



Australian Government

EXECUTIVE DIRECTOR OF TOWNSHIP LEASING  
Annual Report 2011-2012



“The reason is so why I’m going to get my power back instead of waiting for somebody else to tell me what to do, I rather a decision by my own people; you know work together, with my people. Somebody else started coming in telling me what to do, I don’t like it, I rather ... my own people telling me what to do. That’s the reason I went that track with the town leasing business it’s the only way to get to something going.

– Robert Tipungwuti  
Traditional Owner Wurankuwu.



**Australian Government**  
**Office of Township Leasing**

The Hon Jenny Macklin MP  
Minister for Families, Community Services and Indigenous  
Affairs Parliament House  
Canberra ACT 2600

Dear Minister,

I am pleased to present to you the Annual Report of the Executive Director Township Leasing for the financial year 2011–12, for your presentation to Parliament in accordance with sub-section 20R(1) of the Aboriginal Land Rights (Northern Territory) Act 1976.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Greg Roche'.

Greg Roche  
A/ Executive Director

Aboriginal and Torres Strait Islander readers should use caution when reading this report as it may contain images or references to deceased persons.

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# EXECUTIVE DIRECTOR'S REVIEW

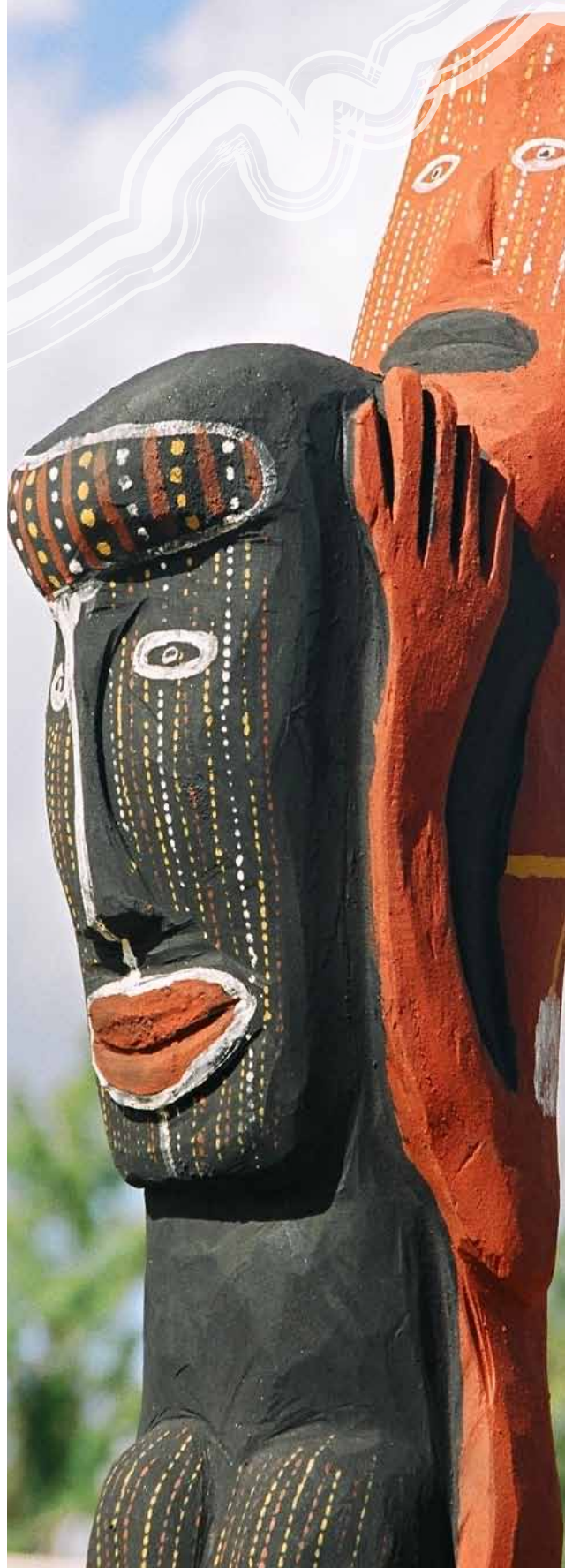
The financial year 2011–12 has been one of growth for the role of Executive Director Township Leasing and for the Office of Township Leasing.


This is the fifth year that the Executive Director, assisted by the staff in the Office, has administered Whole of Township Leases. Since the signing of the first Whole of Township Lease over Wurrumiyanga in the Tiwi Islands in 2007, we have undertaken significant work to develop the policies and processes required to implement Whole of Township Leases and to secure subleases.

Work has also gone to build the relationships which are integral to our role and to our ability to promote the spirit of the Whole of Township Leases, namely to facilitate economic development through tenure reform, in partnership with Traditional Owners and their representative bodies.

This has been achieved in conjunction with the residents of Wurrumiyanga and, from 2008, those of Umbakumba and Angurugu on Groote Eylandt and Milyakburra on Bickerton Island. My particular thanks go to the consultative forum members in each community who have provided ongoing support and valuable advice. Throughout the process I have had the privilege of working with the senior Traditional Owners and watching with enthusiasm their mentoring of the next generation. Members have continued to demonstrate the value they place in the township leasing model and the ongoing economic benefits to them and to their community.

I am pleased to report that a second Whole of Township Lease in the Tiwi Islands was





signed this year, over the townships of Milikapiti and Wurankuwu. This occurred after renewed negotiations between the Tiwi Land Council on behalf of the Tiwi Land Trust and the Department of Families, Housing, Community Services and Indigenous Affairs. Through our experience of managing existing township leases, the Office is well placed to administer the roll-out of subleases in Milikapiti and Wurankuwu in the coming year.

A Tiwi combined consultative forum was held after the Milikapiti and Wurankuwu signing which saw the Mantiyupwi Land Owners from Wurrumiyanga host and showcase their experiences. The Tiwi's also extended an invitation to the Gunbalanya Traditional Owners, who attended to learn firsthand the benefits of township leasing.

Another significant achievement in the Whole of Township Lease space this year was the signing of subleases with the Northern Territory Government over its assets in Wurrumiyanga, Angurugu, Umbakumba and Milyakburra. On 18 May 2012 I entered into 62 subleases with the Northern Territory Government, represented by the Department of Business and Employment, the Department of Housing, Local Government and Regional Services, and Indigenous Essential Services Pty Ltd. The Northern Territory Government now pays rent over almost all of its assets on township leases.

