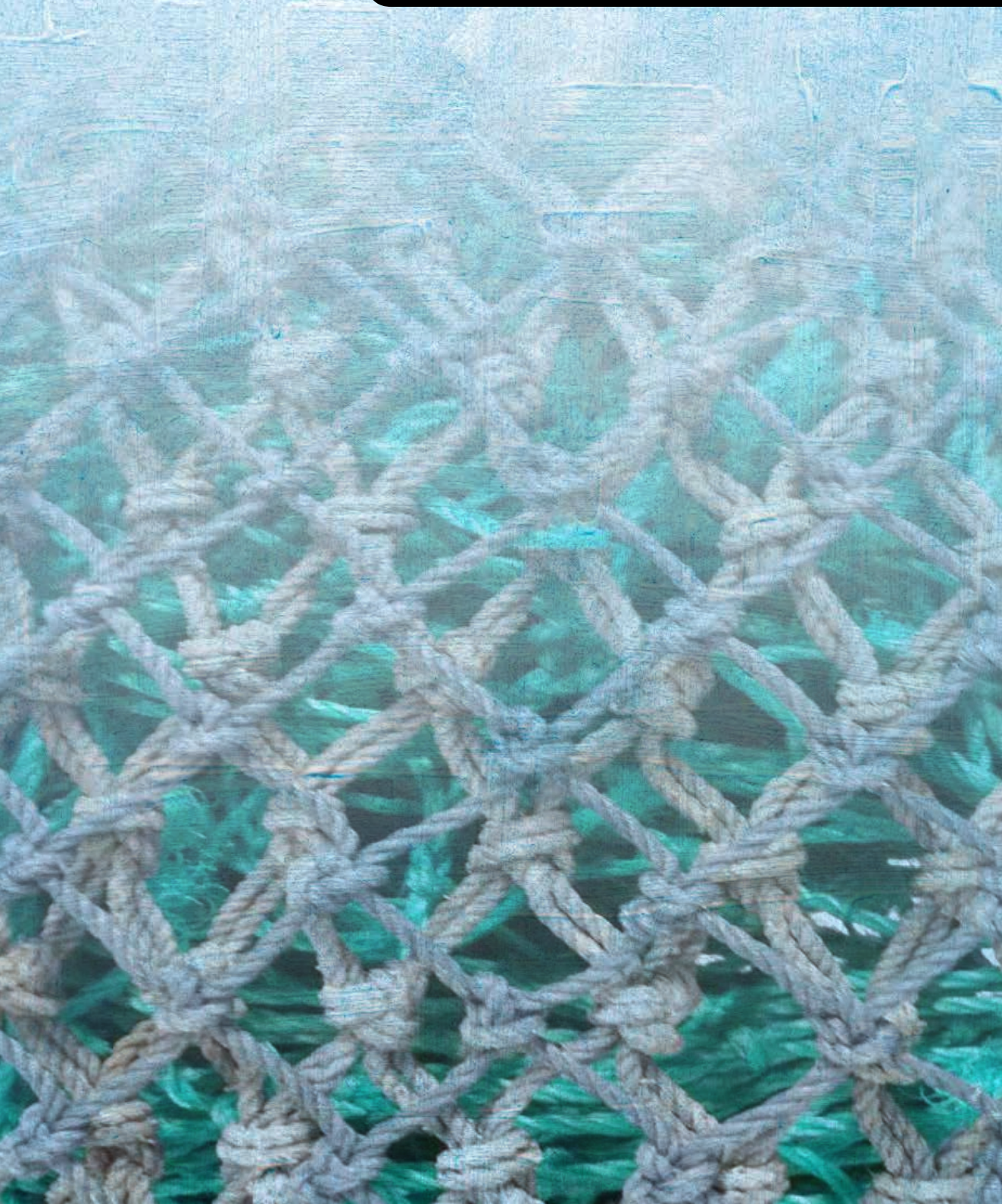




Australian Government

EXECUTIVE DIRECTOR OF TOWNSHIP LEASING  
Annual Report 2013-2014







**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 2013–14, 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', written over a large, stylized circular flourish.

Greg Roche  
Executive Director  
Township Leasing



Executive Director of Township Leasing Annual Report 2013-14  
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## EXECUTIVE DIRECTOR TOWNSHIP LEASING REVIEW

This year my staff in the Office of Township Leasing and I have continued to work in partnership with Traditional Owners, communities and relevant Land Councils on improving the operation of township leases while we await the outcome of negotiations in relation to three prospective township leases: at Gunbalanya, Yirrkala and Pirlangimpi. The terms of a township lease are resolved between the Commonwealth, Traditional Owners and the relevant Land Council and although I have no role in the negotiations I continue to support the Traditional Owners by providing information on township leasing, the operation of the Consultative Forum and the work of the Office of Township Leasing in order to assist them to make an informed decision as to whether township leasing will benefit their community.

The Gunbalanya and Yirrkala Traditional Owners signed a Memorandum of Understanding with the Commonwealth during the reporting period. It has been very pleasing to see the level of interest shown in township leasing in these communities and elsewhere, and I look forward to a successful conclusion to negotiations in the 2014-2015 financial year.

A major milestone this year was the completion of the first five year review of the township lease at Wurrumiyanga. The variation has been registered with the NT Land Titles Office and I would like to thank the Wurrumiyanga Traditional Owners for their attention and patience throughout the process, which at times involved some complex legal discussions. I am also pleased to announce that the Groote Eylandt township lease five year review has commenced and is well underway. I expect

the review to be completed in the 2014-2015 financial year.

The continued development of the Wurrumiyanga community can be attributed to the vision of Mr Walter Kerinauia, Senior Elder of the Mantiyupwi. Mr Kerinauia oversaw the development of the Wurrumiyanga store precinct, the hire car enterprise and the Tiwi Tour operations. Sadly Mr Kerinauia did not live to see all of the fruits of his labours as he passed away in April of 2014. His legacy will live on through the prosperity of his family and community.

The success of the Wurrumiyanga township lease has provided an opportunity to showcase that success to other communities. Traditional owners from Gunbalanya and Yirrkala attended a Wurrumiyanga Consultative Forum in May to witness firsthand how a township lease has had a positive effect on Wurrumiyanga.

I am pleased to report that I have negotiated and assisted with a number of sublease transfers as organisations and communities explore opportunities to expand their operations into emerging markets. Communities and organisations are now beginning to understand that where there are township lease arrangements there is a greater flexibility and therefore greater business opportunities.

As an example of the work we are doing in township lease communities, I was able to facilitate a sublease transfer between the Anindilyakwa Land Council and Groote Eylandt and Bickerton Island Enterprises (GEBIE), of the 'old land council building' at Angurugu. The building, although

structurally sound, had been vacant for some time and was in a state of disrepair. The GEBIE project involved a complete refurbishment of the upper and ground levels of the building to create offices and training rooms. This project was funded in part by a grant of \$750,000 from the Aboriginals Benefit Account, with GEBIE also contributing to the project. GEBIE Services Pty Ltd has partnered with IS Australia to deliver the Remote Jobs and Community Program (RJCP) on the Groote archipelago from the refurbished building.

