

Senate Legal & Constitutional Affairs  
Legislation Committee  
Consideration of Budget Estimates 2003-04

Tabled Document

By: *ATSIC*

Date: *29/5/03 13:00*

# SHARED RESPONSIBILITY AGREEMENT

*between the*

Commonwealth of Australia  
through the Department of Family  
and Community Services

*the*

Northern Territory Government  
through the Department of Chief Minister  
Indigenous Policy Unit

*and the*

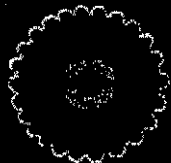
Thamarrurr Regional Council

21<sup>st</sup> March 2003

A COUNCIL OF AUSTRALIAN GOVERNMENTS' INITIATIVE



NORTHERN TERRITORY OF AUSTRALIA



## 1 OVERVIEW

This is a *Shared Responsibility Agreement (Agreement)* between the three governments the Commonwealth Government, the Northern Territory Government and the Thamarrurr Regional Council, (the Governments).

This Agreement is made in a spirit of partnership, and:

- recognises and respects each of the parties' rights and responsibilities; and
- provides a basis for cooperation and partnership between the Governments.

### Key Principles

This agreement is also based on the following principles and beliefs that the people of Thamarrurr hold to be important.

The people of Thamarrurr:

- wish to have the same opportunities to participate equally in society as do other Australians;
- recognise and respect traditional owners rights;
- respect each other's country;
- are working towards respect and peace between families and clans;
- are working towards unity as a region;
- wish to develop all 20 land owning group's country;
- recognise that the services at Wadeye are for all people of Thamarrurr;
- recognise 'first contacts' and contemporary contacts and their influence;
- wish to develop clan and family business interests;
- support an educational system that teaches our children mainstream education whilst at the same time reinforcing our cultural values; and
- recognise Kardu Diminim as the traditional land-owning group of Wadeye

## 2 OBJECTIVES

In making this Agreement the Governments have agreed to work together to:

- establish partnerships and share responsibility for achieving measurable and sustainable improvements for people living in the region;
- support and strengthen local governance, decision making and accountability;
- learn from a shared approach - identify what works and what doesn't and apply lessons to future approaches both at the community level and more broadly;
- ensure the provision of better coordinated and more flexible services to meet the needs, as agreed to by the Governments, of the Thamarrurr Region; and
- concentrate on community capacity building by supporting the community's assets, capacities and abilities.

### 3 ARRANGEMENTS

The guiding principles of this agreement are:

- the partners are the Thamarrurr Regional Council, the Commonwealth Government and the Northern Territory Government;
- each partner is equal and understands and accepts the role of others;
- the central role of the Thamarrurr Regional Council is recognised and partners understand and accept the differences of cultures;
- responsibility for achieving outcomes and setting actions is shared;
- partners recognise that priorities identified under the agreement will change over time;
- Thamarrurr will be the primary point of contact for undertaking activity in the region; and
- the development of Thamarrurr and the well being of its people will underpin all actions undertaken through the COAG Indigenous Community Coordination Project.

The Governments recognise the need to ensure that the views of all stakeholders are considered.

### 4 REGIONAL PRIORITIES

Following on from community consultations the Governments agree that the key regional priorities for this agreement fall into three broad areas:

- Women and families;
- Youth; and
- Housing and construction.

All partners agree that education, training and enterprise development are essential for the well being of Thamarrurr and its people. Any agreed actions to address the three priority areas must also address agreed education, training and enterprise development needs.

A Tri-partite Steering Committee made up of the Governments has been established to:

- guide and monitor negotiations on the partnership agreement;
- negotiate with the community on establishing priorities and themes; and
- develop an appropriate evaluation methodology agreed by all parties.

To assist the Tripartite Steering Committee to develop agreed actions and outcomes Priority Working Groups have been established to concentrate on the three priority areas (Women and Families, Youth and Housing and Construction). These Priority Working Groups are made up of the Government representatives.

The Priority Working Groups will:

- report on a regular basis to the Steering Committee;
- work with the community to develop an Action Plan and timelines to address identified priorities and related issues (to be endorsed by the Tripartite Steering Committee);

- identify, join up and source existing funding and services, both government and non-government; and
- monitor the implementation of on-the-ground programs and services.

