



NORTHERN LAND
COUNCIL

Our Land, Our Sea, Our Life

Community Planning and Development Program

Monitoring Report for 2016 - December 2018

June 2019

Prepared by



LA TROBE
UNIVERSITY



The report was prepared by Dr. Linda Kelly from La Trobe University (LTU). It is based on the methodology outlined in the Community Planning and Development Monitoring and Evaluation Framework 2017 and the Monitoring and Evaluation Implementation Plan 2018, also developed by LTU. The Framework outlines proposed approach, methodology, resourcing and timelines, including stages of data collection from project delivery and participatory measures, internal reflective practice and comparisons with similar programs, such as the Central Land Council's Community Development program. This monitoring report provides baseline information which can be compared and evaluated against future monitoring work conducted under the Implementation Plan.

With the exception of the Commonwealth Coat of Arms and where otherwise noted, all material presented in this document, the Northern Land Council Community Planning and Development report is provided under a Creative Commons Licence. The details of the relevant licence conditions are available on the Creative Commons website at creativecommons.org/licenses/by/3.0/au as is the full legal code for the CC BY 3 AU licence

Published by the Northern Land Council

NLC Head Office, 45 Mitchell Street, Darwin, NT 0801, June 2019

Also published at www.nlc.org.au .

©Northern Land Council 2019

For more information contact the Northern Land Council Head Office on (08) 8920 5100.

Executive Summary

The Northern Land Council (NLC) is an independent Commonwealth authority, with statutory responsibilities under the *Aboriginal Land Rights Act (NT) (ALRA) 1976* and the *Native Title Act 1993*. In 2016, the Full Council of the NLC set a strategic direction to establish a Community Planning and Development (CP&D) program to help Aboriginal people plan and manage development projects using their own resources.

The NLC CP&D approach to change builds on established theory around community development (CD) practice in Australia and beyond. For the NLC, CD is a practice of enabling and supporting groups and communities to work together and drive their own development. The CP&D processes seek to support community members to elaborate their vision for a better community and to identify projects and processes that need to be addressed to achieve it, using Aboriginal people's own money. In so doing the CP&D approach assists in identifying key stakeholders, developing partnerships, and overseeing the implementation of projects drawing on local and external resources.

The CP&D program goal and objectives include:

Goal: Healthy, resilient and engaged Aboriginal people, groups and communities that are strong in language, culture, connection to country, health, education and employment.

Objective one: Strengthen Aboriginal capacity, control and group cohesion, particularly through the management of their money.

Objective two: Achieve social, cultural, environmental and economic outcomes Aboriginal people want, value and benefit from.

Objective three: Document, monitor and evaluate the work to make sure it is on track in delivering outcomes valued by Aboriginal people.

Objective four: Show governments and other organisations the value of and how they can better support Aboriginal-led planning and development.

The money utilised for community benefit derives from several sources. Since it started in 2016, the CP&D program has worked at eight project locations with Aboriginal traditional owners (TO) who have committed over \$6.5 million for community benefit purposes (this includes future known income for two projects). Of this, more than \$2.34 million has been allocated to specific community benefit projects.

In August 2018, CP&D developed a plan for ongoing monitoring and evaluation of its work, primarily to provide accountability to Aboriginal people. This Report outlines the key findings from the project monitoring from program commencement in 2016 to December 2018 against the CP&D objectives. Findings provide a baseline of information evaluating the CP&D work that can be compared to any ongoing approaches to evaluating the program in the future.

Findings

Early indications suggest satisfaction with both the overall CD approach and some growing sense of increased Aboriginal control and increased group cohesion in most of the project locations. Staff reflection suggests that the CD approach, with its eight clearly defined steps, is considered appropriate and effective by TO. The process is clear and respectful and ensures that TO have power and control at each step in the project management process, although CP&D staff have to work creatively to establish the mechanisms for each location. It works best where people have existing capabilities and/or experience in shared governance through other projects.

On the other hand, there are some risks. The CP&D process can potentially challenge or undermine traditional decision-making structures. Further, that there is some risk that the process can change group dynamics, potentially giving more control to those people with better English comprehension or more formal education.

There is evidence of emerging interest by Aboriginal people in information about projects. The requests have varied and include requests for information about the process of projects and activities in other communities, and some more information about the outcomes and value of the projects for which TO have allocated their money.

There is strong evidence in each location that Aboriginal people are allocating their money to activities that will directly benefit themselves and other people in that location. There is a very strong interest in projects that preserve culture through activities such as culture camps, upgrades to outstations and return to country visits. There is also considerable attention to support for young people, both to divert them from illegal and unhealthy practices and to connect them more strongly with culture and traditional knowledge. Finally, there is interest in employment for Aboriginal people and in projects that will provide a possible stepping stone to more sustainable businesses or longer-term benefits.

There are several likely benefits from increased communication about the CP&D program. In particular TO can be supported to share with others in their own locations about the work they are supporting for community benefit. Communication from one project location to another could potentially broaden the ideas and learning between TO groups supporting ongoing development of ideas.

Recommendations

1. Prior to working with TO groups through the 'eight step' process, engage with the Anthropology Branch to identify existing information about community structures and dynamics.
2. Acknowledge existing decision-making and group dynamics in each location, track the impact of the CD process on these existing structures, giving attention to how this supports sustainable and effective outcomes for people.
3. Acknowledge that information is important for TO and communities, undertake regular inquiry with groups to identify the information they want and the form in which this should be provided.
4. Recognise that the original scoping report strongly recommended a 'whole of NLC' approach to implementation of CD, give further attention to developing CP&D cooperation with other NLC branches, looking to maximise complimentary knowledge and activities.
5. Translate key concepts into local language, ensuring that the translation is appropriate to the specific context of the different projects. Ensure that this is shared across the NLC so that there is common understanding of how specific concepts are understood in different locations.
6. Acknowledge the importance of the planning process for project outcomes, provide additional support for working groups and TO to understand the steps in the planning process and the connection of these to their desired outcomes.
7. A communications strategy be developed to accompany the CD process. The strategy should privilege the opportunity for Aboriginal people to speak about their own achievements.

Contents

Executive Summary	1
Acronyms	4
1. Introduction.....	5
2. NLC Community Planning and Development	5
Overview.....	5
Progress to date	7
3. CP&D Monitoring and Evaluation.....	10
4. Findings	11
4.1 Daly River	11
4.2 Gapuwiyak.....	14
4.3 Galiwin'ku.....	16
4.4 Ngukurr.....	19
4.5 South East Arnhem Land IPA Fire Abatement Project (SEALFA)	21
4.6 Legune	24
4.7 Wadeye	26
4.8 Palumpa	29
5. Discussion of findings	30
5.1. Strengthen Aboriginal capacity, control and group cohesion, particularly through the management of their money.	30
5.2. Achieve social, cultural, environmental and economic outcomes Aboriginal people want, value and benefit from.....	32
5.3. Document, monitor and evaluate the work to make sure it is on track in delivering outcomes valued by Aboriginal people.....	32
5.4. Show governments and other organisations how they can better support Aboriginal-led planning and development.	33
6. Conclusions and recommendations.....	33
Annex One: 2015 scoping report recommendations	34
Annex Two: CP&D process	37
Annex Three: Methodology	38

Acronyms

ALFA	Arnhem Land Fire Abatement
ALRA	Aboriginal Land Rights Act (NT)
CD	Community Development
CP&D	Community Planning and Development
IBA	Indigenous Business Australia
ILUA	Indigenous Land Use Agreement
IPA	Indigenous Protected Area
M&E	Monitoring and Evaluation
MEF	Monitoring and Evaluation Framework
NLC	Northern Land Council
NTG	Northern Territory Government
NTH	Native Title Holders
s19	Section 19
SEALFA	South East Arnhem Land IPA Fire Abatement Project
TO	Traditional Owners
WG	Working Group

1. Introduction

The Northern Land Council (NLC) is an independent Commonwealth authority, with statutory responsibilities under the *Aboriginal Land Rights Act (NT) (ALRA) 1976* and the *Native Title Act 1993*. The NLC assists Aboriginal peoples in the Top End, Northern Territory to acquire and manage their traditional lands, waters and seas, and realise the social, cultural, environmental and economic benefits that can flow from this.

In 2016, the Full Council of the NLC set a strategic direction to establish a Community Planning and Development (CP&D) program to help Aboriginal people plan and manage development projects using their own resources. The CP&D program is intended to work with Aboriginal land owner groups to support them in using the money from land-use agreements such as royalties or lease money, to undertake projects that create lasting community benefit.

This document reports on the monitoring of the CP&D program from the commencement of the program in 2016 to December 2018.

2. NLC Community Planning and Development

Overview

The NLC has a core commitment to increasing Aboriginal peoples' control of their resources, in order that they can benefit from those resources.

In August 2015 the NLC commissioned independent research to identify the views of Aboriginal traditional owners (TO) regarding the adoption of a developmental approach for lease monies and other resources for the purposes of deriving economic, social and cultural benefits. The research was also required to identify the role of the NLC in any future community development (CD) process.

The subsequent report made several recommendations for the NLC to consider before it implemented a CD approach.¹ These recommendations (see Annex One) identified that two core changes were required for the CD approach to be successfully implemented with TO in the Northern Territory. The first was cultural change among lease payment recipients, to shift deeply embedded expectations that those recipients should benefit directly from payments in the form of personal distributions. The second change was within NLC, requiring a commitment to shift from long established processes around royalty and lease payments to accommodate a CD approach.

