

KARDU NUMIDA INCORPORATED

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| CAPACITY BUILDING INQUIRY Submission No. ...13..... |
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The Committee Secretary
House of representatives
Standing Committee on Aboriginal and Torres Strait Islander Affairs
PARLIAMENT HOUSE,
CANBERRA ACT 2600

FACSIMILE TRANSMISSION TO (02) 6277 4827

Good morning,

We are pleased to submit to the Committee the views of Kardu Numida Incorporated, the Local Government body responsible for the Wadeye, Northern Territory Indigenous Community.

In our submission, with regard to the Commonwealth inquiry relating to Capacity Building in Indigenous Communities, we have focused our attention on the following issues, raised as questions:

- How important is community capacity building to the community themselves and how Indigenous communities can be strengthened in remote areas?
- How best can regional organisations do business and make decisions in traditional ways, while meeting wider governance and accountability standards, what can Governments do to help more indigenous organisations remain, stable, well managed and successful?
- What additional skills and resources do community members and organisations think they need in order to run their communities more effectively?
- To what extent are Governments and their agencies building genuine partnerships in with Indigenous groups, are these partnerships leading to better services and in improvements in communities?
- How well are governments coordinating their work at the community and regional level, does it make a difference?

We look forward to meeting with and talking to the Committee, when they travel to the Northern Territory

Sincerely,

Theadora N

Theadora Narndu
Council Vice President

Terry Bullemor

Terry Bullemor
Council Clerk

ATTACHMENT (1)

KARDU NUMIDA INCORPORATED-
WADEYE NT 0822

**SUBMISSION TO THE COMMONWEALTH INQUIRY INTO CAPACITY
BUILDING IN INDIGENOUS COMMUNITIES-AUGUST 2002**

• **ISSUE/QUESTION ONE (1)**

“ How important is capacity building to the community themselves and how Indigenous communities can be strengthened in remote areas?”

The tribal leaders of the region have shown resilience in maintaining strong ties to their land and their culture. At the same time, they have demonstrated innovation in developing traditional management structures into strong contemporary structures capable of the planning of future regional representative bodies in:

- Local Governance
- Land Management
- Economic Development
- Social and Political Development

Tribal Elders have delegated responsibility to well educated middle aged future leaders, to explore opportunities aimed at achieving greater self-management and financial independence for the people of the region.

There are already significant resources in the region to support the further development of the Construction industry in both civil and structural disciplines.

Local leaders are concerned that despite collectively having considerable resources in both civil and structural disciplines, major contracts are sometimes lost by local contracting organisations through the public tender system.

Further, local leaders argue that no outside contractor is likely to invest in permanent infrastructure on this Aboriginal land. Also, at this stage of development, local contracting organisations are not able to compete in the mainstream contract areas.

Given there are no Strategic Plans from either Commonwealth and NT Governments for the development of remote regional centres in the Northern Territory, the job of building (as an example) the Regional centre of Wadeye and endeavoring to normalise services to the population is left mainly to these community organisations. Unfortunately, these local organisations have to operate without the advantages of normal private enterprise services, which are available in other major centres.

This fact requires the organisation to be self-sufficient in all areas of Construction in order to service the town and its population. Sometimes, this means the purchasing of

Plant and Equipment, whilst essential to the local construction industry and town servicing is not always economically viable. This additional cost overhead has caused local tenders to be higher than competing outside tenderers.

It is proposed that in the future, all major works are undertaken by local organisations in either a stand-alone or joint venture situation, providing the necessary accountability for cost competitiveness and quality assurance.

- **ISSUE / QUESTION TWO (2)**

“How best can regional organisations do business and make decisions in traditional ways, while meeting wider governance and accountability standards, what can Governments do to help more Indigenous organisations remain, stable, well managed and successful?”

Following the re-emergence of Kardu Numida Inc., following its administrative and financial restructuring, (which commenced in 1992 and concluded in 1999/2000), the people of Wadeye stated they had more effective control over their affairs, in the “Old days”. As such, they have decided to return to their traditional structures and governance.

Pre-existing any contemporary Government legislation, the senior people of the 16 tribal groups of the Daly River/Port Keats region of the Northern Territory, met in a forum called **“THAMARRURR”**

This structure presided over issues of:

- Local Government
- Ceremony
- Use of Natural resources
- Economic transactions and
- Minor law and Justice matters

That defined structure still operates today. It is intended to form the foundation of a contemporary structure, which will support the social, political, cultural and economic development of the people, in partnership with both the Commonwealth and Territory Governments, of the day.

