


Djalkiripuyngu

Local Decision Making Agreement



**NORTHERN
TERRITORY**
GOVERNMENT

An aerial photograph of a coastal landscape. On the left, there is a body of turquoise water. A wide, sandy beach runs diagonally from the bottom left towards the top right. To the right of the beach is a dense area of green vegetation. A semi-transparent dark brown circle is overlaid on the top left portion of the image, containing white text.

‘For over 50,000 years,
the Yolŋu people of
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1 | Context

- a. For over 50,000 years, the Yolngu people of East Arnhem Land have successfully maintained their language, customs and laws, land and sea ownership and custodianship, culture, songlines and societies.
- b. The people known as the Djalkiripuyngu in northern Blue Mud Bay have long maintained self-determination on their traditional lands and seas and in recent times together with other East Arnhem Baparru (clan) leaders, led the homelands movement in the 1970s.
- c. The Baparru leaders who led the permanent settlement of their homelands also established the Laynhapuy Homelands Association to provide a range of remote services, including housing and municipal services, air transport, health programs and employment and training through the former Community Development and Employment Program.
- d. Laynhapuy Homelands Aboriginal Corporation (LHAC) continues to provide a range of important services to homelands across the Djalkiripuyngu, Laynhapuyngu and Miyarrkapuyngu regions – including health services, municipal/essential and housing services and ranger programs for the Laynhapuy Indigenous Protected Area (IPA) and broader services area.
LHAC is governed by a Board of representatives from the Djalkiripuyngu, Laynhapuyngu and Miyarrkapuyngu ward. The objectives of LHAC are to:
 - i. support the Yolngu members of the Laynhapuy homeland communities serviced by the Corporation through programs that deliver:
 - » maintenance and protection of country and culture
 - » employment, training and economic development opportunities
 - » good standards of communications and infrastructure in homelands
 - » good health, social welfare, community development and
 - » educational outcomes.
 - ii. promote, in all of its work, the common good and benefit of its members.
- e. In 2008, the Djalkiripuyngu won the Blue Mud Bay case in the High Court of Australia. This established sea rights under the *Native Title Act 1993 (Cth)* and led to the inclusion of inter-tidal waters within the boundaries of land covered by the *Aboriginal Land Rights (NT) Act 1976 (Cth)*.
- f. In early 2020, with the support of the Northern Land Council (NLC), the Djalkiripuyngu leaders established the Djalkiripuyngu Aboriginal Corporation (DAC) with the aspiration to perform the functions of a Prescribed Body Corporate (PBC) under the *Native Title Act 1993 (Cth)* and to improve regional governance and economic development opportunities. Like most other PBCs around Australia, DAC's role is to set priorities and strategic direction for the area of its Native Title interests. The relevant objects of DAC to this Agreement are to:
 - i. represent the Djalkiripuyngu and provide a point of contact for their external dealings with other people and organisations, including government agencies and departments;
 - ii. provide a forum in which the Djalkiripuyngu can do strategic planning, and develop and implement their visions for their country and communities;
 - iii. foster and support local clan-based or community-based Yolngu organisations in and around Blue Mud Bay, including the Local Aboriginal Organisations;
 - iv. protect, improve and raise awareness of Aboriginal homelands, including the homelands in and around Blue Mud Bay;

- v. advance Yolngu self-determination in and around Blue Mud Bay, including by negotiating local decision-making agreements and treaties, and partnering with government and non-government organisations to administer any such agreements; and
 - vi. develop and promote sustainable, community-based commercial development and employment opportunities, including by supporting implementation of the Blue Mud Bay (Djalkiripuyngu) Development Strategy; support the Djalkiripuyngu to manage their lands and waters in and around Blue Mud Bay, including by holding and implementing any sea country management plan or healthy country plan for the region.
- g. LDM is under-pinned by the principle of self-determination for Aboriginal communities and homelands and seeks to transition services and programs to community control and to advance local development aspirations where identified.
- h. The implementation of this Agreement will align with the set of principles launched by Aboriginal Peak Organisations Northern Territory in October 2013:
- i. self-determination;
 - ii. flexible place-based approaches;
 - iii. co-design; and
 - iv. community control.
- i. In the Blue Mud Bay region, LDM is being led and guided by Djalkiripuyngu leaders, supported by the DAC, Northern Territory Government and LHAC. Djalkiripuyngu leaders are also involved in the success of other regional organisations, including representation on the Board of LHAC and Full Council of the Northern Land Council.
- j. Through this Agreement, Djalkiripuyngu leaders, through the DAC, are seeking to work in partnership with LHAC and other relevant organisations to advance outcomes for homelands with the Northern Territory Government.
- k. On 30 July 2018, following the approval of the Chief Minister and Minister for Aboriginal Affairs, Djalkiripuyngu leaders signed a Local Decision Making (LDM) Statement of Commitment with the Northern Territory Government to progress a range of priorities in the Blue Mud Bay area through negotiation on an LDM Agreement (this document). The Statement of Commitment can be found at https://ldm.nt.gov.au/__data/assets/pdf_file/0011/791309/baniyala-ldm-agreement.pdf
- l. This LDM Agreement (Djalkiripuyngu Agreement) is the culmination of a range of detailed discussions and negotiations which have occurred over the last three years across eight priority areas.





2 | Parties and Partners

- a. The Parties to the whole Agreement are:
 - i. Djalkiripuyngu Bāparru (clan) leaders, as represented by the Djalkiripuyngu Aboriginal Corporation; and
 - ii. The Northern Territory Government
- b. The Foundation Partner to this Agreement is:
 - i. Laynhapuy Homelands Aboriginal Corporation as outlined in Schedule 1
- c. Future Partners
 - i. Other government and key organisations may join this Agreement or its subsequent Implementation Plans as a Partner by agreement of the Parties.
 - ii. Partners that join this Agreement after its commencement will be included in an updated Schedule 1, including the aspect of the Agreement the Partner in participating in.

3 | Vision

- a. In signing the Agreement, it is the shared aspiration of the Djalkiripuyngu leaders, through the DAC, and the Northern Territory Government for this Agreement to provide a platform for Djalkiripuyngu self-determination and the advancement of strong culture and strong lives in homelands. The vision shared between the Parties and supported by the Partners is to:
 - i. Provide support for the Djalkiripuyngu to maintain their sacred and intrinsic responsibilities, to manage their homelands and seas, preserve traditions, and provide for the changing needs of the Djalkiripuyngu;
 - ii. Support the Djalkiripuyngu to live with dignity according to the laws of their homelands and in accordance with the laws of the Northern Territory and Commonwealth;
 - iii. Promote and support the sustainable development of Djalkiripuyngu lands and seas to support local businesses, local jobs and improved economic and social outcomes;
 - iv. Improve standards of living and services to ensure the Djalkiripuyngu share in the prosperity enjoyed by all Australians;
 - v. Support strong governance for all Djalkiripuyngu homelands to develop and prosper according to the views and needs of the Traditional Owners and residents and for future generations.
 - vi. Work closely and in a spirit of trust and respect with regional organisations as Partners and / or stakeholders to strengthen and support the advancement of all homelands.

4 | Principles

- a. In signing this Agreement, the Parties agree the following principles:
 - i. That the Agreement should strengthen Djalkiripuyngu leadership (through both the DAC and in their aligned capacities on Boards of regional organisations) in the achievement of the Djalkiripuyngu and broader homelands vision.
 - ii. That the Agreement should strengthen the relationships between organisational Parties and Partners
 - iii. That the Agreement and its benefits be shared with Laynhapuyngu and Miyarrkapuyngu Bāparru leaders, and other relevant or interested groups, to consider future pathways for agreement making in these homelands.

5 | Objectives and Priorities

1. The objectives of this agreement are to:
 - a. Formerly recognise and demonstrate respect for the long established and strong systems of Yolngu governance and leadership in the Djalkiripuyngu homelands;
 - b. Document the commitment by the Parties and relevant Partners to work together to implement the Djalkiripuyngu vision in the Djalkiripuyngu region;
 - c. Identify the services and priorities which the Djalkiripuyngu wish to see advanced in the Blue Mud Bay region;
 - d. Commit Northern Territory Government agencies, to collaborating with Djalkiripuyngu leaders and Agreement Partners to agree on how Djalkiripuyngu priorities will be achieved and maintained;
 - e. 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; and
 - f. Identify areas where the Parties and Partners need to work collaboratively with other Governments and organisations to achieve the Djalkiripuyngu vision and priorities.