As part of this Agreement, regional priorities and agreed outcomes will be detailed in the *Shared Responsibility* Priority Working Group Action Plans between the Governments. These action plans will be attached as schedules to this Agreement when endorsed by the Tripartite Steering Committee.

## 5 ATTACHMENT TO THIS AGREEMENT

The Shared Responsibility Priority Working Group Action Plans will come together in one attachment to this agreement when endorsed by the Tripartite Steering Committee and will:

- contain information on what the Governments agree to do and take responsibility for in making positive changes in the three priority areas;
- contain information on how the Governments will know these actions are making a positive difference (agreed performance indicators, benchmarks and (need for) baseline data; and
- contain information on how the Governments continue to talk to each other and how they are able to check that progress is occurring (establish specific feedback and monitoring mechanisms).

With the agreement of all parties, the Shared Responsibility Action Plans may be added to or changed at any time to reflect agreed new or revised priorities, actions and outcomes.

## 6 PERFORMANCE MEASUREMENT AND EVALUATION

The Governments agree to monitor and evaluate progress against agreed benchmarks and milestones as well as agree to make performance information available for national evaluations. Benchmarks, milestones and performance information are being developed and when agreed on will be attached at a later date.

## 7 ACCESS TO DATA

Data collected during, or as part of, an activity carried out under this agreement will be made available to the Governments.

## 8 DISPUTE SETTling ARRANGEMENTS

As part of this agreement the Governments will agree on a simple process for settling any disagreements/disputes or misunderstandings that may arise. The agreed dispute settling mechanism once developed and agreed on will be attached at a later date.

## 9 REVIEW OF PROGRESS

Progress with activities undertaken as part of this agreement will be reviewed after six months and again at regular intervals as agreed by the Governments and endorsed by the Tripartite Steering Committee.

## **10 DURATION AND VARIATION OF AGREEMENT**

This Agreement will come into effect from the date of signing by all parties and shall continue in force until the parties agree to terminate the Agreement.

The Governments may agree in writing at any time to change the contents of this Agreement.

If any partner wishes to withdraw from the agreement at least 3 months notice must be given to the other party or parties.

This Agreement was made on the 21st day of March 2003.

Signed for and on behalf of  
the COMMONWEALTH OF AUSTRALIA by

Signed for and on behalf of the  
GOVERNMENT OF THE NORTHERN TERRITORY by

**MINISTER**  
Family and Community Services

**CHIEF MINISTER**  
Northern Territory

Signed for and on behalf of  
Thamarrurr by

## **DESCRIPTION OF LOCAL PROJECT**

### **PRIORITY AREA - WOMEN AND FAMILIES**

Thamarrur and governments have recognised that women and families is a key priority area.

The women of Wadeye have been working for a long time to develop the Kardu Darrikardu Pumemanpinu Family Program.

Now they are a part of the Priority Working Group for Women and Families and together, they are working out how this program can actually happen.

The Kardu Darrikardu Pumemanpinu Family Program will allow the local Aboriginal women of Wadeye to build a happy healthy community within its foundation.

The broad aim of the program is to provide necessary, practical and appropriate information and support to individual families and their members on a wide variety of topics through culturally appropriate processes.

The program aims to assist families to develop individual family plans that considers all issues for families. It will help families build their social capital, provide accurate information on contemporary issues, help families help their kids to attend school and it will help families with work options.

The program will be run by the local women who have the right authority to work with individual families. The program is based on cultural responsibilities and relationships and families will be helped in a range of areas by those who are able to help them.

### **Shared Responsibilities and Outcomes**

Wadeye women have worked out what this program will be doing and how this program will operate. Workshops have been held, many meetings have happened and the work undertaken at the Ngepan Patha Centre (Women's Centre) has also helped to bring this program together.

The Priority Working Group on Women and Families are now working together to identify the shared responsibilities for all partners involved.

The Priority Working Group is also working on identifying outcomes and indicators, benchmarks and feedback arrangements.

The Priority Working Group is also working on how this program will provide jobs, training and enterprise development for the local community.

The Priority Working Group will provide their completed Shared Responsibility Action Plan to the Tripartite Steering Committee meeting in May 2003.

Once endorsed by the Tripartite Steering Committee the Shared Responsibility Action Plan will become a part of this agreement.

## **DESCRIPTION OF LOCAL PROJECT**

### **PRIORITY AREA - YOUTH**

Thamarrur and the Governments have recognised that youth is a priority area.

