



Australian Government

# EXECUTIVE DIRECTOR OF TOWNSHIP LEASING

Annual Report 2015-2016





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

The Hon Nigel Scullion  
Minister for Indigenous Affairs  
Parliament House  
Canberra ACT 2600

Dear Minister,

I am pleased to present to you the Annual Report of the Executive Director of Township Leasing for the financial year 2015–16, for your presentation to Parliament in accordance with subsection 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  
Executive Director  
Township Leasing



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**Executive Director of Township Leasing Annual Report 2015-16.**

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## EXECUTIVE DIRECTOR TOWNSHIP LEASING REVIEW

In the year under review my Office continued to progress the implementation of Township Leasing and prepare for some significant milestones.

On 30 August 2007 the community of Wurrumiyanga on the Tiwi Islands was the first to enter into a Township Lease. As part of the Township Lease agreement an advance payment was made to the Mantiyupwi Land Trust, to be paid back by the collection of rent within the first 15 years of the operation of the lease. Some thought the advance would never be repaid.

I anticipate that the advance payment will be paid back in the second half of 2016, only nine years from signing of the Township Lease. Once that occurs, all rent collected in the future should ultimately flow to the Mantiyupwi Family Trust and can be used for investment and economic development. During this reporting period my Office has held preliminary discussions with the Tiwi Land Council around the mechanism for payment.

All Township Leases include a review mechanism which provides an opportunity for the parties to look at improving the Lease. In November 2016 the Township Lease that covers Milikapiti and Wurankuwu is due to be reviewed. My Office has commenced planning and I am looking forward to working with the Milikapiti and Wurankuwu Consultative Forums and the Tiwi Land Council as we undertake the review of the Township Lease. The process will be greatly assisted by the previous reviews completed for the Wurrumiyanga and Groote Eylandt Township Leases.

One of the great pleasures of my position as Executive Director has been working with the different Consultative Forums, seeing them go from strength to strength, and getting to know individual members over time. I am always impressed for example by the attendance at our meetings with the Wurrumiyanga Consultative Forum and the depth of interest the members of all Consultative Forums show in the matters we discuss. This enthusiasm means that land owners and community members are active participants in the management of their town and that I can formalise decisions knowing that the Consultative Forum is fully informed and supportive.

I am pleased to report that the inaugural meetings of the newly established Consultative Forums for Angurugu, Umbakumba and Milyakburra were held in this reporting period. Prior to the five year review of the Groote Eylandt and Bickerton Island Township Lease, which is one lease covering the three communities, there was only one Consultative Forum. The review prompted an amendment to the lease enabling the establishment of a Consultative Forum for each community but with capacity to convene a whole of Groote Eylandt Archipelago Consultative Forum to meet all together to discuss any issues which may be relevant to all communities. This practical change makes our meetings more immediately relevant to everyone attending and provides the opportunity to broaden membership and cover local business in greater depth.

I would like to congratulate the Anindilyakwa Traditional Owners and their Land Council for

successfully concluding their lengthy mining lease negotiations with the Groote Eylandt Mining Company (GEMCO) in late June. The new mining agreement will see GEMCO extend mining operations into the Eastern Leases and begin exploration in Groote Eylandt's Southern Areas.

Due to the returns from GEMCO's manganese mining operations on Groote Eylandt, Anindilyakwa Traditional Owners are well placed to capitalise on their continuing financial security and to invest in economic development opportunities for the benefit of all the Aboriginal residents in the townships and throughout the whole Archipelago. The new agreement ensures a reliable stream of funding to the Anindilyakwa Traditional Owners well into the future.

I would like to thank the Wurrumiyanga Consultative Forum and the Milikapiti Consultative Forum for their generosity in welcoming Traditional Owners from other groups who are interested in a township lease for their community. In August 2015 representatives of the Yarralin community travelled to Wurrumiyanga to attend a Consultative Forum meeting as observers, and Traditional Owners from Gunbalanya were made welcome in Milikapiti. In May 2016, members of the Mutitjulu community and a staff member from the Central Land Council made the long trip to Wurrumiyanga for a meeting of the Milikapiti Consultative Forum. These visits provide an invaluable opportunity for interested land owners to see firsthand how the Consultative Forum operates and speak privately with other Traditional Owners members to get their views on township leasing.

In response to a high level of interest from Consultative Forum members and other key stakeholders in each of the regions, I have

facilitated a series of workshops to discuss community housing and in particular the requirements of a sustainable community housing model. Further detail about the workshops is contained in the body of this report but it is an opportune time to have the discussion due to a number of converging factors: the readiness of Traditional Owners to take on opportunities in social housing, the Northern Territory Government renewing its commitment to social housing, and the Australian Government giving consideration to the last stages of the National Partnership Agreement on Remote Indigenous Housing. I will continue to facilitate the discussion into the next reporting period in order to allow each region to consider all the key aspects and make a fully informed decision on the pathway forward. At no stage have I or any of my Office staff argued for a particular model of community housing or indeed for community housing per se, but it is part of our role to assist the Traditional Owners to make well informed decisions on these issues.

I would like to thank the Central Australian Affordable Housing Company, Yilli Rreung Housing and Murdi Paaki Regional Housing for participating in these workshops and sharing their valuable knowledge and experiences.

I have reported previously on my frustration with the lack of commitment from governments to establish a policy position in relation to the Alice Springs Town Camps. A Housing Management Agreement for the Town Camps was executed in 2009 for a period of three years. The Agreement gave the Northern Territory Government responsibility for all infrastructure, housing and municipal services within each Town Camp.

The Agreement was extended for a further year in 2012, however from December 2013

Angurugu river mouth



*Milyaburra Consultative Forum meeting*

the Northern Territory Government has remained in occupation of the Town Camps on a monthly tenancy under the same terms and conditions. It is well past time the Northern Territory Government made a decision about its long-term commitment to the Town Camps and what form that commitment should take.

Although I continue to raise this important issue with both Governments, no negotiations have occurred and no clear position has been reached, which leaves the Agreement in its current state. This is a less than satisfactory outcome which continues to impede residents' aspirations for any further development in the Town Camps, including individual home ownership. I am pleased to welcome the news that the Northern Territory Government has committed to a Town Camp Review, and that the Northern Territory and Australian Governments are finalising a new housing policy, which may provide a positive pathway forward.

I reported last year that there had been some renewed momentum in the private home

ownership sector in the Township Lease communities. In 2014 the Chief Minister announced the Northern Territory Government's policy and funding commitments to remote home ownership where there is long term, tradeable tenure. Eligible public housing tenants on the Tiwi Island and the Groote Eylandt Archipelago could purchase the house they were living in and funding was committed to support the process and provide incentives via grants.

