

## **COMMITMENT AGREEMENT FOR LOCAL DECISION MAKING**

Made by the NORTHERN TERRITORY GOVERNMENT (NTG) represented by the DEPARTMENT OF THE CHIEF MINISTER (DCM) for the benefit of the Alice Springs Town Camps as represented by Tangentyere Council Aboriginal Corporation (TCAC)

### **1. BACKGROUND**

- (a) Local Decision Making (LDM) is a 10 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.
- (b) LDM is underpinned by the principle of self-determination for Aboriginal communities and seeks to transition services and programs to community control.
- (c) The NTG LDM Policy was endorsed by Cabinet in August 2018.
- (d) TCAC has 16 Community Members including 11 Town Camp Associations and 5 Aboriginal Corporations. These Community Members are listed as Schedule 1.
- (e) The TCAC Board of Directors (BoD) is composed of the elected Presidents of the 16 TCAC Community Members.
- (f) TCAC has the ongoing support of its Community Members to work with the NTG to progress LDM priorities.

### **2. PURPOSE**

The purpose of this agreement is to:

- (a) document the commitment by the NTG and TCAC to work together to guide the implementation of the Local Decision Making in the Alice Springs town camps;
- (b) identify the services over which the 11 Town Camp Associations and 5 Aboriginal Corporations wish to have more control; and have relevant NTG agencies commit to sharing information with TCAC and its Community Members so as to decide how this control might be achieved;
- (c) provide a framework which will support the transition of community control to agreed service delivery areas within the responsibility of the NT Government, noting that the Office of Township Leasing is the sub-leaseholder for all of the Alice Springs town camps and must approve housing, infrastructure and leasing commitments across the town camps; and
- (d) set out the process and timeframes for the negotiation and agreement of Implementation Plans for identified priority service delivery areas to this Agreement.

### **3. COMMITMENT**

- (a) The NTG is committed to partnering with Aboriginal communities in a meaningful way to determine the shape and control in service delivery areas such as, but not limited to, local healthcare, schools, justice systems, local governments, housing and the community as set out in the LDM Policy.
- (b) The NT Government and the TCAC agree that they will adhere to the following specific principles when undertaking any work in accordance with this agreement, namely:

- i. Empowerment and decision-making are essential to ensure that the voice of TCAC members are heard.
  - ii. Building, supporting and investing in strong governance is necessary to ensure local people drive solutions.
  - iii. The pace of Local Decision Making will be led by the TCAC and agreed by the NT Government and in accordance with the agreed timeframes to establish the Implementation Plans.
- (c) The implementation of LDM will align with the set of principles launched by Aboriginal Peak Organisations Northern Territory in October 2013. These principles are listed as Schedule 2.
- (d) The NTG and the Community will work together on the basis of the LDM guiding principles, which are self-determination, place-based, flexible, co-design and community control.



#### **4. PROCESS**

- (a) The Regional Executive Director from the Department of the Chief Minister, with the NTG Regional Coordination Committee will coordinate the progression of this agreement
- (b) NTG agencies relevant to a nominated service delivery area will nominate representatives with appropriate decision making authority, who will attend and actively participate in meetings with the TCAC BoD. Agency representatives will be responsible for reporting back to and engaging with their relevant agency.
- (c) The TCAC BoD will nominate appropriately authorised and informed representatives who will attend and actively participate in meetings, provide a meeting space and will ensure processes are in place to regularly report to, and receive feedback from, interested families and clans and the broader community.
- (d) The TCAC BoD nominated representatives will report back to the NTG with honest and direct feedback about progress and issues raised by the broader community.
- (e) The NTG and the TCAC BoD nominated representatives will identify a service delivery area or areas they would like to progress negotiations for locally based decisions about service delivery. The NTG will assist the development of a Community Plan detailing the service areas of interest.
- (f) The NTG and TCAC will, as far as possible, share information and data, including financial information, to inform the process and to allow fully informed and transparent decision making, subject to confidentiality and privacy requirements.

#### **5. MAINTAINING THE PARTNERSHIP**

- (a) TCAC and the NTG will collaborate and negotiate respectfully, openly, honestly and in good faith in the spirit of building trust and a strong and lasting partnership.
- (b) If issues arise, the NTG Regional Executive Director will work with the TCAC BoD nominated representatives to resolve the issue and, if no satisfactory outcome is achieved, will refer the issue to Regional Coordination Committee, which may escalate the issue to the Chief Executive Coordination Committee. The Chief Executive Coordination Committee may also meet with the TCAC BoD to resolve the issue.