Beyond these recommendations, the report suggested NLC would need to focus on building the capacity of groups and communities to plan and manage their utilisation of money for shared social, economic and cultural benefits. Further, the NLC would need to collaboratively develop and communicate the key principles and methodology of CD externally and within the Land Council, in order to underpin a shift in understanding and commitment to this approach.

Significantly, the report identified the need for a 'whole of NLC' approach where a community development section would work closely with other branches including Anthropology, Regional Development and Legal, to ensure a consistent message for external groups.

¹ Martin, D. King, E. (2015) 'Scoping for the establishment of a Community Development approach for the Northern Land Council', report to the Chief Executive Officer, Northern Land Council, November.

Based on this report, in 2016 the Full Council of the NLC set a strategic direction to establish a CP&D program to help Aboriginal people plan and manage development projects using their own income.

The CP&D program goal and objectives include:

Goal: Healthy, resilient and engaged Aboriginal people, groups and communities that are strong in language, culture, connection to country, health, education and employment.

Objective one: Strengthen Aboriginal capacity, control and group cohesion, particularly through the management of their money.

Objective two: Achieve social, cultural, environmental and economic outcomes Aboriginal people want, value and benefit from.

Objective three: Document, monitor and evaluate the work to make sure it is on track in delivering outcomes valued by Aboriginal people.

Objective four: Show governments and other organisations the value of and how they can better support Aboriginal-led planning and development.

The NLC CP&D approach to change builds on established theory around CD practice in Australia and beyond. For the NLC, CD is a practice of enabling and supporting groups and communities to work together and drive their own development. Core to the approach is the assumption that when groups of people are enabled to act together, based on their ideas about what is important, and making use of their knowledge to solve problems, solutions are both of greater benefit and likely to be more durable.

Applied to the situation of Aboriginal people living in remote and rural Australia, the approach proposes that the exclusion and lack of ownership of Aboriginal people in the processes and projects which affect them has led to disempowerment, and poor outcomes. The CP&D processes seek to support community members to elaborate their vision for a better community and to identify projects and processes that need to be addressed to achieve it, using Aboriginal people's own money. In so doing the CP&D approach assists in identifying key stakeholders, developing partnerships, and overseeing the implementation of projects drawing on local and external resources.

The money utilised for community benefit derives from several sources. These include: lease agreements entered into under Section 19 (s19) of ALRA (including two leases with specific clauses requiring that funds are used for community benefit purposes); a 20-year intertidal fishing access agreement with the NT Government; the sale of carbon credits through the South East Arnhem Land Fire Abatement (SEALFA) project; and an Indigenous Land Use Agreement (ILUA) with Native Title Holders (NTH). Some of these agreements require that funds are used for community benefit purposes (e.g.: two s19 township leases in Galiwin'ku, the SEALFA project and components of the ILUA), however in all other cases the income would otherwise be going to individuals.

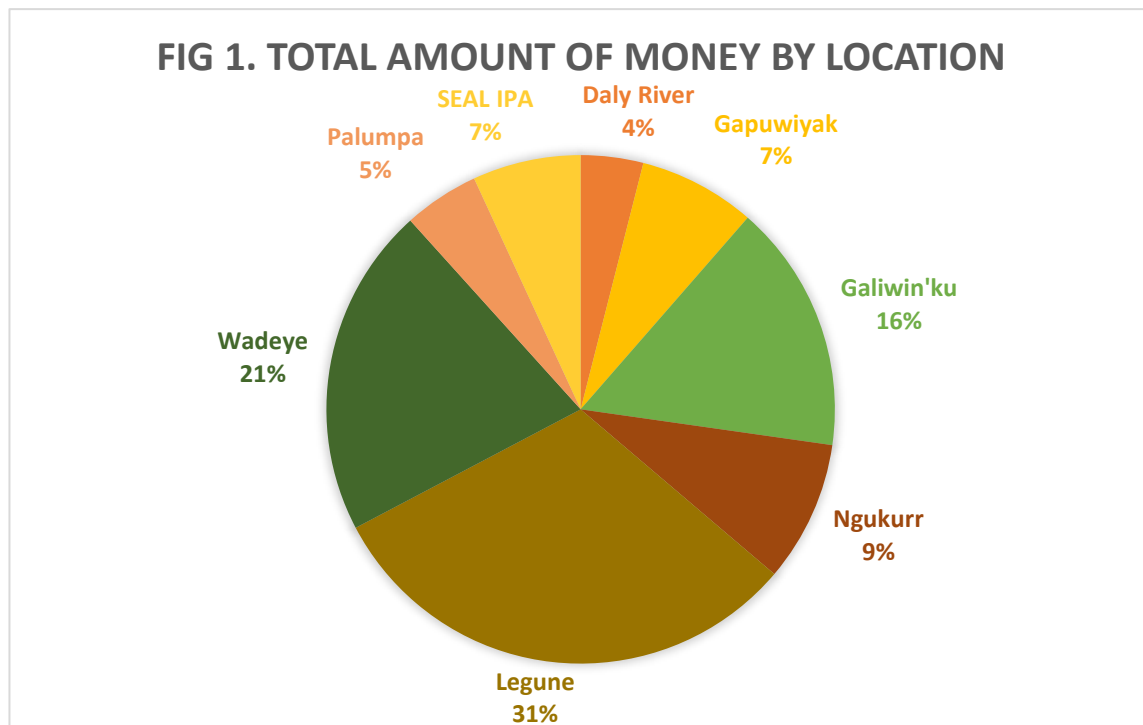
The CP&D approach follows an 8-step process ([see Annex two](#)) to support beneficiaries of land use agreements to engage in the participatory planning and development of their community projects. In general, the 8-steps are progressed over a number of meetings with groups. Initial meetings are held with the wider group and or family groups, who determine the approach going forward, such as using smaller working groups to develop community based project ideas. Decisions include prioritising projects, budgeting income against projects, engaging third party partners to undertake the project and monitoring delivery of projects. To facilitate this approach, a range of visual communication tools are used to assist

in establishing Aboriginal groups' governance of projects, raising awareness and building capacity in formulating and delivering community projects. Outcomes of meetings and projects are reported to various audiences. Local newsletters documenting key outcomes of meetings are presented back to groups at each meeting. Broader outcomes from the program are presented back to the Regional and Full Council periodically, as well as in NLC publications including the CP&D biannual Newsletter, Land Rights News, Annual Report and internet webpages and any social media.

Progress to date

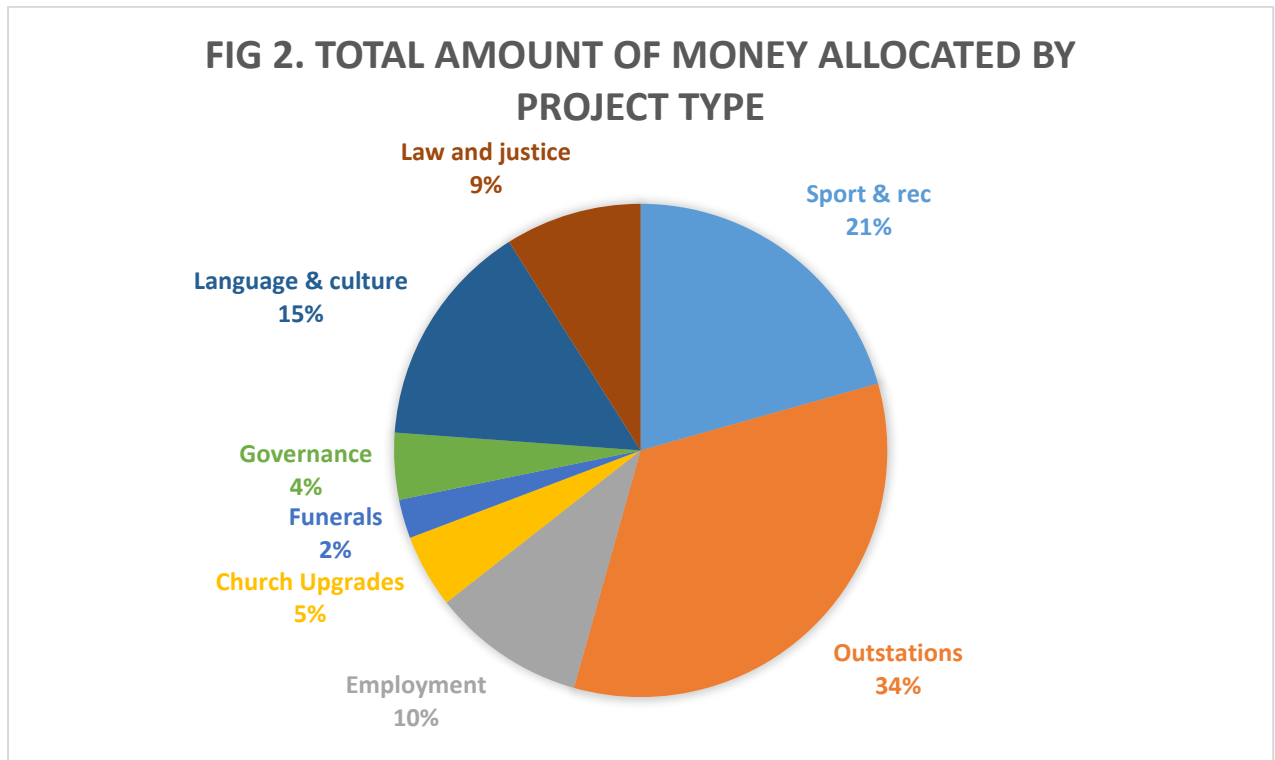
Since its start in 2016, the CP&D program has worked in eight locations with TO who have committed over \$6.5 million for community benefit purposes (this includes future known income for two projects). Of this, more than \$2.34 million has been allocated to 21 community benefit projects (see Section 4 for further detail). The division of these funds by project location is captured in Fig 1, with the most significant amounts allocated in Legune and Wadeye.

