



# Chief Executive Officer

Groote Archipelago Regional Council

APPLICANT PACK



## CONTACT

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We respectfully acknowledge the Traditional Owners, the Anindilyakwa people as the custodians of the land and waters, on which we work, live and play. We pay respects to the broader First Nations community and to Elders, past, present and emerging and acknowledge their continuing culture and contribution to the life of the region.



# The Role

The Groote Archipelago is located in the Gulf of Carpentaria, with communities on Groote Eylandt and Bickerton Island. It has a population of approximately 2,000 residents and its Anindilyakwa culture and language are still in use. Manganese mining provides employment opportunities, as well as royalty income.

The Groote Archipelago Regional Council is being formed to deliver the local government services currently provided to the archipelago communities by the East Arnhem Regional Council. This aligns with the Northern Territory Government and Anindilyakwa Land Council's local decision making initiatives, to strengthen community representation and engagement. These initiatives were formalised in a Local Decision Making Agreement signed in November 2018 (Attached). The elections for this new Council are scheduled for 23 March 2024.

The constituting member of the new Council is seeking an engaging and adaptable Chief Executive Officer (CEO) to lead this significant period in the archipelago's history. The CEO will play a crucial role in shaping the Council's community engagement to improve the delivery of its local government services and to contribute to its sustainable future.

The CEO will assist with the establishment of the new Council, and after the elections, will provide guidance to the council members in setting strategic goals and budgets and in maintaining compliance with the Northern Territory local government legislated responsibilities.



## Position Overview

The appointment of a CEO will bring a higher level of leadership and administrative efficiency to Groote Archipelago, aligning with broader initiatives to strengthen community representation and engagement. With a focus on sustainable development and effective service delivery, the introduction of a CEO and local government structures reflects the community's commitment to fostering a more responsive governance framework. This transformative step underscores Groote Archipelago's dedication to shaping its future through strategic leadership and collaborative decision-making processes. The CEO appointment and the establishment of local government are anticipated to play a crucial role in steering local decision making opportunities.

## Key Responsibilities

The Chief Executive Officer (CEO) will provide overarching leadership of this local government council. They will play a pivotal role in overseeing the development and implementation of the council's vision, mission and strategic goals. Concurrently, key executive positions such as Directors of Corporate Services, Community Engagement, Technical Services, Governance and Executive Assistance will be identified and filled to ensure a well-rounded and capable leadership team.



# Key Priorities

- **Establishing Local Governance Structure**  
Develop and implement the foundational structure of the local government of Groote Archipelago, ensuring alignment with Indigenous governance principles and compliance with statutory requirements.
- **Financial Sustainability**  
Navigate the unique financial challenges associated with the Council's governance, securing funding sources and developing strategies to address funding gaps. This includes effective budget management and adherence to NT Government legislative requirements.
- **Community Engagement and Consultation**  
Lead comprehensive community engagement initiatives, building relationships with residents, traditional owners and diverse stakeholders. Facilitate meaningful consultation processes to incorporate community perspectives into decision making.
- **Strategic Planning and Implementation**  
Formulate a strategic vision for the local government, aligning with the community's aspirations. Implement governance and risk management strategies that promote sustainable development and resilience within the cultural context of Groote Archipelago.
- **Organisational Capacity Building**  
Recruit and develop a skilled workforce, including the appointment of key personnel such as tech services, corporate services and governance roles. Foster a positive work culture, emphasising collaboration, inclusivity and commitment to community goals.
- **External Stakeholder Relations**  
Establish and nurture relationships with external bodies, including government agencies, local corporations and Indigenous councils. Negotiate and collaborate with these entities to secure ongoing funding, support and resources essential for the success of the local government.

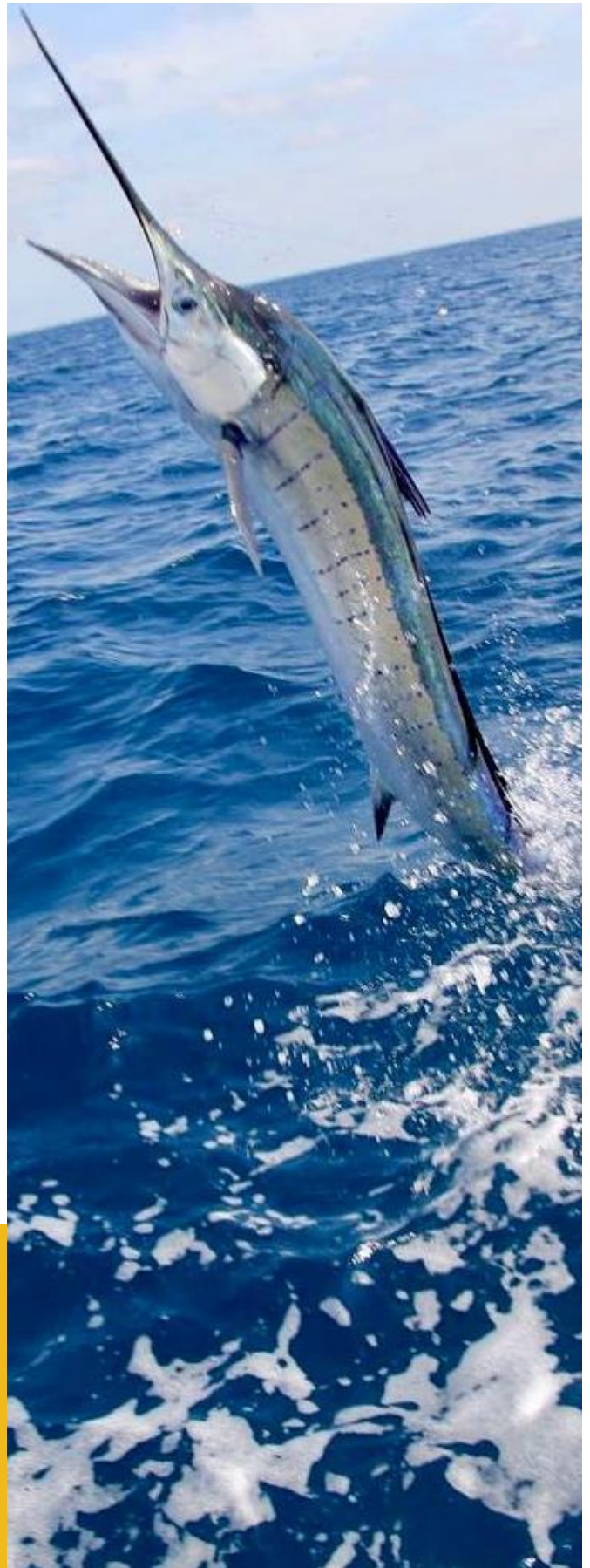
# Organisational Leadership

Leading the implementation of effective governance structures, the CEO will contribute to the archipelago's autonomy and self-determination.

By strategically collaborating with external government bodies, local corporations and Indigenous councils, the CEO will shape policies that align with the community's values and economic interests.

This leadership role extends to fostering sustainable economic development, preserving cultural heritage and ensuring that the organisation operates in harmony with the unique characteristics of Groote Archipelago.

The CEO's commitment to transparent, inclusive decision-making processes will enhance and solidify the local government's role in advancing the archipelago's prosperity and cultural resilience.





# Operational Performance

Operational performance under the guidance of the CEO will be geared towards ensuring efficiency, adherence to governance responsibilities and the delivery of essential services to the community. The CEO's strategic oversight will play a crucial role in managing the internal functions of the local government, optimising resources and meeting organisational goals.