Since that welcome announcement my office has continued to work with the Northern Territory Government, Indigenous Business Australia and other stakeholders to formalise the sales process. However no sales have been concluded to date. The process could be made much less bureaucratic for interested home buyers to allow for a more efficient pathway to individual home ownership.

The Department of the Prime Minister and Cabinet has responsibility for negotiating township leases and during this reporting period the Department has continued to hold

township lease discussions with a number of communities and their respective Land Councils throughout the Northern Territory. Some of those discussions include consideration of varied leasing models, including the holding of a Lease by a local Traditional Owner organisation with support from myself and the Office of Township Leasing, and a model which transitions from administration by the Executive Director to the local organisation over time. None of those negotiations have been finalised within the last year but I am pleased with the level of interest shown by Traditional Owners in the potential for leasing on Aboriginal land.

I and staff from my Office have attended some of the lease negotiation discussions over recent months to provide procedural advice regarding how each lease would operate once signed and discuss both my role and that of the Office of Township Leasing in each case. To that end we have attended meetings in Jabiru, Yarralin, Mutitjulu, Pirlangimpi, Gunyangara and Binjari.

As I mentioned above, the Wurrumiyanga and Milikapiti Consultative Forums have very kindly welcomed attendance from Mutitjulu, Yarralin and Gunbalanya Traditional Owners to talk about how their respective township leases work and to show them how a Consultative Forum meeting is run.

I would like to record my thanks, as always, for the support I have received from the Office of Township Leasing, and in particular that of the Director, Ms Pennie Weedon. Thanks are also due to the work of the Department of the Prime Minister and Cabinet, which conducts lease negotiations and provides office, IT and financial infrastructure to myself and the Office. Staff and officers of the Tiwi and Anindilyakwa Land Councils have provided invaluable practical and moral support. Finally, a thank you to the Minister for Indigenous Affairs and his advisers, with whom we continue to enjoy a constructive working relationship.

# REPORT OF THE EXECUTIVE DIRECTOR OF TOWNSHIP LEASING FOR THE YEAR ENDED 30 JUNE 2015

Subsection 20R(1) of the Aboriginal Land Rights (Northern Territory) Act 1976 provides that the Executive Director of 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.

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

The position of the Executive Director of Township Leasing is established under section 20B of the *Aboriginal Land Rights (Northern Territory) Act 1976* (Land Rights Act). The position is an independent statutory office that falls under the portfolio responsibility of the Minister for Indigenous Affairs.

The position of Executive Director was established to hold and administer leases on behalf of the Commonwealth in the Northern Territory. The Executive Director cannot hold freehold title land and does not negotiate leases on behalf of the Commonwealth: such negotiations are conducted by the Department of the Prime Minister and Cabinet. In February 2013 Mr Greg Roche was appointed as the Executive Director of Township Leasing for a period of five years.

## OFFICE OF TOWNSHIP LEASING

The Office of Township Leasing is the office of the Executive Director of Township Leasing and it provides operational support to the Executive Director. It also works with the local Consultative Forum groups and wider community, business and government stakeholders.

## ADMINISTRATIVE ARRANGEMENTS

In 2015-16 the Executive Director of Township Leasing operated from offices in Canberra and Darwin. The Office of Township Leasing was located in Darwin and consisted of a Director and six other full time positions. The Office of Township Leasing is staffed by public servants engaged under the Public Service Act 1999 and employed by the Department of the Prime Minister and Cabinet.

## RESPECT FOR TRADITIONAL CULTURE

Aboriginal people have a deep spiritual connection to their traditional lands and every aspect of their lives is connected to it. Life and law originates and is governed by the land bringing a sense of identity and belonging. Recognition and acknowledgement of that spiritual connection is fundamental to the Township Lease.

The Executive Director of Township Leasing and the Office of Township Leasing respect the spiritual and custodial relationship that Aboriginal Traditional Owners have over their land and waters and their responsibility to maintain and protect sites of significance.

Sacred sites in the Northern Territory are protected under the Northern Territory Aboriginal Sacred Sites Act 1989 (NT) and the Land Rights Act. Each Township Lease also includes provisions for the protection of sacred sites.

As part of its role of administering Township Leases, the Office of Township Leasing engages the Northern Territory Aboriginal Areas Protection Authority to identify all sites of significance within the boundaries of each Township Lease and issue an Authority Certificate. The Authority Certificate provides guidance on determining areas that can or cannot be developed. The Executive Director also benefits from advice from local Consultative Forums about cultural sites located within Township Lease boundaries.

The Aboriginal Areas Protection Authority has also issued Authority Certificates to the Northern Territory Government in relation to each of the Alice Springs Living Areas and for Housing Precinct Leases. Housing Leases that are located in the Central Land Council region require the Executive Director to also obtain sacred site clearances from the Central Land Council.


The Executive Director aims to accommodate traditional and community decision making processes through working closely with the Consultative Forum and in partnership with the Land Councils. The Consultative Forum is the voice of Traditional Owners when talking about land use and developments in a Township Lease community and the Executive Director works with a Consultative Forum membership structure that reflects local landowner cultural decision making.

## WHOLE OF TOWNSHIP LEASES HELD BY THE EXECUTIVE DIRECTOR 2015-16

Section 19A of the Land Rights Act allows Aboriginal Land Trusts to grant a Whole of Township Lease over a community on Aboriginal land to the Executive Director of Township Leasing.

Township Leases are entered into following voluntary negotiation between the Australian Government and Traditional Owners, represented by the respective Land Council and Land Trust. Township Lease negotiations may take some time for all parties to reach agreement. One of the main benefits of a Township Lease, once it has been established, is that the Executive Director may grant long term subleases comparatively quickly compared to other forms of leasehold interests on Aboriginal land.

The aim of a Township Lease is to regularise all current tenure arrangements and to facilitate new economic development in the community by providing governments, investors, businesses and home buyers with secure, tradeable land tenure. Current Township Lease terms range from 80 to 99 years.

In the year under review the Executive Director held three Township leases covering six communities. See Table A for details. 

### THE TOWNSHIP LEASE MODEL

There are many facets to the Township Leasing model which can provide a platform for Traditional Owners and communities to create economic opportunities while respecting the underlying Aboriginal land tenure.

Unlike many lease agreements the grant of a Township Lease recognises the importance of continuing cultural connections and obligations, whilst providing opportunities for community and individual economic development. The model ultimately sustains the Traditional Owners' cultural responsibilities whilst empowering them to be part of the decision making process alongside the Executive Director of Township Leasing in efforts to provide for the community's future.

The Township Lease system has brought about change unlike any seen before, as for the first time Aboriginal people living on their traditional lands have been able to access finance and invest in private home ownership and in private enterprise.