Figure 1: Total amount of money by location



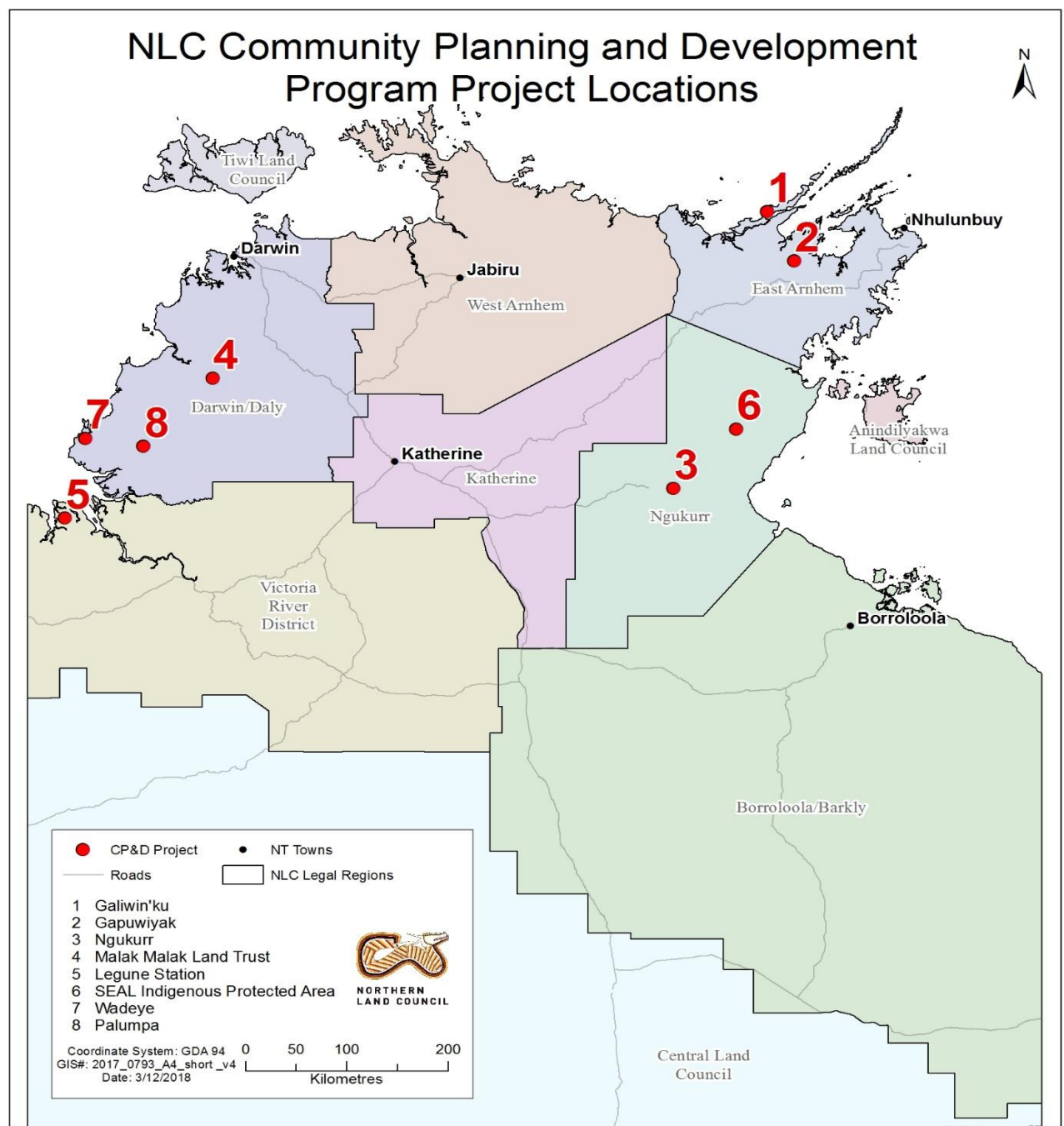
Aboriginal people have chosen to spend the money across a wide range of project types as indicated in Fig.2. Notably, the most significant focus has been on improvements and upgrades to outstations alongside spending on youth sports and recreation, language and culture and employment.

Figure 2: Total amount of money allocated by project type



The eight project locations within the NLC region are numbered in Fig. 3.

Figure 3: Project Locations



The facilitation of on-country meetings is essential to delivering the CP&D program. The work for CP&D has required significant resources directed at formal and informal meetings with TO and working groups to assist their development of ideas, identification of projects, their choices around project partners and then their ongoing management and eventual assessment of the projects, as mentioned earlier. As indicated in table 1, CP&D staff are engaged in several meetings each year, at multiple locations, to facilitate these processes; with the number of meetings with Aboriginal people increasing from year to year.

Table 1. CP&D meetings with Aboriginal groups in the 8 locations

Project	2016-17		2017-2018		1 July - 30 December 2018	
	Full TO/NTH Grp	WG/Gov Grp	Full TO/NTH Grp	WG/Gov Grp	Full TO/NTH Grp	WG/Gov Grp
Daly River	3	2	1	3	2	
Ngukurr	2		1	1	1	
Gapuwiyak	3		1		3	
Galiwin'ku	1	1		2		2
SEALIPA		2	2	2	1	1
Wadeye			1		1	2
Palumpa					3	
Legune			10			
Meeting totals	9	5	16	8	11	5

At the moment, to manage the growth of the program and balance capacity of program resources and Aboriginal group expectations, the CP&D program caps the minimum amount of money groups need to set aside for community benefit projects at \$250,000. This cap for CD will be reviewed as the program continues to develop, dependent on staffing capacity to take on more projects of lesser value than the cap without compromising the CP&D process with Aboriginal groups.

3. CP&D Monitoring and Evaluation

In August 2018, CP&D developed an implementation plan² for ongoing monitoring and evaluation of its work, primarily to provide accountability to Aboriginal people. In addition, the monitoring and evaluation plan was developed to support program improvement and as a way to assess and communicate the value of the community planning and development approach.

The plan builds on the CP&D 2017 monitoring and evaluation framework (MEF)³ drawing from a 'critical' approach to understanding and supporting change. That is, it seeks to understand not only what has happened but to also ask why? And beyond this to ask, how things could be further improved?

Monitoring and evaluation of the work of CP&D is not a simple process of aggregating results from projects into overall progress against objectives. The nature of the work is specific to the context and the needs and vision of different Aboriginal land owner groups. Further, the

² Kelly, L. (2018) *Northern Land Council Community Planning and Development Program Monitoring and Evaluation Implementation Plan*. August. Internal.

³ Kelly, L. (2017) *Northern Land Council Community Planning and Development Program Monitoring and Evaluation Framework*. October. Internal.

value of the work in every location will be determined not simply by what is done through NLC support and processes but will also be very dependent upon other influences and events in that location and the engagement that Aboriginal people are able to have with the process.

The MEF has three key components. These include:

- An extensive monitoring approach, making use of various methodologies;
- A regular analysis and reflection process which brings together multiple information sources and relevant stakeholders to assess both outcomes and areas for improvement;
- A comprehensive evaluation, at the end of year three of the CP&D program operation, to test the overall value of the program and the CD approach.

Full implementation of this plan is still under development. When all methodologies are operating, there will be several sources of information available on an annual basis to contribute to a comprehensive assessment of progress, with particular attention to relevance and value.

For the purposes of this report, the CP&D unit has tested one of the proposed monitoring approaches, utilising a standardised project reporting template. Information from this reporting has been combined with some additional information, including NLC staff reflection, to provide the data sources for this report.

Information from all sources was analysed by an independent consultant and a draft report produced for further consideration by NLC. The final report reflects the additional analysis and conclusions provided through this process.

The full methodology underlying this report is attached at [Annex Three](#).

This document outlines the key findings from the project monitoring for each specific project and then as a summary against the CP&D objectives.

4. Findings

The following reports on each location, including background, a summary of projects and findings from the delivery of those projects against two of the key CP&D objectives - to enable:

- Aboriginal capacity, control and group cohesion
- Value and benefits for Aboriginal people

4.1 Daly River

Background

TO for the Malak Malak Land Trust primarily live in Wooliana (a block of land privately owned by one family in the group) and Nauiyu community in the Daly River area, as well as at Bagot and 15 Mile town camps in Darwin. The group has a small number of aging, senior TO and a limited number of TO coming through in the next generation who are living on country or hold cultural knowledge of country.

In 2014 Malak Malak TO entered a 20-year intertidal fishing access agreement with the Northern Territory Government (NTG) for the period 2012-2022. In return for access, TO are party to a number of provisions in their Agreement, including an annual fishing access compensation payment.