With a focus on financial stewardship, the CEO will navigate budgetary considerations and allocate resources effectively, contributing to the council's stability and sustainable growth.

By addressing operational challenges and implementing best practices, the CEO will enhance the overall performance of the organisation, reinforcing its capacity to provide essential services, support economic initiatives and foster a resilient community.



# Stakeholder Engagement

Central to this role will be the ability to engage sensitively and strategically with a broad range of stakeholders.

The CEO of Groote Archipelago Regional Council faces a critical role in managing stakeholder relationships with external government bodies, the Anindilyakwa Land Council, local aboriginal corporations and other regional councils. Engaging with the Northern Territory Government and federal agencies is essential for securing funding and navigating regulatory frameworks.

Cooperative relationships with the East Arnhem Regional Council will be essential to ensure the smooth transition of the assets, systems and records required by the Groote Archipelago Regional Council.

Fostering strong partnerships with other Anindilyakwa entities is vital to integrating cultural considerations into governance and decision-making processes, ensuring the preservation of Groote Archipelago's unique heritage. The CEO must prioritise community engagement, actively involving residents in discussions to understand their needs and concerns, contributing to the archipelago's sustainable development and cultural identity.





# Workforce Leadership

To build the council's organisational framework, a comprehensive approach will be taken to define roles, responsibilities and reporting lines. The process will involve the development of key organisational components, including executive leadership positions, administrative roles and specialised functions crucial for effective governance. This may include positions responsible for community services, infrastructure development, financial management and governance.

Recruitment efforts will likely prioritise individuals with experience in Indigenous affairs, local government and community engagement to ensure a deep understanding of the unique cultural and governance context of Groote Archipelago. A transparent and inclusive recruitment process will be essential, involving community consultation to ensure local perspectives are considered.

While it should be expected that staff currently employed in the archipelago by East Arnhem Regional Council will be considered for employment with Groote Archipelago Regional Council, limitations for housing will require an administrative office to be established in Darwin for corporate services personnel, and for use by staff and Council members visiting from the archipelago.

A Darwin based external accounting and payroll service provider will initially be engaged, to allow these services to be available during the establishment phase. A decision can then be made as to whether these could be transitioned to the Darwin based corporate services office.



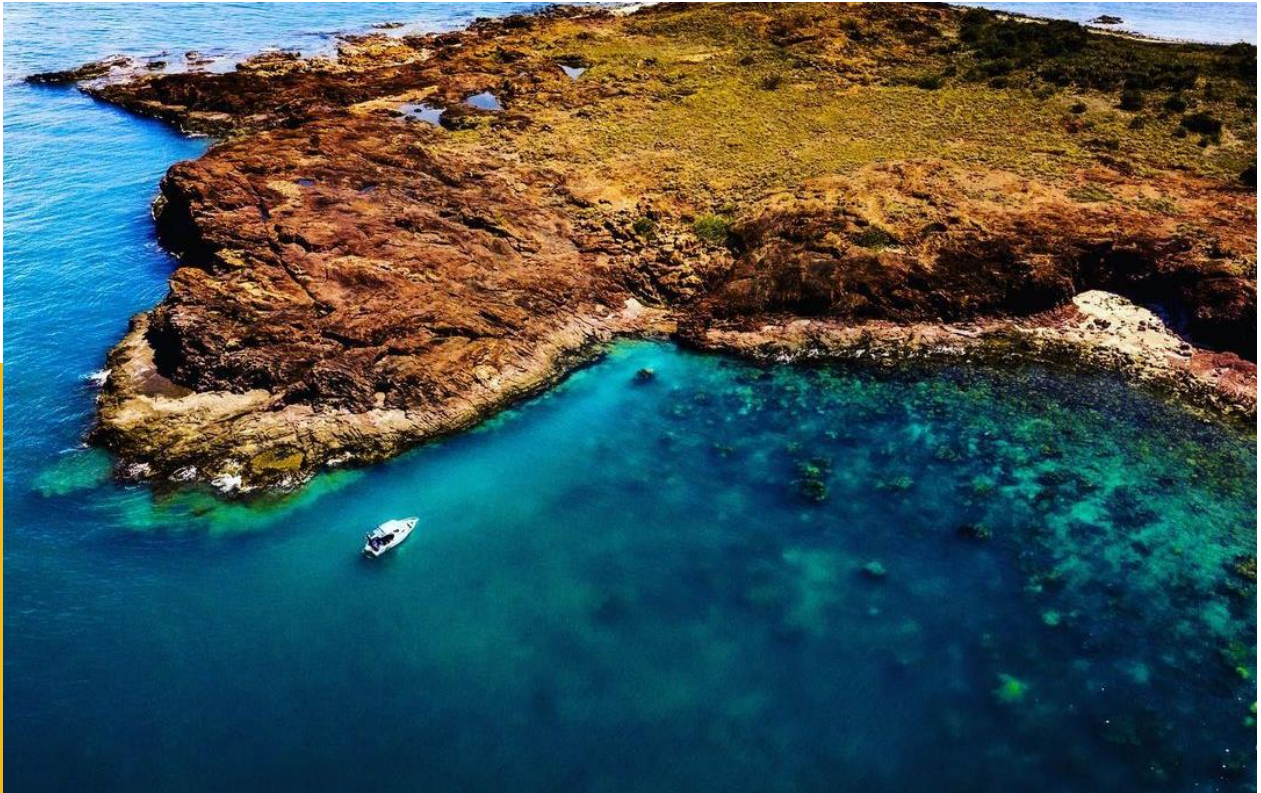
## Personal Attributes

Given the unique nature of this role, the successful candidate will need to demonstrate a deep understanding and respect for Indigenous communities, possessing strong interpersonal skills to build trust and relationships.

A visionary and adaptable mindset is crucial to navigate the complexities of implementing a local government on the archipelago. The CEO should exhibit resilience, openness to learning about community governance and a commitment to transparency.

Effective communication skills, both verbal and written, are imperative for engaging diverse stakeholders and ensuring clear messaging.

Additionally, a collaborative and consultative approach, coupled with cultural sensitivity, will be essential for fostering an inclusive organisational culture that reflects the values and aspirations of Groote Archipelago's residents.



## Selection Criteria

- Proven experience in executive leadership roles, demonstrating a track record of successfully managing local government structures, particularly in Indigenous communities, with a focus on self-determination and autonomy.
- Demonstrated strategic thinking and vision, with a capacity to devise and implement effective governance and risk management strategies tailored to the cultural context of Groote Archipelago communities.
- In-depth knowledge of statutory requirements and regulations relevant to local government operations, preferably in the Northern Territory.
- Extensive expertise in Indigenous community engagement and consultation, showcasing the ability to build strong relationships with diverse stakeholders, including government bodies, local corporations, land councils and Indigenous local government councils.
- Strong financial acumen and experience in managing budgets and to mentor elected members and staff in budget management.
- Engaging verbal communication skills and clear and concise writing skills. Proven ability to negotiate and influence outcomes in a culturally sensitive manner, fostering collaboration and understanding in a rapidly evolving environment.
- Demonstrated experience of successful organisational leadership, promoting positive work practices, creating inclusive cultures and driving high-performance teams.
- Relevant tertiary qualifications will be highly regarded.



## Salary Package Information

Embark on a rewarding journey by establishing and leading the Groote Archipelago Regional Council.

You will not only contribute to the sustainability of Groote Archipelago but will also experience the unique and enriching cultural journey of living and working in a beautiful and remote setting.