#### **6. LEGAL FRAMEWORK**

The NTG and TCAC acknowledge that any transfer of responsibility to the TCAC or its Community Members for a service delivery area:

- (a) will recognise and meet existing regulatory, legislative and Commonwealth requirements;
- (b) may take a staged approach in order to ensure a successful transition over a period of time;
- (c) will be captured in a formal legal contract with an organisation (or more than one) with authority to act on behalf of the 11 Town Camp Associations and 5 Aboriginal Corporations that has:
  - (i) the legal capacity to enter into the contract;
  - (ii) an appropriate and robust local governance structure, which represents the views of the whole community; and
  - (iii) the resources, capacity, experience and expertise to deliver the service or the capacity to develop those things; and




- (d) will ensure that an appropriate legal framework with legally binding contracts is developed and implemented to support achieving TCAC priorities for local delivery and decision making;
- (e) will be monitored and evaluated for progress and performance using a transparent, consultative and participatory approach that promotes the resolution of emerging issues as they arise.

## 7. SIGNING

Alice Springs Living Areas (Town Camps)	President	Signature
Akngwertnarre (Morris Soak) Association Inc.	Carlene Lechleitner	<i>Carlene Lechleitner</i>
Anthelk-Ewlpaye (Charles Creek and Kunoth) Association Inc.	Maxine Carlton	<i>Maxine Carlton</i>
Anthepe Association Inc.	Phillip Miller	<i>PHILLIP MILLER</i>
Aper-Alwerrkng (Palmer's Camp) Association Inc.	Donald Peckham	<i>Don Peckham</i>
Ewyenper-Atwatye (Hidden Valley) Association Inc.	Benedict Stevens	<i>Benedict Stevens</i>
Ilparpa (New Ilparpa) Aboriginal Corporation	Warren Conway	<i>WARREN CONWAY</i>
Ilperle Tyathe (Warlpiri) Association Inc.	Charlie Brown	<i>Charlie Brown</i>
Ilyperenye (Old Timers) Association Inc.	Robert Hoosan	<i>Robert Hoosan</i>
Inarlange (Little Sisters) Community Inc.	Braydon Kanjira	<i>Braydon Kanjira</i>
Irrkerlantye (White Gate) Aboriginal Corporation	Ronnie Webb	<i>RONNIE WEBB</i>
Karnte Aboriginal Corporation	Vanessa Sitzler	<i>V. Sitzler</i>
Lhenpe Artnwe (Hoppy's and Scrutton's) Aboriginal Corporation	Shirleen Campbell	<i>S. Campbell</i>
Mount Nancy (Mount Nancy and Bassos) Association Inc.	Geoff Shaw	<i>Geoff Shaw</i>
Mpwetyerre (Abbotts Camp) Aboriginal Corporation	Mervyn Kingsley	<i>Mervyn Kingsley</i>
Nyewente (Trucking Yards) Association Inc.	John Newchurch	<i>John Newchurch</i>
Yarrenyty Arltere (Larapinta Valley) Association Inc.	Marlene Rubuntja	<i>Marlene Rubuntja</i>



Signed by the Hon. Michael Gunner, Chief Minister,  
on behalf of the Northern Territory Government.



Hon. Michael Gunner  
Chief Minister

Date: 4 / 7 / 2019

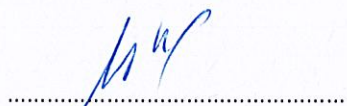
Signed by Walter Shaw, authorised representative of  
the TCAC Board of Directors.



Walter Shaw  
Chief Executive Officer, Tangentyere Council  
Aboriginal Corporation

Date: ..... / ..... / 2019

Signed by Geoff Shaw, President, Board of Directors, TCAC



Geoff Shaw President, Board of Directors, Tangentyere  
Council Aboriginal Corporation

Date: ..... / ..... / 2019

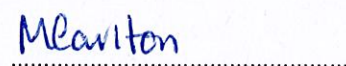
Signed by Benedict Stevens, Vice President  
Board of Directors, TCAC



Benedict Stevens  
V/President, Board of Directors, Tangentyere Council  
Aboriginal Corporation

Date: ..... / ..... / 2019

Signed by Maxine Carlton, Secretary, Board of Directors,  
TCAC



Maxine Carlton  
Secretary, Board of Directors, Tangentyere Council  
Aboriginal Corporation