I am very concerned that there has been no reform to the tenure underlying the Alice Springs Town Camps. I administer the Town Camps under a sub-lease from the relevant Housing Associations. Each sub-lease commits me to facilitating private home ownership in the Town Camps but for a variety of complex legal reasons, I cannot grant a long-term interest to underpin home ownership. Both the Northern Territory and the Commonwealth Governments have the capacity to legislate but to date have not done so. I would urge either government, with the informed agreement of the Housing Associations, to legislate so that the Town Camp residents of Alice Springs have the option of private home ownership available to them.

Individual private home ownership on Aboriginal land in remote communities in the Northern Territory did not progress significantly in 2013-2014, however, at the time of preparing this report the

Northern Territory Government announced a home ownership policy to give Territory Housing tenants in those communities the opportunity to buy their homes. This is very welcome news. In recognition of the advantages of the township leasing model the new policy favours applications from residents in communities covered by a township lease.

My office is working closely with Territory Housing, Indigenous Business Australia (IBA) and the Department of the Prime Minister and Cabinet to allow Territory Housing tenants to buy their homes. I understand that since the policy announcement a number of Territory Housing tenants have expressed interest in purchasing their Territory Housing home and IBA is currently assessing a number of home loan applications from residents of the Tiwi Islands and the Groote Eylandt archipelago.

I was pleased to see the Northern Territory Government finally strengthen its position on Indigenous home ownership. I also look forward to working with all our key stakeholders to ensure the success of township leasing and other land tenure arrangements to ensure that these areas continue to receive services and have a sustainable economic future built on the vision of the land owners and community residents.



Wurrumiyanga CFM Five Year Review.

## REPORT OF THE EXECUTIVE DIRECTOR OF TOWNSHIP LEASING FOR THE YEAR ENDED 30 JUNE 2014

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.

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

The position of the Executive Director Township Leasing is established under section 20B of the *Aboriginal Land Rights (Northern Territory) Act 1976* (the Land

Rights Act). The position is an independent statutory office that was for part of the reporting year was part of the portfolio responsibility of the Minister for Families, Community Services and Indigenous Affairs. Following the national election and a change to the Administrative Arrangement Orders the position is now the responsibility of the Minister for Indigenous Affairs in the Prime Minister and Cabinet portfolio.

The position of Executive Director was established to hold and administer leases on Aboriginal land in the Northern Territory on behalf of the Commonwealth. 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, previously the Department of Families, Housing, Community Services and Indigenous Affairs.

In February 2013 Mr Greg Roche was appointed as the Executive Director Township Leasing for a period of five years.

## OFFICE OF TOWNSHIP LEASING AND RENTAL MANAGEMENT SERVICES

The Office of Township Leasing exists to provide operational support to the Executive Director. The Office also supports and works with the local Consultative Forum and wider community, business and government stakeholders.

In 2013-14 the property management services of the Executive Director's sublease portfolio and trust account were outsourced to Colliers International (NT) Pty Ltd. The total revenue collected for the 2013-14 reporting period across all of the leases held by the Executive Director was \$1,604,047 GST inclusive.

## ADMINISTRATIVE ARRANGEMENTS

In 2013-14 the Executive Director 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. Cultural recognition is fundamental to the operation of the township lease.

The Executive Director and the Office of Township Leasing respect the spiritual and custodial relationship that Traditional Owners have over their land and waters. Sacred sites in the Northern Territory are protected under the *Northern Territory Aboriginal Sacred Sites Act 1989* (NT) and the Land Rights Act.

As part of its role of administering all the lease interests that the Executive Director holds, the Office of Township Leasing has engaged the Northern Territory Aboriginal Areas Protection Authority to identify all sites of significance.

The Executive Director also benefits from advice from the local Consultative Forum about cultural sites located within the township lease boundary.

The Aboriginal Areas Protection Authority has also issued sacred site protection certificates to the Northern Territory Government in relation to each of the Alice Springs Living Areas and each of the Housing 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.

## WHOLE OF TOWNSHIP LEASES HELD BY EXECUTIVE DIRECTOR 2013-14

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 Township Leasing.

Township Leases are entered into following voluntary negotiations between the Commonwealth, represented by the Department of the Prime Minister and Cabinet (previously the Department of Families, Housing, Community Services and Indigenous Affairs) 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. However, one of the main benefits of a Township Lease, once it has been established, is that the Executive Director is able to streamline the granting of 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 long-term tradeable land tenure. Currently 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.**

### TOWNSHIP LEASE MODEL

Township Leasing has been designed to create another option for Aboriginal land administered under the Land Rights Act. Township Leasing is a voluntary leasing model that the Traditional Owners, through their Land Council or private legal representative, negotiate with the Commonwealth, which is represented by the Department of the Prime Minister and Cabinet.

There are many aspects of the Township Leasing model which can provide a platform for Traditional Owners and communities to create economic opportunities by providing a strong and consistent land administration system that respects the underlying Aboriginal land tenure.

The granting of a Township Lease recognises the importance of the 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 in providing for the community's future.

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 and the outcome of individual negotiations.

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 against sublease rental income for the first fifteen years of the lease. The Advance Rental Payment is an advance from the Aboriginals Benefit Account (ABA) made to the Traditional Owners as a lump sum upfront payment. The ABA receives appropriations based on royalty equivalents, the level of which is determined by the value of statutory royalties generated from mining on Aboriginal Land in the Northern Territory. ABA funds are public monies. The Advance Rental Payment is paid upon the 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 Owner groups have invested in a wide variety of projects which have principally been investments in long-term economic opportunities intended to provide for future generations.

Communities have also benefited 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 and are not part of the lease arrangements. Traditional Owners have to carefully consider the needs and priorities of their community through this process and this has been reflected in the varied community projects that have