The agreement with the Northern Territory Government recognises the significance of the Traditional Owners role as land owners. The rental payments will provide an ongoing income stream which will support future investment in each township by the land owners.

Another benefit of the negotiations with the Northern Territory Government is the establishment of an agreed rental methodology that can be applied to new

Whole of Township Lease sites and in other lease negotiations. The methodology was developed in partnership with the Central Land Council and Northern Land Council as well as the Northern Territory Government. I would like to acknowledge their role and thank them for their support.

As tenure is resolved in the townships, the promotion of economic development within them is becoming an increasing focus. Traditional Owner organisations such as Mantiyupwi in Wurrumiyanga, as well as Groote Eylandt and Bickerton Island Enterprises, Lagulalya, Aminjarrinja, and Warningakalinga on the Groote Archipelago now operate within the townships. This year new Traditional Owner organisations for Milikapiti and Wurankuwu were incorporated following the signing of the lease. I am also pleased to report increasing investment from outside the community, such as a new petrol station proposed in Milikapiti and a supermarket in Wurrumiyanga.

My office and I will work through the relevant consultative forums to further promote investment in the townships, from within the community and without, in the coming year.

The Anindilyakwa Land Council and the Tiwi Land Council have been invaluable partners in the management of the Whole of Township Leases, including by participating in consultative forums and providing on the ground logistical support and advice. My thanks go to them.

Work arose throughout the year from the leases held by me over the 17 Alice Spring town camps and the housing precincts in Lajamanu and Ntaria (Hermannsburg) held under section 19 of the Aboriginal Land Rights Act (Northern Territory) 1976. The holding of section 19 leases is becoming a growing part of the Executive Director's role.

In 2011–12 work continued to create cadastral survey boundaries for the Alice Springs town camps. This work will assist in regularising land administration in each of the town camps and in future management of the land, which could include facilitating the tenure necessary to underpin home ownership. The survey work has not proceeded as quickly as I would have liked, due to a shortage of qualified surveyors in the Northern Territory. I am confident the project will be completed in the forthcoming year. We continue to work closely with the Alice Springs Transformation Plan staff, Northern Territory Government agencies, the housing associations and Tangentyere Council in relation to the town camps.

My office and I have continued to work across all levels of government and with other stakeholders to deliver my statutory functions. Minister Macklin and her office have continued to support these functions and we have an excellent working relationship. I would like to extend my thanks to the Australian Government's Department of Families, Housing, Community, Services and Indigenous Affairs (FaHCSIA) and in particular the Land Reform Branch which has policy responsibility for the Aboriginal Land Rights (Northern Territory) Act 1976.

I would also like to thank various agencies across the Northern Territory, including the Land Tenure Unit, the Northern Territory Surveyor-General's Office and the Department of Lands and Planning and Land Titles Office for ongoing assistance provided during the year.

The work that continues in the township leased areas has demonstrated that this land management model provides the best option for Aboriginal communities in the Northern Territory to build a sustainable market for future generations. Work has continued to facilitate economic

participation with Traditional Owners and community residents, including the expansion of business ventures and facilitating home ownership.

My office and I look forward to working in partnership with all Traditional Owners and community residents and will continue to provide information to interested communities.









## REPORT OF THE EXECUTIVE DIRECTOR TOWNSHIP LEASING FOR THE YEAR ENDED 30 JUNE 2011

Subsection 20R(1) of the Aboriginal Land Rights (Northern Territory) Act 1976 provides that the Executive Director Township Leasing must as soon as practicable after the end of each financial year prepare and give to the Minister for presentation to the Parliament a report on the operations of the Executive Director for the year.

of the Aboriginal Land Rights (Northern Territory) Act 1976 (Land Rights Act). It is an independent statutory office that falls under the portfolio responsibility of the Minister for Families, Community Services and Indigenous Affairs. In the year under review Greg Roche was the acting Executive Director Township Leasing.

### ESTABLISHMENT OF THE OFFICE OF EXECUTIVE DIRECTOR TOWNSHIP LEASING

The position of Executive Director Township Leasing is established under section 20B

## **FUNCTIONS OF THE EXECUTIVE DIRECTOR TOWNSHIP LEASING**

The Executive Director of Township Leasing was established to hold and administer certain types of leases on behalf of the Commonwealth. These are set out in section 20C of the Land Rights Act and include:

### **(i) Whole of Township Leases**

Section 19A of the Land Rights Act allows Aboriginal Land Trusts to grant a lease of a township on Aboriginal land to an approved entity (a Whole of Township Lease). The Executive Director of Township Leasing is an approved entity for this purpose.

The Executive Director may enter into Whole of Township Leases on behalf of the Commonwealth and administer such leases, including the issuing of subleases and other rights and interests derived from such leases. The Executive Director does not negotiate the terms and conditions of Whole of Township Leases; such negotiations are conducted on behalf of the Commonwealth by the Department of Families, Housing, Community Services and Indigenous Affairs.

It is the aim of Whole of Township Leases to regularise land tenure arrangements in the townships and facilitate economic development opportunities for the benefit of Aboriginal Traditional Owners and all residents of the communities.

### **(ii) Section 19 leases**

Under section 19(3) of the Land Rights Act, Aboriginal Land Trusts may grant an estate or interest in land to the Commonwealth for any public purpose (section 19 leases). The Executive Director may enter into these leases on behalf of the Commonwealth and administer them and any subleases and other rights and interests derived from them.

Currently the Executive Director Township Leasing holds several housing precinct leases under this provision.

(iii) Leases and subleases over community living areas, Alice Springs living areas and prescribed land

Subsection 20CA of the Land Rights Act allows:

- the proprietor of a community living area
- the proprietor of a town camp
- the holder of prescribed land granted primarily for the benefit of Aboriginal people in the Northern Territory

or

- the lessor of prescribed land granted primarily for the benefit of Aboriginal people in the Northern Territory to enter into a lease or sublease with the Executive Director of Township Leasing, who will administer the lease or sublease.