The people of Wadeye see **THAMARRURR** as the vehicle, which will support them to achieve their many aspirations in Social, Political and economic matters.

In the **THAMARRURR** forum, the leaders/representatives of each clan group know their relationship with representatives from other clan groups, through an arrangement called "kulu". Each clan group is considered an equal amongst the others.

There are no Presidents or Chairmen, however local land owners of the particular land on which they meet, will provide the normal courtesies which exist under the relationship's **CODE OF ETHICS**.

In the view of the people, **THAMARRURR** is a legitimate, recognised structure in which tribal leaders/representatives have authority to make decisions over matters pertaining to everyday life, with exception of matters relative to a particular tribal group's land or its usage.

The people believe that in modern times, **THAMARRURR** can still be a:

- Structure for Local Governance
- Regional Chamber of Commerce
- Provider of Services
- Protector of Human Rights
- Regional Land Council

This submission focuses on and relates to the REFORM ERA (post 2000), in the generation of practical, sustainable and viable service delivery opportunities for the Wadeye Aboriginal Community.

Included in the **REFORM ERA agenda** were:

- The Local Government reform Agenda from the Commonwealth Government.
- Impending changes to the NT Local Government structures
- The Collins Report on NT Indigenous Education
- Strategy 21-“the delivery of Health services to all”
- Wadeye Land uses structure Plan (a Joint venture with the NT Department of Planning and Environment and the People)
- Consideration of ATSIC for regional autonomy
- Recognition by Aboriginal people in that they must use their land for their own social and economic development
- Recognition that traditional structures can undertake major contemporary projects
- The NT Government's “Foundations of the Future” statement.

As a Community organisation, with Local Government responsibilities, Kardu Numida/THAMARRURR is endeavoring to develop Wadeye, as a remote regional centre, capable of servicing a current population of 2,500 and growing at the rate of (circa) 100 per year.

It is doing this without the support of private enterprise and mainstream Government Agency providers (e.g. Police, Education and Health), normally encountered in a similar size town in Australia. It is also without the support of specific industry or public rental accommodation, which may also be available in other centres.

The local community organisation does not have Legislative power to ensure a reasonable level of local revenue, even if the community has the capacity to pay.

The development of THAMARRURR into a traditional/contemporary structure of Local Governance and service delivery models is an aspiration of local people and other levels of governance.

However, it would appear the Commonwealth and NT Government would need to apply the catalyst in the shape of practical working models in local government and service delivery to achieve further regional development.

The people of Wadeye have created a foundation, but they require tangible support to build for the future.

Both Commonwealth and NT Governments appear resolute in developing more regional responsibilities and autonomy.

A recognised, authoritative structure of local government must be established with local revenue levels are to match service delivery expectations, in a “user pays” environment.

- **ISSUE / QUESTION THREE (3)**

“ What additional skills and resources do community members and organisations think they need in order to run their communities more effectively? ”

Since 1994, the local organisation (Kardu Numida Inc.) has expanded its capacities in the Construction industry, as a means of:

- Profit earning activities to repay debt
- Providing physical contribution to the overall development process
- Obtaining and maintaining infrastructure plant and machinery necessary to service the town and adjacent homelands.
- Providing meaningful employment and training opportunities.

It has been successful in its endeavors

Kardu Numida Inc. (KNI) is now confident and competent in managing its operations. However, it recognises it does not have the capacity to provide for the total “normalisation” of services to a fast growing population.

In the past 7 years, KNI has successfully completed civil and construction works, to the value of \$20 million. It has, in fact undertaken most major contract work, (both civil and structural) during that period.

KNI has also been unsuccessful in its tendering for some recent projects, including:

- Construction of 8 new houses at the Manthatpe subdivision valued at \$1.9 million
- A sewerage treatment works and associated road works valued at \$600,000.

KNI recognised its tender for these works were higher than outside competitors, however, it maintains that its additional overheads, long term employment and training obligations to local people, justify the higher tender price.

KNI is critical of the fact that despite millions of dollars of Aboriginal money being used to pay Consultant Program Managers, (and with supposedly considerable experience in the Construction Industry), it appears the only way these people can determine Value for Money, is via the public tender system.

KNI has considerable expertise in Industrial, commercial and domestic construction .It has a high rate of retention of non-aboriginal staff, together with an excellent retention rate of local staff.

The KNI Councillors and local management staff have day to day input into all construction activities. KNI has contract works to the value of \$4,500,000 in process.