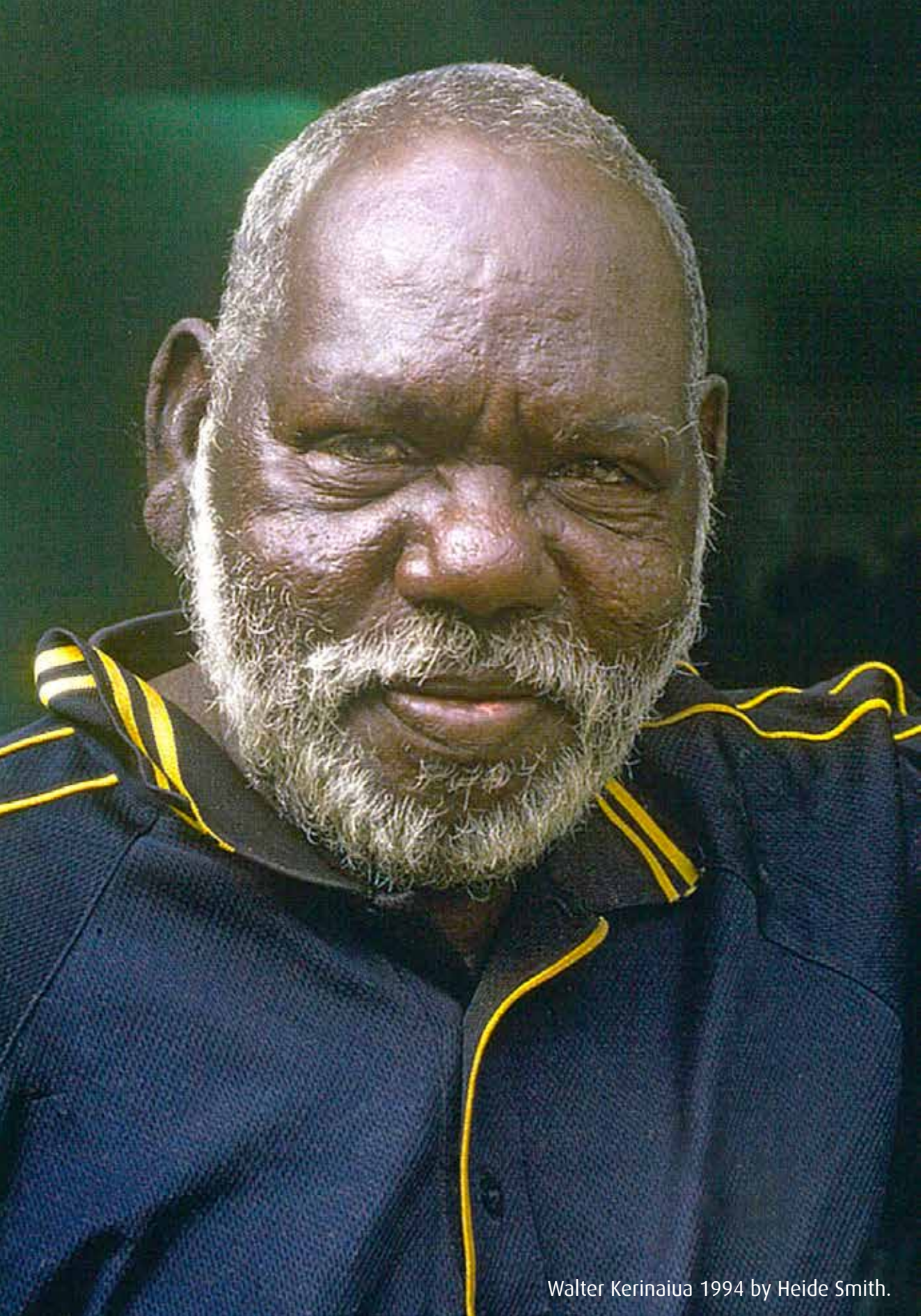
been implemented across each of the Township Leases.

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 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 mechanism for the Executive Director to consult on all developments in the Township. 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.

Milikapiti (Melville Island).



Walter Kerinaia 1994 by Heide Smith.

# WALTER PIRLIYAMANYIRRA KERINAIUA

17 August 1947 – 23 September 2013

In memory of The Grandfather  
of Township Leasing

*(This is an edited version of a tribute to Mr Kerinauia. The consent of Mr Kerinauia's family was obtained to show his photograph and name in this report).*

A truly inspirational leader and one of life's gentlemen, Walter's impact on his community and his people cannot be under-estimated and his legacy will live on for generations.

Walter came from the Tiwi Islands from the Mantiyupwi family. Through the guidance of his father Jerry, a man of strength and culture, he developed an everlasting responsibility to his people that was coupled by his intelligence and cultural integrity.

In 1978 the Tiwi Land Council was formed under the guidance of the strong leaders "the big men". Walter, a respected leader of the time, was instrumental in the vision that the Tiwi had for their people and their future. A future of "independence" founded on "Tiwi culture" and a vision to utilise their natural and human resources to build a strong Tiwi economy that would embed generational change and sustainability.

It could be said that all the hard work and dedication of Walter and the Tiwis is at last coming to realisation with multiple economic ventures established on the Tiwi values.

## WHAT MAKES GREATNESS IS STARTING SOMETHING THAT LIVES ON AFTER YOU

It was in 2003 in the United Kingdom where Walter's leasing journey began and after key discussions with Earl Bathurst and Lord Apsley about how he could utilise his family's biggest commodity, land, to stabilise and secure his community now and into the future came to culmination.

It was from here that he then met Hon. Mal Brough MP and after many meetings established that Walter wanted his people to build and participate in their own economy. What was to follow was not easy but like all resilient leaders he pledged to see the historic landmark of the first Township Lease signed in August 2007.

It took a brave leader one from such humble beginnings, to have the foresight to take his land and maximise its resources whilst never losing focus on the need to maintain the importance of the deep spiritual connection the Tiwi people have for the traditional lands where life and law is governed and identity and belonging are crucial.

His actions will be engrained and his memory will live on for many generations to come.



***"I want to empower my people by providing choices, choices that we in the bush have never had before."***

***"I am happy, really happy. For everything my people and I have achieved"***

- Walter Kerinauia

## INTEREST IN TOWNSHIP LEASING FROM OTHER COMMUNITIES

Township Leases are voluntary and negotiations for a township lease commence at the request of Traditional Owners. Traditional Owners are involved at every stage of negotiations and matters only advance with the consent of Traditional Owners.

The Executive Director Township Leasing does not negotiate the township leases however at the request of parties, including Traditional Owners, provides background information on the mechanism of a township lease. The Department of the Prime Minister and Cabinet negotiate township leases. Fundamental to these discussions is information on the role of the Consultative Forum and the future direction of each community and in particular how to make the most of local economic opportunities.

In 2013-14 the Executive Director and representatives of the Office of Township Leasing attended meetings in Gunbalanya, Yirrkala and Pirlangimpi communities to support lease discussions. These discussions were led by representatives from the Department of the Prime Minister and Cabinet. In May 2014, Yirrkala and Gunbalanya Traditional Owners were invited by the Mantiyupwi Traditional Owners to attend a Wurrumiyanga Consultative Forum meeting on the Tiwi Islands. This provided an opportunity for Mantiyupwi Traditional Owners to share insights into their experiences of the negotiation phase and the subsequent operations since signing, in particular their engagement through the Consultative Forum and the development of their business activities.

Following the forum, the Yirrkala and Gunbalanya Traditional Owners have held further discussions and requested additional information about Township Leasing.

In 2013-14, the Executive Director and representatives of the Office of Township Leasing attended numerous meetings in Gunbalanya with Traditional Owners, the Northern Land Council and the Traditional Owners' legal representatives to determine the level of interest in commencing township lease negotiations for Gunbalanya. At the time of this report the work was ongoing for all parties.

To support the distribution of information the Office of Township Leasing engaged Aboriginal Resources and Development Services (ARDS) to provide translation services and information on township leasing to the Yirrkala community in their Yolngu language.

## STATEMENT OF COMMITMENT

A Statement of Commitment provides certainty to Traditional Owners that the Commonwealth Government is committed to township lease negotiations. It signifies the transition from preliminary discussions and information sessions to formal negotiations on the terms of a township lease.

The document is executed by Traditional Owners and officials representing the Commonwealth Government and is not a legal binding agreement.

At the time of reporting three Traditional Owner groups had entered into Statement of Commitments with the Commonwealth Government and lease negotiations with the Department of the Prime Minister and Cabinet will commence in the next financial year.

Community	Date signed
Gunbalanya (Oenpelli)	16 October 2013
Yirrkala	29 October 2013
Pirlangimpi (Garden Point)	14 March 2014

## AGREEMENT IN PRINCIPLE

An Agreement in Principle is a significant milestone in the negotiations for a township lease. It signifies the transition from the Statement of Commitment phase to an agreement between the Traditional Owners and the Australian Government to the key terms of a proposed township lease.

The agreement allows parties to work within an agreed framework to deliberate the details of the lease including timeframes, roles and responsibilities and key terms of the lease.

*"Tiwi People are for the first time in a position to own their own home, realising the 'great Australian dream' that the rest of Australia takes for granted."*

- Walter Kerinaiaua



Wurrumiyanga Consultative Forum.