Further benefits of this role include:

- Attractive remuneration: An indicative annual salary of \$200 000pa plus superannuation is proposed, which can be negotiated to match the successful candidate's capabilities.
- Housing Allowance of \$26 000pa: Benefit from subsidised accommodation, providing a three-bedroom home for comfortable living.
- Reasonable personal use of a Council vehicle
- Personal Travel Allowance: Receive a travel benefit of up to \$2,000 per year, further enhancing the overall compensation package and showcasing the council's commitment to supporting its employees both professionally and personally.
- Relocation assistance: Negotiate relocation assistance packages to facilitate a seamless transition to Groote Eylandt.



# About Council

Welcome to Groote Archipelago, a region on the cusp of a transformative journey towards self-governance and community empowerment. The Groote Archipelago Regional Council (GARC), set for elections on Saturday, 23 March 2024, is an initiative reflecting the collaborative efforts of the Northern Territory Government, the Anindilyakwa Land Council (ALC), Anindilyakwa Royalties Aboriginal Corporation (ARAC) and the local community.

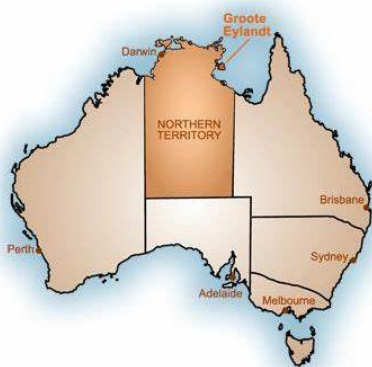
The groundwork for GARC was laid with substantial support from the Northern Territory Government, which allocated establishment funding in the 2023/24 budget announced in May 2023. Complementing this, ARAC, using royalty funding provided by the ALC, committed to providing additional establishment funding, highlighting the shared commitment to the region's prosperity.

### Key Milestones:

The Implementation Plan, signed on 19 July 2023 at Angurugu by the Chief Minister, the Minister for Local Government, and the ALC, sets the stage for a new era of local governance. This plan, a collaborative effort between various stakeholders, outlines strategic actions to ensure a smooth transition and effective establishment of the GARC. (See Attachment for a copy of the Implementation Plan.)

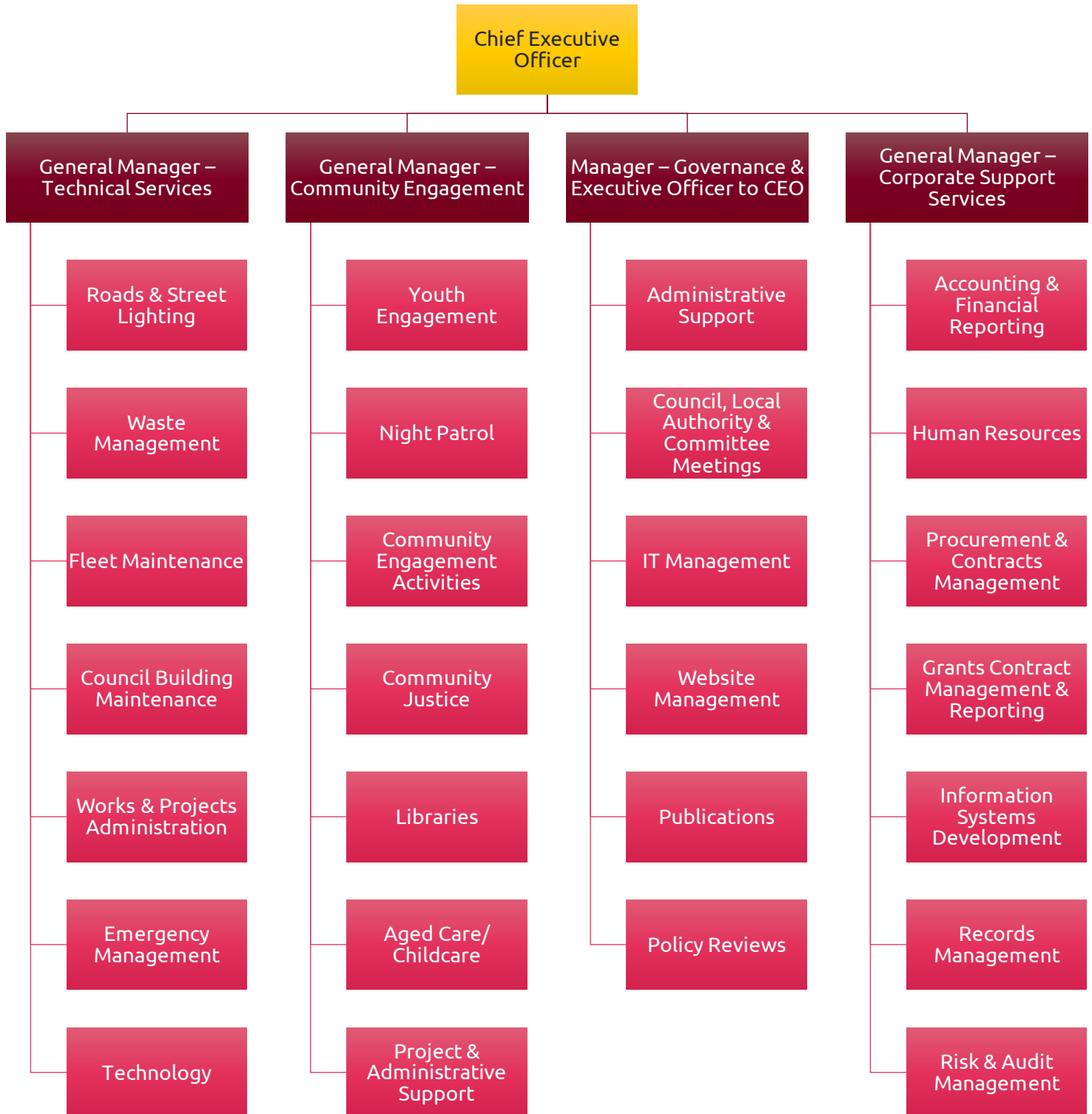
### Representation and Structure:

The Groote Archipelago Regional Council, encompassing the main communities of Angurugu, Umbakumba, Milyakburra and other outstation ("satellite") communities but excluding the mining township of Alyangula, will play a pivotal role in shaping the council's future. An Advisory Committee of local community members has endorsed a structure consisting of six elected members and a President, with decisions pending on the method of electing the President – whether by the community or the elected Council members.



# Example Organisational Structure

to be reviewed and finalised by the CEO





# Living in the Region



## Housing

Two three bedroom housing options for the CEO are currently available in Angurugu on Groote Eylandt.

During the establishment phase of the Council, the CEO may need to visit Darwin regularly and hotel accommodation will be used.

Residents and visitors have the Groote Eylandt Lodge at Alyangula as an accommodation opportunity.



## Educational Facilities

Groote Eylandt offers a diverse educational landscape with three schools—Alyangula Area School, Angurugu School and Umbakumba School. Alyangula Area School is a comprehensive institution providing education from preschool to senior years, while senior programs are facilitated through the NT School of Distance Education. Recognising the unique educational needs of the island, many students opt for boarding schools off the island for specialised learning opportunities.



## Healthcare

Groote Eylandt's healthcare facilities, primarily centred around the Alyangula Health Clinic, offer comprehensive services to the community. The clinic is equipped with GP consulting rooms, an emergency room, as well as dental and x-ray facilities. The island benefits from visiting services that encompass dental, podiatry, obstetrics, ophthalmology, mental health professionals, gynecology, hearing health, and pediatric services.