Each Township Lease has varied slightly, however there are two fundamental financial components of each of the current Township Leases: an Advance Rental Payment and a Community Benefits Package. The amounts involved of each component have varied depending on circumstances.

All Township Leases that have been negotiated have included an Advance Rental Payment, which is a payment made to the Traditional Owners as an advance rental payment based on estimated sublease rental income for the first fifteen years of the lease. The Advance Rental Payment is an advance from the Aboriginals Benefit Account. The Advance Rental Payment to the Traditional Owners is an upfront, lump sum payment made upon

signing the Township Lease and provides funding for the Traditional Owners, should they wish, to invest in economic projects located both in their Townships and / or elsewhere. To date the Traditional Land Owning groups have invested in a wide variety of projects but they have been principally invested in long-term economic opportunities that are intended to provide economic sustainability for future generations.

During the first fifteen-year period all the rental income collected by the Office of Township Leasing is returned to the Aboriginals Benefit Account to refund the Account for the Advance Rental Payment. If the total rental income exceeds the amount of the Advance Rental Payment prior to the fifteenth anniversary of the Township Lease signing, then the rental income received is paid directly to the Traditional Owners through the Land Council. If the advance payment is not recouped by the Aboriginals Benefit Account in full by the fifteen year anniversary of the signing of the Township Lease then there is no requirement to continue to repay the Aboriginals Benefit Account and at the fifteen-year anniversary the annual rental payment to the Traditional Owners commences automatically.

The whole community also benefits from the signing of a Township Lease through a separate payment specifically for community projects known as the Community Benefits Package. Projects delivered under this package are usually negotiated and managed by the Department of the Prime Minister and Cabinet. Traditional Owners have to date carefully considered the needs and priorities of their community and this has been reflected in the varied community projects that have been implemented across each of the Township Leases.

On the signing of the Township Lease all existing land tenure arrangements within the Township that existed to that date become the responsibility of the Executive Director to administer, including the collection of rent. The Executive Director is required to enter into leasing arrangements with all the other occupiers of land within the township. These arrangements must be established applying sound commercial principles, including the payment of market rent.

Each township lease also establishes a Consultative Forum, which is a crucial way for the Executive Director to engage and consult with land owners on all developments in the community. Details of the makeup and operation of the Consultative Forums are found elsewhere in this Report.

Each of the township leases has a review mechanism to enable the members of the local Consultative Forum and the Executive Director to review the Township Lease every five years to ensure that all the lease terms and conditions reflect current community values, Northern Territory legislation and any other applicable laws. Changes to the township lease must be agreed by the Land Council and the Minister for Indigenous Affairs and formalised by a Deed of Amendment to the Head Lease.

### INTEREST IN TOWNSHIP LEASING FROM OTHER COMMUNITIES

In 2015-16 the Executive Director and representatives of the Office of Township Leasing attended meetings in Gunbalanya (Oenpelli), Pirlangimpi (Garden Point), Jabiru, Mutitjulu, Yarralin and Gunyangara (Ski Beach) to participate in lease discussions. These discussions were led by the Department of the

Prime Minister and Cabinet which manages negotiations for new Township Leases. The Executive Director and his officers attended to provide technical advice about how the existing township leases function and what would happen if a lease is entered into.

Gunbalanya Traditional Owners have demonstrated a high level of interest in Township Leasing since 2010 and have participated in discussions with the Department, the Northern Land Council and independent legal representatives over a period of years. However a township lease for Gunbalanya is currently not under active consideration.

In 2015-16 the Department continued its negotiations with the Munupi Traditional Owners of Pirlangimpi on the Tiwi Islands for a Township Lease. The Munupi family working group is still considering establishing a commercial entity to develop economic development activities that may arise, including from a Township Lease.

The Office has also attended a number of meetings during the reporting period to discuss a type of Township Lease arrangement for Mutitjulu, at the request of the Department and the Central Land Council.

At the end of the reporting year the Department was in caretaker mode due to the scheduled Federal election on 2 July but it was anticipated that negotiations would continue in the near future with the Munupi Traditional Owners for Pirlangimpi, as well as with representatives of Gunyangara, Mutitjulu and Jabiru.

*Cycads and open woodland near Angurugu, Groote Eylandt*

## TOWNSHIP LEASES OPERATIONS DURING 2015-16

### IMPLEMENTATION OF CHANGES FOLLOWING REVIEW OF THE GROOTE EYLANDT HEAD LEASE

The Groote Eylandt Township Lease was executed for an initial period of 40 years with an option exercisable by the Executive Director of Township Leasing and the Traditional Owners to extend the Lease by a further 40 years. That option was taken up on 27 September 2012 with the effect that the Head Lease is now for a period of 80 years, to 3 December 2088. Exercising the extension of the Lease has provided for subleases with long term, tradeable tenure which provides greater certainty for future investment.

The Head Lease provides for the Consultative Forum to review the operation of the Township Lease on the fifth anniversary of the commencement date, which fell due on 4 December 2013. On 18 June 2015 the Executive Director and the Anindilyakwa Land Council signed a Deed of Variation to the Head Lease for the Townships of Angurugu, Umbakumba and Milyakburra. The five year review was a major milestone of the township lease and provided the Traditional Owners and the Executive Director with the opportunity to make changes to the terms of the township lease to enhance its operation. The review prompted a number of amendments to the lease, the most significant being the establishment of a Consultative Forum for

each community with provision to convene a whole of Eylandt Consultative Forum to discuss any issues relevant to everyone. This practical change makes the Consultative Forum meetings more focussed for each community while also providing an opportunity to broaden membership and cover local business in greater depth. The first meetings of the Angurugu, Umbakumba and Milyakburra Consultative Forums were held in this reporting period.

### TOWNSHIP LEASE CONSULTATIVE FORUMS

The Consultative Forum is a mechanism for the Executive Director to consult with Traditional Owners on all developments and land use matters in the township. The membership structure is set out in the township lease document and is a crucial element in ensuring that the township is developed in accordance with the aspirations of the Traditional Owners and the community and in consultation with them.

The Tiwi Islands and Groote Archipelago Township Leases require the Executive Director to establish local Consultative Forums. In the case of the Tiwi Islands, the Forums are comprised of representatives of Traditional Owners nominated by the Tiwi Aboriginal Land Trust and for the Groote Eylandt Archipelago, of nominees of the Anindilyakwa Land Council.