Prior to 2016 the majority of this money was distributed to individual TO in accordance with their views on use of the funds. In 2015 and 2016 the Malak Malak TO made decisions to

allocate \$66,064 of available funds for a funeral fund⁴ and \$110,000 for CD, \$10,000 of which was earmarked to set up an Aboriginal corporation to support this work. Meeting records indicate the group was interested in using the \$100,000 to develop a community plan. The group requested the NLC's assistance for these initiatives. These decisions were made at meetings convened by NLC staff from Executive and Regional Development Branches before the CP&D program started and before the Full Council confirmed the NLC's CP&D Framework in November 2016.

At a meeting in November 2016, convened by NLC staff from Executive and Regional Development Branches, the CP&D Manager outlined the NLC CP&D program and planning process. Malak Malak TO agreed to use this process to plan and implement CD initiatives.

Community development projects

Since June 2017, the Malak Malak TO have committed \$260,064 for community benefit (this includes funds yet to be received from the 2019 annual Payment). Of this, \$143,574 has been allocated to specific projects as itemised in Table 2.

Table 2. Malak Malak CD projects

Title of project	Amount Funded GST ex	Date of TO resolution	Project objective
Culture camp project	\$47,508	6/06/17	Language & culture
Funeral project	\$66,064	6/06/17	Funerals
Interpretation project	\$30,000	6/09/18	Language & culture

Figure 4: Fishing on country, culture camp, Daly River



⁴ To note, the decision to allocate funds for the purposes of funerals precedes NLC ALRA s35(4) Policy adopted by the Full Council in November 2018, as it relates to the NLC Royalty Unit now managing such funds for 'Future Purposes'. Subsequent to adopting this policy, CP&D no longer works with groups interested in setting aside money for funeral or other special purposes such as ceremonies or medical expenses, except for groups engaged prior to this policy.

At mid-September 2018, a balance of \$41,879 remains available for community benefit purposes - this includes accrued interest. TO decided not to allocate additional funding for community benefit purposes when providing their views to the NLC in June 2017 and again in July 2018 on how their annual payment should be distributed. Note that the 2018 decision was taken for three years (2018 – 2020). However, a number of people subsequently said they wanted to revisit this decision for the years 2019-2020, and in December 2018 the group decided to allocate \$84,000 from the 2019 payment towards CD.

Aboriginal control capacity and group cohesion

This group of TO appears to have a strong sense of how to govern the projects and instil the processes which work best for their decision-making. Reports indicate they have dealt effectively with differences and that they have clear views about the role of the project working group and how it should be supported. The group have decided to maintain funds for community benefit, despite some individuals contesting this decision.

It is noted that the projects are moving fairly slowly, largely at the direction of the group. The Malak Malak TO group was keen to start with culture camps and consider further activities once the camps were completed, and they had reviewed the process and outcomes.

Review of the process in late 2018 suggests that people are satisfied with the CP&D approach, although there has been some concern about the working group representation.

We are going step by step, going to the plan

Money is being used the right way – and it's a on-going thing

We talk about issues and how to solve them and then share with everyone

Talking and communication to get stuff done

Staff report that overall there has been effective working relationships between the working group and the TO. Further, due to having the time and space in a safe environment to discuss and develop ideas, the working group have confidence to stand up and present these to the wider TO group. Overall CP&D reflection is that the process has been a good opportunity for people in this location to explore CD approaches. Meetings are increasingly better structured with more comprehensive outcomes.

Areas for improvement for the CP&D process, that were identified by the whole group, include increased information to be made available to people in advance and during the meetings, and improved preparation for meetings.

Benefits for Aboriginal people

The major benefits for people in this location has been support for language and culture. Specific projects have included culture camps and back to country visits in order to support transfer of traditional knowledge. Funding has also been allocated to a funeral fund and to an information sign and booklet to promote people and language.

A review undertaken with the full TO group in December 2018 indicated that people were happy with the projects and the benefits for the community

We all need to start learning and seeing country, learning about culture. I go to country and pass on knowledge and am proud of my teaching. Important for us to learn (including Malak Malak and Matngele language). (Female TO).

The group report that the culture camps are particularly encouraging learning by young people and other adults.

CP&D staff report that the interpretation project is being positively reviewed by TO.

4.2 Gapuwiyak

Background

Members of the Gupapuyngu: Liyalanmirri (Marrkula clan) live in Gapuwiyak, a small community of around 874 people in East Arnhem Land. Some senior clan members live at Nhulunbuy, Millingimbi and Marpuru Homeland.

This TO group had accumulated income from payments made as a result of the Commonwealth intervention compulsory five year lease, NTG leases and other s19 leases on their land.

The TO sought assistance from the NLC to ensure that this money was appropriately managed for inter-generational benefit. It is understood that senior clan representatives were advised of a potential investment option with Indigenous Business Australia (IBA) through its Indigenous Prosperity Fund, and requested further information on this.

In March 2016 and September 2016 NLC staff and IBA representatives attended meetings with TO in Gapuwiyak to discuss the investment option, and a preliminary investment plan was developed. However, TO did not reach final agreement on this investment plan at the September 2016 meeting partly due to general confusion about their income and options for applying it. NLC legal and anthropology staff subsequently recognised the need to spend more time consulting with TO before an informed decision could be made.

To address this, Anthropology and CP&D staff consulted with TO in March 2017 at a full group meeting followed by smaller consultations. Information on the 'money story' and the CP&D program and process was provided. It was apparent from discussions with senior TO that they wanted their money invested in Gapuwiyak, which the IBA investment option was unlikely to deliver. CP&D staff convened a second meeting in April 2017 at which the senior clan representatives made a decision to allocate \$415,762 for community development.

Figure 5: Discussing money story at Gapuwiyak



They indicated their willingness to work with the NLC using the NLC CP&D process to plan and implement community projects. They also discussed their interest in a joint venture with Arnhem Land Progress Association (ALPA) for a hostel/accommodation project, with a strong interest in creating jobs for their young people in Gapuwiyak. This change in approach - from investment to working with the CP&D program - suggests TO saw the CD approach as a tool they could use to meet their aspirations.

In August 2018 the group made a further decision to allocate 22% of their annual lease income for community benefit for three years (2018-2020).

Community development projects

In June 2017 TO approved their first CD project: Milintji Development Trust, partnering with ALPA, at a cost of \$100,000 (GST ex) over two years. The project will set up a benevolent trust, provide financial support and deliver business and governance training to board members. TO had a strong interest in creating their own corporation as a way to express their identity and drive their business ideas, and distinguish themselves from another Aboriginal corporation in Gapuwiyak. It is suggested that the TO could see other Aboriginal organisations in town making progress towards generating income, and as TO of the land, they also wanted to see benefits. The project commenced in October 2017 and has been progressing slowly, however by July 2018 the trust had been incorporated. A key driver behind the project is creation of jobs for young people in Gapuwiyak, through the development of business ventures. ALPA has advised that the potential joint venture for an office/accommodation project is no longer viable, and will explore other opportunities in discussion with TO.

While initially reluctant to plan further projects until the trust was established, at a March 2018 CP&D meeting the group explored employment ideas and appeared keen on a CDP 'top-up' style project, again as a means of providing proper jobs for their young people. At a September 2018 meeting two additional projects were correspondingly approved. The logo project was to design a logo for use on shirts/hats etc, as a means of expressing their identity as a TO group.

In total, \$486,854 has been committed by TO in Gapuwiyak (since June 2017) for community benefit, with \$340,000 allocated to specific projects as outlined in Table 3.

Table 3. Gapuwiyak CD projects

Title of project	Amount Funded GST ex	Date of TO resolution	Project objective
The Milintji Development Trust	\$100,000	15/06/17	Governance
Gapuwiyak Painting Crew Project	\$237,000	24/09/18	Employment
Logo/t-shirt project	\$3,000	24/09/18	Governance

At 30 December 2018, a balance of \$166,288 remained available for community benefit purposes - this includes accrued interest.

Aboriginal control, capacity and group cohesion

The decision making in this group appears to be driven by the TO, albeit with some challenges because concepts are new, difficult to translate and challenging for people to understand. CP&D staff report that there has been opportunity to build strength and engagement with younger TO in the decision-making process.

CP&D staff report that there is some tension between TO and other Aboriginal families resident in Gapuwiyak, and a lack of interest by some senior TO in working collaboratively for broader community benefit. A key driver is ownership of the process, being able to derive benefits for their own families.

The changes in personnel and lack of priority given to the work by one of the major project partners has impeded subproject progress and undermined the confidence of TO that they are able to effectively use their funds to achieve the outcomes that they want. Conversely, the early work by NLC to extend consultations and provide space for review of ideas and issues, was a positive process which has led to enduring support for the CD approach.

Benefits for Aboriginal people

CD projects in this location revolve around increasing employment opportunities for people, especially young people. TO are seeking to demonstrate their commitment to their families and community.

The TO had intended to establish a trust in order to support a further business venture. While the project partner has set-up the trust, albeit slowly, as outlined above, the further business venture is no longer considered viable. Some of the TO mistakenly thought the partner was also setting up a business for them, and feel frustrated by the lack of progress. This is linked to a limited capacity by some group members to understand basic business planning. CP&D staff suggest that in the future there ought to be more planning at the beginning of project development to ensure that these are well shaped to meet TO aspirations.

4.3 Galiwin'ku

Background

In this location, TO are party to 10 year Top Shop and Bottom Shop leases agreed to in 2006, with a portion of the rent from each lease allocated for 'Community Benefit'.⁵

These leases are in a hold-over period while new leases are being negotiated by the NLC. It is not clear whether the community benefit clause will be retained in the new leases – this is currently under consideration by the NLC for discussion with the proponent and TO.