Priorities for the Djalkiripuyngu Agreement are set out in Schedule 3 and include:

1. Leadership capacity building and agreement support
2. Infrastructure and Essential Services
3. Housing
4. Community Safety and Resilience
5. Business and Jobs
6. Country, Culture and Heritage
7. Health and Families
8. Education and Early Childhood

6 | Commitments and Acknowledgements

- a. In signing this Agreement, the Northern Territory Chief Minister and Minister for Local Decision Making and Treaty, on behalf of the Northern Territory Government:
 - i. warrant that all relevant Northern Territory Government Ministers and agencies have been consulted and have agreed their role and commitments in the Agreement;
 - ii. formally acknowledge the Djalkiripuyngu Bāparru leaders and Waṇa Wataṇu (Traditional Owners), as represented by the Board and Members of DAC, as having the authority to speak for the Clans and families of Djalkiripuyngu Bāparru and country; and
 - iii. Commit to working towards achieving the Djalkiripuyngu vision and priorities.
- b. In signing this Agreement, the Djalkiripuyngu Bāparru leaders and Waṇa Wataṇu (Traditional Owners), as represented by DAC, confirm their vision and acceptance of the Agreement and the various Djalkiripuyngu leaders commitments herein.
- c. The Foundation Partner to this agreement, LHAC, is committed to support priority outcomes for Djalkiripuyngu homelands relevant to their objectives, statutory and / or service delivery responsibilities.
- d. The Parties acknowledge that there are no specific financial or other legal commitments which arise from this Agreement for the Foundation Partner or future Partners and any such commitments would be via negotiation and discussion between the Parties and Foundation Partner.

7 | Vision

- a. The Djalkiripuyngu leaders, through the DAC, the Northern Territory Government, and Foundation Partner acknowledge the importance of constructive engagement with key stakeholders relevant to this Agreement.
- b. Key stakeholders and potential future Partners include:
 - i. Other current and future corporations established by Djalkiripuyngu (such as Baniyala Garrangali Aboriginal Corporation or others)
 - ii. The Northern Land Council
 - iii. The Australian Government (including through the National Indigenous Australians Agency, Indigenous Land and Sea Corporation);
 - iv. Local Government (East Arnhem Regional Council and Local Government Association of the Northern Territory);
 - v. Other regional corporations (such as North East Arnhem Land Aboriginal Corporation, Goṇ-Dal Aboriginal Corporation, NEAL, Developing East Arnhem Limited, the Arnhem Land Progress Aboriginal Corporation).
- c. Djalkiripuyngu leaders, through the DAC, and the Northern Territory Government invite these organisations, either as stakeholders or as Partners to this Agreement, to participate in the development and implementation of relevant Implementation Plans and to work in genuine partnership to achieve the Djalkiripuyngu aspirations and vision.
- d. The Parties to the Agreement are open and invite requests from key stakeholders to join the Djalkiripuyngu Agreement as Partners.

8 | Working together

- a. The Department of the Chief Minister and Cabinet will support the advancement of this agreement including regular documented meetings with the Parties and Partners where necessary.
- b. The Parties to this agreement will adhere to the processes in Schedule 2 and 3 which include monitoring and reviewing arrangements and key dates and milestones.
- c. Northern Territory Government agencies with responsibility for the priority service delivery areas in Schedule 3 will nominate appropriate senior representatives with appropriate decision making authority, who will attend and actively participate in meetings with the Parties.
- d. The Parties and Partners (where relevant) nominate authorised and informed representatives in Schedule 2 who will attend and actively participate in meetings
- e. The Parties and Partners will share honest and open feedback about progress of the Agreement.
- f. The Djalkiripuyngu leaders have identified service delivery priority areas for advancement in Schedule 3, the outcomes sought, proposed service delivery model and the Parties commitments to assist the achievement of these outcomes.
- g. This agreement is structured such that substantial service delivery priority areas of the Agreement will have Implementation Plans and the less complex elements of the Agreement will be advanced via this head Agreement. These are outlined in Schedule 3.
- h. Once the Parties and Partners have agreed to, and signed, any Implementation Plan will be included as a new Schedule and form part of this Agreement.
- i. The Northern Territory Government has agreed the priority service areas, outcomes sought and the proposed service delivery model as detailed in Schedule 3 and agrees to meet its stated commitments to support the advancement of priority areas stated in Schedule 3.
- j. Should new priorities emerge or existing priorities be completed, Schedule 3 may be updated with the consent of the Parties.
- k. Parties will share information and data in a timely manner to fully achieve the objectives of this agreement, subject to any reasonable restrictions.



9 | Maintaining the Agreement

- a. As detailed in Schedule 2, the Parties will have regular Agreement level meetings to monitor the progress of this Agreement. Parties will invite relevant Partners to these meetings.
- b. To ensure currency of the relationship between the Parties, this agreement will be periodically reviewed as specified in Schedule 2.
- c. Prior to the expiry of this agreement, the Parties may agree to extend the term of this agreement by a further three years.
- d. The Parties may vary this agreement at any time by agreement of all Parties in writing.
- e. The Parties and Partners will collaborate and negotiate respectfully, openly, honestly and in good faith in the spirit of building trust and a strong and lasting relationships.
- f. If an issue arises with Northern Territory Government aspects of the Agreement, the Northern Territory Government CM&C Regional Executive Director will work with the Parties and Partners to resolve the issue and, if no satisfactory outcome is achieved, will refer the issue Chief Executive Coordination Committee and or relevant portfolio Minister for resolution.
- g. If an issue arises with the DAC aspects of the Agreement, the other Parties will work constructively with the Bāpurru leaders to resolve the issue.
- h. If a Party or a Partner to this Agreement is not satisfied with the dispute resolution, that Party may elect to withdraw from the agreement with 60 days notice.
- i. The Parties acknowledge that the advancement of a particular priority area:
 - i. must recognise and meet existing regulatory requirements;
 - ii. may take a staged approach in order to build sustainability for the Parties and Partner involved;
 - iii. will be supported by the agreed Northern Territory Government financial commitment and/or other in-kind support which may include training, assets, in-kind support or other resources;
 - iv. may be captured in a formal agreement with the relevant Party or Partner with:
 - a. the legal capacity to enter into any contract or agreement;
 - b. an appropriate and robust local governance structure, which represents the views of the Djalkiripuyngu homelands and clans or broader membership; and
 - c. the resources, capacity, experience and expertise to deliver the service or the capacity to develop those things

10 | Status of the Agreement

- a. The Parties and Partners acknowledge that the provisions of this Agreement are not legally enforceable or binding. However, that does not lessen the commitment of the Parties and Partners to fully implementing this agreement in a transparent, collaborative and consultative and accountable manner.
- b. The Parties acknowledge that the Agreement does not place any financial or binding legal commitments on the Foundation Partner or any future Partners who may commit to support the Djalkiripuyngu vision and outcomes.
- c. It is the intention of the Parties to capture any changes to arrangements in delivery of programs and services in formal contractual arrangements that detail and give legal effect to the Parties and Partner's decisions made through the Agreement's implementation.
- d. The Parties 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 Northern Territory 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.



11 | Signing

The Parties commit to this Agreement per the following:

Djalkiripuyngu Clan Leaders

Djambhura Marawili AM

Yinimada Gumana

Nuwandjeli Marawili

Bowdler Wirrpanda

Rurruwiling

Ngurruwuthun

Waker

Mungun

Yalanba

Wanambi

BuWatpuy

Gumana

Yinimala Yamang Dambawa Marawit Arn

Chairperson

Deputy Chairperson

Northern Territory Government

Natasha Fyles

Chief Minister

Selma Uibo

Minister for Treaty and Local Decision Making

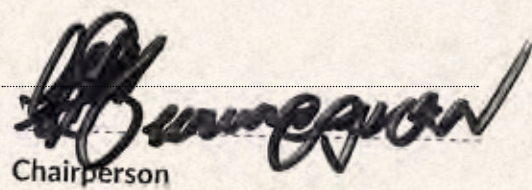


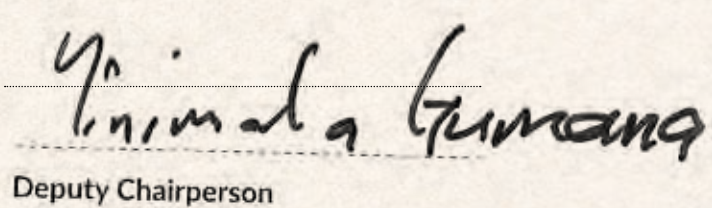
‘The people known as the Djalkiripuyngu in northern Blue Mud Bay have long maintained self-determination on their traditional lands and seas.’

Schedule 1 | Partners

As a Foundation Partner to this Agreement, Laynhapuy Homeland Aboriginal Corporation, commits to work collaboratively to achieve the overall Agreement outcomes and priorities, with a particular focus on Priority 2 (Infrastructure and Essential Services), Priority 3 (Housing) and Priority 7 (Health and Families) given LHAC has primary service delivery responsibilities in these areas.