Kardu Numida is an accredited Contractor, under the Northern Territory Contractor Accredited assessment under civil and structural works.

Local Aboriginal organisations have been able to gain long-term commitments from key management staff supervisors, throughout the Region. This fact reflects the respect that is held for Aboriginal elders and community members, who have demonstrated determination, resilience, innovation and friendship, as they work towards gaining the independence they once had in a traditional society.

In order to ensure a flow on of these skills to community members, community elders have delegated Portfolio responsibilities to selected middle –aged future leaders, under a program to develop Local management Resources.

These male and female future leaders are involved in day-to- day management decisions, throughout the various community activities. ATSIC and the Department of Employment and Workplace Relations, as well as local organisations support this program, to “Develop Local Management Resources”.

The collective skills of people on the ground supported by well-experienced and respected local training firms should see a stable supply of local skilled personnel to support the regional Construction Industry.

A Skills Audit of the local workforce will reveal a wide range of highly skilled persons, across various construction disciplines. The ATSIC funded CDEP has underwritten the program to develop skills in the local workforce.

To date, most of the accredited qualifications gained have been from short-term courses in:

- Heavy Machinery Operation Licensing

- O.H&S Awareness
- First Aid Qualifications
- Building Construction Certificates
- Certificate IV in Assessment and Workplace training.

However, senior workforce members have had many years of practical experience in all aspects of civil and structural construction works. Continuity of work will provide opportunities for recognition of prior learning, which will enable these workers to complete modules of Certificate courses, in both civil and structural areas.

Further, opportunities for local people will soon increase as a result of a major employment and training strategy, supported by the Department of Employment & Workplace Relations, in conjunction with ATSIC/CDEP and community organisations.

An Employment and Training Office will be established in the new Rural Transaction Centre at Wadeye, and provide training administration support and mentoring services to local community organisations and their staff.

It is judged that initially, 35 positions for local workers will be supported by the project.

Business planning and further development of the Construction industry will progressively expose and identify training needs across the Industry. Whilst many local employees will have or will gain practical worker skills, there will be a requirement for trade based numeracy and literacy skills, to assist in the completion of accredited training.

Kardu Numida will utilise the community based Kardu Kigay Education centre to provide the necessary support to local workers. Kardu Kigay was established as an alternative education project for young men of the community. It was a community initiative, which was developed in conjunction with the Christian Brothers organisation and financially supported by the now Department of Education Service and Training.

This facility is well resourced and has qualified teaching staff, who have a long-term commitment to local people.

- **ISSUE / QUESTION FOUR (4)**

“To what extent are Governments and their Agencies building genuine partnerships in with Indigenous groups, are these partnerships leading to better services and improvements in communities?”

A critical factor in further development of the Construction industry in the region, will be the development of some continuity and co-ordination of supply in Project funding.

An analysis and sourcing of current Housing/Infrastructure funding identifies, as follows:

Community Housing

This is represented through;

- The Indigenous Housing Authority of the NT (IHANT)
- ATSIC's National Aboriginal Health Strategy (NAHS) and,
- Local Organisations

IHANT

Funding provided through this source is **a joint venture**, between the Commonwealth (Department Family and Community Services), ATSIC and the NT Government.

The NT Government Department of Community Development (previously the Department of Local Government) manages the program.

IHANT has achieved some very good outcomes in Housing for Aboriginal people in the Northern Territory. These include:

- Improved standard of Housing
- Quality assurance from consultant Project Managers
- Support of local building teams
- Stabilisation of Housing construction costs

IHANT adopted a Housing needs methodology, based on housing overcrowding and homelessness, experienced by Aboriginal people. This methodology has produced a database of the respective housing requirements of Aboriginal people in the various ATSIC Regional Council Areas, within the NT.

In the negotiations that took place in the formation of IHANT, ATSIC required to have delegated authority for funding distribution. Under IHANT guidelines, allocation of funding should follow the needs requirement of respective organisations, as identified in the needs Database.

Unfortunately, this is not always the case, as demonstrated by a recent report ("Assessment of Allocations in relation to IHANT Guidelines")

The combined needs of Kardu Numida and its associated Murin Association equate to approximately 33% of the needs in the Jabiru Regional Council jurisdiction. This should represent some \$2 million being allocated, on an annual basis for community housing in the Wadeye (Port Keats) region.

This annual amount could supply the Foundation funding for a local housing Construction industry.

ATSIC

The ATSIC funded National Aboriginal Health Strategy (NAHS), has become a major contributor to the development of housing and infrastructure of Aboriginal Communities in the Northern Territory.