Community development projects

The 2015 scoping exercise, conducted on the establishment of a CD approach by the NLC, identified Galiwin'ku as a potential pilot site, taking advantage of the requirement for a portion of the incomes from the Top and Bottom Shop leases to be used for 'community benefit'.

In April 2017, the NLC's CP&D team attempted to hold a meeting with all relevant TO. However, a resolution was not carried due to an ongoing dispute over land. Family-based consultations were then carried out in April / May the same year to provide information on community benefit income and seek people's ideas for community-focused projects. A key part of this work was to explain (and gain acceptance of) the money story, given the decision to include a community benefit clause in the shop leases occurred in 2006 and most TO could not remember this. A second part of these discussions was to identify areas of common concern for TO, and encourage people to put aside their differences over land and focus on those concerns – young people.

⁵ To note: Each lease includes a clause portioning money specifically to 'Community Benefit'.

Figure 6: Galiwin'ku youth band



At further clan-based discussions in June 2017, TO agreed to appoint clan representatives to participate in a working group to discuss and decide on use of the Community Benefit funds. Representatives from interested and affected groups were also invited to participate. The use of the CP&D approach to plan and spend \$1,034,794 (the funds available at the time of the meeting) for community benefit was endorsed by the working group at a meeting in June 2017.

The TO have allocated \$705,642 to CD projects for community benefit since September 2017 as outlined in Table 4.

Table 4. Galiwin'ku CD projects

Title of project	Amount Funded GST ex	Date of TO resolution	Project objective
Youth diversion and engagement project	\$395,124	14/09/17	Youth sport & rec
Yalu Raypirri Camp Program	\$198,263	14/09/17	Language & culture
Galiwin'ku Law and Justice Project	\$112,256	19/03/18	Law and justice

At 30 June 2018 there was approximately \$784,772 held by the NLC for community benefit. However, of this only \$329,151 remains from the original \$1,034,794 that TO agreed to apply through the CP&D program. A further decision is required from TO on whether the group wants to continue working through the CP&D program for the additional (and future) funds.

Aboriginal control, capacity and group cohesion

There has been some challenge in having a combined TO decision-making process for this group. CP&D staff have managed the tensions between different groups to ensure representation and full engagement. This focus on having comprehensive small group / clan level consultation over several months instead of larger group meetings, has built people's understanding of the CP&D approach. Clan leaders were nominated to come together and work constructively with others. The pre-consultation meetings have been key, enabling TO to recognise their common concern about young people and the opportunity they had to address the situation. As a result, staff report a growing sense of cohesion. In Sept 2018 the working group named itself - Galiwin'ku Community Gungayunamirr Mala – confirming this new cohesion.

The existence of two 'buckets' of monies from Galiwin'ku lease payments (those from the Top and Bottom Shop leases set aside for community benefit (now known as the 'blue money'), and those from other lease payments seen as being for 'clan' payments (the 'red money')) appears to have reduced the pressure to use community benefit funds for individual or clan benefit. It has facilitated consideration of CD project options and assisted in separating, in the minds of those consulted, the CP&D project and discussions on clan and individual distribution.

Staff report a strong sense of ownership and satisfaction with good governance. This is tied to clearly working through and maintaining attention to the 'eight step' CD process introduced by CP&D. People report feeling that they are taking action in a sensible way leading to outcomes. Feedback from the working group, collected during a review in September 2018, largely supports this observation.

TO see problems and are addressing them with their money.

Funding for right people, right djama/program, right way.

Maynmak way using money for community, good djama, good working group, one mind, one djama. We are working and benefiting the community.

People were also interested in how to improve the governance of the projects including increased reporting, further monitoring and work to ensure that attendance at the working group is maintained.

Benefits for Aboriginal people

In this location people have been concerned with young people and they have prioritised subprojects for youth division and engagement. This is possibly in response to ongoing concerns about petrol sniffing, which is currently a focus of activity by several agencies in this location. They have also provided funding for a Law and Justice subproject, in order to help the whole community manage legal issues (competing projects focused on business, which some in the group perceived had more limited community benefit). It is clear from project reporting that the main concerns are about diverting young people from problematic behaviour and ensuring their integration back into the community.

A review undertaken in September 2018 indicates that people are happy with the projects in particular the raypirri camps and the subsequent outcomes. People also identified areas for improvement, in particular how to address major social problems in more effective ways.

Figure 7: Getting ready for fishing, Raypirri camp, Galwin'ku



4.4 Ngukurr

Background

The Milwarapara-Yutpundji TO speak for the Ngukurr township area. People live in Ngukurr, Urapunga, Minyerri and Bulman, while a few of the group's senior spokespersons live in Katherine and Roper Valley.

There are a range of s19 leases across the Ngukurr Township and surrounding area that deliver rental income for the Milwarapara-Yutpundji group.

In November 2016 NLC staff met with TO to discuss the land use agreement income and s19 issues. Staff from the NLCs Legal and Regional Development Branches outlined the NLCs new CP&D program in general terms. The TO requested that NLC allocate \$235,736 to CD.

In March 2017 the CP&D team met with the group to provide more detailed information on the CP&D program and process, and commenced project planning.

Community development projects

Due to a change in staff within the Anthropology Branch and more recent issues relating to a s19 lease in Ngukurr, the NLC did not hold a further meeting to discuss the use of s19 income with this group until October 2018.

TO in Ngukurr have committed \$585,736 to community benefit since November 2017, with \$205,169 allocated to specific projects. Table 5 outlines the distribution of these funds across four projects.

Table 5. Ngukurr CD projects

Title of project	Amount Funded GST ex	Date of TO resolution	Project objective
Ngukurr church toilet block	\$103,855.72	7/11/17	Church upgrades
Maintenance funds, church toilet	\$9,566.27	7/11/17	Church upgrades
Welcome sign, Kewyuli	\$838.00	7/11/17	Outstations
School oval upgrade, Ngukurr CEC	\$90,909.09	7/11/17	Sport & rec

Figure 8: Traditional Owners deciding on priority projects, Ngukurr



At 15 October 2018, a balance of \$39,095 was available for community benefit purposes, including accrued interest. At a meeting on 31 October 2018, the TO group allocated an additional \$350,000 to community benefit through the CP&D program. Hence, total funds available for CD is \$389,095 (plus any additional interest).

Aboriginal control, capacity and group cohesion

There has been limited opportunity for people in this location to plan and work together on these projects. In part this is due to leasing issues, with no full TO meetings being held by NLC for a 12 month period. The group is also large and spread geographically, which affects cohesion. This seems to be reflected in a recent review, where there were mixed views about the process and its value.

It's happening – we did the planning and it's happening

More feedback is needed and information about leftover funds and accounting

Information could be better/more frequent – need more regular updates e.g. newsletter

CP&D staff report that one subproject has been delayed due to low partner capacity. The NLC has had to intervene in the contract management and the project may not proceed. Further delays occurred with a second subproject associated with getting the necessary external approvals for the work.

Benefits for Aboriginal people

Three CD projects were developed by this group - improvements to the church, an outstation welcome sign and upgrades for the school oval. CP&D staff report that the group did originally have some bigger ideas about an education program and a language and culture program for the school. Neither of these areas were progressed by the group (the language and culture program was funded later by government).

More generally staff report that the group were less clear about the overall benefits they were seeking, although they continue to allocate funds to community benefit suggesting their commitment to this approach.

A review in November 2018 indicated that people were pleased with the progress of the projects, but less clear about the overall benefits to that point.

4.5 South East Arnhem Land IPA Fire Abatement Project (SEALFA)

Background

TO for the SEAL Indigenous Protect Areas (IPA) primarily live in Ngukurr and Numbulwar communities, with associated outstations throughout the region. The SEAL IPA is positioned on the western edge of the Gulf of Carpentaria in the Northern Territory, covering a portion of the Arnhem Land Aboriginal Land Trust and Urapunga Aboriginal Land Trust.⁶

The SEAL IPA was declared in 2016. The SEAL IPA Plan of Management (2016-2021) provides direction for management of the area and was developed by the SEAL IPA Advisory Committee to reflect the broader interests of all TO. Management of the IPA is carried out by the Yugul Mangi and Numbulwar Numburindi Rangers, both coordinated by the NLC, including fire management practices as they relate to carbon abatement programs. The IPA Advisory Committee consists of representatives of the traditional landowning clans (funding representatives can also sit on this Committee). It is responsible for overseeing the implementation of the IPA plan of management, prioritising cultural and land management projects in the IPA and giving direction in relation to budget allocations.

Relevant to CP&D is income generated through SEALFA, carried out in partnership with Arnhem Land Fire Abatement (NT) Ltd (ALFA). ALFA Ltd has an s19 lease agreement in place for the SEALFA project area which is effective from 1st January, 2011 for a seven year + seven year period taking the potential agreement up to 2024. ALFA Ltd supports the ranger groups to engage with the “business end” of the carbon industry and turn the abatement created

⁶ It extends from the approximate northern watershed of the Walker River to the Roper River in the south. It includes intertidal marine areas and coastal islands from the *Ranjugurr* area of Blue Mud Bay to the mouth of the Roper River. The IPA extends inland west to the headwaters of the Rose and Phelp Rivers and the boundary with Wongalara Conservation Reserve. This area encompasses all or part of the ancestral estates of the *Ngalakgan*, *Ngandi*, *Yukgul* and *Warndarrang*, *Nunggubuyu* and *Ritharrngu* language groups.

by the rangers' fire management into Australian Carbon Credit Units (ACCUs) which are then sold on the market to generate income and then granted through ALFA.