## Township LEASES OPERATIONS DURING 2013–14

A significant milestone was achieved during the review year with the completion of the Wurrumiyanga five year Head Lease Review. This was the culmination of a series of meetings between the parties to discuss and agree on improvements to the lease document. The formal review meeting was well attended by all the families of the Mantiyupwi Traditional Owners and the Hon. Nigel Scullion, Minister for Indigenous Affairs, was also on hand to witness the completion of the five year review and to sign the deeds of variation to the Lease.

### HEAD LEASE REVIEW

All existing township leases commit the parties to a review of the operation of the lease by the relevant Consultative Forum on the fifth anniversary of the lease commencement date. There is also provision in each township lease for further regular reviews throughout the term of the agreement.

This process requires all parties to give due consideration to any recommendations made by the Consultative Forum to improve the operation of the township lease. The Executive Director Township Leasing also has an opportunity to raise and discuss

any operational issues arising from the management of the lease.

A number of key parties are involved in this comprehensive process, including the Department of the Prime Minister and Cabinet and Land Council officials. The Minister's consent is required for any amendments made to the township lease.

### WURRUMIYANGA

The Wurrumiyanga (Nguui) Township Lease required parties to commence the review on the 30th August 2012.

Following comprehensive consultations between the Department of the Prime Minister and Cabinet, the Executive Director of Township Leasing, the Mantiyupwi Traditional Owners and representatives of the Tiwi Land Council, recommendations regarding a number of administrative changes to the Township Lease template were made to enhance its operation.

The parties also proposed several changes to the Lease based on clauses contained in the subsequent Milikapiti and Wurankuwu Township Lease in 2011 and also to remove some processes that were now obsolete following the inclusion of Wurrumiyanga into





Wurrumiyanga CFM Signing Ceremony.

the Northern Territory Planning Scheme since the execution of the lease.

The review was finalised on the 21st of March 2014.

### GROOTE EYLANDT

The anniversary for the Groote Eylandt Archipelago Township Lease fell on the 4th of December 2013. During the reporting period preliminary discussions occurred between the parties, including a presentation to a joint meeting of the Consultative Forum and members of the Anindilyakwa Land Council.

At the time of preparing this report, specific aspects of the township lease document were being considered by the parties. A fundamental issue that is being considered is how to improve the Consultative Forum mechanism to enable a more focused approach towards each community and best support the whole of Groote Eylandt Archipelago strategic direction.

The service provider selected to work with organisations on the Tiwi Islands is KPMG; PricewaterhouseCoopers Indigenous Consulting will work with three Aboriginal Corporations in the Groote Eylandt and Bickerton Island communities.

### TOWNSHIP LEASE CONSULTATIVE FORUMS

The Consultative Forum is a mechanism for the Executive Director of Township Leasing to consult with Traditional Owners on all developments in the Township. The membership is set out in the Township Lease and is a crucial element in recognising that the community is still being developed in accordance with the aspirations of the Traditional Owners and the community.

The Tiwi Islands and Groote Eylandt Archipelago Township leases require the Executive Director of Township Leasing to establish local Consultative Forums. The Forums consist, in the case of the Tiwi Islands, of representatives of Traditional Owners nominated by the Tiwi Aboriginal Land Trust and in the case of the Groote Eylandt Archipelago of nominees of the Anindilyakwa Land Council.

The Consultative Forum is an essential element of the governance of the Township Lease as it provides Traditional Owners with the opportunity to 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 seek views and share information with the rest of the community. The Executive Director of Township Leasing pays close attention to the view of the Forum before exercising his powers under each Township Lease.

In the year under review the Executive Director of Township Leasing and the Office of Township Leasing staff met with each of the Consultative Forums through formal and informal meetings. All discussions revolved around land tenure matters and other issues relating to the development of each of the communities. Of particular importance was the Wurrumiyanga Consultative Forum's participation in the 5 year lease review and the beginning of this work with the Groote Eylandt members. Other key stakeholders were also invited to attend the meetings to provide information to the Forum.

Outside of Forum meetings, the Executive Director of Township Leasing and the Office of Township Leasing staff 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 include a provision that prevents the Executive Director from entering into subleases that will potentially increase the number of non-Tiwi permanent residents above 15 per cent of the total community population.

## WURRUMIYANGA

The Wurrumiyanga Township Lease originally required the Executive Director to compile the register every twelve months. The 2013-14 Register indicated that the non-Tiwi population of Wurrumiyanga was less than five per cent of the total population. As part of the five year lease review the parties agreed to vary this provision so that the Executive Director is now only required to compile the Register once every five years.

## MILIKAPITI AND WURANKUWU

The Milikapiti and Wurankuwu Township Lease require the Executive Director to prepare the Register every five years. The Register was not compiled in the year under review.

There is no requirement in the Groote Eylandt Archipelago Township Lease to maintain a Register of Permanent Residents.

***"From my own perspective, I hate to see our Tiwi culture lost. It's very, very important that these kids right now start learning these things and keep it going"***

- Walter Kerinaiaua





## ECONOMIC DEVELOPMENT PROJECTS 2013-14

### THE GROOTE EYLANDT AND BICKERTON ISLAND ENTERPRISES (GEBIE) REMOTE JOBS COMMUNITIES PROGRAM (RJCP) TRAINING CENTRE

The Executive Director facilitated a sublease transfer between the Anindiliyakwa Land Council and Groote Eylandt and Bickerton Island Enterprises (GEBIE), where the building known to the Angurugu community as the 'old land council building'. The building, although structurally sound, had been vacant for some time and was in a state of disrepair.

The project to refurbish the building was seen as an opportunity to generate employment for local people participating in the Remote Jobs and Communities

Programme (RJCP) whilst also increasing the available office space in the community.

The project involved a complete refurbishment of the upper and ground levels of the building to create offices, meeting and training rooms, a kitchen and reception area, as well as an upper level viewing deck. There are external ablutions blocks, one of which is accessible by wheelchair ramp at the rear of the building. A free-standing commercial grade kitchen, capable of producing up to 500 meals a day, is also underway.

This project was funded in part by a grant of \$750,000 from the Aboriginals Benefit Account, with GEBIE also contributing to the project. GEBIE Services Pty Ltd has partnered with IS Australia to deliver RJCP on Groote Eylandt and Bickerton Island.

There were approximately 17 local people employed through GEBIE Civil and Construction Pty Ltd on the building renovation team, with another group of approximately 12 local people employed through the RJCP to landscape the grounds. The work crews were very enthusiastic and the project generated a lot of positive interest from community members.

The RJCP Centre will be the headquarters for RJCP Services and several other affiliated service provider agencies. The centre was officially opened by GEBIE and the local community on 3 April 2014.

### CORPORATE BUSINESS ADVISOR PROJECT

Upon signing of a township lease, each group of Traditional Owners has established a corporate entity to receive and invest the advance rental payment from the Australian Government. As a way of offering follow up support, the Executive Director successfully sought funding to provide corporate business advisor services to assist with the establishment and growth of those Aboriginal commercial organisations associated with the Township Leased communities which benefitted from the advance rental payment.

The project requires the selected service provider to provide effective tailored corporate advice and business support to the participating organisation in business planning, financial advice, governance

advice, staffing advice, succession planning and identifying opportunities for growth.