Artwork at the Pirlangimpi airstrip, Melville Island





Warning sign,  
Grootte Eylandt foreshore



New houses for  
senior men in Angurugu



New public housing  
in Milikapiti



Visitors from  
Mutitjulu attending  
Milikapiti Consultative Forum

The Consultative Forums are crucial to the governance of the Township Leases: they discuss land use and other issues relating to the performance of the lease and facilitate communications between the Executive Director and Forum members who in turn share information with the rest of the community and seek its views. The Executive Director pays close attention to the views of the Forum in relation to the exercise of his powers under each Township Lease.

In the year under review the Executive Director met formally with each of the Consultative Forums to discuss land tenure matters and other issues relating to the development of each of the communities. Staff from the Office of Township Leasing travelled regularly to the communities to consult with Traditional Owners, sublessees and other key community members on a range of operational matters.

#### REGISTER OF PERMANENT RESIDENTS

The Tiwi Islands Township Leases prevent the Executive Director from entering into subleases that will potentially increase the number of non-Tiwi permanent residents above 15 per cent. Amendments to the Wurrumiyanga Township Lease as a result of the five year review now require the Executive Director to compile the Register of Permanent Residents every 5 years, when previously the requirement was to compile the Register every 12 months.

The Milikapiti and Wurankuwu Township Lease also require the Executive Director to prepare the Register every 5 years. The Registers were not compiled in the year under review. There is no requirement in the Grootte Archipelago Township Lease to maintain a Register of Permanent Residents.

#### TRANSFERABILITY OF ASSETS

The Township Lease model establishes a secure and consistent land administration system

which provides for long-term, tradeable tenure. The Executive Director can facilitate a direct trade of tenure if both parties agree to the transfer of a sublease, with support from the local Consultative Forum. This is a transaction which can occur quite quickly and is being used to maximise the use of community assets such as houses and workshops. The Township Lease also provides for underleasing and rental arrangements between a sublessee and tenants which allows for flexibility in the commercial area such as retail outlets, and office and workshop space.

In some circumstances where a sublessee has wanted to end their sublease, the Executive Director has permitted the surrender of the sublease and its associated rights and responsibilities, then moved to identify a new interest through a two part sale and sublease settlement process.

During the 2014-15 reporting period, the East Arnhem Regional Council surrendered three former staff houses in Angurugu to the Executive Director who then identified a purchaser for each house through an expression of interest process. The sale of these three houses resulted in previously vacant houses being secured as staff housing by local Aboriginal Corporations.

This financial year has seen the sale of a former Northern Territory Government safe house to a local organisation to be refurbished and used to run women's programs, as well as former Australian Government visiting officer's accommodation repaired and repurposed as residential accommodation. These two facilities, which had been vacant for some time and were vulnerable to damage, have now been brought back into circulation for the benefit of the community. All monies collected through the sale of these properties flows back to the Land Trust.

## ECONOMIC DEVELOPMENT PROJECTS 2015-16

### A NEW LOOK FOR THE PATAKIJYALI MUSEUM IN WURRUMIYANGA

An injection of funding from the Aboriginals Benefit Account and an innovative tenure arrangement has enabled Wurrumiyanga residents to upgrade and expand the town's museum and regain control of treasured artefacts.

The Patakijiyali Museum is subleased by the Catholic Church and has been managed for many years by Sister Anne Gardiner, who has been a strong advocate for Tiwi language and culture. Discussions about moving the museum to Traditional Owner management and control included consideration of suitable tenure arrangements and aspirations to improve and expand the museum.

An underlease has been granted to Mantiyupwi Pty Ltd which includes provisions for the museum to be managed by Mantiyupwi and for all of the museum's contents, including paintings, photographs, carvings and other important artefacts, to pass back into the ownership and control of the Mantiyupwi Traditional Owners.

The funding grant has enabled repairs and refurbishment of the existing building, a much needed upgrade to the power supply, and enclosure of the central space in the u-shaped building to house a Hall of Fame showcasing the sporting success and athletic prowess of the Tiwi people.

The museum is open to the public and is a popular stop for tourists visiting Wurrumiyanga. Entry fee donations are directed back into the maintenance and running of the museum.

### NEW HOUSING FOR MILIKAPITI

This reporting period has seen the long anticipated construction of new housing in Milikapiti. Seven new three-bedroom houses and eight two-bedroom houses (as four duplexes) have been built by the New Future Alliance and completed in late May 2016. Three of the dwellings form part of the Township Lease Community Benefit Package and the remainder were funded through the National Partnership Agreement on Remote Indigenous Housing. All fifteen dwellings will be incorporated into public housing stock. Throughout the construction phase New Future Alliance employed five local people through Tiwi Enterprises Pty Ltd.

The site for the New Future Alliance worker's camp was subleased by local Traditional Owner business Wulirankuwu Pty Ltd and accommodation provided for around 30 workers. This facility has now been purchased by Wulirankuwu to be converted into tourist accommodation. Once complete it is expected that a sixteen bed facility will be managed and operated through a contractual arrangement with Tiwi Enterprises Pty Ltd.

### MILIKAPITI MECHANICAL WORKSHOP

A disused garage in Milikapiti has been brought back into use as a mechanical training workshop following a transfer of ownership and substantial repairs. The garage was one of two workshops subleased by the Tiwi Islands Regional Council in Milikapiti. The Council had no use for a second garage and the building had fallen into a state of disrepair. The Tiwi Islands Training and Education Board (TITEB) needed a workshop for trade training purposes and had capacity to take on the sublease rental costs and carry out the substantial repairs required to make the workshop safe and functional. With support from the Milikapiti Consultative Forum the Executive Director facilitated a transfer of the sublease to TITEB, which is now training local Tiwi people as mechanics to move into employment in their community.

*Patakijiyali Museum in Wurrumiyanga*

## COMMUNITY DEVELOPMENT INITIATIVES

### COMMUNITY HOUSING WORKSHOPS

Access to secure, affordable and well-maintained housing is an important issue for many residents of remote communities in the Northern Territory. In the Township Lease communities of the Tiwi Islands and the Groote Eylandt Archipelago, Traditional Owners and local organisations have frequently expressed their desire in Consultative Forum discussions to take positive action to address housing needs in their communities, and to investigate ways to have a greater role in housing service delivery and management.

In response to these aspirations the Executive Director hosted a two-day workshop in February 2016 in Darwin to discuss the

potential benefits of community housing and possible options for establishing a community housing authority or similar governing body in each of the regions.

The workshop was attended by representatives of the Tiwi Land Council, the Anindilyakwa Land Council, local Indigenous landowner corporations and other key stakeholders from the Tiwi Islands and the Groote Eylandt Archipelago. Keynote speakers from the community housing sector - Yilli Rreung Housing from Darwin, the Central Australian Affordable Housing Company from Alice Springs, and Murdi Paaki Regional Housing from western New South Wales – attended to discuss their operations and share experience

and advice. The workshop was facilitated by PricewaterhouseCoopers Indigenous Consulting, and a number of community housing governance and business models were proposed for further consideration.