Currently the Executive Director Township Leasing holds leases over 17 of the Alice Springs town camps under this provision.

Section 19 leases and subsection 20CA leases provide Aborigines and their representative organisations with further options regarding leasing of land and the opportunity for sustainable investment by government in communities.

## **FUNCTIONS OF THE OFFICE OF TOWNSHIP LEASING**

The Office of Township Leasing is the administrative arm providing operational support to the Executive Director Township Leasing. The Office assists the Executive Director with negotiating land tenure arrangements, facilitates economic development opportunities through commercial subleasing and provides access to individual home ownership through residential subleasing arrangements. The Office works with Traditional Owners through the establishment of local consultative forums.

The Office also enters into contractual arrangements with industry professionals

such as surveyors, valuers and property consultants. The Office provides advice to the Executive Director, including on new development proposals, and liaises with government departments, local government shires and non-government organisations.

In 2011–12 the Office also participated in working groups for the Groote Eylandt and Bickerton Island Regional Partnership Agreement (RPA), and the Local Implementation Plan (LIP) for Wurrumiyanga.

## RESPECT FOR TRADITIONAL CULTURE

The Executive Director of Township Leasing and the Office of Township Leasing respect the spiritual and custodial relationship Traditional Aboriginal Owners have over land and waters.

All of the Tiwi Islands and the Groote Eylandt Archipelago Whole of Township Leases formally acknowledge this. They also acknowledge that:

- Traditional Owners remain the custodians of the cultural heritage of the land
- some knowledge belongs only to specific members of the Aboriginal community
- certain information is inaccessible to all except those deemed appropriate by the Aboriginal community.

In discharging his functions the Executive Director Township Leasing must make reasonable efforts to ensure that all sublessees are familiar with and show respect for Aboriginal tradition as it applies to the land. Subleases issued by the Executive Director have clauses that deal directly with respect for Aboriginal culture.

Sacred sites are protected under Northern Territory Government legislation. As part of the administration of township leases, the Office of Township Leasing has engaged the Aboriginal Areas Protection Authority (AAPA) to identify sites of significance within the lease boundaries. AAPA certificates have also been issued for each Alice Springs town camp.

The Executive Director also gains invaluable advice from the members of the local consultative forum concerning Aboriginal culture in each of the leased communities.

The Executive Director Township Leasing is required to obtain sacred site clearances through the Central Land Council for the section 19 housing precinct leases in the Central Land Council's region.

## ADMINISTRATIVE ARRANGEMENTS

In 2011–12 the Executive Director Township Leasing operated out of both Canberra and Darwin, with the Office of Township Leasing located in Darwin.

During the year the Office comprised seven staff, namely the Director Northern Territory, three Assistant Directors, two Senior Project Officers and an Administrative Assistant trainee to manage the day-to-day operations of the Office.

The Office of Township Leasing is staffed by public servants engaged under the Public Service Act 1999 and employed by the Department of Families, Housing, Community Services and Indigenous Affairs.





## OPERATIONS DURING 2011-12

### LEASES HELD BY THE EXECUTIVE DIRECTOR OF TOWNSHIP LEASING 2011-12 WHOLE OF TOWNSHIP LEASES

To date the Executive Director of Township Leasing has entered into three Whole of Township Leases over six Aboriginal communities. The communities are Wurrumiyanga, Wurankuwu and Milikapiti on the Tiwi Islands, Angurugu and Umbakumba on Groote Eylandt and Milyakburra on Bickerton Island.

#### Tiwi Islands Whole of Township Leases

##### Wurrumiyanga

The first Whole of Township Lease was entered into by the Executive Director Township Leasing on 30 August 2007 over the township of Wurrumiyanga (previously known as Ngiuu), Bathurst Island.

The Mantiyupwi, Traditional Owners of Wurrumiyanga, received an advance rental payment of \$5 million at the time of the signing of the lease. Some of these funds

were used to establish a trust with a business enterprise arm, Mantiyupwi Pty Ltd. In turn, using the advance payment, Mantiyupwi Pty Ltd has invested in several projects both in Wurrumiyanga and more broadly. These are discussed later in the report.

#### Milikapiti and Wurankuwu

This financial year saw a second Whole of Township Lease signed in the Tiwi Islands when, on 22 November 2011, a lease was entered into over the communities of Milikapiti on Melville Island and Wurankuwu on Bathurst Island.

Whole of Township Leases are negotiated by the Department of Families, Housing, Community Services and Indigenous Affairs on behalf of the Commonwealth. The Office of Township Leasing attended lease negotiations in the lead up to the lease signing. The Traditional Owners of Milikapiti and Wurankuwu were inspired to enter negotiations after seeing the benefits to Wurrumiyanga from its Whole of Township Lease; however, each wanted their own community needs recognised. The meetings discussed the communities' aspirations, in

which economic development featured highly.

The Whole of Township head lease was signed by Tiwi Aboriginal Land Trust, the Tiwi Land Council and the Executive Director with a term of 99 years. The lease covers the footprints of the Milikapiti and Wurankuwu townships as well as some vacant land to accommodate new development in the communities.

Milikapiti and Wurankuwu Traditional Owners agreed to a single township lease because of the strong historical and Traditional Owner affiliations across the two communities; however, the lease has separate provisions for each community on key matters. For example each community has established its own local consultative forum under the lease.

As part of the township lease agreement the Milikapiti and Wurankuwu communities received an advance rental payment of \$1 760 000 and \$190 000 respectively for the first 15

years operation of the lease, and a community benefits package. The community benefits package comprised \$160 000 for Wurankuwu and \$3 million for Milikapiti. In accordance with community wishes this has been spent on a multipurpose demountable for Wurankuwu, and will go towards housing in Milikapiti.

Following the model of Mantiyupwi, the Traditional Owners have chosen to invest part of the advance payment to establish trusts, with business arms to facilitate investment, including in their own communities. Milikapiti's is Wulirankuwu Trust and its business arm is Wulirankuwu Pty Ltd, which was registered on 16 February 2012. Wurankuwu's is the Portaminni Trust and its business arm is Portaminni Pty Ltd, which was registered on 29 February 2012.