Laynhapuy Homelands Aboriginal Corporation


Chairperson


Deputy Chairperson

Laynhapuy Homelands Directors

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Schedule 2 |

Djalkiripuyngu Clans and Representation

Djalkiripuyngu literally translates as ‘footprint people’, referring to the footprints in the mud of Blue Mud Bay. The main clans making up the Djalkiripuyngu (as represented in the DAC constitution and membership) are the:

- (Gumana) Dhalwangu
- (Wunungmurra) (Gurumuru) Dhalwangu
- Dhupuditj Dhalwangu
- Nurrurawu Dha-puyngu (Dhurili/Durila) clans
- Gupa Djapu
- Dhudi-Djapu
- Yithuwa Madarrpa
- Nyungudupuy Madarrpa
- Mangalili,
- Marrangu
- Marrakulu
- Munyuku
- Dhapuyngu
- Djarrwark

Homelands:

Baniyala

- Djambawa Marawili AM

Wandawuy

- Waka Mununggurr

Gan Gan

- Yinimala Gumana

Garrangali

- Bandarr Wirrpanda

Mandjawuy

- Djimbalal Ngurruwuthun

Barraratjpi

- Yalanba Wanambi, DJ White

Djarrakpi

- Marcus Maymuru

Baygurrjtji

- Michael Yawunydjurr Marawili,
- Djambawa Marawili AM

Gurkawuy

- Yalanba Wanambi
 - Bwudurl Bawudul
-

DAC contacts

The clan-based membership structure of DAC is specifically designed so that the organisation can meet the requirements of being the Registered Native Title Body Corporate for the Blue Mud Bay No. 2 determination. The DAC Board of Directors and membership lists are available on the Office of the Registrar of Aboriginal Corporations (ORIC) website. These lists are updated periodically as required.

Djalkiripuyngu Aboriginal Corporation

DAC Chairperson

Email: djalkiripuyngu@gmail.com

Office: 08 8987 0558

LHAC contacts

Laynhapuy Homelands Aboriginal Corporation

LHAC Chairperson

Email: ceo@laynhapuy.com.au

Office: 08 8939 1810

Northern Territory Government Representative

Regional Executive Director - East Arnhem,

Department of Chief Minister and Cabinet

Email: jim.rogers@nt.gov.au

Office: (08) 8987 0543

Northern Territory Government Lead Agency

Capacity Building and Agreement Support

Department of the Chief Minister and Cabinet

Infrastructure and Essential Services

Department of Infrastructure, Planning
and Logistics

Department of Territory Families, Housing
and Community Development

Housing

Department of Territory Families, Housing
and Community Development

Department of Infrastructure, Planning
and Logistics

Community Safety

Police, Fire and Emergency Services

Business, Jobs and Industry

Department of the Chief Minister and Cabinet

Department of Industry, Tourism and Trade

Country, Culture and Heritage

Department of Territory Families, Housing
and Communities

Community, health and family wellbeing

Department of Health (DoH)

Department of Territory Families, Housing
and Communities

Education and Early Childhood

Department of Education (DoE) including
Baniyala Garrangali School and Laynhapuy
Homelands School



Agreement Review Dates and End Date

The Parties will review this Agreement three years from the date of commencement. Parties will consult and involved Partners where relevant. This agreement expires five years after the date of commencement unless extended by the Parties in accordance with this Agreement.

Meeting Protocols

LDM Agreement and Implementation Plan meetings will be held at least twice per year to monitor the progress of objectives under this Agreement in accordance with an annual timetable agreed to beforehand by the Parties in consultation with the Partners.

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.

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

The Parties will attend every meeting and the Djalkiripuyngu will be responsible for chairing meetings.

Meetings will work towards consensus decisions.

Minutes will be taken at all meetings in plain 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 timeframes for the Agreement or Implementation Plans will be agreed and minuted between the Parties and Partners where relevant.

Milestones and Performance

- a. Substantial service delivery priority areas of the Agreement will have Implementation Plans (as specified below) and the less complex elements of the agreement are managed with in this head Agreement. These are outlined in Schedule 3.
- b. This agreement and Implementation Plans will deliver the outcomes for each of the Priority Development Areas in Schedule 3.
- c. The timeframes for the Agreement and Implementation Plan for each priority are set out in Schedule 3.

Monitoring and Evaluation

The Parties agree that a concise monitoring report will be referenced in each organisation's annual report and included on the website of the Department of the Chief Minister and Cabinet.

The monitoring report will:

1. be prepared and agreed jointly; and
2. include information on the progress against the Agreement outcomes and Implementation Plans 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:

1. be conducted by an independent body;
2. be funded by the Northern Territory Government;
3. have a strong focus on obtaining and evaluating the views of the Djalkiripuyngu people and their organisations; and
4. be publicly available.

Schedule 3 |

Schedule 3 details the Priority Development and Service Areas that are agreed by Djalkiripuyngu leaders through the DAC and the Northern Territory Government to be advanced in the next five (5) years.

For each priority it contains:

1. background and context (if applicable);
2. the outcome sought;
3. the development or service model proposed to facilitate the development outcomes by the Djalkiripuyngu people (where known);
4. whether or not an Implementation Plan (or other plan) is required
5. the Northern Territory Government's commitments;
6. Djalkiripuyngu leaders, DAC's commitments;
7. Commitment of Partners where relevant
8. Relevant partners and stakeholders for further engagement
9. The timeframe and any milestones for the achievement of the outcome and/or timeframe for agreement of an Implementation Plan.



Priority 1| Capacity and Capability Building and Agreement Support

Outcome Sought:

Djalkiripuyngu leaders maintain strong regional leadership and governance and provide a clear vision, guidance and directions for Djalkiripuyngu homelands and their development.

Djalkiripuyngu leaders identify and support emerging and future leaders (male and female) to support continuity of leadership over time.

Priority Development Area model proposed:

Recognition of the Djalkiripuyngu leaders through DAC as the Prescribed Body Corporate and their role in establishing the Djalkiripuyngu vision and strategy.

Strong collaborative relationships between the Parties and Partners to the Agreement through the agreement governance and implementation over the life of the Agreement.

Identification of different supports for emerging and future leaders.

Is an Implementation Plan Required?

A three-year funding agreement for capacity building and Agreement engage will be provided to DAC to support governance and to assist DAC.

LHAC will also be provided support to engage in relevant Implementation Plans.

Commitments from the Northern Territory Government:

1. CM&C staffing and other resources allocated for Agreement implementation
2. Other Northern Territory Government agency staff and resources made available to progress Implementation Plan outcomes in the agreement
3. Acknowledgement and recognition that Djalkiripuyngu Bāpurru leaders (via DAC) will set the strategic direction for Djalkiripuyngu homelands as the local decision making body for the Djalkiripuyngu region.
4. Annual financial support for DAC of \$50,000 per year (+GST) for the first three years to support DAC capacity building and engagement in the Agreement processes.
5. Northern Territory Government will support Djalkiripuyngu emerging leaders to participate in the Northern Territory First Circles and other leadership development programs over time.
6. Facilitated access to Northern Territory Government business planning and other business support programs for DAC and relevant Partners through the Department of Industry, Tourism and Trade.

Commitments from Djalkiripuyngu leaders through the DAC:

1. Djalkiripuyngu leaders engage in decision making, vision and goal setting and implementation.
2. Djalkiripuyngu leaders and DAC commit to at least six monthly agreement and implementation plan meetings and monitoring meetings.
3. DAC works to maintain a strong relationship with Agreement Partners and supports collaborative arrangements between the organisations to advance homelands outcomes.
4. Djalkiripuyngu leaders identify young and emerging leaders to be included in a range of leadership development opportunities over time.

Relevant stakeholders

This Australian Government National Indigenous Australians Agency (NIAA) provides a range of Prescribed Body Corporate (PBC) programs and support to assist Native Title holders to maximise outcomes. DAC, once it achieved PBC status, will look to engage with these programs to build organisation capacity, strengthen governance and leadership and to support advancement of other identified priority areas.

It is understood the NLC will continue to advance the work for DAC to become a PBC.

Timeframes:

Northern Territory Government Funding Agreement with DAC finalised by 3rd Qtr of 2022.
Ongoing implementation of other commitments over the life of the agreement.



Priority 2| Infrastructure and Essential Services

Background and Context:

Enabling infrastructure and essential services are critical to support business and jobs growth on the Djalkiripuyngu homelands, any new housing and family and community wellbeing. There are a range of current initiatives being funded through the Australian Government, Northern Territory Government, Northern Land Council and LHAC who are presently leading the implementation of these projects.

Refer to Schedule 4 for background about a number of homelands in the Djalkiripuyngu region.

Outcomes sought:

Djalkiripuyngu homelands:

1. can access safe, more reliable and sustainable public facilities that (power, water, sanitation, telecommunications) that support industry/enterprise development
2. can utilise safe and reliable transport corridors and facilities (road, airstrips and boat ramps/ barge landings) connecting homelands and larger service centres.
3. have improve community infrastructure which supports industry development, youth and food and essential goods security.

Is an Implementation Plan Required?

Yes, Implementation Plans will be developed as follows:

1. Essential Services Implementation Plan
 - following the engineering and feasibility assessments
 - by July 2023
2. Transport and Infrastructure Implementation Plan
 - by July 2023
3. Telecommunications Implementation Plan
 - by December 2022
4. Prioritised community infrastructure requirements for Gan Gan, Baniyala and Wandawuy and other Djalkiripuyngu homelands to be incorporated in the Transport and Infrastructure Implementation Plan – by December 2023.