Follow up workshops were held on Groote Eylandt in June and on the Tiwi Islands in May and June. The Tiwi Islands workshops endorsed further development of a suitable governance model for the region which reflects Tiwi families and decision making structures. Both groups have also commenced identifying the key operational capabilities required to establish a community housing organisation, as well as commencing risk and liability identification exercises, in order to make an informed decision about whether community housing is suitable for their regions.

Along with public housing, community housing is another option within the broader social housing system. In the Northern Territory, the Department of Housing administers public housing and is the principal housing provider in remote Aboriginal communities. Community housing is a form of secure, affordable housing which can provide for greater local ownership and control and can increase training and employment opportunities for community residents through tenancy management and housing repairs and maintenance.

The Executive Director will continue to coordinate this discussion and work with the Department of the Prime Minister and Cabinet, the Northern Territory Government



Community Housing Workshop, February 2016

Community Housing Workshop, attendees



Angurugu Consultative Forum members and GEBIE representative

and Indigenous stakeholders to encourage opportunities to establish community housing in township leased communities where it is feasible and supported. It is hoped that these discussions will dovetail with the joint Australian and Northern Territory Government commitment, announced in May 2016, that \$350 million will be invested in housing up to June 2018. The Northern Territory Government also announced the establishment of a Remote Housing Development Authority in May which may provide the opportunity for greater community involvement in the delivery and management of remote housing. It is universally acknowledged that more resourcing is needed to address housing supply in remote Indigenous communities, and land owners are keen to ensure an increase in local control and economic development where possible.

**NEW HEALTH CLINIC IN UMBAKUMBA**

A commitment to build a new health clinic was made as part of the Groote Eylandt and Bickerton Island Regional Partnership Agreement using joint funding from the Australian Government, the Northern Territory Government, and Groote Eylandt and Bickerton Island Enterprises (GEBIE). After lengthy negotiations about suitable designs, tenure arrangements and funding, the Executive Director granted a sublease in December 2015 over a greenfields site in Umbakumba adjacent to the existing clinic.

The new clinic will provide modern facilities for enhanced health care with provisions for renal and dental services. The design incorporates separate entries and consultation areas appropriate for men and women, as requested by the community.

Construction of the clinic by GEBIE Civil and Construction commenced in March and is due for completion in early 2017. This major project will employ local people as well as external sub-contractors for specialist electrical and plumbing installation.

**THE WURANKUWU (RANKU) SCHOOL**

Since the Milikapiti and Wurankuwu Township Lease was signed in 2011, the small town of Wurankuwu, often known simply as Ranku, remains classified as an outstation (also referred to as a homeland) by the Northern Territory Government. Consequently funding for services and development is often limited. In response to consistent concerns raised by Consultative Forum members surrounding the closure of the school, the Executive Director recently held discussions with government and relevant agencies about reopening the school, which has been closed since early 2015.

This is a matter close to the hearts of Ranku Consultative Forum members who would like to see families with school-aged children able to move back to Wurankuwu. The Executive Director has commissioned some necessary repairs to the school, including a new class room and the installation of toilet facilities, to enable the school to reopen. This commitment, along with productive discussions with the Department of Education, the Tiwi Education Board and the Catholic Education Office, has resulted in in-principle agreement to reopen the school subject to sufficient numbers of people moving back to Wurankuwu. It is anticipated that works will be completed by December 2016.

**NEW COMMUNITY HOUSING ON GROOTE EYLANDT BUILT BY LOCAL CONSTRUCTION COMPANIES**

In response to community aspirations for additional housing in Angurugu, Groote Eylandt and Bickerton Island Enterprises (GEBIE) has commenced a multi-year project to build new housing for community residents. The Executive Director granted access to several serviced in-fill Lots within the town to enable the project to commence. To date three small dwellings near the aged care centre for senior men and three family houses have been completed.

A substantial upgrade and expansion of the sewer system, jointly funded by the Northern Territory Government, GEBIE and the Groote Eylandt Aboriginal Trust, will enable the servicing of new residential Lots in areas identified for housing development.

Aminjarrinja Enterprise Aboriginal Corporation is also constructing community housing in Umbakumba and has completed six two-bedroom dwellings on three Lots within the 'new town' area of the community. The idea behind this configuration of housing is for family members of different generations to live communally but in a separate dwelling. Aminjarrinja has also built two family houses with funding from the National Partnership Agreement on Remote Indigenous Housing which will add to public housing stock in Umbakumba.



New community houses built by Aminjarrinja Enterprises

## SECTION 19 LEASES HELD BY THE EXECUTIVE DIRECTOR 2015-16

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 (these are commonly known as section 19 leases). For example, the Executive Director of Township Leasing may enter into these leases on behalf of the Commonwealth to secure investment on Aboriginal Land.

### HOUSING LEASES

It is government policy that any major Commonwealth investment in assets located on Aboriginal land has to be secured by long term leases. Where a Township Lease has not been established, secure land tenure for housing on land held under the Land Rights Act can be provided for by Housing Leases under section 19 of the Land Rights Act. Housing Leases can be held by the Northern Territory Government or the Executive Director on behalf of the Commonwealth. Unlike a Township Lease, a Housing Precinct Lease only covers the community housing areas and does not allow the Executive Director to approve any commercial or economic activities.

Where the Executive Director holds Housing Leases, he has subsequently entered into Housing Management Agreements with the Northern Territory Government. These agreements allow Territory Housing to enter into tenancy agreements with occupants and provides access to and control over land so new houses can be built and existing houses can be maintained. It enables fairer and more transparent property and tenancy management arrangements to be established.

Housing Leases do not require the Executive Director to establish consultative forums, however Housing Management Agreements require the Northern Territory Government to consult with the community through the establishment of Local Housing Reference Groups.

In 2015-16 the Executive Director held 24 Housing Leases in Aboriginal communities. See Table B for further details.

*The Executive Director  
on the way to Bickerton Island*



## AUSTRALIAN GOVERNMENT (COMMONWEALTH) ASSET LEASES

In May 2009 the Executive Coordination Forum for Indigenous Affairs (ECFIA) agreed that Australian Government agencies would take steps towards regularised land arrangements on Aboriginal land by seeking secure voluntary land tenure arrangements over all Australian Government investment on that land.

In the year under review the Office of Township Leasing has become a single point of contact for all dealings with Australian Government assets located on Aboriginal land in the Northern Territory upon execution of leases. The proposal will simplify the administration of leasing and help to ensure that these assets are well maintained into the future.