## Groote Eylandt Archipelago Whole of Township Lease

### Angurugu, Milyakburra and Umbakumba

In December 2008 the Anindilyakwa Land Council and the Anindilyakwa Land Trust, representing the Traditional Owners of Groote Eylandt and Bickerton Island, entered into a Whole of Township Lease with the Executive Director Township Leasing over the communities of Angurugu, Umbakumba and Milyakburra.

The head lease is for an initial period of 40 years with an option exercisable by the Executive Director for a further 40 years.

As part of signing the township lease the Traditional Owners of the communities of Angurugu, Umbakumba and Milyakburra received an advance payment of \$4.5 million for the first 15 years rent. The community also benefited through a Regional Partnership Agreement.

## SECTION 19 HOUSING PRECINCT LEASES

Under the National Partnership Agreement on Remote Indigenous Housing major investment in assets on Aboriginal land requires secure tenure arrangements, such as long term leases, to support the implementation of tenancy management reforms. In the case of the recent significant investment in housing on land held under the Land Rights Act, this can be provided for by housing precinct leases under section 19 of the Land Rights Act. Housing precinct leases to date have been held by the Northern Territory Government or the Executive Director Township Leasing on behalf of the Commonwealth.

A housing precinct lease over community housing ensures government has the necessary level of access to and control over land so new houses can be built and existing houses can be maintained. It also enables standard property and tenancy management arrangements to be put in place. Unlike a Whole of Township Lease, a housing precinct lease only covers community housing and







does not allow the Executive Director to enter into commercial subleasing arrangements.

On 29 June 2011 the Executive Director Township Leasing entered into housing precinct leases over all current community housing areas in Lajamanu and Hermannsburg. The term of each lease is 40 years. The Executive Director then entered into a housing under-lease with the Chief Executive (Housing) on behalf of the Northern Territory Government. The under-lease allows the Northern Territory to manage and maintain the public housing in these communities.

Subject to negotiations between the Department of Families, Housing, Community Services and Indigenous Affairs and the Central Land Council, it is anticipated that the Executive Director will enter into further housing precinct leases in the Central Land Council region in the coming year.

#### ALICE SPRINGS TOWN CAMPS SUBLEASES

The Alice Springs town camps living areas are held by individual housing associations under perpetual leases, either by a special purpose

lease or crown lease. In 2009, the Executive Director Township Leasing on behalf of the Commonwealth entered into subleases with 17 of the housing associations for a term of 40 years.

Simultaneously, the Executive Director signed a Housing Management Agreement with the Northern Territory Government, represented by the Department of Lands and Planning, which then under-leased all identified housing lots to Territory Housing to provide tenancy management and repairs and maintenance. The responsibility for all other areas within the town camp boundary sits with the Department of Lands and Planning, including open spaces, roads, parks and community centres.

In 2011–12 the Executive Director has been involved in discussions regarding the future management of the town camps. The Northern Territory Government is developing a tender for the provision of future housing services and the Executive Director has been working to ensure all other assets within the town camps are maintained into the future and to enable the continuation of service delivery.

Alice Springs town camps where the Executive Director holds subleases are listed in the table on the next page.

Housing Association	Town Camp
Mpwetyerre Aboriginal Corporation	Abbotts
Ilparpa Aboriginal Corporation	Ilparpa
Karnte Aboriginal Corporation	Karnte
Lhenpe Artnwe Aboriginal Corporation	Hoppys
Anthelk-Ewlpaye Aboriginal Corporation (2)	Charles Creek Kunoth
Akngwertnarre Association Incorporated	Morris Soak
Anthepe Housing Association Incorporated	Drive In
Aper-Alwerrkng Association Incorporated	Palmers
Ewyenper-Atwatye Association Incorporated	Hidden Valley
Ilperle Tyathe Association Incorporated	Warlpiri
Ilyperenye Association Incorporated	Old Timers
Inarlenge Community Incorporated	Little Sisters
Mount Nancy Housing Association Incorporated (2)	Mount Nancy Basso
Yarrenyty-Arltere Association Incorporated	Larapinta
Nyewnete Incorporated	Trucking Yards



## INTEREST FROM OTHER COMMUNITIES

The Executive Director continues to make himself available to communities interested in the various leasing arrangements that he can hold and administer. In 2011–12 several communities expressed an interest in the concept of whole of township leasing.

Gunbalanya Traditional Owners attended a consultative forum meeting on the Tiwi Islands (see the section **Consultative Forum**) to discuss leasing and for the Tiwi Islanders to share their experiences about the benefits of township leasing. The Executive Director hosted a follow-up session for the Gunbalanya Traditional Owners.

## COMMUNITY PROFILES

### Tiwi Island Communities

The Tiwi Islands, which consist of Bathurst and Melville islands, are 100 km north of Darwin. The Aboriginal population call themselves the Tiwi people.

Nicknamed the Islands of Smiles, the Tiwi people are coastal Aborigines with a culture distinctly different to those on the mainland. Their strong traditions are still a very important part of everyday life today and they have successfully combined traditional and modern lifestyles, incorporating Christianity with their continuing cultural and religious beliefs.

The Tiwi people are world famous for their art—traditional forms of paintings on bark and canvas, wood carvings, silk screened cloth, weaving and pottery. The Tiwis are also known for their love of sports, in particular Australian Rules Football.

**Wurrumiyanga** is on the south-east corner of Bathurst Island, 70 km north of Darwin. It was established as a mission and has a population of approximately 1500 people. In 1978 the Tiwi Land Trust was granted ownership over Wurrumiyanga and the rest of the Tiwi Islands. Wurrumiyanga was identified as a Territory Growth Town under the Northern Territory Government's Working

Future initiative. The community now consists of a growing residential area and a commercial centre. It has a police station, health centre, swimming pool and airfield. The Executive Director holds a 99 year Whole of Township Lease over Wurrumiyanga.

**Milikapiti** has a population of approximately 450 people and is on the northern coast of Melville Island. There is a variety of services in Milikapiti, including a school and preschool, sports and social club, medical clinic, garage, shop and working farm. Milikapiti also receives a fortnightly barge freight service

Established in 1940 as a welfare branch settlement, during World War II it was a military depot. As a result it has a jetty and airstrip, which is known as Snake Bay. In 1978 the Tiwi Land Trust was granted ownership over Milikapiti and the rest of the Tiwi Islands. The Executive Director holds a 99 year Whole of Township Lease over Milikapiti.