Service delivery model proposed:

Essential services:

1. Progress planned upgrades to the Baniyala, Wandaway and Gan Gan power and distribution systems to deliver lower cost and more reliable power and water to support residents, existing businesses/service providers. It is proposed that the Parties and Partners work collaboratively with the NLC and Australian Government to ensure these new systems can accommodate some growth associated with additional housing and businesses.
2. A key part of this work is to ensure appropriate cost recovery (billing) arrangements are in place to support LHAC as the service provider. In particular, it is important that LHAC receives resident and business contributions to assist with the cost of generation and distribution and for appropriate network management systems to be developed to support new entrants who may apply to connect new business and houses to these micro-grids.
3. If considered feasible and desirable by the Parties and relevant Partners, explore the potential for a transfer of service provision from LHAC to Indigenous Essential Services/ PowerWater Corporation for Baniyala, Gan Gan and Wandawuy.

Road, air and marine transport:

4. Improved year round access to each homeland through staged improvements to the homelands access roads with a particular focus on flood immunity and minor road upgrades to improve resilience.
5. Progress plans for a small barge landing/boat ramp near Baniyala to support recreational and barge operator use to support industry development, including for the regional export of the Knowledge Water factory products.
6. Improved airstrips at Baniyala, Wandawuy and Gan Gan to support improved medi-evac services, regular passenger transport air services and charter services.

Master planning and Cadastre Survey:

7. Baniyala already has a master plan developed through the Australian Government funding and DIPL has provided funding to support cadastre survey. It is proposed that Wandawuy and Gan Gan are provided an opportunity to develop a master plan and cadastre surveys of their homelands to support community and economic development and to provide the foundation for Section 19 leasing to secure investment.

Telecommunications:

8. Ensure satellite broadband community wifi or mobile phone solutions are in place for the larger homelands of Baniyala, Wandawuy and Gan Gan and work with NBN-Co to improve the accessibility of SkyMuster Products for homelands consumer access (i.e. pre-pad services or similar).

Community Infrastructure:

9. Community infrastructure and facilities (such as stores, sporting facilities and culture/ arts studios) are progressively improved to support improved resident liveability, children and youth and community enterprise and industry development over time. NB: Australian Government AACAP program has committed to the construction of a new store for Baniyala in 2022.

Commitments from the Northern Territory Government:

1. Essential Services: Working with the Australian Government (NIAA), Northern Land Council, LHAC and relevant Northern Territory Government departments:
 - a. complete engineering assessments to determine a fit for purpose power generation and distribution (including cost recovery) system for each of the larger homelands – Baniyala, Wandawuy and Gan Gan, and work with all funding parties to establish current and additional funding to deliver the agreed systems.
 - b. If agreed, engage with the Department of Territory Families, Housing and Communities and PowerWater Corporation (via Indigenous Essential Services) to determine if Baniyala, Wandawuy and Gan Gan homelands could transition to normalised remote power generation, distribution and retail arrangements (per Gapuwiyak, Yirrkala etc)
 - c. Support systems planning for pre-paid and/or other billing arrangements for all facilities connected to the power networks in the homelands to ensure a normalised user pays system is in place.
 - d. Work with relevant organisations to develop an Essential Services Implementation Plan based on the above.
2. Road, air and marine transport: Working with relevant stakeholders (including the Local Government Association of the Northern Territory, East Arnhem Regional Council and LHAC):
 - a. undertake an assessment of the homelands access road network to determine a range of costed and designed improvements which will provide improved flood immunity and year round access to the Djalkiripuyngu homelands which support residents, existing service providers/businesses, visitors and new industry. Support the preparation of the necessary documentation to make funding bids to Australian, Northern Territory and local government programs.
 - b. contribute to the design and engineering assessments and planning (including cost estimates and detailed design) to develop a barge landing/boat ramp and associated laydown area at Grindle Bay near Baniyala to support funding bids to government programs.
 - c. Contribute to engineering and condition assessments of the various airstrips at the Djalkiripuyngu homelands to support funding bids and progressive investment over time.
 - d. Develop a Transport and Infrastructure Implementation Plan based on the above.
3. Master planning and Cadastre Survey: Noting that Baniyala already has a master plan developed via Australian Government funding and DIPL is providing \$60,000 of funding to support cadastre survey:
 - a. Provide the necessary funding for Wandawuy and Gan Gan master plans and cadastre survey to support further planned development and to underpin suitable longer term land tenures for investment security by June 2023.
4. Telecommunications: Noting that the Northern Territory Government is working with the Field Solutions Group and the Australian Government to provide satellite broadband community wifi solutions at Wandawuy and Gan Gan:
 - a. Work with Field Solutions Group and the Australian Government to consider expanding this to the Baniyala homeland or work with other telco providers to provide a suitable co-investment model to provide suitable telecommunications services to Baniyala.
 - b. Develop a Telecommunications Implementation Plan with funding and delivery partners.

5. Community Infrastructure and facilities (e.g. stores, arts studios, sports facilities etc):
 - a. Prioritised plans for improved community infrastructure are developed for each homeland with initial design feasibility and costing undertaken to support funding bids to various Australian and Northern Territory Government programs and philanthropic sources.
 - b. Community Infrastructure Implementation Plans with associated design and cost feasibility assessments undertaken to support funding bids to various government and philanthropic organisations.
6. Provide a seed funding commitment of \$1.5 million over the next 3 years to support co-investment funding bids to various government and philanthropic programs for priority infrastructure per the agreed/settled Implementation Plans.

Commitments from Djalkiripuyngu leaders through the DAC:

1. Commit to positively participating and contributing to the development of Implementation Plans across all areas of the Infrastructure priority service areas.
2. Work with the Northern Land Council and traditional owners to ensure tenure is resolved for projects or 'consents to construct' are obtained for infrastructure development per the agreed implementation plans and funded projects
3. Support/make applications to various government programs and seek support from the private and philanthropic sectors where possible.
4. Ensure suitable ownership and management responsibility is in place for any agreed/funded community infrastructure.

Commitments from Partners: LHAC:

1. Commit to positively participating and contributing to the development of Implementation Plans.
2. Support/make applications to various government programs and seek support from the private and philanthropic sectors where necessary.
3. Ensure suitable ownership and management responsibility is in place for any agreed/funded community infrastructure.

Relevant Partners:

- Foundation Partner - LHAC
- Future partners – Northern Land Council and the Australian Government (NIAA)

Timeframe

- Essential Services Implementation Plan
 - following the engineering and feasibility assessments
 - by December 2022
- Roads and Transport Implementation Plan
 - by December 2022
- Telecommunications Implementation Plan
 - by June 2022
- Prioritised community infrastructure plan developed for Gan Gan, Baniyala and Wandawuy
 - by December 2022.





Image credit: DEAL

‘LDM is underpinned by the principle of self-determination for aboriginal communities and homelands.’



Priority 3| Housing

Background and Context:

The current housing maintenance services for Djalkiripuyngu Homelands are delivered by LHAC with funding from the Northern Territory Government's Department of Territory Families, Housing and Communities. There are a range of challenges associated with the Homelands programs which are the subject of a recent review and current discussions between the Northern Territory Government, Australian Government, Land Councils and Aboriginal Housing Northern Territory.

Djalkiripuyngu homelands residents, local business and service providers have limited access to housing. The majority of houses in the Djalkiripuyngu homelands were constructed during the 1980s and 90s via Commonwealth and Northern Territory Government programs. The houses are owned by the Traditional Owners via the Arnhem Land Aboriginal Trust. Management responsibility of these dwellings is unclear with most houses in a poor state due to not being built fit for purpose and low investment in maintenance. Resident and government contributions to housing management and maintenance have been historically low due to a lack of clear requirements and owner/occupier responsibility arrangements.

The key constraints on housing in Djalkiripuyngu homelands are:

- Northern Territory Government and Commonwealth Government homeland housing policies which presently preclude investment in existing and new housing through National Partnerships
- Unclear arrangements for the development of new housing and ongoing management and maintenance, resident contributions/responsibility and government support
- High cost of maintenance and management in very remote areas

The limitations on housing have a substantial impact on the sustainability of existing businesses, new industry and enterprise in these homelands, as well perpetuating poor living standards for existing residents. The lack of a sustainable housing funding and provisioning model is undoubtedly contributing to urban drift towards the larger regional communities and Nhulunbuy. Inevitably, this leads to increased government investment in these regional communities and centre or higher levels of overcrowding.

It is acknowledged that at the time of this Agreement, the Northern Territory Government had initiated engagement with the Australian Government and Land Councils to pursue more sustainable and appropriate funding and management arrangements for homelands housing, including the opportunity for a co-investment model for new and upgraded homelands housing.

Relevant Partners:

- Foundation Partner – LHAC
- Future partners – Northern Land Council and the Australian Government (NIAA)

Outcome sought:

Djalkiripuyngu contribute to, and live with dignity in their own homes, with well-designed and priced community and private sector houses in homelands.