The project is sponsored by the Tiwi Resources Trust, administered by the Tiwi Land Council. The Office of Township Leasing (OTL) provided administrative and secretariat support for procurement of a service provider. OTL will also provide background information, facilitate initial contact between the service provider and each organisation, and offer ongoing administrative support if required.

### MILIYAKBURRA KNOWLEDGE CENTRE

The Executive Director agreed to grant a sublease for a new community cyclone shelter in Milyakburra on Bickerton Island, to be incorporated into a multi-purpose Community Centre. The shelter will be accessible from the 2014-15 wet season to protect residents in a cyclone emergency.

Funding for the cyclone shelter component of the Centre was provided by the Northern Territory Police, Fire and Emergency Services as a Regional Partnership Agreement initiative to develop community cyclone shelters in the communities of Angurugu, Umbakumba and Milyakburra. GEBIE provided substantial additional funding to develop the design and construct the multi-purpose Community Centre for Milyakburra. The Anindilyakwa Land Council then proposed a further enhancement to include



Tiwi Islands Regional Council Meeting.

the Centre as one of four community located Cultural Centres, funded by a grant from the Aboriginals Benefit Account.

Located next to the Milyakburra School, the cyclone shelter will function on a daily basis as the Cultural Centre. Once the internal fit out is completed in late 2014, the Centre will provide office and training spaces as well as multi-media facilities for community members of all ages to engage in activities which focus on the protection, maintenance and promotion of their Anindilyakwa culture.

The Office of Township Leasing worked with GEBIE and the Anindilyakwa Land Council to identify the optimal site in Milyakburra.

At the time of drafting this report the Executive Director had received a request from GEBIE to transfer the sublease to Anindilyakwa Land Council, to manage the facility in the future.

## WURRUMIYANGA GARAGE

The mechanics garage in Wurrumiyanga has been in operation for over 20 years under the management of the Nguiu Ullintjinni Association. Although the garage has not been seen as part of the core business of the Association there have been few opportunities to transfer the business to another operator.

In September 2013, with the assistance of the Office of Township Leasing, the management of the garage was transferred to Tiwi Enterprises. Tiwi Enterprises has established a successful car hire company on the Tiwi Islands and runs various other business enterprises which would complement the management of the garage.

Under the new arrangements Tiwi Enterprises has increased the size of the business, which has enabled five local Tiwi men to be employed as full-time mechanics. The men are overseen by two full-time mechanics who provide on the job training and skill development.

When interviewed, supervising mechanic Colin Paarman who said, *"The garage is now running much better. The staff are learning the proper admin process like time recording and OH&S and the workshop is doing well. The boys are taking greater pride in their work knowing that the garage is now a community enterprise."*

Mr John-Louise Munkara, one of the Tiwi men employed at the garage, said *"It's a much better place to work now, we're getting taught the right things and enjoying ourselves and it's better for the community."*

The Office of Township Leasing provided assistance to both parties enabling the transfer of a sublease from Nguiu Ullintjinni Association to Tiwi Enterprises.



Wurrumiyanga Garage.

***"I want you (the Executive Director Township Leasing) to work with me, walk beside me, how do you propose to partner with me?"***

- Walter Kerinaiaua



## HOME OWNERSHIP

The emergence of individual private home ownership in Wurrumiyanga for fifteen families as a result of the township lease has led to interest from other families in also buying their home.

In previous reports the Executive Director has called for the Northern Territory Government to finalise its policy on the sale of remote community public housing. During the reporting period the Northern Territory Government announced the Remote Home Ownership Program, which allows public housing tenants residing in areas covered by a township lease to purchase the public housing dwelling they currently reside in. The Office of Township Leasing has been working with key stakeholders to assist in the implementation of this program.

*"Danny and Alice are not Nguuu traditional owners, but they are Tiwi people. Walter Kerinaiaua's land deal has made the Munkaras feel they are no longer merely guests on his town land."*

*"To have our own house, our own property, on Tiwi land, it means something," says Danny Munkara. "We feel good. When I finally pass on, my kids will get to keep the house."*

## SECTION 19 LEASES HELD BY EXECUTIVE DIRECTOR 2013-14

Section 19 of the Land Rights Act provides that an estate or interest can be granted by the Aboriginal Land Trust to the Commonwealth for any public purpose (commonly referred to as Section 19 leases).

The Executive Director, on behalf of the Commonwealth, may enter into a Section 19 lease to secure public investment; this may include over public housing or Commonwealth infrastructure located on Aboriginal Land.

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

It is now standard 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 or Commonwealth infrastructure on land held under the Land Rights Act can be provided for through Housing or Commonwealth Asset Leases under Section 19 of the Land Rights Act.

## HOUSING LEASES

Housing Leases can be held directly by the Northern Territory Government or the Executive Director on behalf of the Commonwealth. All Housing Leases entered into by the Executive Director are negotiated by officers of the Department of the Prime Minister and Cabinet.

Where the Executive Director holds Housing Leases, he has subsequently entered into subleases for the purpose of property and tenancy management service provision with the Northern Territory Government. These agreements allow Territory Housing to enter into tenancy agreements with occupants and provide 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 2013-14 the Executive Director held 21 Housing Lease in Aboriginal communities under this provision.

**See table B for further details.**

## COMMONWEALTH ASSET LEASES

In the Central Land Council region the Executive Director, on behalf of the Commonwealth, has entered into Section 19 leases directly with Aboriginal Land Trusts over various assets.

For assets located in the Northern Land Council region the Executive Director is not a party to the Section 19 leases as these are held directly by Commonwealth departments, however the Office of Township Leasing has agreed to manage these leases.

This process allows for a structured approach to managing all Commonwealth assets

and provides the Commonwealth and Land Councils with a single point of contact for all administrative dealings.

Both leasing arrangements are covered by an intergovernmental arrangement with the respective Department which has responsibility for the asset and is cost neutral for the Executive Director and the Office of Township Leasing.

In 2013-14 the Executive Director held 37 Commonwealth Asset Leases in Aboriginal communities under this provision.

The Office of Township Leasing, acting on behalf of a number of Commonwealth departments, managed 37 Commonwealth Asset Leases in Aboriginal communities under the intergovernmental arrangement.

**See table C for further details.**

## ALICE SPRINGS LIVING AREAS HELD BY EXECUTIVE DIRECTOR 2013-14

The Alice Springs Living Areas (also referred to as Alice Springs Town Camps) are small distinct communities situated in and around the fringes of Alice Springs. Each of the Town Camps has been established and governed by individual housing associations which hold leases over the area in perpetuity. 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 Commonwealth and Northern Territory Governments of the Alice Springs Transformation Plan initiative the Executive Director, on behalf of the Commonwealth, 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.

**See table D for details** of the Alice Springs Town Camp subleases held by the Executive Director.

## HOUSING MANAGEMENT AGREEMENT

The Housing Management Agreement gives 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.

The initial Housing Management Agreement executed with the Northern Territory Government was for an initial period of three years. To facilitate the provision of tenancy management services a subsequent underlease was executed with Northern Territory Housing.

The discussions between the Northern Territory Government and the Executive Director for a long term agreement has not been finalised resulting in the Executive Director agreeing to a month by month continuous Housing Management Agreement. This 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 any major work has been restricted.

## CURRENT TENANCY MANAGEMENT ARRANGEMENTS

The Northern Territory Government currently has housing tenancy arrangements with the Central Australian Affordable Housing Company and Ingkerreke Outstation Resources Services to deliver tenancy management services and property management services. Both agreements commenced on 1 December 2012 for a term of three years.