# Living in the Region



## Shopping & Dining

While the archipelago may not boast extensive shopping options, local stores provide essential goods and markets showcase handmade crafts and indigenous artworks, offering a glimpse into the islands' cultural richness. Restaurants are available at the Groote Eylandt Lodge, and The Arc at Alyangula.



## Sports & Recreation

Groote Archipelago offers a variety of sports and recreation opportunities, with many located in Alyangula. Renowned as a premier game fishing destination, Groote Archipelago is a haven for outdoor enthusiasts and those seeking both cultural richness and natural beauty.



## Transport

Groote Eylandt is accessible by daily flights from Cairns and Darwin Airports to Gove Airport. The flight from Cairns takes approximately 1 hour and 40 minutes, while the journey from Darwin is a shorter 1 hour and 10 minutes. Flights are operated by Airnorth who offer flights from Gove Airport to Groote Eylandt several times a week.

Local transport for personal purposes requires the use of personal vehicles.





Life on Groote Eylandt



# Recruitment Process and Timeframes



## How To Apply?

Please submit your application via the Leading Roles website. Please upload:

- Your CV
- A covering letter addressing the Selection Criteria



## Evaluation Process

Leading Roles and the Constituting Member will determine a shortlist of suitable applicants based on desktop review of applications and initial interviews with a select group of applicants.

Applicants that have been shortlisted will be advised and asked to attend a interview, likely by video, with the interview panel. The panel may elect to undertake further interviews as required.

Preferred applicants may be required to undertake psychometric assessments to assist in understanding the working preferences and attributes and potential fit to the role.

Following the selection of a preferred applicant the Council will require further checks including reference checks, financial checks, criminal history checks and medical assessments.

You must be an Australian Citizen or hold the appropriate visa to work in Australia to apply for this role. Leading Roles will undertake checks to confirm your right to work in Australia at the offer stage.



## Applications Open

- Week Commencing  
Monday 20 November 2023



## Applications Close

- 5pm Wednesday 6 December 2023



## Initial Assessment

- Week Commencing 11 December 2023



## Council Interviews

- TBD

\*Note these timeframes are indicative only and may change subject to the outcomes of the recruitment process, council staff and candidate availability.

## Privacy Information

Leading Roles is collecting your personal information in accordance with the Information Privacy Act for the purpose of assessing your skills and experience against the position requirements. The information you provide in your application will only be used by employees of Leading Roles. Your information will be provided to authorised Council Officers, including Human Resources and the relevant selection panel members. It will not be given to any other person or agency unless you have given us permission, or we are required by law.



# Belinda Walker

## Executive Talent Consultant




Belinda is our senior talent consultant with close to 20 years' experience recruiting executive, senior management and specialist roles in the public and private sectors throughout Australia and the United Kingdom.

Belinda commenced her career as a communications specialist, working in the not-for-profit and professional services sectors in the UK and Queensland.

Belinda prides herself on her stakeholder engagement skills, her client and candidate care, and her collaborative communication style to ensure a quality and professional level of service is always delivered.

### CONTACT

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# Leading Roles

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ATTACHMENT

# Local Decision Making Agreement

# GROOTE ARCHIPELAGO

## LOCAL DECISION MAKING AGREEMENT



Made by the NORTHERN TERRITORY GOVERNMENT  
and the ANINDILYAKWA LAND COUNCIL.



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Images supplied by the Anindilyakwa Land Council.



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## 1 | Context

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

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## 2 | Vision

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

## 3 | Objectives

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





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

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## 4 | Commitments

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

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

## 6 | Process

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

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

## **7 | Maintaining the Partnership**

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

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## 8 | Implementation Framework

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

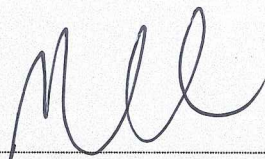
## 9 | Status of the Agreement

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

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## 10 | Signing

Signed by



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Date: 14 / 11 / 2018

**The Hon Michael Gunner MLA**

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



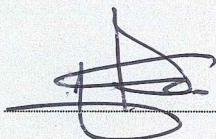
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Date: 14 / 11 / 2018

**Witnessed by**

SELENA URSO

, on behalf of the Northern Territory Government



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Date: 14 / 11 / 2018

**Tony Wurramarrba AO**

Chairman  
Anindilyakwa Land Council



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Date: 14 / 11 / 2018

**Mark Hewitt**

Chief Executive Officer  
Anindilyakwa Land Council

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# SCHEDULE 1

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

### Region and Towns

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

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

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

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

The communities included in the scope of this agreement are:

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

### Regional Representative Group

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Anindilyakwa Land Council (ALC)

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

### Regional Representatives

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Mr Tony Wurramarrba AO, Chairman Anindilyakwa Land Council

Mr Mark Hewitt CEO, Anindilyakwa Land Council

### Regional Representatives' Contact Details

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

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

## Regional Area

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Department of the Chief Minister, East Arnhem Region

## NT Government Representative

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

## NT Government Representative Contact Details

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

## Service Delivery Areas (Scope)

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### Short Term

- Housing
- Economic Development
- Law, Justice and Rehabilitation
- Education
- Health Services

### Medium Term

- Local Government
- Sustainable Long Term Power Solution

### Long Term

- Regional Control of Other Services
- Future of Alyangula

## Responsible NT Government Agency

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### Housing

Deputy Chief Executive Officer  
Department of Housing and Community Development

### Economic Development

Economic Development Officer – East Arnhem  
Department of Trade, Business and Innovation

Program Leader – Aboriginal Policy and Engagement  
Department of Primary Industries and Resources

Regional Director – East Arnhem  
Department of Infrastructure, Planning and Logistics

General Manager – Industry Development  
Department of Tourism and Culture

**Law, Justice and Rehabilitation**

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

Commander – Northern Command  
Police, Fire and Emergency Services

Team Leader East Arnhem – Youth Outreach and Reengagement  
Territory Families

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

**Education**

General Manager Engagement and Partnerships  
Department of Education

**Health Services**

Transition Coordinator  
Department of Health

General Manager – East Arnhem  
Top End Health Services

**Local Government**

Deputy Chief Executive  
Department of Housing and Community Development

**Sustainable Long Term Power Solution**

Regional Coordinator – East Arnhem  
Department of the Chief Minister

Deputy Chief Executive Officer  
Department of Housing and Community Development

Assistant Under Treasurer  
Department of Treasury and Finance

**Regional Control of Other Services**

Regional Executive Director – East Arnhem  
Department of Chief Minister

**Agreement review dates and end date**

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

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

## Meeting protocols

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### LDM Agreement Meetings

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

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

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

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

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

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

Local Decision Making Agreement Meetings will work towards consensus decisions.

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

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

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

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

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

### Implementation Plan Meetings

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

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

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

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

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

Implementation meetings will work towards consensus decisions.

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

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

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

## Milestones and Performance

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

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

### Short Term

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

### Medium Term

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

### Long Term

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

## Monitoring and Evaluation

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

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

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

The evaluation will:

- be conducted by independent experts following a competitive tender process;
  - funded on a 50/50 basis by the NT Government and ALC;
  - have a strong focus on obtaining and evaluating the views of the Anindilyakwa people and their organisations; and
  - be published.
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# SCHEDULE 2

## Agreed Local Decision Making Priorities

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

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

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

## SHORT TERM

### Housing

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#### Outcome sought

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

#### Background and Context

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

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

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



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

### **Proposed Service Delivery model**

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

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

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

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

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

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

### **NT Government Commitments**

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

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

- Angurugu;
- Umbakumba; and
- Milyakburra.