Service delivery model proposed:

The service model is proposed to include co-investment in lower cost and appropriate homelands housing with the number of new houses directly linked to jobs creation and industry development. The parties consider that in the future housing for homelands residents could be managed via a registered community housing provider and that local businesses could manage employee related housing. It is proposed that any government investment is directly linked to the creation of sustainable jobs on country to ensure a sustainable model of development and resident contributions towards housing management costs.

The principles of the proposed housing investment and management model to be captured in a Housing Implementation Plan include:

1. At a minimum, any Northern Territory Government capital contribution to new and upgraded housing be matched by a corresponding DAC sourced contribution of 25%. For example:
 - a. if a house (including its land servicing requirements costs \$500,000), the DAC sourced contribution would be \$125,000.
 - b. If a proposed upgrade to an existing housing is expected to cost \$100,000, DAC sourced contribution would be \$25,000.
3. All capital investment should be secured by appropriate/agreed tenure arrangements (i.e. up to 20 years) and clear management responsibilities for the service providers and residents/ occupants.
4. All capital investment will be subject to ensuring appropriate/agreed housing management arrangements are in place (either current or new) and resident contributions to maintenance are made (e.g. rent or service fees). This could be through current management arrangements or new community housing models.
5. The Northern Territory Government will provide financial and other governance assistance to support the establishment of a community housing provider/ or management entity for the housing.
6. Northern Territory Government housing investment will be linked to industry and jobs creation and local employment and skills development.

Ongoing management principles for the Housing Implementation Plan:

1. Development of a suitable community housing model (either regional or sub-regional) which supports Commonwealth Rent Assistance, resident contributions and other government funding
2. Assistance for existing and new homelands businesses to manage their own employment related housing, including for local Djalkiripuyngu employees where appropriate.
3. Opportunity for Djalkiripuyngu people and businesses to be employed in housing maintenance and management where appropriate.

Is an Implementation Plan Required?

Yes, a Housing Implementation Plan is required to be developed.

Commitments from the Northern Territory Government:

1. Develop and implement a Housing Implementation Plan in partnership with DAC, LHAC and other stakeholders.
2. Make agreed investments in new and upgraded housing subject to the settling of the Implementation Plan.
3. Support effective implementation of current and/or new housing management arrangements

Commitments from Djalkiripuyngu leaders through the DAC:

1. Support the development and implementation of the Housing Implementation Plan in partnership with the Northern Territory Government and LHAC.
2. Make agreed contributions to new and upgraded housing subject to the settling of the Implementation Plan.
3. Work with the Northern Land Council to ensure land is made available on suitable tenures for housing development.
4. Subject to the Implementation Plan being settled, work to ensure resident contribution to ongoing maintenance and management are in place.
5. Support the involvement of local business and employment in housing construction and maintenance/management.

LHAC:

1. Support the development and implementation of the Housing Implementation Plan in partnership with the DAC and Northern Territory Government.
2. Consider contributions to new/upgraded housing subject to the settling of the Implementation Plan.
3. Support the involvement of local business and employment in housing construction and maintenance/management.

Timeframe

Housing Implementation Plan to be settled and agreed by June 2023.

Priority 4| Community Safety and Resilience

Outcome sought:

Safe and thriving Djalkiripuyngu homelands which provide for the safety and wellbeing of women, children, men and elders.

Djalkiripuyngu homelands are more resilient to natural disasters including cyclones.

Djalkiripuyngu homelands have a strong, resilient and lasting relationship with Police and the justice system to improve recognition of the role of Clan Leaders in the law and justice system.

Priority Development Area model proposed:

In May 2019 the Djalkiripuyngu and Northern Territory Police signed a Service Level Agreement (SLA) to:

- Work together, with relevant agencies, through the Homelands Safety Committees to implement Homelands Safety Action Plans,
- Support regular visits to homelands, and increased operations
- Support homelands people to take up roles in the Police and emergency services over time.

This SLA will be refreshed in 2022 and will help improve the mutual understanding and respect of respective Yolngu and Balanda (Western) legal systems and laws and provide strong and mutually respectful relationships with Northern Territory Police and justice system. The SLA will include the agreed process to implement the Northern Territory Government and Djalkiripuyngu commitments outlined below.

Is an Implementation Plan Required?

Yes, the Implementation Plan will be an updated Service Level Agreement with the Northern Territory Police, Fire and Emergency Services to be finalised by June 2022.



Image credit: DEAL

Commitments from the Northern Territory Government:

1. Stronger recognition of the role traditional leaders in maintaining law and order and ways this can be practically respected in services provided by Northern Territory Police
2. All Northern Territory Police, DAGJ and DTFHC staff working in the region undertake ARDS cultural competency course to improve two way understanding of Yolŋu and Balanda systems
3. Support the establishment of Homelands Safety Committees to implement Homelands Safety Action Plans per the SLA
4. Allocate and employ a Djalkiripuyŋu Police Aboriginal Liaison Officer or officers to be based at Baniyala, Gan Gan and/or Wandawuy.
5. Provide Northern Territory Emergency Services (NTES) training and expertise for disaster resilience. The Aboriginal Liaison Officer to support this work.
6. Support the establishment of NTES units in Baniyala, Gan Gan and Wandawuy homelands including emergency trailers and equipment. The Aboriginal Liaison Officer to support this work.
7. Undertake a strong buildings audit across the Djalkiripuyŋu homelands to assess and address cyclone preparedness and necessary cyclone shelter/shelters.

Commitments from Djalkiripuyŋu leaders through the DAC:

1. Share laws and customs and knowledge to help Northern Territory police and courts improve relationships and services and outcomes
2. Participate and support Homelands Safety Committees and Homelands Safety Action plans
3. Identify people to volunteer to participate in NTES relevant training and development with the intention that these volunteers to maintain local NTES trailers and form the local NTES units.
4. Identify and provide support for a suitable a suitable person (or persons) to commence training and employment as the Aboriginal Liaison Officer/s.

Timeframes

Service Level Agreement updated with the Northern Territory Police, Fires and Emergency Services to be finalised by June 2023.



Priority 5| Business and Jobs

Background and Context:

Funded by the Commonwealth Government through the NIAA and CSIRO, BGAC and DAC have been working with CSIRO on the Djalkiripuyngu Enterprise Enhancement Project – DEEP. DEEP focuses on investigating industry and investment options for Blue Mud Bay, encompassing research, meetings with industry, investigation about enterprise potential, support for small business evaluation, and promotion of opportunities through a prospectus. Both CSIRO and the Northern Land Council (NLC) have supported traditional Aboriginal owners and native title holders to establish DAC and are supporting their work to provide strategic direction for industry and business across the region.

Current enterprises include the Dholuwuy campgrounds and boat launching near Baniyala, Stingray and VOQ group accommodation, the Knowledge Water project at Mandjawuy and emerging tourism enterprises at Gan Gan (campgrounds and cultural tours). In addition to this, Djalkiripuyngu artists including Djambawa Marawili AM, produce a significant proportion of the art sold and displayed at the iconic Buku-Larrngay Mulka Centre at Yirrkala.

The Commonwealth and Northern Territory Government continue to fund the majority of Djalkiripuyngu homeland jobs through programs provided by a mix of Government and Aboriginal Organisations including:

- Rangers
 - Provider: LHAC
 - Funding: Indigenous Rangers Program (Australian Government)
- Assistant Teachers and Teaching Assistants
 - Provider: Baniyala Garrangali School and Laynhapuy Homelands School
 - Funding: Northern Territory Government
- Community Development Program
 - Provider: ALPA (subcontracted through North East Arnhem Land Aboriginal Corporation and Baniyala Garrangali Aboriginal Corporation)
 - Funding: Australian Government
- Aboriginal Health Care Workers
 - Provider: LHAC
 - Funding: Australian and Northern Territory Government

The Northern Territory Government and Australian Government have co-funded Developing East Arnhem Limited (DEAL) to undertake two major projects:

1. East Arnhem Land Owner Prospectus to identify prospective areas for development in certain industries
2. East Arnhem Forestry development strategy will identify areas for forest and wood products development.

Commonwealth Government recently committed to including the Baniyala store in the scope of the Army Aboriginal Community Assistance Program (AACAP) in 2022.

Future development opportunities include:

1. fisheries and aquaculture – work is already progressing to consider private sector partnerships to develop local seafood enterprise and aquaculture opportunities
2. in the waters of Blue Mud Bay;

3. expansion of the tourism sector through the Djalkiripuyngu tourism plan and East Arnhem Tourism Destination Management Plan;
4. defence and border protection;
5. bush foods and medicinal products;
6. retail stores (local and to service increased Central Arnhem Road utilisation);
7. arts and culture – plans have been drawn up an art studio and production space at Baniyala with plans to expand this to Wandawuy and Gan Gan; and
8. human services including NDIS and Aged Care respite.

Outcome sought:

Djalkiripuyngu have jobs, run businesses and create prosperity in homelands to live successful and sustainably for generations to come. This will be achieved by a mix of Traditional Owner, private sector and government investment through a shared planning, implementation and investment partnership approach.