Grant Monies derived from SEALFA work must be used for projects consistent with the objectives of ALFA Ltd, such as protection of environment consistent with Aboriginal practices, in looking after the health and wellbeing of TOs for the land and passing on cultural knowledge and education.

Community development projects

In late May 2018 the IPA Advisory Committee approved allocation of funds to a CD project – culture camps, partnering with NLC's Caring for Country Branch. The Yugul Mangi Ranger group conducted the first culture camp in September 2018 and the Numbulwar Numburindi Ranger group will conduct the second camp in dry season 2019. ALFA approved the budget variation and allocation of \$55,290 (ex GST) to this project, from Grant Monies received in 2017.

Figure 9: Traditional Owner and Assistant Ranger Coordinator teaching at SEAL culture camp



Table 6. SEALFA CD projects

Title of project	Amount Funded GST ex	Date of TO resolution	Project objective
Back to Country Culture Camps	\$55,290	14/06/18	Language & culture

At a meeting in November 2018, the IPA Advisory Committee again considered how to use Grant Monies and allocated a further \$450,000 to CD through NLC's CP&D program. In January 2019 the allocation to CP&D was approved by ALFA Ltd.

Aboriginal control, capacity and group cohesion

The funding arrangements for this location are very complex and dependent on an external stakeholder, as outlined above. This could be a challenge for Aboriginal peoples control and management of the projects and the decision making. It requires a clear legal view on how money should flow and where NLC is able to assist in this process.

However, the TO appear to have a high level of capability based on their experiences as an IPA Advisory Committee and also through managing the larger carbon abatement project. They have also received governance training from the IPA, which has increased people's ability to understand financial information and governance/decision-making processes. CP&D staff report that these existing capabilities are being further enhanced through the CP&D approach.

The TO in this location have made clear decisions to allocate some of their funds to community benefit. They have indicated their intention to include other community members outside of the IPA Committee in the planning of projects to ensure wider skills are available, but will manage this wider inclusion to ensure the best representation and engagement.

Figure 10: Planning for fire abatement income



Benefits for Aboriginal people

The focus in this location has been on keeping culture strong and ensuring that young people in particular know about the culture and country. The group have funded an overarching culture project starting with culture camps and support for rangers.

The first project is still being implemented, however CP&D staff report that there has been positive feedback about the first culture camp, with plans to expand these in the future.

For CP&D, the complex funding and governance arrangements related to this funding are challenging to understand and work with. There is a need for NLC to be clear in its various interactions with this group and their sources of funding and to ensure that this is very clearly communicated to TO and associated stakeholders.

4.6 Legune

Background

Seafarms Group Ltd is proposing to build a large scale commercial prawn farm in northern Australia, known as Project Sea Dragon. The project comprises a range of facilities in the Northern Territory and Western Australia. One facility is proposed at Legune Station, located approximately one hundred kilometres north-east of Kununurra in the Northern Territory.

Native title has been determined to exist over Legune Station with three estate groups involved. NTH previously nominated the Top End Default Prescribed Body Corporate managed by NLC, to hold as agent their native title rights and interests. Following negotiations between the NLC, NTH and Seafarms, NTH executed an ILUA in November 2017. The benefits package includes a number of provisions, including funds to upgrade Marralum outstation in its provision of community benefits. The ILUA also makes provision for the full time employment of a Governance, Planning and Development Officer to support implementation of the Marralum upgrade and generally, any CD interests generated from any ILUA milestone payments.⁷

Community development projects

CP&D, supported by Legal, Anthropology and Regional Development Branches, commenced discussions with NTH in June 2017, about their aspirations for the future and their interest in upgrading the Marralum outstation. An audit of works required for the outstation upgrade were conducted in July 2017 and additional meetings were held to discuss results and progress planning. Following signing of the ILUA, CP&D staff also held initial discussions to discuss the money story, the CP&D program and the assistance the NLC could provide in planning for the future. From those discussions, one group of NTH has committed a portion of their payments to CD, dependent on progress of ILUA payments. Table 7 outlines the three CD projects funded⁸ to date.

Figure 11: Marralum outstation upgrade



⁷ As a result of this provision, NLC has had a dedicated governance / CPD officer, based in Kununurra, working with this group since April 2018. This allows targeted work on this project and a level of servicing not available to other groups.

⁸ Noting that funding was allocated through the ILUA and not a decision by NTH to set aside money for CD in the normal context, though this provision was negotiated by NTH to be included in the ILUA for community benefit in general terms. The CP&D program was not established at the time of the agreement.

Table 7. Legune CD projects

Title of CD project	Amount Funded GST ex	Date of TO resolution	Project objective
Marralam outstation upgrade stage 1	\$387,725.17	6/12/17	Outstations
Marralam outstation upgrade stage 2	\$96,438.10	23/10/18	Outstations
Marralam outstation repairs and maintenance project	\$15, 836.73	23/10/18	Outstations

Aboriginal control, capacity and group cohesion

CP&D staff report some increased control and capacity for decision-making in this location, in part due to the provision of clear information about the likely flow of money. They also point to the value of reflective discussions in promoting community understanding and decision-making.

Staff have identified that it is a disempowering local context, and there are concerns by CP&D staff that ongoing internal tensions are a limitation to engagement with the project. On the other hand, they also suggest that there are some signs of increasing governance capacity at meetings, in part due to meeting process and frequency.

A review undertaken in August 2018, albeit with a small sample of people, suggests good understanding of the process for subproject selection and management.

It happened the way we wanted to, some people are saying we got no house there, hang on I said, we all made the decision together at a meeting, meeting time is the time to talk, when the meeting is over don't talk after, you gotta talk here in the meeting, we don't read your mind. (Male committee member)

Figure 12: Community planning at Marralum



Benefits for Aboriginal people

The CD projects funded in this location have focused on outstation upgrades, due to the ILUA funds for the upgrade being available. The overall ambition of this upgrade has focused on increasing employment and skills development for Aboriginal people and being able to permanently occupy and use their homelands. They want to maximise the benefits from their homelands and ensure that improvements are long-lasting.

Figure 13: Fishing at Marralum outstation



CP&D staff suggest that the focus has been largely on the outputs of the infrastructure, with less attention, so far, to achieving the desired outcomes of 'use and enjoyment'. However, the process has created space for learning and reflection.

Feedback from a small number of people suggest satisfaction with the progress of projects to date.

To see us out here with our own job being our own bosses, this upgrade has started it, it's the gateway to our future. I can bring my grandmother back here now. Bring our kids out here and show the sacred sites.

We got what we wanted for a very long time, we wanted this change in our life for the last 10 years.

4.7 Wadeye

Background

The Yak Dimininh TO speak for the Wadeye township area. Although members of a number of different clan groups reside at Wadeye, Yak Dimininh are the recognised TO for Wadeye township. Members of the group predominantly live at Wadeye, with at least one older member living at Nganmariyanga (Palumpa).

There are currently a number of s19 leases over areas in Wadeye township, for which rental payments are made. On 10 October 2017 the NLC consulted the Dimininh TO regarding s19 leasing matters. At this meeting TO indicated their interest in allocating approximately \$1 million for community benefit projects, and requested that CP&D staff come to Wadeye and discuss the CP&D program further with TO.

Community development projects

On 15 May 2018 the NLC CP&D Unit, assisted by Legal, Anthropology and Regional Development staff, convened a meeting with Dimininh TO in Wadeye. This meeting outlined the CP&D program and process. At the meeting TO decided to allocate \$1,000,034.76 (plus future interest) of funds from township leases to community benefit through the CP&D program. The meeting passed a formal resolution to reflect this decision. The meeting also discussed project ideas and established a governance arrangement.

As outlined in Table 8, \$24,035 has been committed to a specific community benefit project.

Table 8. Wadeye CD project

Title of project	Amount Funded GST ex	Date of TO resolution	Project objective
Dimininh Cultural Sites and Knowledge Transmission Project	\$24,035.00	18/09/18	Language & culture

In August 2018 the TO decided to allocate 50% of accumulated leasing income to CD.

Aboriginal control, capacity and group cohesion

In Wadeye, some people have clear ideas about what they wanted, although existing relationships have tended to influence decision-making to date.

CP&D staff report that TO see the CD process, particularly the clear 'eight step' process, as an effective way for them to achieve beneficial outcomes for their community. Reports also suggest that TO appreciate the way CP&D staff work with them in a partnership approach, 'walking together' with TO.

On the other hand individual distributions have been delayed, which has influenced the progress of CP&D meetings. Family disputes have also impacted the cohesion of the wider TO group. NLC reflection suggests that more preparation and work with small groups in pre-meetings is possibly required to facilitate the decision-making processes in future.

Figure 14: cemetery planning at Wadeye



Figure 15: Wadeye planning how to use money



Benefits for Aboriginal people

The aspirations for TO in this location appear to revolve around young people and culture, specifically building a future where young people know their culture and feel culturally secure. Visits to cultural sites in order to share knowledge with young people and a cemetery project are their first priorities.

CP&D staff report that some TO have a trust in the CP&D process to produce benefits, even though the process has only recently commenced.

4.8 Palumpa

Background

Rak Papangala TO live predominantly at Nganmarriyanga (Palumpa) and Wadeye (Port Keats). The group is recognised to have connection to country near to Nganmarriyanga.