The Executive Director of Township Leasing currently has direct management of Australian Government assets leases located in the Central Land Council region but is not a party to the any leases in the Northern Land Council region. The Office of Township Leasing however has agreed to manage these leases on behalf of the Department of the Prime Minister and Cabinet, the Department of Education and Training and the Department of Human Services.

In 2015-16 the Executive Director administered thirty-one Commonwealth Asset Leases that secured assets such as child care centres, crèches, Government Engagement Coordinator Centres, offices and residential accommodation. See Table C for further details.

## ALICE SPRINGS LIVING AREAS HELD BY THE EXECUTIVE DIRECTOR 2015-16

The Alice Springs Living Areas (also referred to as the Alice Springs Town Camps) are small distinct communities situated in and around the fringes of Alice Springs. A separate Housing Association holds a lease over each Town Camp. These leases have been issued either under the Special Purposes Leases Act (NT) or the Crowns Lands Act (NT).

Following the joint announcement in 2009 by the Australian and Northern Territory Governments of the Alice Springs Transformation Plan initiative, the Executive Director, on behalf of the Australian Government, entered into subleases for 40 years with the fifteen Housing Associations over seventeen Alice Springs Town Camps.

The Executive Director then simultaneously granted an underlease in the form of a Housing Management Agreement to the Northern Territory Government.

Refer to Table D for details of the Alice Springs Town Camp subleases held by the Executive Director in 2015-16.



*Alice Springs*

### HOUSING MANAGEMENT AGREEMENT

The Housing Management Agreement executed in 2009 with the Northern Territory Government was for an initial period of three years, and was then extended in 2012 for a further 12 months. The Housing Management Agreement gave the Northern Territory Government responsibility for all areas located within the town camp boundary and captures all infrastructure, including housing, open spaces, roads, parks and community centres. To facilitate the provision of tenancy management services a subsequent underlease was executed with the Northern Territory Department of Housing.

The Housing Management Agreement that expired in 2013 has not been further extended, however as the Northern Territory Government still remains in occupation of the land it is deemed to be on a monthly tenancy on the same terms and conditions as those contained in the Housing Management Agreement.

This arrangement will remain in force until both governments have agreed on the way forward for the Alice Springs Town Camps.

Unfortunately, due to the month by month continuous Housing Management Agreement it has not been possible to progress any major work in the Town Camps.

### TENANCY MANAGEMENT ARRANGEMENTS IN THE TOWN CAMPS

Following a tender process the Northern Territory Government awarded a contract for housing tenancy management services to Zodiac Business Services in December 2015. Ingkerreke Outstation Resources Services continues to deliver property management services.

The Northern Territory Government has retained fiscal responsibility for municipal and essential services in the Alice Springs Town Camps.

### HOME OWNERSHIP IN THE ALICE SPRINGS TOWN CAMPS

The Australian Government and the Northern Territory Government are both committed to enabling opportunities for home ownership on Aboriginal land. Supporting home ownership is also a term of the current subleases to the Executive Director from the Housing Associations.

Under the terms of the Alice Springs Town Camps sublease, the Australian Government and the Northern Territory Government are required to develop guidelines to enable Aboriginal people to acquire long-term secure tenure in respect of individual home ownership "to the extent such arrangements are permitted by the Lease and any applicable law."

There continues to be interest from Town Camp residents in pursuing home ownership. The main obstacle to individual ownership is that Alice Springs Town Camps land is either a Special Purpose Lease or Crown Lease, neither of which can be subdivided either easily or at all. Therefore the Executive Director cannot grant a lease to an individual lessee over any part of the land for a period in excess of twelve years due to these legislative restrictions. To resolve the issue the Northern Territory Parliament would need to amend legislation to enable subdivision and to widen the purposes for which the land can be utilised, such as for home ownership.

The Executive Director continues to lobby both governments on behalf of residents so that they can be provided an opportunity to own their homes.

### ALICE SPRINGS CONSULTATIVE FORUM

The Alice Springs Town Camps subleases require the Executive Director of Township Leasing to establish a Consultative Forum. The Alice Springs Town Camps Consultative Forum consists of one nominee of the Executive Director and five nominees of the

Housing Associations. In 2015-16, the Forum met to discuss the operation of the subleases, including administrative costs, the housing management tender and extension of the Housing Management Agreement.

Recently the Northern Territory Government announced the review into all Town Camps across the Northern Territory. It is envisaged that this review will provide guidance about the pathway forward.



Umbakumba Consultative Forum members



## SERVICES PROVIDED BY OTHER BODIES

In 2015-16 the Executive Director of Township Leasing engaged:

- a licensed valuer to calculate the unimproved capital value of land as part of the administration of a Township Lease;
- licensed property managers to maintain and manage collection of lease payments and maintain an audited trust account; and
- a website designer to update and host the Office of Township Leasing website.

During the year under review the Executive Director also engaged the following consultants:

- PricewaterhouseCoopers Indigenous Consulting
- PM&D Architects
- Ambrose Consulting
- KPMG

### EXPENDITURE STATEMENT

Under subsection 64 (4A) of the Land Rights Act the activities of the Executive Director of Township Leasing are funded from the Aboriginals Benefit Account.

Full financial details of the Aboriginals Benefit Account can be found in the financial statements of the Department of the Prime Minister and Cabinet, 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 42 of the Public Governance, Performance and Accountability Act 2013.

The statements are subject to scrutiny through the Senate Estimates Committee process. Details of expenditure and revenue arising from the activities of the Office for the year ended 30 June 2016 are provided below.

2015-16 Expenditure	\$	2015-16 Township Lease Revenue	\$ inclusive of GST
Employee expenses	992,986	Wurrumiyanga Township Lease	1,169,151.29
Travel-related expenses	193,021	Groote Eylandt Township Lease	832,341.63
Contractor Services	1,451,040	Milikapiti Township Lease	303,537.92
General administrative expenses	722,403	Wurankuwu Township Lease	30,718
<b>Total Expenditure</b>	<b>3,359,450</b>	<b>Total Revenue</b>	<b>2,335,749.61</b>

**Table A - Communities covered by Township Leases held by the Executive Director of Township Leasing in 2015-16**

	Community	Location	Date of Execution	Term
1	Wurrumiyanga (Nguuiu)	Bathurst Island	30 August 2007	99 years
2	Angurugu	Groote Eylandt	4 December 2008	40 plus 40 years
3	Umbakumba	Groote Eylandt	4 December 2008	40 plus 40 years
4	Milyakburra	Bickerton Island	4 December 2008	40 plus 40 years
5	Milikapiti (Snake Bay)	Melville Island	22 November 2011	99 years
6	Wurankuwu (Ranku)	Bathurst Island	22 November 2011	99 years
<b>Total 6</b>				