Date: 27 / 06 / 2019



SCHEDULE 1- Commitment Schedule						
The Community						
Tangentyere Council Aboriginal Corporation (TCAC) represents 11 Town Camp Associations and 5 Aboriginal Corporations including:						
Ilperle Tyathe Association	Warlpiri	Lot 5149	Braitling	NT	0870	
Aper-Alwerrkng Association	Palmer's Camp	Lot 5180	Stuart	NT	0870	
Mount Nancy Housing Association	Mount Nancy	Lot 5135, Lot 5123	Stuart	NT	0870	
Anthelk-Ewlpaye Association	Charles Creek and Kunoth	Lot 3702, Lot 3704	Stuart	NT	0870	
Nyewente Association	Trucking Yards	Lot 5152	Ciccone	NT	0870	
Akngwertnarre Association	Morris Soak	Lot 5150	Araluen	NT	0870	
Ewyenper-Atwatye Association	Hidden Valley	Lot 5189	Sadadeen	NT	0870	
Yarrenyty Arltere Association	Larapinta Valley	Lot 5195	Flynn	NT	0875	
Anthepe Housing Association	Drive In	Lot 5146	Arumbera	NT	0873	
Inarlange Community Inc.	Little Sisters	Lot 3701	Ilparpa	NT	0873	
Ilyperenye Association	Old Timers	Lot 5708	Connellan	NT	0873	
Ilparpa Aboriginal Corporation	Ilparpa	Lot 5713	Arumbera	NT	0873	
Mpwetyerre Aboriginal Corporation	Abbotts Camp	Lot 2664	The Gap	NT	0870	
Karnte Aboriginal Corporation	Karnte	Lot 7850	Arumbera	NT	0873	
Lhenpe Artnwe Aboriginal Corporation	Hoppy's Camp	Lot 1733	Stuart	NT	0870	
Irrkerlantye Aboriginal Corporation	White Gate	TBC	Undoolya	NT	0874	
TCAC Representatives						
The TCAC, Board of Directors (BoD) is composed of the Presidents of the 11 Associations and 5 Aboriginal Corporations <sup>1</sup> .						
First Name	Last name	Role	Community Membership	Qualification	Start Date	End Date
Carlene	Lechleitner	Director	Akngwertnarre	Town Camp President	23/02/2016	Next AGM
Maxine	Carlton	President	Anthelk-Ewlpaye	Town Camp President	14/08/2015	Next AGM
Philip	Miller	Secretary	Anthepe	Town Camp President	14/08/2015	Next AGM
Donnie	Peckham	Director	Aper-Alwerrkng	Town Camp President	21/03/2017	Next AGM
Benedict	Stevens	Director	Ewyenper-Atwatye	Town Camp President	26/03/2019	Next AGM
Warren	Conway	Director	Ilparpa	Town Camp President	21/03/2017	Next AGM
Charlie	Brown	Director	Ilperle Tyathe	Town Camp President	13/03/2018	Next AGM
Robert	Hoosan	Director	Ilyperenye	Town Camp President	26/03/2019	Next AGM
Braydon	Kanjira	Director	Inarlange	Town Camp President	14/08/2015	Next AGM
Ronnie	Webb	Director	Irrkerlantye	Town Camp President	26/03/2019	Next AGM
Vanessa	Sitzler	Employee	Karnte	Town Camp President	n/a	Next AGM
Shirleen	Campbell	Employee	Lhenpe Artnwe	Town Camp President	n/a	Next AGM
Geoff	Shaw	V/President	Mount Nancy	Town Camp President	14/08/2015	Next AGM
Mervyn	Kingsley	Director	Mpwetyerre	Town Camp President	21/03/2017	Next AGM
John	Newchurch	Director	Nyewente	Town Camp President	13/03/2018	Next AGM
Marlene	Rubuntja	Director	Yarrenyty Arltere	Town Camp President	13/03/2018	Next AGM
TCAC Contacts						
Name	Role	Postal Address	Telephone	Email		
Walter Shaw	CEO	PO Box 8070, 0871	08 8951 4212	walter.shaw@tangentyere.org.au		
Michael Klerck	Social Policy	PO Box 8070, 0871	08 8951 4212	tangentyere@tangentyere.org.au		

<sup>1</sup> Two Town Camp Presidents are employees and are therefore not eligible to act as TCAC Directors.



## Milestones and Milestone Dates

The aim of this agreement is to outline a process for the development, implementation and operation of a Local Decision Making (LDM) Agreement between Tangentyere Council Aboriginal Corporation (TCAC) and the Northern Territory Government for the benefit of the TCAC Community Corporate Members. The purpose of the LDM Agreement will be to underpin a range of outcomes including improvements to: (1) Network Governance; (2) Community Led Interagency Coordination; (3) Service Navigation and Referral; and (4) Resourcing for Community Controlled and Place Based Service Delivery, Participatory Development and Infrastructure to address needs in priority areas.

The parties agree to the following milestones:

- TCAC LDM Agreement settlement including one to three service priority schedules for transition to community control and decision making to be completed and signed by 30 June 2019;
- Remaining service priority schedules to be completed by 30 June 2020.