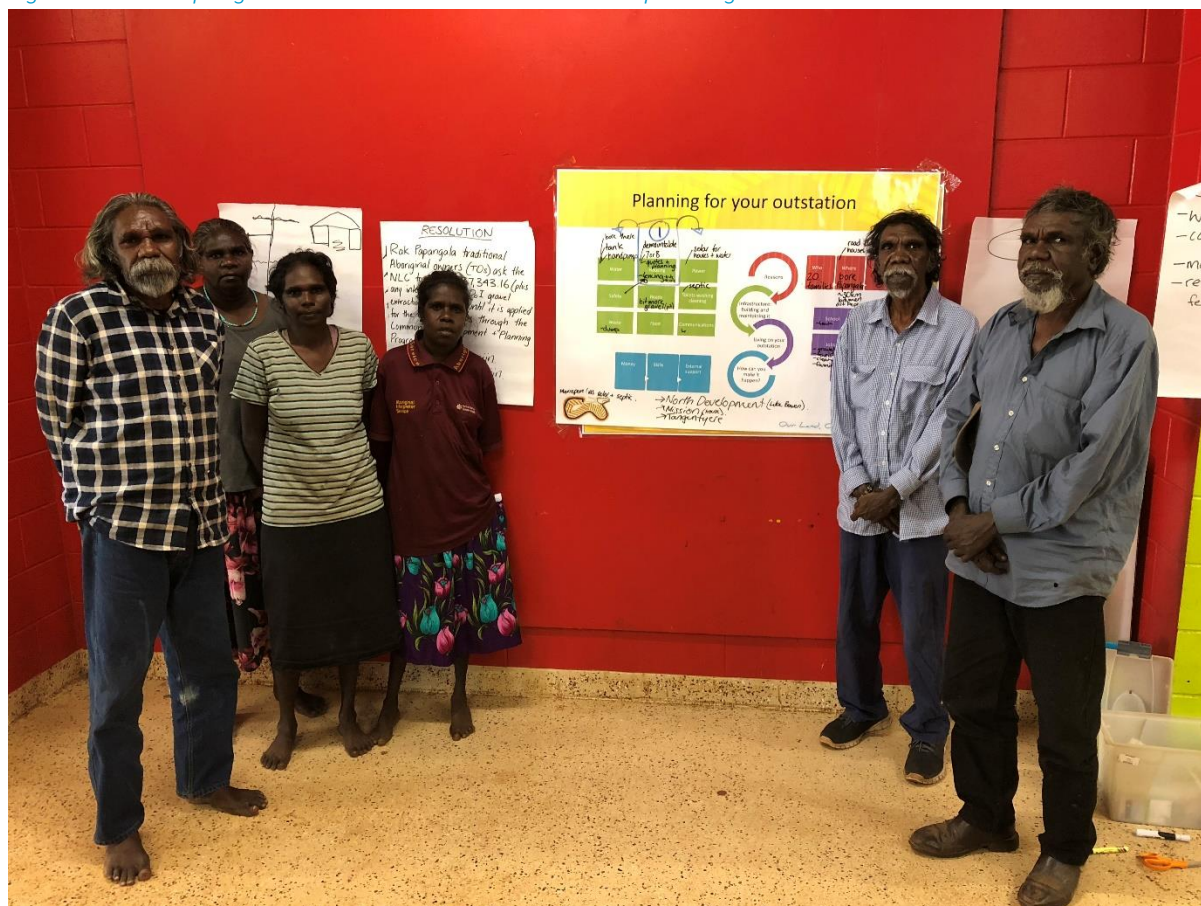
There are a number of gravel pits located along the Port Keats Road, over which the NT Government Department of Infrastructure has a s19 agreement. Rak Papangala group have connection to the country on which there are gravel pit/s, and hence receive income for extraction of materials under this s19 agreement.

On 4 August 2016 the NLC conducted a meeting with Rak Papangala TO about payments from the gravel extraction agreement. At the meeting Rak Papangala TO decided that money from gravel extraction was to be used to assist establishment of an outstation and vehicle access to this outstation. Following this meeting and time permitting, NLC staff have had preliminary discussions with TO about their aspirations, including Anthropology staff, discussing location and practical requirements of an outstation. In 2017 TO again approached NLC for assistance. Due to existing commitments at the time, CP&D was unable to take on additional projects, however Anthropology provided some assistance to TO to support their aspirations.

Community development projects

On 16 July 2018, NLC's CP&D convened a meeting with Rak Papangala TO at Palumpa. This meeting outlined the CP&D program and process. At the meeting TO decided to allocate available funds from the gravel extraction agreement to community benefit through the CP&D program. The meeting also commenced planning for the group's primary aim - establishing an outstation, and elected to plan projects as a larger group (rather than elect a working group).

Figure 16: Rak Papangala Traditional Owners do outstation planning



In total Rak Papangala TO have committed \$314,024 towards community benefit, with \$294,246.35 allocated to community projects since November 2018, as outlined in Table 9.

Table 9. Rak Papangala CD projects

Title of project	Amount Funded GST ex	Date of TO resolution	Project objective
AAPA Authority Certificate	\$2,500.00	20/11/18	Outstations
Papangala Outstation Housing	\$181,701.80	20/11/18	Outstations
Papangala Outstation Supporting Infrastructure	\$110,044.55	20/11/18	Outstations

Implementation of the projects was stalled in late December 2018 due to group conflict/dispute amongst the group.

This is a one-off allocation of funds, and it is not expected that there will be significant future income for the group, if any. There may be some income from crocodile egg harvesting, however this is not guaranteed, highly variable and usually of very small amounts.

Aboriginal control, capacity and group cohesion

When the money was set aside only one family group was present, which has limited the opportunity for comprehensive and cohesive decision-making.

CP&D staff report that TO believe that working with the CP&D process has enabled them to make plans and progress their ideas, which was not previously possible despite assistance from other areas of NLC. On the other hand, NLC reflection suggests that more time given to pre-meetings with each family group would have led to wider engagement and more cohesive group operations.

Benefits for Aboriginal people

At least some of this group are clear that they want to live on country and set aside income specifically to outstation development and vehicle access. This is been a long held aspiration and is now being concretely progressed as part of the CP&D process. NLC reflection suggests that the failure to understand the aspirations of all families and the connections between family groups, has led to some disputes over the available resources.

As the project has progressed, the group has realised that their funds are more limited than anticipated. In response they have scaled back specific project activities but retain their overall aspiration.

5. Discussion of findings

5.1. Strengthen Aboriginal capacity, control and group cohesion, particularly through the management of their money.

Early indications suggest satisfaction with the overall approach and some growing sense of increased Aboriginal control and increased group cohesion, in most of the locations. However, there are several potential risks to this progress. These include internal community problems in some locations that threaten to undermine group communication and cohesion. There is also a risk of disempowerment of TO groups through the poor process or lack of action by other service and government providers in the location. If relevant senior people are not clearly identified at the beginning of the CP&D process (because NLC does not coordinate activity across its branches) there is a risk that their participation will be limited.

Finally, there is a risk that poor quality project partners can fail to deliver as planned, undermining Aboriginal people's commitment to a CD approach.

Staff reflection suggests that the CD approach, with its eight clearly defined steps, is considered appropriate and effective by TO. The process is clear and respectful, providing TO with a visual guide at meetings and invokes trust in the CP&D process because they can see the process and their role within that process. It ensures that TO have power and control at each step in the project management process, although CP&D staff have to work creatively to establish the mechanisms appropriate for each location. It works best where people have existing capabilities and/or experience in shared governance through other projects.

On the other hand, CP&D staff report that the process can potentially challenge or undermine traditional decision-making structures. Further, that there is some risk that the process can change group dynamics, potentially giving more control to those people with better English comprehension or more formal education. This might require CP&D to use translators to ensure the concepts and ideas are well communicated. It is also important that the impact of CD on groups and communities should ideally be tracked over time to better understand these changing dynamics.

The findings show that the organisation of appropriate decision making bodies in different locations takes considerable work. In large part, this is related to the previous experience of managing resources in each location and the existing systems for decision-making and negotiation between the families and groups in those locations. While the CP&D team has managed to find effective operational arrangements in each of the eight project locations, each is different one from the other. Further, as each proceeds and people experience the process and its challenges, these need adjustment and further development. This requires considerable CP&D staff engagement in each project.

In order to maximise Aboriginal control and cohesion within groups, CP&D staff have identified that they need to spend more time in communities, especially in informal discussions and pre-meeting consultations. In particular, this includes a more detailed appreciation of the wider development and history in each location and how the CD process is likely to interact with these existing systems. CP&D reflection identified that it is important for different areas of NLC to work together in their interactions with communities, to ensure a consistent and unified approach. In particular, that Anthropology and CP&D should plan together, with Anthropology potentially providing the preliminary research or updated information about specific groups and communities - including an understanding of existing decision-making processes and previous experience with managing royalties.

Staff suggested that it is particularly challenging to work effectively where there is no regular NLC presence in a location. In these places more preparation is required to understand previous NLC and other interactions and update understanding of the community processes and relationships.

The CP&D approach is relevantly new to both the NLC and its constituents. However, over the short course of the program there is evidence of emerging interest by Aboriginal people in information about projects. The requests have varied and include requests for information about the process of projects and activities in other communities, and some more information about the outcomes and value of the projects for which TO have allocated their money. In response, the CP&D newsletters have been a useful tool to share wider information. There seems to be some evidence that the newsletters have reinforced and supported the step-by-step project management approach introduced through the CD process. However, given the variety of information requests, it may also be useful to discuss

this further with the various project locations, to ensure that people have information they need.