**Wurankuwu** is a community on the western side of Bathurst Island. It was established in 1994 as a resource and population centre on a site formerly used as a military depot during World War II. As a legacy from that time Wurankuwu has an airstrip and jetty. The community has a fluctuating population of up to 80 people. Along with the rest of the Tiwi Islands Wurankuwu lies on land granted to the Tiwi Land Trust in 1978. The Executive Director holds a 99 year Whole of Township Lease over Wurankuwu.

## GROOTE EYLANDT AND BICKERTON ISLAND COMMUNITIES

Groote Eylandt is the third largest Australian island with an area of 2687 square kilometres. It was named 'Great Island' by the Dutch explorer Abel Tasman in 1644 and has been home to the Anindilyakwa Aboriginal people for hundreds of years. The island is on the western side of the Gulf of Carpentaria close to the Northern Territory mainland.

The Warnindilyakwa people tell of being brought to Groote Eylandt on a series of song lines that created the land, rivers, animals and people and that named everything pertaining to the region. The language Anindilyakwa is spoken by the 14 clan groups that make up the two moieties on Groote Eylandt.

Bickerton Island lies between Groote Eylandt 13 km to its east and the mainland of Australia 8 km to its west.

**Angurugu** is on Groote Eylandt, an island 50 km off the Arnhem Coast in the Gulf of Carpentaria, about 650 km east of Darwin. Established as a missionary station in 1943, it became Aboriginal freehold in 1976. It is now the largest Aboriginal community on Groote, with a population of approximately 1269 people. It is close to the Groote Eylandt Airport, which is owned and maintained by GEMCO, a subsidiary of BHP which mines manganese at Groote. There are regular scheduled flights to Darwin and Nhulunbuy, and the community is also serviced by a weekly freight barge from Darwin.

Angurugu has a school and preschool, aged care facility, police facility and several shops, including a supermarket. Angurugu was identified as a Territory Growth Town under the Northern Territory Government's Working Future initiative. The Executive Director holds a 40 plus 40 year Whole of Township Lease over Angurugu.

**Umbakumba** is also on Groote Eylandt. The community began in 1938 as a base for harvesting trepang and as a service point for Qantas flying boats. In 1976 it became Aboriginal freehold, along with the rest of Groote Eylandt, and is now the second largest Aboriginal community on Groote with a population of around 459.

Situated on the north-east coast approximately 50 km from the airport and the Township of Angurugu, it has a school, aged care facility and supermarket. It

receives a fortnightly barge freight service. Umbakumba was identified as a Territory Growth Town under the Northern Territory Government's Working Future initiative. The Executive Director holds a 40 plus 40 year Whole of Township Lease over Umbakumba.

**Milyakburra** is a small community of approximately 110 people on Bickerton Island. It has an airstrip, store and school, and is serviced by a fortnightly freight barge service from Darwin. The Executive Director holds a 40 plus 40 year Whole of Township Lease over Milyakburra.

## Other Communities

The Central Land Council region covers 771, 747 square kilometres of remote land in the southern part of the Northern Territory. There are 15 Aboriginal language groups and the area is divided into nine sub-regions. The Executive Director now holds 40 year housing leases over both Lajamanu and Ntaria (Hermannsburg) communities in the Central Land Council region.

**Lajamanu's** population is estimated at around 700 people. The community is approximately 560 km south-west of Katherine, a six hour drive along sealed and unsealed roads. Located on the northern edge of the Tanami Desert, it began in the late 1940s as an Aboriginal reserve. In the 1970s it came under the management of the Lajamanu Council, the first community government council in the Northern Territory. Lajamanu was identified as a Territory Growth Town under the Northern Territory Government's Working Future initiative. The Executive Director holds a 40 year housing precinct lease in Lajamanu.

**Ntaria (Hermannsburg)** is 130 km south-west of Alice Springs by sealed road, and has an airstrip five minutes drive from town. A former mission, Ntaria is now home to approximately 600 people. Ntaria has a school and a well established art centre and museum. The Executive Director holds a 40 year housing precinct lease in Ntaria.

The **Alice Springs town camps** are largely distinct Aboriginal communities in Alice Springs, held by individual housing associations under perpetual lease. It is estimated that up to 2000 people live in the town camps including Arrente people, the Traditional Owners of Alice Springs and its surrounds, and Traditional Owners from elsewhere in the Northern Territory. Since the early 1970s Tangentyere Council has been assisting in the development of the town camps and is the major service provider to them.

In 2009 the Australian and Northern Territory governments announced a joint initiative, the Alice Springs Transformation Plan, which aims to expand social support services and reduce homelessness through the establishment of temporary and transitional accommodation and through housing and infrastructure upgrades to Alice Springs town camps.

The Executive Director entered into subleases with 17 of the housing associations on behalf of the Commonwealth for terms of 40 years.

## NEGOTIATION OF SUBLEASES AND UNDER-LEASES WHOLE OF TOWNSHIP LEASING

A central purpose of each whole-of-township head lease is to facilitate the development of the Township and improve the prosperity and wellbeing of its inhabitants.

Fundamental to this is regularising land tenure arrangements within each community, including issuing and administering subleases. Long-term subleases provide security for investors over their assets, encouraging the government and private investment in townships that is essential for economic development.

Since the head leases were executed over Wurrumiyanga and Groote in 2007–08, the Executive Director has entered into subleases with most existing occupiers over their assets. This now includes the Northern Territory Government, which in May 2012

entered into 62 subleases with the Executive Director over government infrastructure in Wurrumiyanga, Angurugu, Milyakburra and Umbakumba.

The next priority for the Office is the negotiation with East Arnhem Shire Council and Tiwi Islands Shire Council over their assets in these communities. Discussions have commenced with the Northern Territory shires. In a similar approach to that taken to negotiating the Northern Territory Government subleases, the Executive Director is working with the two mainland Northern Territory land councils to promote consistency across all land held under the *Aboriginal Land Rights (Northern Territory) Act 1976*.

It is a requirement of each head lease that existing interests in land are protected. A variety of tenure arrangements have often developed in townships prior to a Whole of Township Lease signing and these may or may not have been formalised. If the arrangements have been formalised it is most commonly through section 19 leases under the *Land Rights Act* with the relevant land council.