The Priority Working Group is working on identifying what governments and others already provide for youth at Wadeye and how these services can work better together. They are also working on what services are missing at Wadeye for youth.

Thamarrur have had workshops and meetings about their young people and Priority Working Group members have been involved in these meetings.

Thamarrur and the Priority Working Groups recognise that for positive changes to occur for youth at Wadeye, the involvement of families and the local community is essential. There is recognition that that what ever programs already exist and whatever new programs are created - all must have legitimate roles for the involvement of families and the local community.

The Priority Working Group also is looking at what training and education and job opportunities exist for youth and how to build on this to support leadership and skill development amongst the youth of Wadeye.

### **Shared Responsibilities and Outcomes**

The Priority Working Group on Youth are working together to identify the shared responsibilities for all partners involved.

The Priority Working Group is also working on identifying outcomes and indicators, benchmarks and feedback arrangements.

The Priority Working Group is also working on how training, education and enterprise development can be best targeted to the youth of Wadeye

The Priority Working Group will provide their completed Shared Responsibility Action Plan to the Tripartite Steering Committee meeting in May 2003.

Once endorsed by the Tripartite Steering Committee the Shared Responsibility Action Plan will become a part of this agreement.



## **DESCRIPTION OF LOCAL PROJECT**

### **PRIORITY AREA - HOUSING AND CONSTRUCTION**

Thamarrur and the Governments have recognised that Housing and Construction is a priority area.

Thamarrur have already done much work on the above priority area. They see that adequate housing is essential for the well being of their people. They also believe that a sustainable local construction industry will help them become more independent. A local construction industry would create jobs, provide training and generate capital for the community.

Thamarrur have worked on business plans for the housing and construction area.

Their work on these ideas and ideas around home ownership, partnerships with private enterprise and involvement of the banking sector are all being worked on by the Housing and Construction Priority Working Group.

There has been many reports and submissions written around these areas and the Priority Working Group is reviewing these reports to identify common themes and what ideas could be implemented in the short and long term.

Information on residency patterns is being sought to help plan for appropriate housing. The Priority Working Group is working to bring all this information together.

Training and job opportunities is a key area for this Priority Working Group.

### **Shared Responsibilities and Outcomes**

The Priority Working Group on Housing and Construction are working together to identify the shared responsibilities for all partners involved.

The Priority Working Group is also working on identifying outcomes and indicators, benchmarks and feedback arrangements.

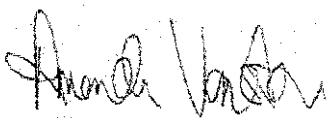
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MINISTER  
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CHIEF MINISTER  
Northern Territory

Rachel Kavui  
CARMELITA PERDJERT

Signed for and on behalf of  
THAMARRURR by

Banfree Pindj  
Thessona Naruwa

STEPHEN BUNDECK

Lisa ngarti  
Telia Bunduck

Mayino Vanju  
BENEDICT TCHINBURR

Mary Elizabeth Dulla  
Loyola Kolumboort

Barnd Pambluk  
Richard Tcherna

Michael Tcherna  
Georgina Pambluk

Eileen Jumbuluka  
Neronica Lismoo

Mark Mandigan  
Arthur Kavui

Peter Mandigan

Gabriel Martin

MARK MARTIN

Basil JIMARIN

Tommy Singar

Catherine Pambluk

Maria Bunduck

Joda Elak  
Mithias Numanluk

Barry Nilco

Therese Ngutkar

LEONIE MELPI

Josephine Kantjin  
AMBROSE JONGMIN

MARYANN JONGMIN

Ellen Tcherna

Martina Mudlimluk

Andda Tcherna

MARTIN MULTEWA

IAN KONGING

Bernard Durroo

JOY ALLUMY

Stephanie Berida

Assumpta Gumbaduck

Phyllis Bunduck

Joanne Espinosa

Theresa Ncidulu

A. K. Sh

Luz Taberna

Angela W. Wince

Carl J. Wince

Emmanuel Kwumang

Shaddow Nantinga

Bernard Jalinas

Naeline Dungal

Gerardus Jalinas

PEGGY JIMARIN

Danny Smiler

Luethan

M Longmair

Paula Smiler

Anne Marie Nodjaka

Marguerite Niles

Colombanus Waria

Timothy Dams

Anthony Dams

Jos Dumo

Cyprian Ngari

Marita Oleros

Eduardo Amilo

Maria Tchemjini

Markus Mubambale

Bar Meyer

## LIST OF INDIGENOUS BUSINESS AUSTRALIA INVESTMENTS

The following information provides details of IBA's investments, including investment turn over, current investments and approved investments/disposals yet to be settled.