These contracts are scheduled to expire in the 2014-15 reporting period. The Executive Director has at the time of drafting this report initiated preliminary discussions with the Northern Territory Government to ensure continuity in service delivery.

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 Commonwealth 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 Commonwealth and Northern Territory Government are required to develop guidelines to enable Aboriginal people to acquire long-term secure tenure in respect of individual houses "to the extent such arrangements are permitted by the Lease and any applicable law."

There continues to be interest from residents in pursuing home ownership. Despite the Northern Territory Government's recent announcement of a home ownership on Indigenous Land programme this does not apply in the Town Camps. 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 legislative restrictions.

To resolve the issue the Northern Territory Parliament would need to enact legislation to enable subdivision and widen the purposes for which the land can be utilised, such as for home ownership. The Commonwealth could also consider utilising its powers under the Northern Territory Stronger Futures legislation to that end.

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 Towns Camps Consultative Forum consists of one nominee of the Executive Director and five nominees of the Housing Associations. The forum met throughout the 2013-14 reporting year to

discuss various issues concerning residents in the Town Camps. The Executive Director has continued to raise a number of town camps issues with the relevant stakeholders.

The Executive Director and the Office of Township Leasing have attended several Housing Advisory Forum meetings with the Northern Territory Government and representatives from Tangentyere Council. The Forum has continued to work in partnership in addressing any housing issues relating to the Town Camps.

## SERVICES PROVIDED BY OTHER BODIES

In 2013-14 Executive Director engaged:

- registered surveyors to prepare and lodge cadastral survey plans in relation to various sites;
- a licensed assessor to calculate the unimproved capital value of land as part of the administration of a Township Lease; and
- licensed property managers to maintain and manage the collection of lease payments and maintain an audited trust account.

## EXPENDITURE STATEMENT

Under subsection 64 (4A) of the Land Rights Act the activities of the Executive Director are funded from the ABA.

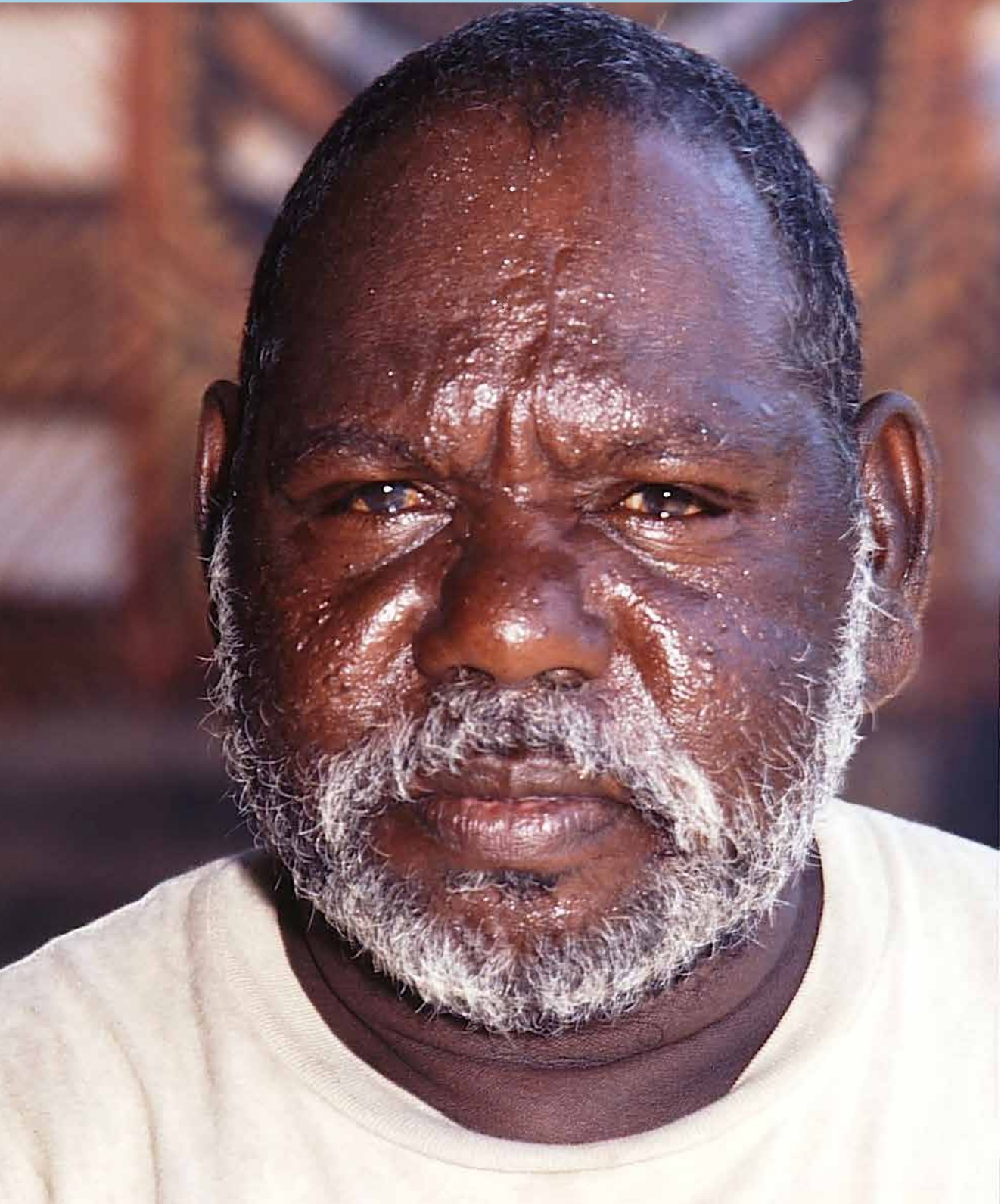
Full financial details of the Aboriginals Benefit Account can be found in the financial statements of the Department of the Prime Minister and Cabinet, which are submitted to the Minister under subsections 63(2) and 70(2) of the *Public Service Act 1999*, and to the Finance Minister under section 50 of the *Financial Management and Accountability Act 1997*.

The statements are subject to scrutiny through the Senate Estimates Committee process.

Details of expenditure and revenue arising from the activities of the Office of Township Leasing for the year ended 30 June 2014 are provided below.

*"I want the kids to look at me and think, "We've got a role model here". I don't want to be a perfect role model, I want to be a good one. Here I am, the leader of a school. I want someone to be the principal of the school. If any of these kids can do that, then I've achieved my outcome."*

- Walter Kerinaia





<b>2013-14 Expenditure</b>	<b>(\$ '000)</b>
Employee expenses	711,486
Travel-related expenses	127,323
Contractor Services	120,604
General administrative expenses	94,914
<b>Total Expenditure</b>	<b>1,054,327</b>

<b>2013-14 Township Lease Revenue</b>	<b>(\$ '000 inclusive of GST)</b>
Wurrumiyanga Township Lease	715,822
Groote Eylandt Township Lease	731,499
Milikapiti Township Lease	149,582
Wurankuwu Township Lease	7,144
<b>Total Revenue</b>	<b>1,604,047</b>