## Meeting and negotiation arrangements and resources

The parties agree that negotiations supporting the development and implementation of the TCAC LDM Agreement will take place between:

- Representatives of the NTG and TCAC;
- Representatives of the NTG and the TCAC BoD;
- TCAC Representatives and the Committees/Boards of the 11 Town Camp Associations and the 5 Aboriginal Corporations.
- The Executive Director of Township Leasing in relation to all housing, infrastructure and leasing matters.

Representatives from the NTG will be invited to attend TCAC BoD Meetings and the Committee/Board Meetings of the 11 Town Camp Associations and the 5 Aboriginal Corporations.

BoD meetings will take place primarily at 4 Elder Street, Ciccone, 0870. Town Camp Committee/Board Meetings will take place at 4 Elder Street, Ciccone, 0870 and at Town Camp Community Centres.

The parties acknowledge that TCAC receives \$100,000 per annum from the Office of Township Leasing to provide logistical and administrative support to the Town Camp Associations and Aboriginal Corporations for AGMs, documentation and reporting however additional resources are required to conduct LDM processes. TCAC has identified the need for additional resources to support participatory development and governance related capacity building. TCAC and the Institute of Community Directors Australia propose to deliver governance training to the Committees/Boards of the 11 Town Camp Associations and the 5 Aboriginal Corporations during May 2019.

TCAC and the NTG will share the responsibility for taking minutes, initiating actions, monitoring progress and addressing issues.

Meetings between representatives of the NTG and TCAC will happen as often as necessary. Meetings between the NTG and the TCAC BoD will happen quarterly. Meetings between TCAC and the Committees/Boards of the 11 Town Camp Associations and the 5 Aboriginal Corporations will happen on biannual or quarterly basis.



## SCHEDULE 2

### Partnership Principles for working with Aboriginal organisations and communities in the Northern Territory

In supporting these Principles, non-Aboriginal NGOs agree to undertake to:

1. Consider their own capacity: Non-Aboriginal organisations shall objectively assess whether they have the capacity (either in service delivery or development practice) to deliver effective and sustainable outcomes in the NT context.
2. Recognise existing capacity: Non-Aboriginal organisations will recognise the existing capacity and particular strengths of Aboriginal NGOs and identify how they can contribute to further developing this capacity.
3. Research existing options: Non-Aboriginal organisations shall thoroughly research existing Aboriginal service providers and development agencies before applying for service delivery contracts or prior to considering community development projects.
4. Seek partnerships: Where there is an Aboriginal NGO willing and able to provide a service or development activity, non-Aboriginal organisations shall not directly compete with the Aboriginal service provider, but will seek, where appropriate, to develop a partnership in accord with these principles.
5. Approach to partnership: Non-Aboriginal organisations will be guided by the priorities of the Aboriginal NGO in developing a partnership. Partnerships will be based on building and strengthening, rather than displacing, Aboriginal organisational capacity and control. Processes for developing partnerships will need to recognise the inherent power imbalance between large non-Aboriginal organisations and small Aboriginal organisations, and will need to allow sufficient time for partnership development.
6. Recognise, support and promote existing development practice: Non-Aboriginal organisations acknowledge that many Aboriginal organisations already have robust and effective development practices embedded in a cultural framework, although some of this may be implicit and undocumented. Non-Aboriginal organisations agree to recognise and support these practices, including through partnership arrangements.
7. Work together with Aboriginal people to create strong and viable Aboriginal organisations: Non-Aboriginal organisations recognise Aboriginal organisations and communities as lead agents in creating sustainable governance and leadership in Aboriginal communities in the NT, and agree to work within structures and processes that provide Aboriginal decision-making control. This may require formal delegation of power and the dedication of self-generated resources to assist with this process.
8. Ensure Aboriginal control, not just consultation: Non-Aboriginal organisations agree that Aboriginal organisations need to be in the 'driver's seat' and have control of development initiatives, services and programs delivered to their communities. This should include having input to decisions regarding resource allocations and staffing.
9. Develop a clear exit strategy: Where the desired outcome is for local Aboriginal organisations to deliver services or provide a development role, non-Aboriginal organisations will develop a mutually agreed, transparent exit strategy in consultation with their partners. Contracts with government should



incorporate a succession plan and long term planning for local Aboriginal organisations to deliver services, with appropriate resourcing included.

10. Ensure robust evaluation and accountability: Non-Aboriginal organisations will develop a robust accountability framework and evaluation process together with partner Aboriginal organisations and communities.
11. Cultural competency and appropriate development practice: Aboriginal organisations and non-Aboriginal organisations will seek to work together to share learnings and establish effective development practice and cultural competency standards for development projects and service delivery initiatives.