Service delivery model proposed:

Djalkiripuyngu leaders through the DAC and the Northern Territory Government, together with relevant Partners and stakeholders, will look to establish a Blue Mud Bay economic development plan under the Northern Territory Government Regional Development Framework.

The plan with link strongly to the East Arnhem Regional Economic Growth Plan and Territory Economic Reconstruction Committee implementation plans and identify:

1. A Djalkiripuyngu economic development vision and targets to 2030 for jobs and economic growth;
2. The identification of local strengths and competitive advantages, opportunities and enablers for job creation and economic development baselines to measure ongoing performance;
3. Identification of enablers and barriers to local growth including regional infrastructure priorities, workforce planning and local supply chain development needs;
4. A prioritised pipeline of current and planned local projects and infrastructure that will be continuously updated and form the basis for funding bids and joint investment;
5. Identification of opportunities for investment and industry development in priority homelands
6. Actions to be delivered within 2/5/10 year horizons - including immediate work required to support current projects in development, the development of business cases and feasibility studies for prospective new opportunities and the longer term strategic programs required to develop ongoing sustainable economic growth.

As part of this, DEEP will continue to support Djalkiripuyngu leaders to plan and implement coastal enterprise development by combining traditional knowledge about land and sea with scientific and business expertise from the CSIRO and leading aquaculture, agriculture, tourism, logistic and environmental industries.

Djalkiripuyngu leaders through the DAC and the Northern Territory Government and Developing East Arnhem Limited will continue to work together and support for investment attraction, industry development and core infrastructure development to attract private investment and business partnerships to create local jobs.

Is an Implementation Plan Required?

Yes, the Implementation will be a Blue Mud Bay economic development plan to be finalised by July 2023.

Commitments from the Northern Territory Government:

1. Provide facilitated support for the development and implementation of the Blue Mud Bay Economic Development Plan
2. Provide opportunities for funding/investment in enabling infrastructure, industry/business support, local economic development through the Aboriginal Business Development Program, Regional Economic Development Fund, Business Growth Program, and Remote Aboriginal Governance and Capacity Building Grant Program, Community Benefits Fund and Jobs Fund
3. Ensure Djalkiripuyngu leaders through the DAC have the opportunity to remain closely involved in East Arnhem Land Owner Prospectus and East Arnhem Forestry development strategy projects
4. Ensure DAC have the opportunity for further industry development through the East Arnhem Tourism Destination Management Plan with the support of DEAL.
5. Support the Mandjawuy Knowledge Water bottling project including through purchasing the bottled water through Northern Territory whole of government contracts and further investment opportunities through other Northern Territory Government programs where identified
6. Assist where possible to develop the Gan Gan and Baniyala tourism enterprises and others as they emerge.

Commitments from Djalkiripuyngu leaders through the DAC:

1. Provide ongoing business mentoring and support between Djalkiripuyngu homelands to encourage culturally centred enterprise development.
2. Use well established networks with national and international public and private institutions to develop and bring investment, business and employment opportunities to Djalkiripuyngu homelands.
3. Bring suitable land and sea ownership and rights to support investment and business/jobs development
4. Provide local work ready labour for employment/business and support for employees to participate in the workforce successfully through balancing cultural and employment responsibilities.
5. Support the establishment of businesses at Gan Gan and Wandawuy to encourage local jobs and industry growth.
6. Share business lessons with other homelands in the East Arnhem region.
7. Explore private and industry partnerships to encourage and facilitate private sector investment.

Relevant Partners and Stakeholders:

- Foundation Partner - Laynhapuy Homelands Aboriginal Corporation
- Developing East Arnhem Limited
- CSIRO
- Australian Government - NIAA
- Industry peak bodies and investors/businesses

Timeframes

Implementation Plan will be a Blue Mud Bay Economic Development Plan to be finalised by December June 2023 with 2 year and 5 year priorities and identified agreed actions.

Priority 6| Country, culture and heritage

Background and Context:

Djalkiripuyngu are responsible for the past, present and future of their country and homelands.

Djalkiripuyngu, like many Yolngu, have world renown as artists, dancers and cultural philosophers. The Djalkiripuyngu along with other Bāpurru leaders, led the homelands movement of the 1970s and using their culture and art had their sea rights recognised in 2008 by the High Court of Australia in the historic Blue Mud Bay case.

The Djalkiripuyngu are working with the Northern Land Council (NLC) for the Djalkiripuyngu Aboriginal Corporation to undertake Registered Native Title Body Corporate responsibilities for Blue Mud Bay No.2. These responsibilities would be transferred from the Top End (Default PBC/CLA) Aboriginal Corporation RNTBC.

IPAs, such as the Laynhapuy IPA (Indigenous Protected Area), are non-legislated protected areas, recognised by all Australian Governments as part of the National Reserve System of Protected Areas. IPA and associated ranger programs are administered by the Australian Government.

Djalkiripuyngu leaders, using their overlapping responsibilities on the Laynhapuy IPA steering committee; as Native Title holders and Traditional Owners, and through the DAC work to strengthen land and sea management, including local engagement in IPA management and delivery of the Indigenous Ranger Program.

The Northern Territory Government has management responsibility for coastal waters including the seabed, out to three nautical miles, and generally manages activities of Australia's territorial seas out to 12 miles. This includes the waters of Blue Mud Bay and waters around the Groote Archipelago.

Djalkiripuyngu create and produce significant artwork in their homelands which are represented and sold through two primary art centres in Yirrkala and Gapuwiyak. Djalkiripuyngu leaders, as artists and performers, contribute to the governance of their regional art centres as Directors and representatives to artist associations such as ANKA and the Australian Council. These art centres are also involved in the curation and preservation of cultural intellectual property at displays in art galleries and museums around the world.

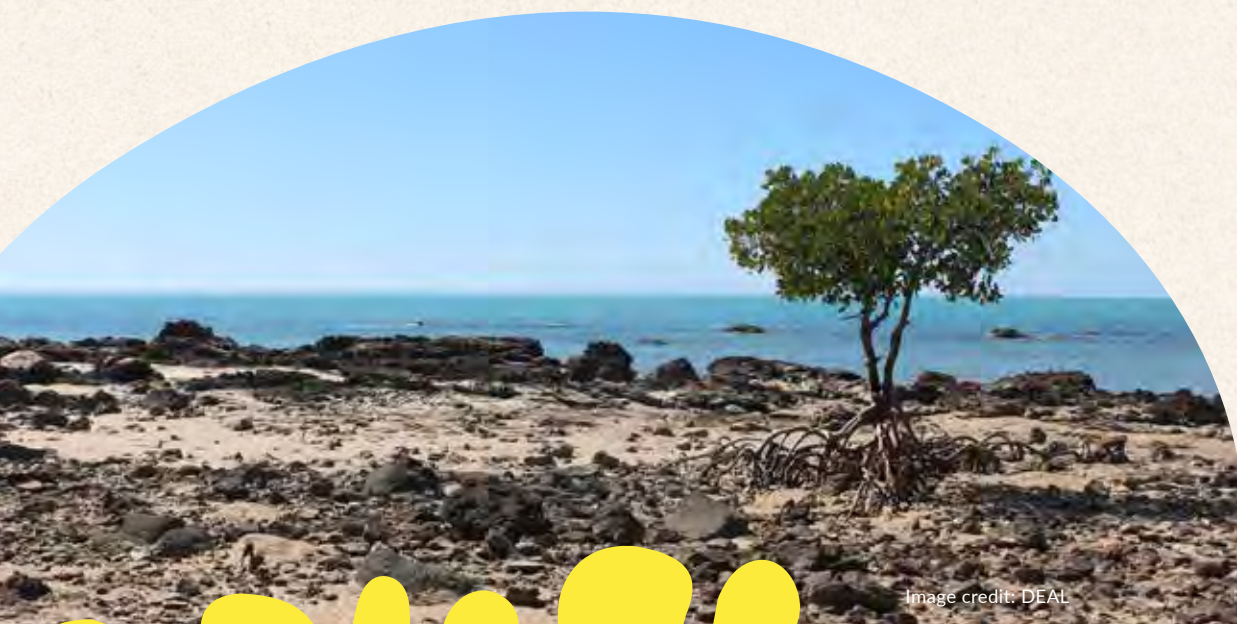


Image credit: DEAL

Outcome sought:

Recognition of the importance of country to Djalkiripuyngu - their deep spiritual connection, ongoing homelands residence, and custodial responsibilities - through stronger ownership rights, strengthening Djalkiripuyngu involvement in IPA management and ranger program delivery in Djalkiripuyngu areas, and ongoing support for regional governance arrangements.

Recognition of the strength and opportunity of Djalkiripuyngu homelands culture (arts, manikay/songlines and music) and history (ancient and modern) in the Northern Territory and wider Australia.

Strong Djalkiripuyngu participation, knowledge sharing and learning in Yolngu rom, ceremony, caring for country and arts and music/songlines.

Formal recognition of Djalkiripuyngu cultural heritage sites such as the sea rights Yingapungapu, Gan Gan massacre site and others as identified by Djalkiripuyngu leaders.