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

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

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

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

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



### **ALC Commitments**

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

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

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

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

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

### **Timeframe for Agreement of Implementation Plan**

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

## **Economic Development**

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### **Outcome sought**

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

### **Service Delivery model**

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

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

### **NT Government Commitments**

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

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

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

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

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

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

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

### **ALC Commitments**

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

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

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

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

### **Timeframe for Agreement of Implementation Plan**

By 30 June 2019

## Law, Justice and Rehabilitation

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### Outcome sought

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

### Service Delivery Model

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

### NT Government Commitments

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

Commit operating costs for the facility.

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

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

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

### ALC Commitments

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

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

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

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

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

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

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

### Timeframe for Agreement of Implementation Plan

By 30 June 2019

## Education

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### Outcome sought

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

### Service Delivery Model

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

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

### NT Government Commitments

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

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

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

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

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

### ALC Commitments

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

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

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

### Timeframe for Agreement of Implementation Plan

By 31 December 2019

## Health Services

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### Outcome sought

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

### Service Delivery Model

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

### NT Government commitments

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

Engage the Commonwealth to ensure its support including funding.

### ALC commitments

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

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

### Timeframe for Agreement of Implementation Plan

By 30 June 2020



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## MEDIUM TERM

### Local Government

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#### Outcome sought

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

#### Service Delivery Model

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

#### NT Government Commitments

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

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

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

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

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

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



### **ALC Commitments**

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

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

### **Timeframe for Agreement of Implementation Plan**

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

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

## **Sustainable Long Term Power Solution**

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### **Background**

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

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

### **Outcome sought**

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

### **NT Government commitments**

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

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

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

Negotiate an Implementation Plan with the ALC.

### **ALC commitments**

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

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

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

#### **Timeframe for Agreement of Implementation Plan**

By 31 December 2020

## LONG TERM

### **Regional Control of Other Services**

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#### **Outcome sought**

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

#### **Service Delivery Model**

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

#### **NT Government Commitments**

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

#### **ALC Commitments**

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

#### **Timeframe for Agreement of Implementation Plan**

By 31 December 2024

### **Future of Alyangula**

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#### **Background**

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

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

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

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### **Outcome sought**

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

### **Service Delivery Model**

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

### **NT Government Commitments**

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

### **ALC Commitments**

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

### **Timeframe for Agreement of Implementation Plan**

By 31 December 2026

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

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ATTACHMENT

# Implementation Plan

# GROOTE ARCHIPELAGO

## LOCAL DECISION MAKING AGREEMENT

### SCHEDULE 3.6

– Local Government Implementation Plan



Anindilyakwa  
Land  
Council



Made by the NORTHERN TERRITORY GOVERNMENT  
and the ANINDILYAKWA LAND COUNCIL.







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Images supplied by the Anindilyakwa Regional Network

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## 1 | Preliminaries

- (a) This Implementation Plan is a Schedule to the Groote Archipelago Local Decision Making Agreement (the LDM Agreement) signed by the Northern Territory (NT) former Chief Minister on behalf of the NT Government and the Chairperson and Chief Executive Officer (CEO) of the Anindilyakwa Land Council (ALC) on 14 November 2018 and should be read in conjunction with the LDM Agreement.
- (b) The objectives of the LDM Agreement include:
- i. identifying the services and priorities which the Anindilyakwa people wish to have control over and to take responsibility for; and
  - ii. committing NT Government agencies and, where agreed in Implementation Plans, NT Government owned corporations, to collaborating with the ALC including sharing information, to agree on how this control will be achieved.
- (c) To achieve its objectives, Section 8 of the LDM Agreement contains an Implementation Framework which acknowledges that any transfer of responsibility to the Anindilyakwa people (through agreed entities) for a priority service delivery area:
- i. will recognise and meet regulatory, legislative and Commonwealth requirements;
  - ii. may need to take a staged approach in order to ensure a successful transition over a period of time;
  - iii. will be supported by an agreed NT Government financial commitment in accordance with Clause 4(h) of the LDM Agreement;
  - iv. will be captured in agreed Implementation Plans and, where appropriate, legally binding agreements between the ALC and the NT Government; and
  - v. will be monitored and evaluated for progress and performance using a transparent, consultative and participatory approach that promotes the resolution of emerging issues as they arise.
- (d) Clause 4(h) of the LDM Agreement acknowledges that the NT Government will continue to provide proportionate allocations to the Groote Archipelago, consistent with allocations made to other remote communities in the Northern Territory.
- (e) Parties to this Implementation Plan recognise there will be stakeholders who will be engaged in various actions outlined in this Plan. These stakeholders include:
- i. East Arnhem Regional Council (EARC) which provides local government services and delivers a range of Northern Territory Government and Commonwealth Government funded programs in the Groote Archipelago;
  - ii. Local Government Association of the NT (LGANT)
  - iii. Australian Government including the National Indigenous Australians Agency, Department of Infrastructure, Transport, Regional Development and Communications, Department of Health and Aged Care and other relevant agencies;
  - iv. GEMCO (which operates the Groote Eylandt manganese mine and township of Alyangula and is a key stakeholder in the transition to economic independence of the Groote Archipelago when the GEMCO mine closes in 6-10 years' time);
  - v. Other Anindilyakwa-owned organisations that are actively involved in delivery of services to the Anindilyakwa people; and
  - vi. Northern Territory Electoral Commission

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- (f) Schedule 1 to the LDM Agreement provides that each Implementation Plan deliver the outcomes for each priority Service Delivery Area. This implementation plan identifies the broad steps and timelines to achieve the establishment of the Groote Archipelago Regional Council (GARC). A work plan that has key performance indicators and milestones is being developed by the Constituting Member of the Prospective GARC (the Member), with input from key stakeholders.
  - (g) The priority Service Delivery Area which is the subject of this Implementation Plan is Local Government and it was decided by the members of the Local Government Transition Committee (EARC, ALC and NT Government) that the Implementation Plan would follow the Northern Territory Government's funding commitment to proceed with the Local Government LDM Agreement priority. An initial funding commitment for transition and establishment costs was provided as part of the 2023-24 NTG budget, with further financial commitments expected to follow in subsequent budgets.
  - (h) The purpose of this Implementation Plan is to set out how the parties to this Implementation Plan will work together, and with identified key stakeholders, to achieve the outcome for Local Government as set out in the LDM Agreement and its Schedules.
  - (i) The outcome sought is that parties will work together to support the establishment of a regional council in the Groote Archipelago as aspired to in the LDM Agreement.
  - (j) The service delivery model in the LDM Agreement encompasses excising the Groote Archipelago region from the EARC's boundary area and the establishment of a new regional council for the Archipelago under the Local Government Act 2019 (the Act).
  - (k) Consultations on the outcome of restructuring the EARC and establishment of a new regional council were conducted across all nine communities within the EARC's area. The EARC, by resolution, and community leaders consulted, were clear that they supported the change providing that there is no detriment to the services which the Yolngu communities receive from the restructured EARC.
  - (l) This Implementation Plan outlines the high level commitments, process, actions and timelines required for the establishment of a new regional council in the Groote Archipelago under the Act. Support will also be offered to EARC through a separate process.
  - (m) This Implementation Plan has been developed with consultation and input from relevant NT government stakeholders. The ALC, in signing this Implementation Plan, warrants that it has undertaken the necessary consultations with the Anindilyakwa Traditional Owners to obtain their consent to enter into the Implementation Plan.
  - (n) The Implementation Plan will commence on signing by all Parties and will cease when the Agreement concludes unless otherwise agreed by the Parties.
  - (o) This Implementation Plan may be varied at any time by written agreement between the Parties.