### Investment Turn Over

All of IBA investments have exit provisions built into the legal documentation. In most recent cases the exit strategy is not time driven but is discretionary from IBA's perspective. IBA's investment portfolio does see significant change as exemplified in the following list of disposals and the reasons for those disposals:

1998 Mirrkwork Joint Venture – this business provided contract mining services at the Mt Todd gold mine in Northern Territory. When the owners closed the mine, IBA and its joint venture partners closed the business and sold or reallocated assets.

1999 Ngarrindjeri Community Orchard – the orchard was a financial success but IBA had difficulty maintaining community interest in the business

Palm Island Ferry Services – this business struggled financially. The joint venture partners leased the boat to one of the partners and eventually the assets were sold.

2000 Southern Cross Marine Culture – this was a successful business. IBA's equity was purchased by its Indigenous joint venture partners.

Ampiji (North Queensland) Pty Ltd – this was a successful business more aligned to an owner /operator arrangement. IBA's equity was purchased by the Indigenous managers of the business.

Burnie K-Mart Plaza – this was a successful business. IBA's equity was purchased by its Indigenous joint venture partners.

Gordon River Cruises – this was a successful business. IBA's equity was purchased by its Indigenous joint venture partners.

2001 nil

2002 MacKenzie River Bulk Haul Pty Ltd – the business did not support a joint venture arrangement and IBA's equity was sold to its business partner

Geo CDC Insurance Services Pty Ltd – the business struggled in light of various insurance 'events' in 2001 and IBA sold its equity to its business partner

Peter Kittle Motor Company - this was a successful business. IBA's equity was purchased by its Indigenous joint venture partners.

2003 Ceduna Clear Water Oysters – IBA chose to realign its investment exposures and sold its equity in this business to a larger producer.

## Current Investments

Investments held at 1 June 2003 comprise:

<b><u>Mining</u></b>	<b>Equity</b>	<b>State</b>
Foxleigh Joint Venture(coal)	16.4%	Qld
Eastern Coal Joint Venture (coal explo)	16.4%	Qld
DME Joint Venture (filtration develop)	20%	Qld
<b><u>Construction</u></b>		
Henry Walker Eltin	shares	NSW
Property Investment Vehicle	shares	NSW
Ngarda Civil and Mining	25%	WA
<b><u>Accommodation, Cafes and Restaurants</u></b>		
Kings Canyon Resort	17.2%	NT
Cooinda Lodge	70%	NT
Crocodile Hotel	70%	NT
Monkey Mia Resort	25%	WA
Fitzroy River Lodge	42.86%	WA
Fitzroy Crossing Inn	42.86%	WA
<b><u>Transport and Storage</u></b>		
Queensland Bulkhaulage	25%	Qld
Carpentaria Shipping Service	18.31%	NT
<b><u>Finance and Insurance</u></b>		
Various loans		
Various guarantees		
<b><u>Property and Business Services</u></b>		
South Hedland Homestead Centre	70%	WA
South Hedland Government Centre	100%	WA
Katherine Government Centre	100%	NT
Scarborough House	100%	ACT
Perth Office block	50%	WA
Mitchell St Darwin	50%	NT
Kalgoorlie Office Block	100%	WA
<b><u>Cultural and Recreational Services</u></b>		
Tjapukai Cultural Theme Park	19.93%	Qld
<b><u>Personal and Other Services</u></b>		
Port Botany Transfer Station	50%	NSW
Western White Linen	30%	NSW
Egans Laundry	25%	Vic

### **Approved Investments / Disposals Yet To Be Settled**

The following list provides details of IBA Board approved acquisitions and disposals which are expected to be settled before the end of the financial year.

Disposals:

- IBA's equity in Western White Linen

Acquisitions:

- Equity position in a industrial land development in NSW
- Acquisition of an office block in Adelaide, S.A.

In addition, IBA is negotiating the partial sell-down of equity in a number of investments to local Indigenous groups. This process is expected to take several months.