**Table B - Housing Leases held by the Executive Director of Township Leasing in 2015-16**

HOUSING PRECINCT LEASE					
	Community	Region	Lease Executed	NT Government Underlease Executed	Tenure
<b>Housing Leases</b>					
1	Lajamanu	CLC	29.6.2011	29.6.2011	Aboriginal Land
2	Hermannsburg	CLC	29.6.2011	29.6.2011	Aboriginal Land
3	Yuendumu	CLC	11.4.2013	11.4.2013	Aboriginal Land
5	Areyonga	CLC	23.10.2012	23.10.2012	Aboriginal Land
6	Kaltukatjara (Dockers River)	CLC	23.10.2012	23.10.2012	Aboriginal Land
7	Kintore	CLC	30.5.2013	30.5.2013	Aboriginal Land
8	Mt Liebig	CLC	23.10.2012	23.10.2012	Aboriginal Land
9	Nturiya	CLC	23.10.2012	23.10.2012	Aboriginal Land
10	Papunya	CLC	23.10.2012	23.10.2012	Aboriginal Land
11	Pmara Jutunta	CLC	23.10.2012	23.10.2012	Aboriginal Land
12	Willowra	CLC	30.5.2013	30.5.2013	Aboriginal Land
13	Kintore	CLC	30.5.2013	30.5.2013	Aboriginal Land
14	Ali Curung	CLC	1.7.2013	01.7.2013	Aboriginal Land
15	Nyirripi	CLC	1.7.2013	01.7.2013	Aboriginal Land
16	Ampilatwatja	CLC	18.7.2013	18.7.2013	Aboriginal Land
17	Imanpa	CLC	25.9.2013	25.9.2013	Aboriginal Land
18	Wutunugurra	CLC	25.9.2013	25.9.2013	Aboriginal Land
19	Imangara	CLC	25.9.2013	25.9.2013	Aboriginal Land
20	Wilora	CLC	8.10.2013	25.10.2013	Aboriginal Land
21	Tara	CLC	8.10.2013	8.10.2013	Aboriginal Land
22	Atitjere	CLC	18.7.2014	18.7.2014	Aboriginal Land
23	Laramba	CLC	18.7.2014	18.7.2014	Aboriginal Land
24	Santa Teresa	CLC	21.9.2015	21.9.2015	Aboriginal Land
<b>Total 24</b>					

Milyakburra town and airstrip

**Table C - Commonwealth Asset Lease agreements administered by the Executive Director of Township Leasing 2015-16**

COMMONWEALTH ASSET LEASES					
	Community	Lot	Region	Lease Executed	Tenure
<b>Government Engagement Coordinator (GEC) Complexes (18)</b>					
1	Ali Curung	248	Central Land Council	25.7.2012	Aboriginal Land
2	Ali Curung	249	Central Land Council	25.7.2012	Aboriginal Land
3	Areyonga	48	Central Land Council	25.7.2012	Aboriginal Land
4	Atitjere	80	Central Land Council	10.8.2015	Aboriginal Land
5	Haasts Bluff	75	Central Land Council	12.3.2014	Aboriginal Land
6	Lajamanu	420	Central Land Council	1.5.2013	Aboriginal Land
7	Hermannsburg	55	Central Land Council	25.7.2012	Aboriginal Land
8	Hermannsburg	192	Central Land Council	25.7.2012	Aboriginal Land
9	Kaltukatjara (Docke River)	96	Central Land Council	25.7.2012	Aboriginal Land
10	Papunya	262	Central Land Council	25.7.2012	Aboriginal Land
11	Yuelamu	86	Central Land Council	25.7.2012	Aboriginal Land
12	Lajamanu	420	Central Land Council	1.5.2013	Aboriginal Land
13	Willowra	136	Central Land Council	3.5.2013	Aboriginal Land
14	Willowra	4	Central Land Council	3.5.2013	Aboriginal Land
15	Mt. Liebig	43	Central Land Council	29.10.2014	Aboriginal Land
16	Engawala	67	Central Land Council	17.6.2015	Aboriginal Land
17	Imanpa	91	Central Land Council	17.6.2015	Aboriginal Land
18	Yuendumu	633	Central Land Council	10.8.2015	Aboriginal Land
<b>Safe Houses (2)</b>					
19	Hermannsburg	228	Central Land Council	15.8.2012	Aboriginal Land
20	Lajamanu	246	Central Land Council	1.5.2013	Aboriginal Land
<b>Child Care Centres (11)</b>					
21	Yuelamu	98	Central Land Council	3.5.2013	Aboriginal Land
22	Lajamanu	322	Central Land Council	23.7.2012	Aboriginal Land
23	Santa Teresa	335	Central Land Council	6.8.2013	Aboriginal Land
24	Areyonga	83	Central Land Council	5.7.2013	Aboriginal Land
25	Kintore	128	Central Land Council	5.7.2013	Aboriginal Land
26	Atitjere	122	Central Land Council	18.7.2013	Aboriginal Land
27	Haasts Bluff	81	Central Land Council	5.7.2013	Aboriginal Land
28	Kaltukatjara (Docke River)	237	Central Land Council	30.7.2014	Aboriginal Land
29	Mount Liebig	22	Central Land Council	1.7.2015	Aboriginal Land
30	Nyirripi	54	Central Land Council	16.9.2015	Aboriginal Land
31	Titjikala	13	Central Land Council	7.5.2016	Community Living Area