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## 2 | Objectives

- (a) The objectives of this Implementation Plan are to:
- i. Support the successful establishment of the GARC, including ensuring it has the necessary financial and non-financial support to provide sustainable services into the future. This includes:
    - a. Establishment actions for the prospective council
    - b. Supporting a successful general election for the prospective council within the Groote Archipelago region
    - c. Formal commencement of a regional council with elected member representation
    - d. Commitment of financial and other support by the NT Government to allow the on-going delivery of core services
  - ii. Support the fair and equitable transfer of assets, human resources, contracts, agreements and other resources, and the transition of agency services currently provided by East Arnhem Regional Council to the Groote Archipelago communities to agreed services providers and/or the GARC.
  - iii. Set out the proposed process for the consideration of the future local government services for the mining township of Alyangula.

## 3 | Parties to the Implementation Plan

- (a) The Parties to this Implementation Plan include the NT Government, represented by the Department of the Chief Minister and Cabinet (CM&C), the ALC, and the Member for the Prospective GARC.
- (b) While not Parties to the Implementation Plan, EARC, the Anindilyakwa Royalties Aboriginal Corporation (ARAC), the National Indigenous Australians Agency (NIAA) and LGANT have been engaged in consultations to date concerning the agreed outcomes and strategies.



“ Services delivered by East Arnhem Regional Council in Groote Archipelago include Environmental and Waste services, Council Controlled Asset Maintenance and Management (including council buildings, roads, parks, gardens, footpaths, playgrounds, shelters, cemeteries and transport hubs), Aged care & disability, Children and Youth Services, Veterinary and animal control and community night patrol. ”



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## 4 | Overview of Local Government in the Groote Archipelago

### 4.1. Current overview of Local Government in Groote Archipelago

- (a) EARC was formed in 2008 as a result of NT Government's reform of local government, and introduction of the Local Government Act 2008 (the 2008 Act). The EARC's boundary was drawn to incorporate an area of land across the Arnhem region, as well the entire Groote Archipelago, excluding the mining towns of Nhulunbuy on the Gove Peninsula and Alyangula on Groote Eylandt, which remain unincorporated areas.
- (b) EARC has 14 democratically elected members representing its 6 Wards. The Council Wards, the communities they represent, and the current number of councillors for each of the Wards is as follows:

Ward	Communities	Councillor Representation
Anindilyakwa Ward	Milyakburra, Umbakumba & Angurugu	2
Birr Rawarrang Ward	Ramingining	2
Gumurr Gattjirrk Ward	Milingimbi	2
Gumurr Marthakal Ward	Galiwinku	3
Gumurr Miwatj Ward	Gunyangara & Yirrkala	3
Gumurr Miyarrka Ward	Gapuwiyak	2

- (c) Operationally, EARC's headquarters are based in Nhulunbuy with some corporate services being delivered from their Darwin office. A service delivery centre is located in all its communities.
- (d) Services currently delivered by EARC in the Groote Archipelago include:
- Environmental and Waste Services
  - Council controlled asset maintenance and management (including council buildings, roads, parks, gardens, footpaths, playgrounds, shelters, cemeteries and transport hubs)
  - Aged care & disability, as well as children's services (including Youth, Sport and Recreation)
  - Veterinary and animal control
  - Community night patrol

### 4.2. History of local government in Groote Archipelago

- (e) Before the 2008 reform, three community government councils operated within the Groote Archipelago region, in the communities of Angurugu, Umbakumba and Milyakburra.
- (f) Given the Anindilyakwa cultural boundaries and island (or geographical) nature of the Archipelago, it is recognised that a Shire (or Local Government Council) could have been established to match the ALC Groote Archipelago geographic area, consistent with the Tiwi Islands.
- (g) For the Traditional Owners of the Groote Archipelago, the 2008 local government reform left Anindilyakwa communities feeling disempowered and diminished.
- (h) As the peak representative body of the Traditional Owners on the Groote Archipelago, the ALC has strongly advocated since 2008 for the Anindilyakwa people to take back control of local government.



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- (i) Establishment of the GARC represents a return to local community control of local government services for Anindilyakwa and other community residents residing in the Groote Archipelago. This includes local service delivery, community representation, local jobs, and the ability for Anindilyakwa communities to make decisions about matters affecting their lives.

#### **4.3. Steps taken towards establishing a new Groote Archipelago Local Government**

- (j) On 14 November 2018, the NT Government and ALC signed the Groote Archipelago LDM Agreement.
- (k) While the NT Government provided in-principle support for the establishment of a new regional council in the Groote Archipelago, it noted the need to undertake a detailed assessment and analysis of legal and financial considerations. These considerations included; transition costs; division of existing funding; future viability of the EARC and a newly formed regional council, and other elements including the impacts to Commonwealth funded services.
- (l) Consistent with these requirements, an Assessment and Analysis Report (AAR) was prepared in 2019 which outlined the processes and estimated costs the NT Government would need to consider in establishing a new council and support the ongoing financial viability of the new council and EARC.
- (m) The AAR also summarised outcomes of community engagement sessions that were held across EARC's nine communities. Yolŋu and Anindilyakwa communities were supportive of a new regional council, but requested further information on financial and service implications.
- (n) On 30 September 2020, NT Government approved the development of a draft Implementation Plan under the LDM Agreement and the establishment of a Transition Committee (the Committee) to oversee the progress of the assessment report and the financial considerations.
- (o) The Committee was established in 2020, comprising representatives from the EARC, ALC and chaired by CM&C, with LGANT and NIAA invited to support the Committee.
- (p) The Committee met six times between November 2020 and February 2022 and requested the cost estimates in the AAR Report be updated given the time that had elapsed since 2019. A Financial Assessment Report (FAR), was then prepared by CM&C, which included revised estimates of establishment costs and additional supplementary funding required by EARC and the new council to support their financial viability.
- (q) The Committee also agreed to conduct a new round of community consultations. These took place in November 2021, with Yolŋu and Anindilyakwa community members continuing to support the establishment of a new council and a smaller EARC. Yolŋu communities emphasised the need to ensure there was no deterioration in service standards for those areas that continued to be part of EARC.
- (r) In December 2021, the EARC made a formal resolution that it supported the establishment of the new council subject to the confirmation of funding to ensure continuity of capacity, service delivery levels and sustainability across the East Arnhem Region; and that the NT Government prepare a report assessing the financial implications of incorporation of Nhulunbuy into the EARC boundary.
- (s) The FAR was finalised in March 2022 following a review of veracity of information and cost estimates by Deloitte Financial Advisory Pty Ltd in October 2021.
- (t) In June 2022, the NT Government endorsed the establishment of a prospective council and noted a member of the prospective council will be appointed under the Act. These were important initial decisions before making a final decision on whether to create a GARC.
- (u) In August 2022, the Minister for Local Government exercised his powers under the Act by establishing the prospective regional council and appointing a member of the prospective council (the Member) via a Gazette Notice. A key role of the Member was to enter into discussions with the EARC, the ALC, NT Government and Commonwealth Government funding bodies



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regarding their respective financial and non-financial contributions to support the new council establishment process; and to prepare a report to help the NT Government make an informed decision on the level of financial commitment that would be required to establish a financially and operationally viable new regional council. In December 2022, the Member submitted his report to NT Government, which provided:

- i. an update of the transition and establishment costs identified in the FAR for the new regional council based on engagement with EARC and ALC;
  - ii. an opinion on the future viability of the new regional council, identified risks and unresolved issues; and
  - iii. the estimated level of funding required from the NT Government for transition and establishment of a functional local government council, and to support the financial viability of the new council over the next four years.
- (v) In March 2023, as part of the 2023-24 Budget, the NT Government endorsed the establishment of a new council as per the Groote Archipelago LDM Agreement and approved funding in 2022-23, 2023-24 and 2024-25 for transition and initial establishment costs.
- (w) This decision now enables the Member to undertake the work necessary to establish a regional council in the Groote Archipelago, and to assist the further assessment of the on-going funding required to achieve its financial viability.
- (x) Under the Act, the Member has full power to transact any business or do anything else as if the prospective council were the council for the local government area. However, the EARC will continue to operate in its current structure and cover services in the Groote Archipelago until such time as the results of the local government elections are declared for the new council.
- (y) The prospective council is constituted by the Member until the prospective council officially becomes a full Regional Council. The prospective council becomes the Regional Council after the general election results are declared for the council for the local government area.