Designed as a “catch up “ program, the key objective of NAHS is to add to the supply of housing and associated infrastructure needs within Aboriginal communities. The allocation of NAHS funding is based on a need requirement, as demonstrated by a methodology similar to IHANT. There is a definite need for the consideration of a training component to be included in the Program.

Given that Kardu Numida has the greatest housing needs in the Northern Territory, it is reasonable to assume that it will receive future funding allocations, should the program continue.

In the event Kardu Numida receives future housing funding allocations from NAHS sources, it will endeavor to negotiate with ATSIC and their NAHS Manager (Ove Arup), in determining value for money, by means other than via the public tender process.

LOCAL ORGANISATIONS

- The **MURIN** Association, under its Constitution, allocates profits from its Air travel and freight operations to community housing. This contribution has allowed for the construction of six (6) houses, during the past 5 years.
- The **MURINBATA TRIBAL DEVELOPMENT ASSOCIATION (MTDA)**, has its major income source through retailing, art sales and tourism. Prior to the Wadeye Community receiving IHANT and NAHS funding, MURINBATA shared the responsibility of supplying community housing with the MURIN ASSOCIATION.

In recent years, Store Profits have gone toward community infrastructure funding, including;

- Expanded retail operations
 - Community transportation
 - Tourism ventures
 - Staff Housing
 - \$500,000 toward a new community swimming pool
- **STAFF HOUSING-GOVERNMENT EMPLOYEES**

As a developing regional centre, Wadeye will have ongoing needs to house Government employees. As part of any partnership agreement between Government

and THAMARRURR, it should be possible to negotiate staff housing construction contracts, based on the “value for money” methodology

In summary, it is believed that a joint venture partnership, between Commonwealth and Northern Territory Governments, ATSIC and THAMARRURR can be established. The use of common sense, innovation and community development principles should be applied and given a clear priority in negotiations.

From those negotiations and intended outcomes, it should be possible to fund a viable Housing Construction Industry, in the Region.

- **ISSUE / QUESTION SIX (6)**

“How well are Governments coordinating their work at the community and regional level, does it make a difference?”

Some of the activities of Kardu Numida and the Murin Association, including Local Government and Housing will soon be undertaken by THAMARRURR, which will become the peak representative body between the people and the Commonwealth and Northern Territory Governments.

In preparation for that event, it has been proposed a Joint investigation between relevant Commonwealth and Northern Territory Government departments, with ATSIC and local community organisations, under the auspices of THAMARRURR, to develop and implement strategies to further existing capacities of local construction organisations and be able to undertake all major and minor contract works in the region, either as stand alone operations or through joint ventures, depending on the scope of the project.

The investigation should consider components in providing local leaders with continuity and allowing confidence building exercises, giving local managers and future leaders the opportunities to further develop their skills in contemporary management. Further, the Joint Investigation to attempt to build onto existing capacities and that any support coming from external Agencies should be in the nature of “value added”, thereby ensuring ownership by the local people.

Components in the proposed Joint Investigation should include:

- Project Financing
- Project management
- Industry Research and development
- Availability of skilled Personnel
- Skills audits of local workforces Training requirements and,
- Administration and Financial management

To provide some perspective of the Port Keats/Daly River Aboriginal Reserve Area. It is a significant coastal area of the land between the Daly River in the North and the Fitzmaurice River to the South.

The reserve takes in a variation of larger areas being;

- Moyle River flood plains
- Daly River Wildlife Region
- Macadam Ranges
- Coastal Plains of the Madjilindi Valley
- Prime pastoral land of the Peppimenarti Plains and Palumpa Stations.

The region has attracted the interest of Mining exploration Companies, with interest in gold and diamond mining operations.

It may possibly carry the proposed Gas Pipeline to bring gas on shore, as part of the Woodside Energy Ltd's proposal to service the Mining industries and domestic users of gas, within the Northern Territory.

It is in an area, which both geographically and economically isolated within the Northern Territory

It is the home of some 4,000 traditional Aboriginal people, who reside in the major centres or in homeland settlements, on their own estates. Approximately, 60% of its population is under the age of 25 years and will see a rapid growth in population, during the next 5 to 10 years.

The Region is of strategic importance to the Australian Defence Force and will see the deployment of additional Norforce personnel and infrastructure to build up local soldier numbers and provide cadet-training facilities in the region.

The area has also attracted the interests of the Tourist Industry operations in area such as

- Eco tourism
- Recreational fishing
- Traditional Aboriginal Lifestyles and
- Arts and crafts