In 2011–12, following the signing of the head lease over Milikapiti and Wurankuwu the Office undertook a due diligence exercise to identify the existing interests in each community. Due diligence requires gathering information on a lot by lot basis. This includes examining land councils' records, conducting site visits and asking occupiers to identify their interests. Negotiations have begun around issuing commercial subleases in Milikapiti and Wurankuwu, and progressing subleases in these townships will be a priority in 2012–13.

## SIGNING OF SUBLEASES WITH THE NORTHERN TERRITORY GOVERNMENT

The Northern Territory Government is one of the major service providers and holders of infrastructure on Aboriginal land in the Northern Territory. It has therefore been a priority of the Executive Director and the Office of Township Leasing to secure subleases over Northern Territory Government infrastructure.

The Office of Township Leasing partnered with the Central Land Council and Northern Land Council to negotiate a consistent approach with the Northern Territory Government to subleasing on Aboriginal land. In 2011–12 rental methodologies and asset classifications were agreed between the parties. The cooperation and professionalism of relevant land council staff is gratefully acknowledged in this exercise.

On 18 May 2012 the Executive Director signed 62 subleases with the Northern Territory, represented by the Department of Business and Employment, the Department of Housing, Local Government and Regional Services, and Indigenous Essential Services Pty Ltd. The subleases cover infrastructure in Wurrumiyanga, Angurugu, Milyakburra and Umbakumba such as health facilities, police stations, power stations and government employee housing.

The lease signings are a significant achievement for Traditional Owners both symbolically and financially. The signings have provided templates that will assist the roll-out of leases across future Whole of Township Lease sites.

This Office acknowledges the efforts of the team at the Northern Territory Regional Services Land Tenure Service Delivery Coordination Unit in the Department of Housing, Local Government and Regional Services to coordinate sublease negotiations on behalf of the Northern Territory Government.

## SECTION 19 HOUSING PRECINCT LEASES

In 2011–12 negotiations occurred between the Department of Families, Housing, Community Services and Indigenous Affairs and the Central Land Council (representing the land trusts), to secure further section 19 housing precinct leases in the Central Land Council's region. These will be held by the Executive Director, who is directly negotiating with the Chief Executive (Housing) of the Northern Territory

Government for a housing management under-lease. Negotiations are anticipated to be finalised in the 2012-13 year.

## TOWN PLANNING WHOLE OF TOWNSHIP LEASING

Each whole-of-township head lease requires compliance with Northern Territory laws and any planning scheme that may apply to the lease sites. A key piece of legislation for the administration of the township leases is the Northern Territory *Planning Act*, which plans for and provides a framework of controls over the orderly use and development of land in the Northern Territory.

The *Planning Act* provides for a single integrated Northern Territory planning scheme under which different development assessment processes apply to each area depending on:

- whether the land is zoned
- the length of an intended lease, licence or other right to occupy or use the land
- whether a cadastral survey can be conducted.

On 6 January 2012 the Northern Territory Government gazetted Wurrumiyanga under part 8 of the *Planning Act*, meaning it is now zoned and has a gazetted area plan and zoning map. Angurugu, Umbakumba and Milyakburra were previously gazetted under part 8 in 2010.

In 2011–12 the Office has worked with the Northern Territory Government to combine its database with the Integrated Land Information System (ILIS). ILIS is the Northern Territory Government's internal, centralised database for land related information, including cadastres, land titles, land valuations, land use, planning and development assessment, building control, land administration and land acquisitions. Once this project is completed it will ensure the Office has access to the most comprehensive and up-to-date information regarding the land it administers.



## DEVELOPMENT WHOLE-OF-TOWNSHIP LEASING

For the purposes of the planning process the Executive Director is the land owner/ land holding entity. The Office assisted in relation to this role throughout 2011-12, from providing the initial land owner approval for developers to enter land in order to commence the application process to providing permission to construct once the Department of Lands and Planning has approved development.

Significant time was spent in initially assessing development proposals (including presenting proposals to the relevant consultative forum) and in managing stakeholder interests.

Development projects were progressed to various stages on Groote Eylandt and Bickerton Island during the year. Projects included proposed residential units at the aged care centre and a 15 lot subdivision in Angurugu, building a cyclone shelter on Milyakburra and a proposed five lot subdivision in Umbakumba for staff housing, all projects which are occurring under the aegis of the Groote Eylandt and Bickerton

Island Regional Partnership Agreement. At Milikapiti development proposals to build a petrol station and an overnight facility for police officers were advanced.

## GROOTE EYLANDT BICKERTON ISLAND ENTERPRISES ABORIGINAL CORPORATION (GEBIE) – Facilitating development on Groote Eylandt

GEBIE was established as an Indigenous Corporation in 2001. The objective of the Corporation is to work with Governments and other organisations, to foster community development and undertake infrastructure and economic programs to enhance the social wellbeing of its members.

GEBIE is involved in a wide variety of commercial activities, including investment in local businesses and direct engagement in infrastructure development projects through its subsidiary, GEBIE Civil and Construction. Other activities include an Art Centre, retail shop, landscaping, education, language and health support, a Women's Centre and a Job Shop which works to improve training and skills development and increase employment opportunities for local job seekers.



In 2011–12 the Executive Director facilitated tenure to allow several projects to progress in which GEBIE and all levels of Government are committed under the Regional Partnership Agreement (RPA).

Such projects include the development of additional accommodation at the Angurugu Aged Care facility, Government staff housing at Angurugu and Umbakumba and a new Health Clinic at Umbakumba to mention but a few.

The Angurugu Aged Care facility is run by East Arnhem Shire Council. With the elderly population on Groote projected to rise, there is a desire in the community to increase the facility's capacity, in particular so it can offer 24 hour residential care. Currently there is no on-site housing for staff to allow this to happen. Through the RPA it was agreed to build three residential staff units. Following extensive community consultation and in its role under the Whole of Township Lease, the Office endorsed the construction of the residential units. The Office provided a letter of support to GEBIE allowing the development

application process to proceed. Once it was approved, an interim access agreement was arranged with the East Arnhem Shire Council, allowing construction to commence.