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## 5 | Strategies and associated actions to achieve the outcome

### 5.1. Financial commitments towards establishment and restructure

- (a) As part of Budget 2023-24, NT Government has committed \$3 million of funding for 2022-23, 2023-24 and 2024-25 for transition and capital costs to support the establishment process of the new GARC, and to support the EARC's costs related to restructuring its business.
- (b) Anindilyakwa Royalties Aboriginal Corporation (ARAC) has committed to:
  - a. providing \$1.5 million to the prospective council as its contribution towards establishment costs on behalf of the Anindilyakwa Traditional Owners; and
  - b. offering to transfer, where appropriate, agreed community development programs and services (for example, Waste Management, Law, Justice and Community Safety, Animal Management and Youth, Sport and Recreation) and associated assets, human resources, and funding to the new council which, if combined with existing council programs, is intended to remove unnecessary duplication, realise operating efficiencies, bolster service delivery, and increase employment opportunities within local government.

### 5.2. Actions to establish the Groote Archipelago Regional Council

- (a) The Member will work in the best interests of the new council and cooperatively and collaboratively with the Groote Archipelago community and key stakeholders, including EARC, ALC, ARAC, NT Government and Commonwealth Government in the council establishment process.
- (b) In line with the Closing the Gap priority reforms and Local Decision Making principles, CM&C and the ALC will support the establishment of a Local Advisory Committee inviting representation from Angurugu, Umbakumba and Milyakburra communities, and from other persons with applicable skills and experience, to provide guidance and advice on matters relevant to the establishment of the new regional council (Local Advisory Committee).
- (c) CM&C will continue to convene and support the Transition Committee at least bi-monthly to oversee and ensure a collaborative and constructive approach is taken to the establishment of the new Regional Council and restructure of the EARC.
- (d) The Member's role is to set up the business elements of the new regional council which includes, but not limited to finalising negotiations on the transfer of:
  - assets and liabilities
  - land tenure and leases
  - commercial contracts and activities
  - governance arrangements
  - staffing structures
  - agency agreements
  - enterprise arrangements
  - operational arrangements
- (e) The Member will work with the EARC and other stakeholders to negotiate and enter into final agreements around the splitting and transfer of service delivery elements for the prospective GARC. These matters will include (but are not limited to);
  - i. Transfer of human resources and associated employee entitlement balances
  - ii. An assessment and transfer of property, plant, building, road, equipment and other assets;
  - iii. Splitting and transfer of cash balances;
  - iv. Transfer of contractual agreements including grant agreements outsourced service delivery agreements and leasing arrangements; and
  - v. Policies and systems for operational requirements, such as rates and charges, procurement and payroll.

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- (f) The Member can employ key council staff such as an interim CEO to establish the operational elements of the new council while the Member finalises contract negotiations and agreements with funding bodies and other parties.
- (g) The Member may seek support from key stakeholders such as the Local Advisory Committee, ALC, CM&C, the NT Electoral Commission and LGANT to undertake community consultations regarding the electoral representation to determine the number of elected members that will constitute the council, and with the establishment of wards in relation to the new regional council area.
- (h) If wards are to be established for the new council area, the following will need to be determined:
- i. Number of wards
  - ii. Boundaries of ward/s
  - iii. The name of each ward (if applicable)
  - iv. The number of members to be elected for a particular area.



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### 5.3. General Election for the Prospective Council

- (a) The Member will work with key stakeholders such as the Local Advisory Committee, CM&C, ALC, the NT Electoral Commission and LGANT to:
  - i. Confirm and announce election dates, proposed for the first half of 2024.
  - ii. Develop resources to promote the elections to Anindilyakwa communities. This includes consideration of education programs, customised presentations, information sessions, as well as plain English communications.
- (b) Election results will be declared by the NTEC as soon as practicable after elections are held.
- (c) On the date the NTEC declares the results of the election:
  - i. The new GARC officially commences its operations;
  - ii. newly elected members commence their roles and responsibilities under the Act;
  - iii. the Member's appointment officially ends; and
  - iv. EARC's boundary officially changes to exclude the Groote Archipelago region.
- (d) It is anticipated that, based on the above timeframes, the GARC will be in a position to commence its operations by the first half of 2024.

### 5.4. Ongoing support towards establishment of Groote Archipelago Regional Council

- a) An assessment of the GARC's financial requirements, to allow it to have sufficient funding to deliver sustainable core services in the Groote Archipelago will be undertaken by the Member who will advise CM&C.
- b) This assessment will be used by CM&C to seek any additional funding required to support GARC's ongoing financial viability having regard to principle 4(h) of the LDM Agreement.

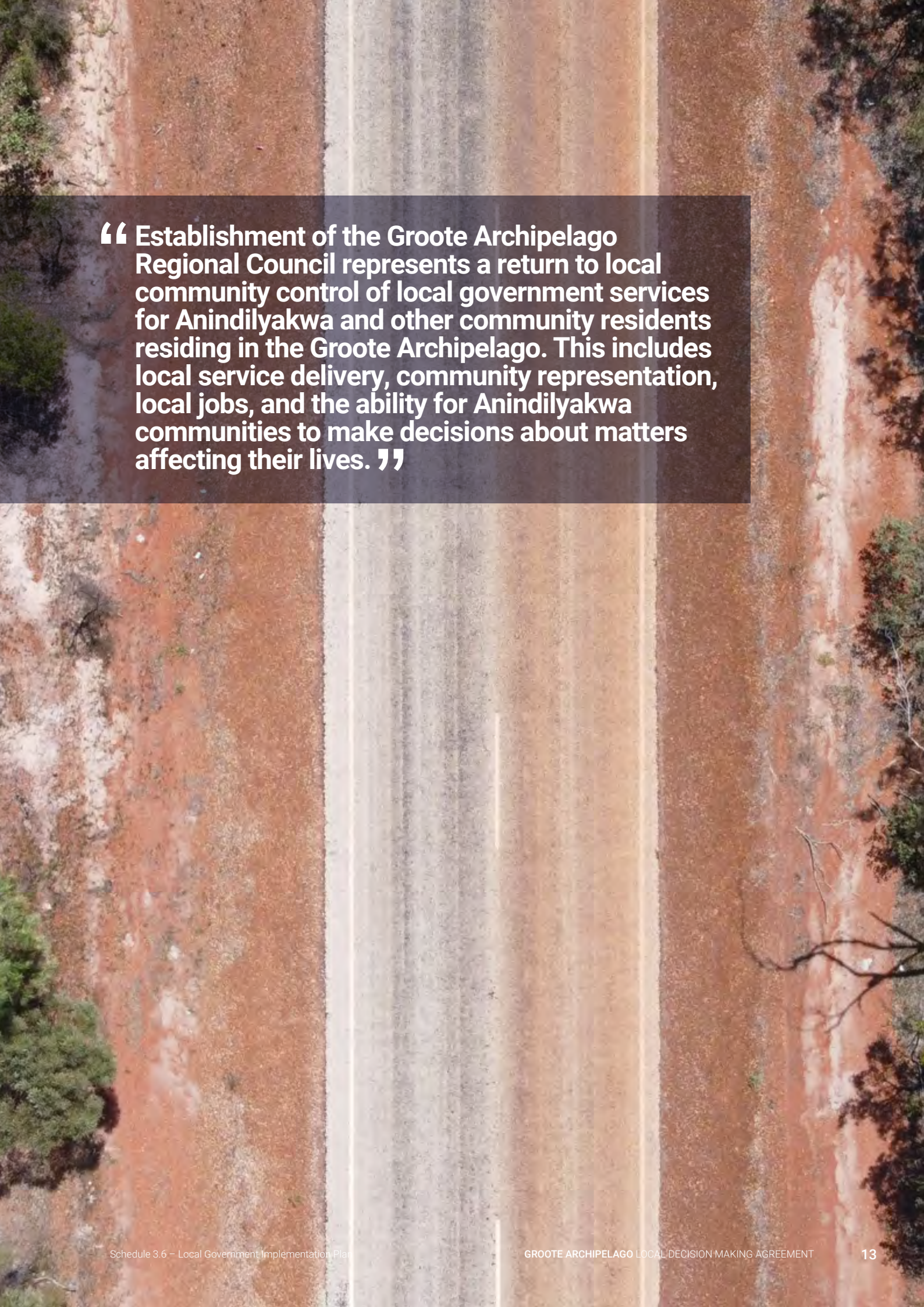
### 5.5. Supporting ongoing service delivery for agency services