Djalkiripuyngu are supported to increase their involvement in the management and protection of their land and seas.

Effective alignment between the enterprises on country to enable and support future sustainability

Service delivery model proposed:

All Parties play a role in creation and advocacy of appropriate Northern Territory and Commonwealth policy that supports the continuation of strong Yolngu culture, Rom and customs.

A Djalkiripuyngu arts and cultural heritage management plan is developed and implemented which identifies key actions and implementation timeframes over the next two and five years.

Djalkiripuyngu have increased capacity and capability to engage:

1. in the exercising of their Native Title rights and interests over their land and seas; and
2. in the strategic direction and land and sea management of the Djalkiripuyngu ward of the Laynhapuy IPA.

Is an Implementation Plan Required?

Yes, the Implementation will be a Djalkiripuyngu arts, culture and heritage plan to be finalised by June 2023 with 2-year and 5-year actions.



Image credit: DEAL

Commitments from the Northern Territory Government:

1. Support the development and implementation the arts and cultural heritage management plan.
2. Support for access to heritage grants and process and continuing education support for learning on country.
3. Formal recognition of Djalkiripuyngu cultural heritage sites such as the sea rights Yingapuyapu, Gan Gan massacre site and others as identified by Djalkiripuyngu leaders.
4. Support for the planning and establishment of arts studios and places of production for artists.
5. Noting the limitation of Northern Territory Government jurisdictional responsibilities, support Local Decision Making for Djalkiripuyngu country management and sustainable natural and cultural resource enterprise activity.
6. Assist DAC in the development of marine programs through education, supporting business, fisheries and tourism initiatives.

Commitments from Djalkiripuyngu leaders through the DAC:

1. Protect and conserve key sacred sites and ensure future generations learn the song lines and patterns there in.
2. Continue to produce art per current and emerging practices'
3. Support artists in residence programs through new art production studios once established.

Timeframes

The Djalkiripuyngu arts and cultural heritage plan will be finalised by June 2023 with 2-year and 5-year actions.



Priority 7| Community, health and family wellbeing

Background and Context:

Homelands health services to the Djalkiripuyngu homelands are provided by LHAC and funded by the Australian and Northern Territory Governments. This funding provides a range of primary and allied health services. Secondary and tertiary level services are limited or require travel to Nhulunbuy (Gove District Hospital) or Darwin (Royal Darwin Hospital) to obtain.

Residents and visitors to the Djalkiripuyngu homelands and region do not have appropriate and timely access to emergency retrieval services. Emergency services to the Djalkiripuyngu homelands are coordinated by Laynhapuy Homelands, Northern Territory Health, St Johns, Mission Aviation Fellowship and Careflight. However, Careflight is not able to land its planes on many of the small airstrips, and none of the providers can land during evening-night and heavy weather conditions.

Careflight, the Northern Territory Government, and Laynhapuy Health, together with DEAL and other regional partners, are in the process of investigating options and undertaking the feasibility of establishing a Community Helicopter to be based at the Gove Airport to provide emergency services to East Arnhem, including the Blue Mud Bay region. Mission Aviation Fellowship have developed a new MAF Stretcher and Patient Lifting Device, fitted to exist MAF caravan aircraft.

Similarly, services for early childhood (0-5) and families are limited across the Djalkiripuyngu homelands, whereby to access requires residents to leave, wait times or lack of clarity about access to services available.

LHAC has recently received funding support from the Australian Government to establish the Children and Family Intensive Support service across the LHAC services region.

Outcome sought:

Djalkiripuyngu have access to appropriate emergency, primary, allied and tertiary health care and services and supporting infrastructure and improved access to early childhood and family services to support young people to grow up strong.

Is an Implementation Plan Required?

Yes - Develop plan for implementation of the Djalkiripuyngu Child and Family Centre by June 2023.

Commitments from the Northern Territory Government:

1. Work with the Australian Government, health services, regional partners and appropriate medivac services to the Djalkiripuyngu homelands (and others on the region with limited service). As part of this commitment:
 - a. Northern Territory DoH to continue discussions and negotiations with MAF and St Johns to improve Medievac services to North East Arnhem homelands
 - b. Northern Territory agencies to support the finalisation of the business case and feasibility report for a community helicopter to be based at Gove Air Port for servicing the East Arnhem region.
3. Investigate, scope and establish a place based Djalkiripuyngu Child and Family Centre to ensure children (0-5) and families of Djalkiripuyngu homelands have quality and culturally responsive access to programs that strengthen health, wellbeing, early learning and care.
4. Support the effective implementation of family support services across the homelands via Commonwealth and Northern Territory Government programs
5. Support planning and advocacy efforts by DAC and LHAC to achieve the improved health services for Djalkiripuyngu homelands.
6. Explore areas of opportunity for further development of health services and infrastructure with DAC and LHAC.

Commitments from Djalkiripuyngu leaders through the DAC:

1. Strongly advocate through appropriate forums for the fair and reasonable delivery of health services to remote Australians;
2. Participate in regional health and medical planning to improve understanding of how homelands contribute to healthy living;
3. Engage with health providers for improved resources, infrastructure and health service outcomes for Djalkiripuyngu homelands residents
4. Encourage healthy living in homelands amongst families;
5. Engage cultural leaders and Rom to discourage drug and alcohol use;
6. Encourage healthy eating through local shop supply of fresh food, continued practices of hunting and collecting local food sources;
7. Support regional health efforts to reduce the rates of smoking.

Timeframes

Homelands Medical Retrieval Feasibility Report finalised by December 2022 and, subject to agreement on next steps, coordinate an implementation plan.

Develop plan for implementation of the Djalkiripuyngu Child and Family Centre by June 2023.

Priority 8| Education

Background and Context:

On the Djalkiripuyngu homelands, education is delivered via:

- Baniyala Garrangali School (BGS)
 - o. Delivers primary and secondary education to Baniyala homelands. BGS is governed by a local school council and provide primary and secondary education aligned with the Northern Territory Curriculum in a Northern Territory Government facility. BGS has two resident teachers and several local teaching assistants.
- Laynhapuy Homelands School (LHS)
 - o. Delivers Primary education to Gan Gan, Wandawuy and smaller homelands. LHS is governed by the Laynhapuy Homelands School Council. The School provides teaching through fly in fly out teachers supplemented by several local teaching assistants. LHS offers the secondary education SHEP program at Garrathala homeland and is actively training Yolŋu teacher through partnership with the Cotton On Foundation.

Djalkiripuyngu homelands have comparatively high school attendance and attainment through Baniyala Garrangali School and Laynhapuy Homelands School. However, a number of challenges exist to improving attendance and attainment in homelands including:

- Teachers for even the larger Laynhapuy Homelands schools such as Wandawuy and Gan Gan fly in and fly out on a weekly basis reducing the number of contact hours with students
- Telecommunications is poor
- There is high level of resident mobility, including the regional communities and centres of Yirrkala and Nhulunbuy with challenges for many families in returning home
- Teacher training opportunities of local Yolŋu workforce.

Outcome sought:

Djalkiripuyngu have access to a good education in homelands that confirms both Yolŋu and Balanda learnings and skills to support long term sustainability of the homelands.

Service delivery model proposed:

It is not proposed to substantially adjust the education delivery model in Baniyala or the other Djalkiripuyngu homelands. Over time, the Djalkiripuyngu leaders and school councils may consider further models of community control and delivery under the Northern Territory Department of Education pathways to community control models including community controlled public schools and independent school models. The costs and benefits of these models to be explored over the first two years of the LDM agreement.

Initially, the Djalkiripuyngu leaders are seeking to strengthen the current models of education delivery at the Baniyala Garrañali School and Laynhapuy Homelands School. These strengthening arrangements include:

1. Support for stronger inter-school collaboration between BGS and LHS.
2. Provision of teacher housing at Gan Gan homeland and Wandawuy homelands to support greater teacher contact hours.
3. Minimum of three full time FTE at Baniyala School to support the early learning, primary and high school program including maritime industry and conservation and land management employment pathways
4. Support to grow and develop the local teaching workforce.
5. Plan upgrades to Baniyala Garrañali School, Gan Gan HLS and Wandawuy HLS that will support and strengthen the service delivery model and pursue funding opportunities
6. Provide support for the vocational and educational opportunities and enabling infrastructure for example recently completed maritime storage shed and funded commercial kitchen for home economics and hospitality training.



Commitments from the Northern Territory Government:

1. Provision of two teacher houses at Gan Gan, and if further agreed, Wandawuy by the end of 2023 for permanent placement of teachers through the school terms.
2. Development of education infrastructure improvement plans for each school and homelands learning centre per the below:
 - a. Baniyala Garrañali School
 - b. Gan Gan HLS
 - c. Wandawuy HLS
 - d. Other smaller Homelands Learning Centres
3. Minimum three full time FTE teachers at Baniyala Garrañali School over the life the agreement
4. Support the development of Yolŋu teachers over the duration of the agreement via the Laynhapuy Homeland School teacher training model or via the RATE program (noting the link between this program and improved telecommunications for remote learning models)
5. Planning for early childhood programs (playgroup or similar) at Baniyala Garrañali School and where necessary at the Laynhapuy Homelands School.