Another project under the RPA is the development of housing in Angurugu and Umbakumba for NT Government staff. In Umbakumba a site opposite the newly developed community housing infrastructure has been agreed. At Angurugu, a vacant block of land situated adjacent to the Aged Care facility has been ear-marked for this development. As a greenfield site and thus requiring the development of a fully-serviced subdivision, the Office has facilitated tenure for the project and helped coordinate discussions around how to meet various stakeholder needs in the subdivision design.

A new Health Clinic has been committed in Umbakumba with GEBIE and the NT Government working to develop an enhanced service delivery through the provision of improved infrastructure. Again, the Office has worked with GEBIE to facilitate tenure for the project.



These important projects will provide much needed infrastructure to the communities as well as providing job opportunities for local people.

## CADASTRAL SURVEYS, LAND VALUATIONS WHOLE OF TOWNSHIP LEASING



For lots to be subleased, land must first be surveyed and valued. A cadastral survey of a township provides an accurate map on which lots can be identified, including their numbers, sizes and proximity to infrastructure such as roads. For a sublease to be registered by the Land Titles Office of the Northern Territory, the sublease must include a survey registered by the Northern Territory Surveyor-General. A land valuation forms the basis upon which rent for the lot can be determined.

To support subleasing under the Milikapiti and Wurankuwu head lease the Office commissioned cadastral surveys of existing infrastructure in the townships and engaged a licensed valuer to determine the unimproved capital value of the individual lots. The cadastral surveys are currently with the Northern Territory Surveyor-General for approval.

As new developments are proposed, new surveys or amendments to existing cadastral surveys may be required. In Milikapiti the Office commissioned a survey over previously unused land in the centre of the town to

create an eight lot subdivision and thus expand the potential area for commercial activity. Leases are being progressed over two of the lots.

## ALICE SPRINGS TOWN CAMPS

In 2011–12 the Office continued its work to carry out full cadastral survey boundaries for each of the 17 Alice Springs town camps. Contractors have been engaged and the surveys will be completed early in 2012–13.

This survey work will enable the Northern Territory Government to designate street names and allocate lot numbers. This will have beneficial flow-on effects to residents, such as the ability to receive mail delivered to their home address.

The Executive Director greatly appreciates the professional advice and assistance received from the Office of the Northern Territory Surveyor-General, the Northern Territory Department of Lands and Planning and their staff to complete this work.

## PROPERTY MANAGEMENT

The Executive Director Township Leasing outsources administration, rental reviews and collection of minor rental arrears to a Darwin-based commercial property manager. Through this arrangement the Office gains professional advice, access to property management software and an independently audited trust account.

From time to time the Office also undertakes miscellaneous activities regarding property management.

## HOME OWNERSHIP

The Australian and Northern Territory governments are committed to private Indigenous home ownership in remote communities and community living areas of the Northern Territory. The Executive Director of Township Leasing is required to facilitate home ownership under the Alice Springs town camp leases and, supported by the Office, worked to achieve this outcome across these

and the Whole of Township Lease sites.

Expressions of interest in home ownership were received from Alice Springs and Wurrumiyanga. The Executive Director continues to work with residents to facilitate home ownership.

The Executive Director and the Office have also worked in close partnership with the Northern Territory Government, the Department of Families, Housing, Community Services and Indigenous Affairs and Indigenous Business Australia so that home ownership becomes a choice available to all Aboriginal people living on land leased by the Executive Director.

During the year the Executive Director and the Office staff took part in the Home Ownership Working Group convened by the Northern Territory Department of Business and Employment.

The majority of residents in Wurrumiyanga who have entered into home ownership have continued to report a positive experience and are proud of the choice they have made.

## CONSULTATIVE FORUMS WHOLE OF TOWNSHIP LEASING

The Tiwi Islands and Groote Archipelago Whole of Township Leases require that consultative forums be established, consisting of community members nominated by the land trust (for the Tiwi Islands) or the land council (for the Groote Archipelago).

The forums are crucial in the governance of the leases: they discuss land use and other issues in relation to the performance of the lease and facilitate communications between parties. Importantly the forums have regard to the interests of the land trust, the Traditional Owners and other legitimate community interests, recognising the multiple interests within the townships.

In 2011–12 consultative forums were held for Wurrumiyanga, Wurankuwu and Milikapiti, and jointly for Groote Eylandt and Bickerton Island. The Groote Eylandt and Bickerton Island forum included representatives from Umbakumba and Angurugu; however representatives from Milyakburra were





unable to attend due to ceremonial obligations.

The forums were provided with updates on the leasing process, including proposed commercial subleases, and economic development opportunities. At the Wurrumiyanga consultative forum the Permanent Residents Register was presented and the forthcoming Wurrumiyanga five year review discussed. The local shire council and Australian Government Business Managers have attended to make presentations.

As well as these regular forums, Tiwi Islands consultative forum members invited the Traditional Owners of Gunbalanya to a combined Tiwi Islands consultative forum to hear about the Tiwi experience of whole-of-township leasing. Gunbalanya Traditional Owners heard presentations from senior Tiwi Traditional Owners, the Tiwi Land Council, Mantiyupwi Pty Ltd and the Office of Township Leasing.

In addition to the consultative forums staff from the Office of Township Leasing made regular visits to the Whole of Township Lease sites to liaise with consultative forum members, residents and other stakeholders, such as the land councils, shire councils and local businesses.

### ALICE SPRINGS TOWN CAMPS

The Alice Springs town camps subleases also require the Executive Director Township Leasing to establish a consultative forum. The Alice Springs living areas consultative forum consists

of one nominee of the Executive Director and five nominees of the relevant housing associations. The purpose of the forum is to facilitate communication with Alice Springs town camp residents on land use and other legitimate community issues. In 2011–12 the forum met twice and discussed the operation of the subleases.

### SECTION 19 HOUSING PRECINCT LEASES

There is no requirement for the Executive Director to establish a consultative forum under the Lajamanu and Hermannsburg housing precinct leases, however the sublease entered into between the Executive Director and the Northern Territory Government requires the Northern Territory Government to consult with the community through the establishment of a housing reference group.