**Table (A)**  
**Communities covered by Township Leases held by Executive Director Township Leasing in 2013-14**

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

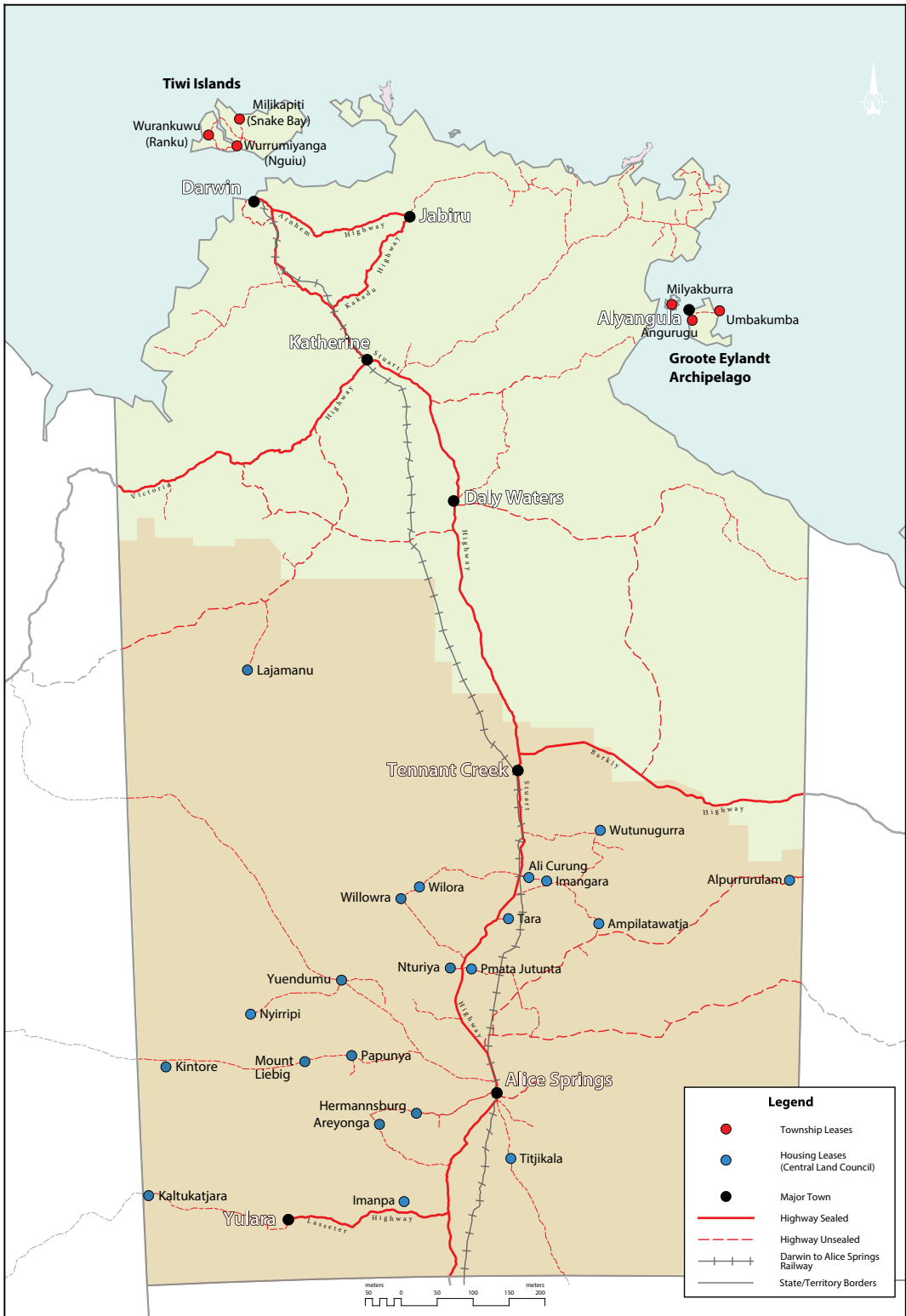
**Table (B)**

**Housing Leases held by Executive Director of Township Leasing in 2013-14.**

<b>Housing Precinct Leases</b>					
	<b>Community</b>	<b>Region</b>	<b>Lease Executed</b>	<b>NTG Underlease Executed</b>	<b>Tenure</b>
<b>Housing Leases (20)</b>					
1	Areyonga	CLC	23.10.2012	23.10.2012	Aboriginal Land
2	Pmara Jutunta	CLC	23.10.2012	23.10.2012	Aboriginal Land
3	Nturiya	CLC	23.10.2012	23.10.2012	Aboriginal Land
4	Kaltukatjara (Docker River)	CLC	23.10.2012	23.10.2012	Aboriginal Land
5	Papunya	CLC	23.10.2012	23.10.2012	Aboriginal Land
6	Mt Liebig	CLC	23.10.2012	23.10.2012	Aboriginal Land
7	Yuendumu	CLC	11.04.2013	11.04.2013	Aboriginal Land
8	Hermannsburg	CLC	29.06.2011	29.06.2011	Aboriginal Land
9	Lajamanu	CLC	23.07.2012	23.07.2012	Aboriginal Land
10	Willowra	CLC	30.05.2013	30.05.2013	Aboriginal Land
11	Kintore	CLC	30.05.2013	30.05.2013	Aboriginal Land
12	Ali Curung	CLC	01.07.2013	01.07.2013	Aboriginal Land
13	Nyirripi	CLC	01.07.2013	01.07.2013	Aboriginal Land
14	Ampilatawatja	CLC	18.07.2013	18.07.2013	Aboriginal Land
15	Imanpa	CLC	25.09.2013	25.09.2013	Aboriginal Land
16	Wutunugurra	CLC	25.09.2013	25.09.2013	Aboriginal Land
17	Imangara	CLC	25.09.2013	25.09.2013	Aboriginal Land
18	Wilora	CLC	08.10.2013	25.10.2013	Aboriginal Land
19	Tara	CLC	08.10.2013	08.10.2013	Aboriginal Land
20	Titjikala	CLC	08.10.2013	08.10.2013	Aboriginal Land
21	Alpururulam	CLC	30.04.2014	30.04.2014	Aboriginal Land
<b>Total 21</b>					



Wurrumiyanga Consultative Forum.