Commitments from Djalkiripuyŋu leaders through the DAC:

1. Commit to participating and contributing to the development of community controlled school models for the Djalkiripuyŋu homelands
2. Promote and work with families to ensure children and youth attend school on a daily basis and Learning on Country opportunities.
3. Identify suitable people for key roles including teaching assistants, assistant teachers and teachers.
4. Identify and provide land for the provision teacher GEH housing in Gan Gan and Wandawuy.

Timeframes

Implementation Plan to be finalised by December 2022.



Schedule 4 |

Schedule 4 details some Djalkiripuyngu homelands and their current levels of infrastructure and essential services.

Background and Context:

Baniyala/Yilpara (Bushtel Community ID: 458)

Baniyala is the largest homeland in the Northern Territory, located on the shores of Blue Mud Bay.

It is accessible via local road from the Central Arnhem Road which is managed by the Local Government Association of the Northern Territory. It is approximately 200km from Nhulunbuy.

Baniyala has developed with a figure eight road loop connecting its buildings. Most major infrastructure is built inside the loop, while residential buildings are located on the outside.

The north precinct contains a women's centre and a health centre along its southern boundary, and a shop and a residential building along its northern boundary. The telecommunications tower is also located in this precinct.

The north precinct is divided by an area that remains undeveloped due to seasonal flooding.

Baniyala services include:

- Baniyala Garrajali School
- Women's Centre
- Baniyala Store
- Health Clinic
- Ranger station
- Telecommunications tower
- Covered workshop
- Town offices
- Visitor accommodation
- Band stand
- Uncovered basketball court
- Volleyball and recreation area
- residential dwellings
- Airstrip adjacent to the homeland

- Several of these structures have at times been repurposed as temporary (and in two instances, more permanent) residential dwellings.

12km to the west are the Dholuwuy campgrounds, which have water and established camping facilities. 150m to the east is the small Stingray campgrounds which have 6 tent stands, shower and ablutions facilities for group camping tours.

Baniyala has reticulated power and water from a large diesel generator (with a back up generator) and solar bore pumps. Residents do not currently contribute to the costs of power generation and distribution.

Gan Gan (Bushtel Community ID: 498)

Gan Gan is a large homeland located inland on level country alongside the Latanba River with a population of around 60-100 people. It is accessible via local road from the Central Arnhem Road which is managed by the Local Government Association of the Northern Territory. It is approximately 240km from Nhulunbuy. There is currently no direct road connection between Baniyala and Gan Gan, except to travel out to the Central Arnhem Road and into each homeland.

Residential and community infrastructure has been developed along two parallel roads that run the length of the community.

Gan Gan facilities include:

- a training centre and which includes short term teacher accommodation,
- homelands school,
- women's centre,
- old community office (unused),
- health clinic,
- basketball court
- ranger shed.

Gan Gan has recently opened a community shop in an old house, which is supported by the Laynhapuy Health program.

Gan Gan has reticulated power and water from a large diesel generator and solar bore pumps. Residents do not currently contribute to the costs of power generation and distribution.

To the west, Gan Gan has a memorial to the massacre of Yolŋu that occurred in the early 1900s.

To the east, Gan Gan has an airstrip that requires vehicle transport for access.

Wandawuy (Bushtel Community ID: 557)

Wandawuy is a large homeland located inland along the Wyonga River with a population of approximately 90 people.

It is accessible via local road from the Central Arnhem Road which is managed by the Local Government Association of the Northern Territory. It is approx 150km from Nhulunbuy.

Residential and community infrastructure have been developed along a town road that runs parallel to the airstrip for the full length of the community.

Wandawuy facilities include:

- a new homelands school,
- old community office,
- health clinic,
- basketball court,
- Ranger shed and
- A shop – recently re-opened with the support of Laynhapuy Health

Wandawuy has reticulated power and water from a large diesel generator and solar bore pumps. Residents do not currently contribute to the costs of power generation and distribution.

Dhurruputji (Bushtel Community ID: 554)

Dhurruputji is a small homeland located next to the Garrangali delta that feeds into Grindall Bay.

It is accessible via the Gan Gan road off the Central Arnhem Road and is approx 240km from Nhulunbuy.

Residential and community infrastructure have been clustered around the small office and school facility.

Dhurruputji facilities include: a small homelands school and community office, and health clinic.

Dhurruputji has reticulated water with solar bore pumps, but each house or facility operates with independent 'bush light' system.

To the east is the Durabudboi River. To the west is the airstrip.

Mandjawuy (Rurrangala) (Bushtel Community ID: 480)

Mandjawuy is a small homeland located at a natural spring which flows to the Wyonga River which is home to 15-30 people.

It is accessible via the Baniyala road off the Central Arnhem Road and is approx 200km from Nhulunbuy.

Mandjawuy facilities include: a small homelands school, clinic, an airstrip and houses.

Mandjawuy has reticulated water with solar bore pumps, but each house or facility operates with independent 'bush light' systems.

Public and private sector funding has been secured to establish the Knowledge Water bottled water factory on a lot near the. The Arnhem Beverage Company will produce Knowledge Water, a carton based 'bottled' water product from a factory located adjacent to the Mandjawuy homeland. Profits from this factory and wholesale sales will support education via the Munyuku (Clan) Trust.

Essential Services provision

The Djalkiripuyngu Homelands receive municipal and essential services from Laynhapuy Homelands Aboriginal Corporation (LHAC) through funding from Northern Territory Government's Department of Territory Families, Housing and Communities (TFHaC). This includes annual operational funding and capital grants when required. More recently, for example, TFHaC provided a capital grant to upgrade the diesel generators at Baniyala.

Diesel costs to generate electricity represent the most significant costs from the notional Laynhapuy municipal and essential services funds allocated to each of these homelands. The Australian Government, via the National Indigenous Australians Agency's Aboriginal Benefits Account, has committed funds for Solar Hybrid upgrades to power systems in Baniyala and Gan Gan. The Northern Territory Government via TFHaC provided a corresponding commitment of funding for these projects also.

Infrastructure connectivity

Access to Djalkiripuyngu Homelands is limited and only via unsealed local roads which are subject to minor flooding and managed by the Local Government Association of the Northern Territory. Most homelands small unsealed charter airstrips which are restrictive in terms of the size and weight of aircraft which can land. These airstrips are in varying condition. There is no formal board launching or barge landing facilities in Blue Mud Bay.

Homelands surveys and masterplans for development

Baniyala has developed a simple masterplan to support its development over time. Gan Gan and Wandawuy and the small homelands have not undertaken such processes.

Baniyala has secured funding for cadastre survey through DIPL which will support extended land tenures under already to secure capital investment. Gan Gan and Wandawuy and the small homelands are not yet undertaking these processes.

Telecommunications access

Telecommunications services are limited to service provider use of NBN CO Skymuster products and community payphones. Access to mobile phone services or residential broadband services is very limited or non-existent.

Barraratipi

Barraratipi is a small family outstation located on Djarrakpi road on entry to Cape Shield.

It is accessible via Djarrakpi road off the Central Arnhem Road and is approx 180km from Nhulunbuy. Djarrakpi road may not be passable in the wet season.

Barraratipi contains four residential buildings.

To the west is Blue Mud Bay and to the east is the Gulf of Carpentaria. An airstrip is located in the middle of the outstation.

Djarrakpi (Bushtel Community ID: 482)

Djarrakpi is a small family outstation located on Cape Shield on the coast of the Gulf of Carpentaria.

It is accessible via Djarrakpi road off the Central Arnhem Road and is approx 207km from Nhulunbuy. Djarrakpi road may not be passable in the wet season.

Djarrakpi contains three residential buildings. The airstrip is 20 walk north east of the outstation.

Baygurrjtji (Bushtel Community ID: 463)

Baygurrjtji is a small family outstation located on the bank of the Koolatong River.

It is accessible by Baygurrjtji Road on the turn off from the Central Arnhem road along Numbulwar road.


Baygurrjtji is approximately 280km from Nhulunbuy and 103km south of Gapuwiyak.

Gurkawuy (Bushtel Community ID: 516)

Gurkawuy is a family outstation on the coast of Trial Bay which is home to approximately 6 people with 3 permanent dwellings.

It is accessible via Gurkawuy rd from the turn of Bukudal road on the Central Arnhem Road.

Gurkawuy is approximately 160km from Nhulunbuy and has an airstrip directly opposite the dwellings.

A circular photograph showing a person standing in a field. The person is wearing a white tank top and dark pants. To their left is a tall flagpole with a flag that has a yellow circle on a blue background. In the background, there is a sunset over a line of trees. Several other flagpoles are visible in the distance. The scene is enclosed in a circular frame.

‘Support strong governance
for all Djalkiripuyngu homelands
to develop and prosper
according to the views and
needs of the Traditional Owners
and residents and for
future generations.’