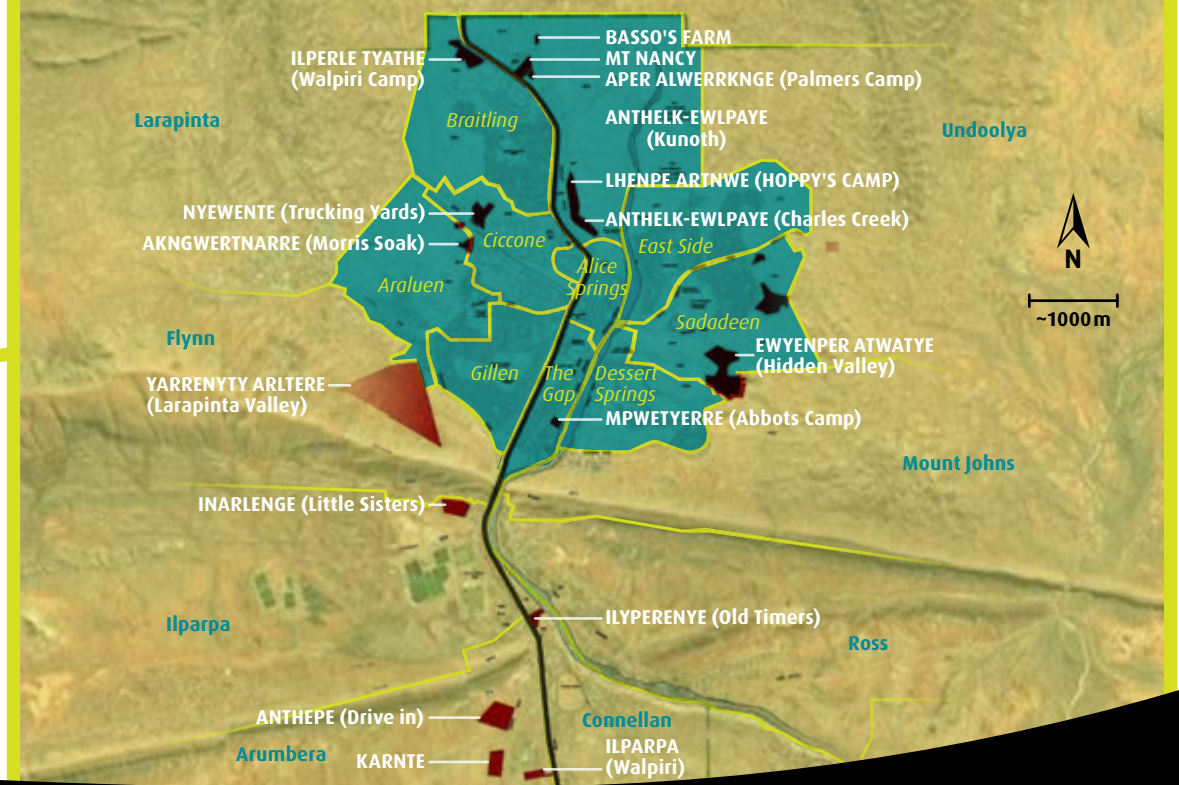
**Table C (Continued) - Commonwealth Asset Lease agreements administered by the Executive Director of Township Leasing 2015-16**

COMMONWEALTH ASSET LEASES MANAGED BY THE OFFICE OF TOWNSHIP LEASING					
	Community	Lot	Region	Lease Executed	Tenure
<b>Government Engagement Coordinator (GEC) Complexes (18)</b>					
32	Bulman	81	Northern Land Council	17.8.2012	Aboriginal Land
33	Ramingining	265	Northern Land Council	17.8.2012	Aboriginal Land
34	Galiwinku	321	Northern Land Council	17.8.2012	Aboriginal Land
35	Gapuwiyak	171	Northern Land Council	17.8.2012	Aboriginal Land
36	Maningrida	700	Northern Land Council	17.8.2012	Aboriginal Land
37	Milingimbi	235	Northern Land Council	16.8.2012	Aboriginal Land
38	Minjilang	229	Northern Land Council	16.8.2012	Aboriginal Land
39	Ngukurr	409	Northern Land Council	16.8.2012	Aboriginal Land
40	Ramingining	259	Northern Land Council	17.8.2012	Aboriginal Land
41	Ramingining	260	Northern Land Council	17.8.2012	Aboriginal Land
42	Waruwi	89	Northern Land Council	17.8.2012	Aboriginal Land
43	Peppimenarti	54	Northern Land Council	17.8.2012	Aboriginal Land
44	Minyerri	92	Northern Land Council	1.7.2013	Aboriginal Land
45	Palumpa	105	Northern Land Council	16.8.2012	Aboriginal Land
46	Beswick	183	Northern Land Council	17.8.2012	Aboriginal Land
47	Belyuen	305	Northern Land Council	27.7.2012	Aboriginal Land
48	Wadeye	586	Northern Land Council	17.8.2012	Aboriginal Land
49	Wadeye	608	Northern Land Council	17.8.2012	Aboriginal Land
<b>Safe Houses (3)</b>					
50	Maningrida	717	Northern Land Council	17.8.2012	Aboriginal Land
51	Ngukurr	424	Northern Land Council	17.8.2012	Aboriginal Land
52	Ramingining	265	Northern Land Council	17.8.2012	Aboriginal Land
<b>Child Care Centres (5)</b>					
53	Peppimenarti	91	Northern Land Council	18.8.2012	Aboriginal Land
54	Wadeye	650	Northern Land Council	18.8.2012	Aboriginal Land
55	Waruwi	48	Northern Land Council	21.10.2014	Aboriginal Land
56	Minjilang (Note: Lot being surveyed)	TBC	Northern Land Council	17.8.2012	Aboriginal Land
57	Aputula	7	Central Land Council	5.7.2012	Community Living Area
<b>Total 57</b>					



**Table D Alice Springs Living Areas (Town Camps) subleases held by the Executive Director of Township Leasing in 2015-16**

	Housing Association	Town Camp	Tenure
1	Mpwetyerre Aboriginal Corporation	Abbotts Camp	Special Purpose Lease
2	Ilparpa Aboriginal Corporation	Ilparpa	Special Purpose Lease
3	Karnte Aboriginal Corporation	Karnte	Crown Lease
4	Anthelk-Ewlpaye Aboriginal Corporation and Hoppys Camp	Hoppys	Special Purpose Lease
5	Anthelk-Ewlpaye Aboriginal Corporation	Charles Creek	Special Purpose Lease
6	Anthelk-Ewlpaye Aboriginal Corporation	Kunoth	Special Purpose Lease
7	Akngwertnarre Association Incorporated	Morris Soak	Special Purpose Lease
8	Anthepe Housing Association Incorporated	Drive In	Special Purpose Lease
9	Aper Alwerrkng Association Incorporated and Palmers Camp	Palmers	Special Purpose Lease
10	Ewyenper-Atwatye Association Incorporated	Hidden Valley	Special Purpose Lease
11	Ilperle Tyathe Association Incorporated	Walpiri	Special Purpose Lease
12	Ilyperenye Association Incorporated	Old Timers	Special Purpose lease
13	Inarleng Community Incorporated	Little Sisters	Crown Lease
14	Mount Nancy	Mount Nancy Basso	Special Purpose Lease
15	Basso's Farm	Basso	Special Purpose Lease
16	Larapinta Valley	Larapinta	Special Purpose Lease
17	Nyewente Association Incorporated	Trucking Yards	Special Purpose Lease
<b>Total 17</b>			





*Staff from the Office of Township Leasing*



*Community housing in Angurugu - under construction*



*Community housing in Angurugu - complete*



*Milikapiti Consultative Forum with visitors from Mutitjulu*



**EXECUTIVE DIRECTOR  
OF TOWNSHIP LEASING**

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