- a) The Parties will work with the relevant Australian Government agencies to consider options for the continuity of agency services (e.g. Aged Care, Community Patrol) currently delivered by EARC in Groote Archipelago, by way of transfer to the new GARC or to other agreed service providers, or Anindilyakwa organisations.

### 5.6. Assessment of incorporation of Alyangula as Local Government Area

- a) As part of the Groote Archipelago mine closure processes, the NT Government commits to engaging a consultant to prepare a report in the coming years to assess the financial and other implications of incorporation of Alyangula as a Local Government Area and options for its inclusion in the Groote Archipelago Regional Council boundary or otherwise. This will not form part of the Member's work plan for the establishment of the GARC.



An aerial photograph of a paved road with a white center line, flanked by reddish-brown soil and sparse green vegetation. The road is the central focus, running vertically through the frame. The surrounding landscape is arid and appears to be in a rural or undeveloped area.

**“ Establishment of the Groote Archipelago Regional Council represents a return to local community control of local government services for Anindilyakwa and other community residents residing in the Groote Archipelago. This includes local service delivery, community representation, local jobs, and the ability for Anindilyakwa communities to make decisions about matters affecting their lives. ”**

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## **6 | Government Policies and Reforms that may impact the Implementation Plan**

- (a) Potential policies and reforms that may impact the Implementation Plan include, but are not limited to changes in NT Government or Commonwealth government legislative requirements impacting on council operations.
- (b) The NT Government has appointed a Treaty Commissioner and has signed a MoU with the four NT Land Councils to progress discussions on the possible development of a Treaty or Treaties. This ongoing discussion may interact with this Implementation Plan.
- (c) The Commonwealth is undertaking a referendum in late 2023 to consider recognising Aboriginal and Torres Strait Islander people as the First Peoples of Australia through a Voice to Parliament. This may include Local and Regional Voice arrangements and may interact with this IP.

## **7 | Risk Management**

- (a) The Parties will adopt their own risk management approaches to identify and mitigate undue risk to achieving the agreed outcomes and strategies.

## **8 | Review of Implementation Plan**

- (a) The Parties agree that the Implementation Plan may require review from time to time in relation to changes to ALC or Commonwealth and/or NT Government policy, strategy and legislation. The 6 monthly review process between the Parties should be used as a mechanism to review aspects of the Implementation Plan if required.

## **9 | Anindilyakwa Future Aspirations**


- (a) The ALC wishes to record that it has consistently advocated the following longer-term aspirations of the Anindilyakwa Traditional Owners for the Groote Archipelago, noting that such aspirations are presently beyond the scope of the current LDM Agreement and so do not form part of the Implementation Plan objectives.
- (b) Whilst the Anindilyakwa Traditional Owners consider the return of local government to be an important first step, their longer-term vision encompasses the establishment of a united leadership model for Anindilyakwa leaders to meet and set the governance and administrative direction for the Groote Archipelago.
- (c) To achieve this aspiration, the Anindilyakwa Traditional Owners envisage that once the new regional council is fully operational, negotiations could be entered into by the ALC, the new regional council and the Northern Territory and Commonwealth Governments, with the aim of establishing a forum for Anindilyakwa leaders to meet as Regional Governance Committee and set the strategic directions for the Groote Archipelago under a legally binding Regional Governance Agreement.
- (d) A Regional Governance Committee would be established to oversee the Regional Governance Agreement and, over time and with necessary legislative changes, the Regional Governance Committee would transform into a Regional Authority and progressively take full control of services currently delivered by the Northern Territory and Commonwealth governments and provide a model for true self-government.
- (e) The NT Government acknowledges the establishment of a Regional Authority is a long-term aspiration of the Anindilyakwa Traditional Owners and the establishment of a new local government in the region is considered by them as a first step along the pathway towards self-determination.

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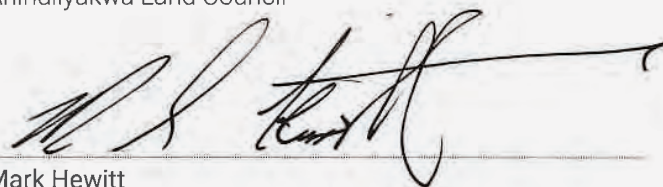
## 10 | Signing

- (a) As is the case with the Agreement, the Parties to this Implementation Plan acknowledge that its provisions are not legally enforceable however, that does not lessen the commitment of the Parties to achieve the Outcomes sought in the Groote Archipelago Local Decision Making Agreement and this Implementation Plan.
- (b) The Parties agree that the transfer of Local Government responsibilities and control will be supported by legally binding processes (e.g. transfer of legal title, contracts and/or funding agreements for services, or other statutory or legal instruments)


Signed by

  
\_\_\_\_\_  
Tony Wurramarrba AO  
Chairman  
Anindilyakwa Land Council


Date: 19 / 07 / 2023

  
\_\_\_\_\_  
Mark Hewitt  
Chief Executive Officer  
Anindilyakwa Land Council

Date: 19 / 07 / 2023

  
\_\_\_\_\_  
Iain Summers  
Constituting Member  
Prospective Groote Archipelago Regional Council

Date: 19 / 7 / 2023

  
\_\_\_\_\_  
The Hon Charlesy Patch MLA  
Minister for Local Government,  
on behalf of the Northern Territory Government

Date: 19 / 7 / 2023

  
\_\_\_\_\_  
The Hon Natasha Fyles MLA  
Chief Minister of the Northern Territory,  
on behalf of the Northern Territory Government

Date: 19 / 7 / 2023

Selena Uibo

The Hon Selena Uibo MLA  
Minister for Treaty and Local Decision Making,  
on behalf of the Northern Territory Government.

Date: 02 / 08 / 2023

Witnessed by

Representative  
Department of the Chief Minister and Cabinet  
Northern Territory Government

Date: 19 / 7 / 2023