### ECONOMIC DEVELOPMENT

Traditional Owners and other community members can harness whole-of-township leasing to contribute to economic and community development aspirations. Whole-of-township leasing can do this through:

- providing a framework for community discussion around existing infrastructure and economic opportunities and identifying where gaps might exist
- making investment in townships more attractive through providing security of tenure and providing a clear legal framework to establish commercial operations

- providing upfront payments and longer term guaranteed income streams to Traditional Owners through rental returns that can be used for investment.

On the Tiwi Islands, Traditional Owners have established trusts with business arms in each community. These trusts manage the investment of the upfront payment received at the time of the signing of the Whole of Township Lease and also take advantage of the opportunities created by leasing.

Mantiyupwi Pty Ltd, established by the Traditional Owners of Wurrumiyanga, is now in its fourth year and has entered into several land tenure agreements in Wurrumiyanga. One agreement allows for the operation of a highly successful mobile food van with a joint venture partner and another allows for the construction of two workers camps it has under-leased to subcontractors working in the community.

In 2011-12 Mantiyupwi Pty Ltd was close to finalising the tenure and development proposals for a shopping complex in Wurrumiyanga, which is expected to be built in 2012-13. The complex includes a supermarket and a series of smaller shopfronts that will provide space for established businesses

to enter Wurrumiyanga or for new local businesses to start up. This year also saw the establishment of Portaminni Trust, Portaminni Pty Ltd, Wulirankuwu Trust and Wulirankuwu Pty Ltd, which will perform a similar role for the Traditional Owners of Wurankuwu and Milikapiti respectively.

On Groote and Bickerton Island Traditional Owner organisations have also been major investors in their communities and have positively engaged with the operation of the township lease. Aminjarrinja Enterprises Aboriginal Corporation is owned and operated by the Traditional Owners of Umbakumba. It facilitates training for local Indigenous workers and provides a variety of services related to the building and construction industry and essential services. Examples of Aminjarrinja's contract work as of June 2012 include completing renovations and rebuilds of 66 houses at Umbakumba and Milyakburra under the Strategic Indigenous Housing and Infrastructure Program (SIHIP), providing garbage collection for Angurugu and Alyangula, and providing periodic maintenance for the Northern Territory Government in the electrical, refrigeration, plumbing and carpentry fields. Aminjarrinja is also investing in businesses within Umbakumba and beyond. Its investment portfolio now includes a motel





in Darwin. Aminjarrinja runs its operations out of Umbakumba where it has secured a number of leases over workshops and staff residences. It has used several funding sources to develop its business, including funds from the township lease that have been used to purchase plant and equipment.

On Bickerton Island Lagulalya Aboriginal Corporation was established by the Traditional Owners and is becoming a growing force in its community. Lagulalya has a long-term vision for the economic, social and cultural development of Bickerton Island and sees greater community involvement, ownership and responsibility for service delivery and development activities as central to this. In 2011–12 Lagulalya secured tenure over the Milyakburra Business Centre, a facility providing short and long term office services and overnight accommodation, and was working with the Office to formalise tenure arrangements over the Milyakburra Store.

As might be expected in a town of its size, Angurugu is a hub of business activity. Several Aboriginal-run organisations operate in the township, including GEBIE which is mentioned elsewhere in the report, and Warningakalinga Aboriginal Corporation which is currently negotiating with the Office to take over management of Angurugu's shopping complex.

## WHOLE OF TOWNSHIP LEASE REVIEW REQUIREMENTS

A review mechanism is built into each existing whole-of-township head lease whereby on certain dates, including the fifth anniversary of the lease commencement, the relevant

consultative forum reviews the lease operation. The fifth anniversary of the Wurrumiyanga head lease falls on 30 August 2012. In 2011–12 the Executive Director commenced discussions with the Wurrumiyanga consultative forum, the Tiwi Land Council and the Department of Families, Housing Community Services and Indigenous Affairs (which has a policy role on behalf of the Commonwealth in relation to the head lease) regarding the review process and contents.

It is anticipated that the review will look to strengthen the township lease and incorporate any operational improvements.

## SERVICES PROVIDED BY OTHER BODIES

In 2011–12 the Executive Director Township Leasing engaged:

- the Aboriginal Areas Protection Authority to provide a revised Authority Certificate for Wurrumiyanga as part of the Office's administration of the Wurrumiyanga Whole of Township Lease
- registered surveyors to prepare and lodge cadastral survey plans for Milikapiti and Wurankuwu as part of Whole of Township Lease negotiations and to undertake surveys of the Alice Springs living areas
- a licensed valuer to calculate the unimproved capital value of land at Milikapiti and Wurankuwu as part of the administration of the Whole of Township Lease
- a licensed property manager to maintain and manage collection of lease payments and maintain an audited trust account
- a website designer to host the Office of Township Leasing website.

No consultants were engaged in 2011–12.

## EXPENDITURE STATEMENT

Under subsection 64 (4A) of the Land Rights Act the activities of the Executive Director Township Leasing are funded from the Aboriginals Benefit Account (ABA). Full financial details of the Aboriginals Benefit Account can be found in the financial statements of the Department of Families, Housing, Community Services and Indigenous Affairs, which are submitted to the Minister under subsections 63(2) and 70(2) of the Public Service Act 1999, and to the Finance Minister under section 50 of the Financial Management and Accountability Act 1997. The statements are subject to scrutiny through the Senate Estimates process.

**Details of expenditure arising from the activities of the Office for the year ended 30 June 2012 are provided below.**

	(\$'000)
Employee expenses	828
Travel-related expenses	160
Contractor services	275
Total expenditure	1 433





“ (Milikapiti) are really looking forward to signing this deal. The difference before and now, the traditional owners always and always will still own the land, but this is actually having it on paper, it's security, it's a long term goal for people to have their own security over their own place. Before yes it was their own land, but they could never make a deal with it because its all crown land, Aboriginal land, you can't do much with it, but with the leasing scheme now it allows traditional owners to go ahead and start their own businesses, it allows private enterprise to come in onto the Islands to promote employment and economic development, so there is a big change with Township leasing.

– Andrew Tipungwuti







“ With monies from the office of township leasing we were ... able to expand our operations by way of being able to purchase much needed plant and equipment. This also provided employment for Indigenous people.

– Quote, Aminjarrinja

**EXECUTIVE DIRECTOR OF TOWNSHIP LEASING**  
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