needs to be more work from agencies to work closely with communities to form relationships and develop LDM Agreements with individual agencies rather than having to rely on DCMC.

#### Further considerations:

- LDM agreements have fostered greater opportunities for joint ventures and capacity development for organisations, in turn creating improved economic outcomes within communities.
- The timeframes of agreements have realised a programmed stream of works directed into communities, as opposed to sporadic opportunities.
- Relationships with LDM partners have improved since inception, which has assisted in communication between entities and the ability to respond promptly to any concerns or issues that need addressing.
- Flexible nature of the agreements means that partners, and in particular ABE's, can adjust/respond to any changes to Government priorities or any capacity issues that may arise.
- One challenge however is the ongoing management of pricing alignment of works by ABEs with industry standards and delivery timeframes; especially where there is an expectation/assumption of works ongoing.

- There has been challenges in working on the LDM actions Department of Industry, Tourism and Trade have been assigned:
  - Communities have been in crisis when we receive the action. Earlier action was required.
  - Businesses were busy and unable to take proactive steps.
  - Tenure eligibility requirements of NTG support programs in Grants NT disadvantage businesses that operate on Aboriginal Land.
  - High turnover of business managers due to community crisis reduced continuity of support programs.
  - The LDM stakeholder meetings were useful but smaller project group catch-ups are needed to be responsive to changing circumstances and issues.

### **Local Government & LDM**

Regional councils and local authorities give people in regional and remote areas of the Northern Territory (NT) a voice in local government. This is important platform where Government and Aboriginal communities are able to work together to develop policies and practices for service delivery. Regional councils deliver local government services to most remote communities. Regional councils operate local authorities to learn about what their communities need and want.

The role of Local Authorities (Las) in local decision making are important.

LAs are intended, through the statutory function, to give local communities a voice on any matter of concern including but not limited to policies, plans and services of councils, and to enhance self-determination and local involvement in priorities and service delivery. The intent is that they (with their councils) facilitate informed local community decision-making about council services and their delivery; respond to community priorities and advocate for their community.

Council mandates are broad and functions include concepts of community well-being and quality of life. They can delegate broad powers and functions to an LA.

LAs (and councils) are local governance structures and can play a strong role or even a central role in a community's LDM aspirations, with the critical factor being that that must be what the community wants, and council must agree. However there are important caveats:

An LA's core role is advisory; and it only has decision making power where a council has delegated its function or power to that LA.

Under section 79 of the 2019 Act (and section 53E of the 2008 Act), a local authority is subject to control and direction by its relevant council as well as any guidelines that the Minister may make. Therefore, even if they have delegated powers, they are always subject to that direction. A change of council can also change the nature of the delegations.

Where a community wants control over decisions independent of local government, an LA cannot perform that function as they are inherently a structure of local government.

# FUTURE POTENTIAL LDM

## In the Pipeline

There are a number of LDM Agreements in the pipeline, however, it's important to remember that these are community-led initiatives and the NT government is committed to work at the pace communities are comfortable. In some cases, when communities gain greater insight into what's involved, then there is greater appreciation of the need to take a staged approach.

Some LDM Agreements in the pipeline:

- Barkly Region; interest from Utopia Aboriginal Corporation and Julalikari Council Aboriginal Corporation.
- Top End Region; West Arnhem – Maninigrida drafted LDM Agreement, Gunbalanya interest in LDM related to economic development plan. Daly River – Green River Aboriginal Corporation draft LDM Statement of Commitment.
- Central Australia; Lhere Artepe Aboriginal Corporation LDM Commitment Agreement going through approval process. Wallace Rockhole keen to develop LDM Agreement.
- Big Rivers; Walangeri Ngumpinku Aboriginal Corporation progressing a draft LDM Agreement.

## Lessons Learnt

- Invest in change management across NTG.
- Maintain regular communication with key stakeholders.
- Good website, materials, tools, stories, LDM Agreements (language videos) for all users.
- Consistent messaging across NTG, what is/isn't LDM.
- Invest in M&E early; ensure it is clear and agreed between parties, local researchers.
- Clear process for sharing information and data.
- Allow targets specific for each Agreement, measure unintended consequences.
- Anticipate legislative change (each agency).
- Establish a process to assess the cost of change (transition of services), include a way of determining cost of not doing it.
- Allow time for community to get ready.

An area for future consideration in relation to LDM could include gender disaggregating Aboriginal people's participation in LDM agreement making and activities. Gender disaggregation will assist government to deliver on aspirations under the Gender Equality Statement of Commitment and the draft Aboriginal Justice Agreement.