**Table (C)**  
**Commonwealth Asset Leases held by the Executive Director Township Leasing**  
**2013-14**

<b>Commonwealth Asset Leases</b>					
	<b>Community</b>	<b>Lot</b>	<b>Tenure/Region</b>	<b>Lease Executed</b>	<b>Tenure</b>
<b>Government Engagement Coordinator (GEC) Complexes (26)</b>					
1	Ali Curung	248	Central Land Council	25.07.2012	Aboriginal Land
2	Ali Curung	249	Central Land Council	25.07.2012	Aboriginal Land
3	Areyonga	48	Central Land Council	25.07.2012	Aboriginal Land
4	Haast Bluff	75	Central Land Council	12.03.2014	Aboriginal Land
5	Ramingining	265	Central Land Council	17.08.2012	Aboriginal Land
6	Lajamanu	246	Central Land Council	01.05.2013	Aboriginal Land
7	Hermannsburg	55	Central Land Council	25.07.2012	Aboriginal Land
8	Hermannsburg	192	Central Land Council	25.07.2012	Aboriginal Land
9	Kaltukatjara (Docker River)	96	Central Land Council	25.07.2012	Aboriginal Land
10	Papunya	262	Central Land Council	25.07.2012	Aboriginal Land
11	Yuelamu	86	Central Land Council	25.07.2012	Aboriginal Land
12	Lajamanu	420	Central Land Council	01.05.2013	Aboriginal Land
13	Lajamanu	246	Central Land Council	01.05.2013	Aboriginal Land
14	Willowra	136	Central Land Council	03.05.2013	Aboriginal Land
15	Willowra	4	Central Land Council	03.05.2013	Aboriginal Land
16	Bulman	81	Northern Land Council	17.08.2012	Aboriginal Land
17	Galiwinku	321	Northern Land Council	17.08.2012	Aboriginal Land
18	Gapuwiyak	171	Northern Land Council	17.08.2012	Aboriginal Land
19	Maningrida	700	Northern Land Council	17.08.2012	Aboriginal Land
20	Milingimbi	235	Northern Land Council	16.08.2012	Aboriginal Land
21	Minjilang	229	Northern Land Council	16.08.2012	Aboriginal Land
22	Ngukurr	409	Northern Land Council	16.08.2012	Aboriginal Land
23	Peppimenarti	54	Northern Land Council	17.08.2012	Aboriginal Land
24	Ramingining	259	Northern Land Council	17.08.2012	Aboriginal Land
25	Ramingining	260	Northern Land Council	17.08.2012	Aboriginal Land
26	Warruwi	89	Northern Land Council	17.08.2012	Aboriginal Land
<b>Safe Houses (3)</b>					
27	Hermannsburg	228	Central Land Council	15.08.2012	Aboriginal Land
28	Maningrida	717	Northern Land Council	17.08.2012	Aboriginal Land
29	Ngukurr	424	Northern Land Council	17.08.2012	Aboriginal Land

Table (C) *Continued...*

Commonwealth Asset Leases held by the Executive Director Township Leasing  
2013-14

<b>Child Care Centres (8)</b>					
30	Yuelamu	98	Central Land Council	03.05.2013	Aboriginal Land
31	Lajamanu	322	Central Land Council	21.07.2012	Aboriginal Land
32	Minjilang	214	Northern Land Council	17.08.2012	Aboriginal Land
33	Santa Teresa	335	Central Land Council	06.08.2013	Aboriginal Land
34	Areyonga	83	Central Land Council	05.07.2013	Aboriginal Land
35	Kintore	128	Central Land Council	05.07.2013	Aboriginal Land
36	Atitjere	335	Central Land Council	18.07.2013	Aboriginal Land
37	Haasts Bluff	81	Central Land Council	05.07.2013	Aboriginal Land
	<b>Total (37)</b>				



NTG sublease signing.

***"If we want change then we (Tiwi people) have to change, we have to change our ways, work in partnership."***

- Walter Kerinauia

**Table (D)**  
**Alice Springs Living Areas (Town Camps) subleases held by the Executive Director in 2013-14.**

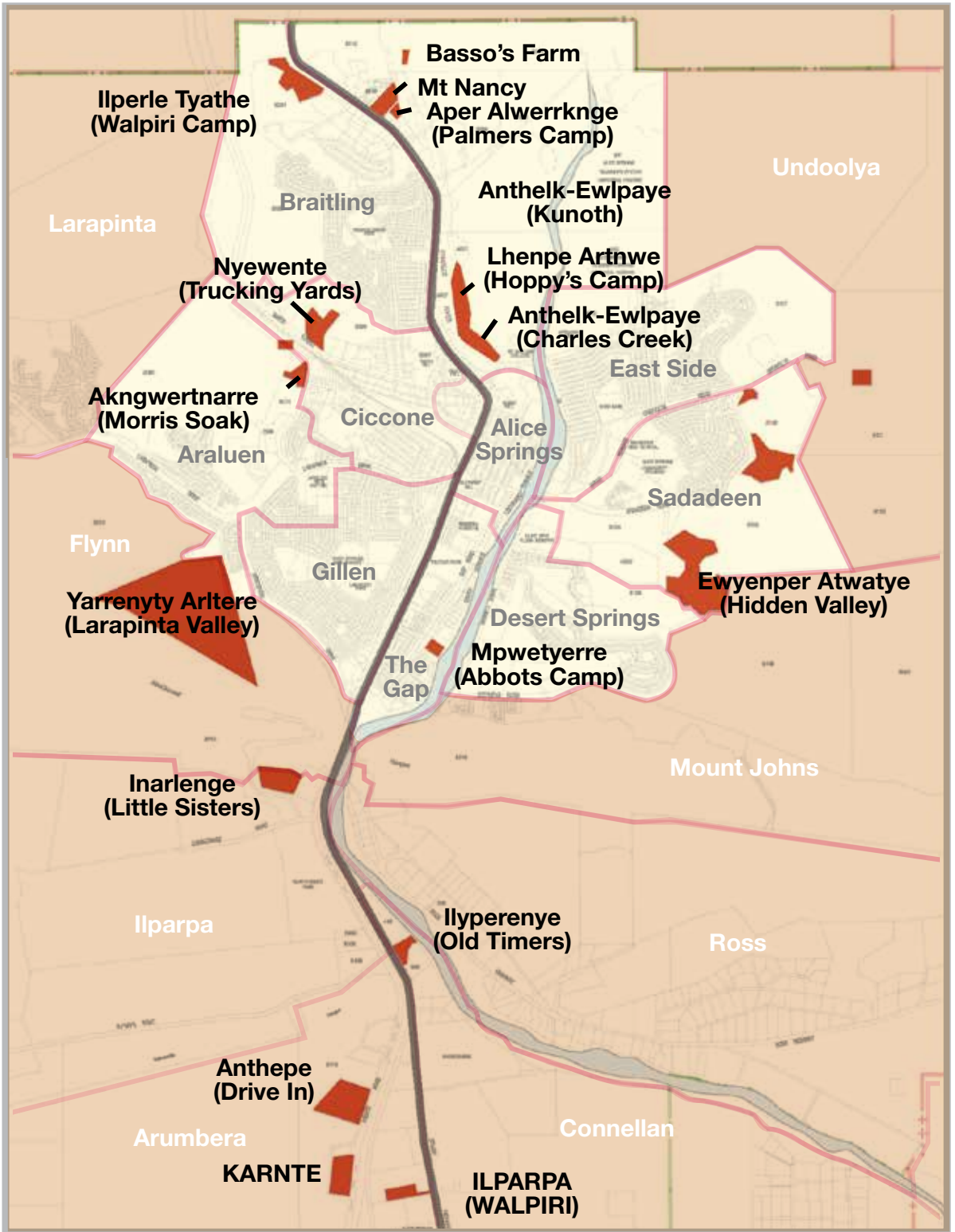
	<b>Housing Association</b>	<b>Town Camp</b>	<b>Tenure Details</b>
1	Mpwetyerre Aboriginal Corporation	Abbotts	Special Purpose Lease
2	Iparpa Aboriginal Corporation	Warlpiri	Special Purpose Lease
3	Karnte Aboriginal Corporation	Karnte	Crown Lease
4	Anthelk-Ewlpaye Aboriginal Corporation and Hoppys Camp	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	Warlpiri	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	Special Purpose Lease
15	Basso's Farm	Basso	Special Purpose Lease
16	Larapinta Valley	Larapinta	Special Purpose Lease
17	Nyewnete Association Incorporated	Trucking Yards	Special Purpose Lease
	<b>Total (17)</b>		



Wurankuwu.



# Alice Springs Town Camps







**EXECUTIVE DIRECTOR OF TOWNSHIP LEASING**  
Annual Report 2013-2014