5.2. Achieve social, cultural, environmental and economic outcomes Aboriginal people want, value and benefit from.

There is strong evidence in each location that Aboriginal people are allocating their money to activities that will directly benefit themselves and other people in that location. There is a very strong interest in projects that preserve culture through activities such as culture camps, upgrades to outstations and return to country visits. There is also considerable attention to support for young people, both to divert them from illegal and unhealthy practices and to connect them more strongly with culture and traditional knowledge. Finally, there is interest in employment for Aboriginal people and in projects that will provide a possible stepping stone to more sustainable businesses or longer-term benefits.

At the same time there are some limits to what individual projects are able to achieve, especially where TO have aspirations around establishing large-scale businesses or more substantial programs. It is important that CP&D are able to support TO throughout the project identification and initial planning process, to ensure that they have realistic expectations about what they can achieve with available resources. Recognising that for some people this maybe the first time they have been asked to plan into the future, groups may need support to develop the details of their plans and to understand the various steps required to achieve the desired outcomes. The intended beneficiary groups need to be clearly identified, given that few projects will benefit everyone in the same way.

A further identified task is the assessment of partner project plans, ensuring that these are robust and properly prepared. The CP&D team could also assist TO to assess project partner commitment and capability to undertake the identified project, avoiding those partners who are ill equipped to meet TO aspirations.

The CP&D team also need to continue their cooperation with other NLC branches, maintaining information about the various projects and ensuring that the work of other branches complements the planning and project work in the various locations.

Beyond NLC, the team also has a role to play in holding external authorities and governments to account, to ensure they do not limit or undermine progress in specific projects and therefore limit the benefits to Aboriginal people.

5.3. Document, monitor and evaluate the work to make sure it is on track in delivering outcomes valued by Aboriginal people.

There are several likely benefits from increased communication about the CP&D program. In particular TO can be supported to share with others in their own locations about the work they are supporting for community benefit. Communication from one project location to another could potentially broaden the ideas and learning between TO groups supporting ongoing development of ideas.

Communication by TO about their achievements to external groups, including government, would support the fourth objective of the CP&D program - sharing with others the benefits of the CD approach.

CP&D staff have identified that collaborating with other NLC staff and branches can be effective in shifting both their approach and their support for the CD approach. Such collaboration across NLC branches can lead to better outcomes in specific project locations. Lessons learned suggest that this requires agreements in writing and cross branch project planning.

The monitoring of the CP&D program will be covered through the detailed MEL approach, which will be fully operationalised by the next reporting period. The value of the framework, and areas for further development, will be demonstrated in the next annual CP&D monitoring report.

In the shorter term, CP&D staff have identified that monitoring information is more likely to be captured in small groups conversations, rather than the formal project planning meetings. Further, that outcomes and long-term benefit are still somewhat abstract concepts, and that some groups will need ongoing discussion and illustration to fully understand these, again possibly in small group conversations.

Finally, there is some risk of confusion for TO if there are multiple stakeholders discussing CP&D work, in particular both CP&D projects staff and CP&D M&E representatives. This could be further confused by project partners and potentially by other NLC staff. For these reasons there will need to be a coordinated approach to ongoing monitoring, avoiding multiple discussions with TO which duplicate similar inquiry.

5.4. Show governments and other organisations how they can better support Aboriginal-led planning and development.

CP&D has begun to demonstrate the value of its approach within NLC. The monitoring, reporting and documentation of this approach will support wider sharing with other organisations. CP&D will need to identify the appropriate forums, typically those where government and NGOs come together, in order that this wider sharing is most effective.

At the level of communities, there are locations where service providers come together and there is potential for TO to share their stories and advocate for their projects and approach. These opportunities for NLC to support TO voice could be explored going forward.

6. Conclusions and recommendations

The monitoring for the period 2016 to December 2018 indicates that the CP&D process is supporting increased Aboriginal control and effective utilisation of people's own resources. Analysis suggests that this process can be further improved, leading to the following recommendations:

1. Prior to working with TO groups through the 'eight step' process, engage with the Anthropology Branch to identify existing information about community structures and dynamics.
2. Acknowledge existing decision-making and group dynamics in each location, track the impact of the community development process on these existing structures, giving attention to how this supports sustainable and effective outcomes for people.
3. Acknowledge that information is important for TO and communities, undertake regular inquiry with groups to identify the information they want and the form in which this should be provided.
4. Recognise that the original scoping report strongly recommended a 'whole of NLC' approach to implementation of community development, give further attention to developing CP&D cooperation with other NLC branches, looking to maximise complimentary knowledge and activities.

Evidence indicates that people are managing their resources towards tangible benefits. At the same time, analysis suggests that the process is complex and will take time. The following recommendations are suggested for further improvement.

5. Translate key concepts into local language, ensuring that the translation is appropriate to the specific context of the different projects. Ensure that this is shared

across the NLC so that there is common understanding of how specific concepts are understood in different locations.

6. Acknowledge the importance of the planning process for project outcomes, provide additional support for working groups and TO to understand the steps in the planning process and the connection of these to their desired outcomes.

The CP&D program has an established MEL framework which will be fully operationalised throughout 2019. In order to maximise the benefits from this, and broader learning in each project location, it is recommended that,

7. A communications strategy be developed to accompany the CD process. The strategy should privilege the opportunity for Aboriginal people to speak about their own achievements.

Figure 17: Northern Land Council members 2016-2019 – 14th full council



Annex One: 2015 scoping report recommendations

Recommendation 1: A 'Community Development' framework based on using income streams from Aboriginal lands for broader group or community benefit should ideally be designed and instituted as one aspect of a broader development framework informing NLC's statutory roles under the ALRA.

Recommendation 2: A 'Community Development' approach by NLC to the use of income streams from Aboriginal lands should be based on two foundational principles.

- NLC's role must aim to be as an enabler of good process and a builder of the capacity to undertake that process within the relevant group or community, and not as a decision maker concerning the allocation of income streams.
- NLC should work to empower recipient groups and communities through:
 - building support for a Community Development approach to the use of income streams from their lands;
 - building the capacity to plan for the use of this income for long term sustainable social, cultural and economic outcomes which provide long term community benefit in accordance with priorities they set;
 - building the capacity to make choices about the use of income streams through informed and participatory decision making; and

- building the capacity to monitor the projects or processes they fund and to evaluate the outcomes of those projects or processes.

Recommendation 3: It will be essential for the successful introduction of a Community Development framework that a 'whole of organisation' approach is adopted, in establishing its principles and in implementing it.

- This will require both changes to organisational philosophy and the development and implementation of mutually reinforcing policies, procedures and practices across all relevant organisational units.
- Reviews of NLC Branches which are being conducted or are planned, should have as a key aim of any consequent recommended restructuring or operational changes the facilitation across the Branches of these mutually reinforcing policies, procedures and practices concerning Community Development.
- Team-based, collaborative approaches would need to build on existing good practice to become a standard way of operating in Community Development work and in facilitating social and economic development more broadly.
- If a separate Community Development Unit is ultimately established by NLC following the CLC example, it should operate in accordance with principles and practices actively supported across the NLC, and be able to draw upon personnel and other forms of support from other branches as necessary.

Recommendation 4: The successful implementation of a Community Development approach to the use of monies from Aboriginal lands will be dependent upon NLC working intensively with recipient groups around the following issues:

- Reducing dependency exercised through direct pressure on NLC staff to access resources.
- Reducing a common focus within recipient groups on monies being used for immediate consumption and self-aggrandisement by individuals or small groups of kin.
- Building support for decisions about the use of monies to be made by a wider set of the Aboriginal people who have the legitimacy to make such decisions, rather than by default through individual pressuring to access those monies.
- Building capacity and willingness within recipient groups to make decisions regarding the use of monies for long-term, sustainable benefit for the wider group or community concerned.

Recommendation 5: Work needs to be done by NLC both within its own organisation and within its Aboriginal constituency to build capacity for informed decision-making by Aboriginal beneficiaries through mechanisms such as the following:

- Establishing a communication plan to collaboratively develop and then communicate the key principles and methodology of Community Development, both within NLC itself and with community.
- Ensuring that the language used all times makes it clear that this would not be a top-down approach but a participatory one in which the beneficiaries themselves will make the ultimate decisions.
- For NLC to support properly informed decision-making by recipient groups about their financial benefit streams, it has to ensure that financial and other information is up-to-date, as comprehensive as possible, and is presented in forms which take account of cultural differences, financial literacy levels, and language differences.
- A thoroughgoing review needs to be conducted of NLC's current databases with information relevant to financial benefits streams from Aboriginal lands, with a key focus on the development of an integrated data system which allows timely, up-to-

date and accurate information to be accessed both for NLC's own administrative purposes and as the basis on which to prepare information for presentation to the relevant Aboriginal groups and communities in each instance.

Recommendation 6: Because developing and implementing a Community Development approach will require cultural change both within NLC and amongst benefit recipient groups, it must be driven by the CEO and Leadership Team, with active and committed support from Council and the Executive. This will require:

- NLC to carefully balance on the one hand leadership around promoting the utilisation of benefits streams for lasting community benefit, and on the other its enabling role directed at empowerment through building capacity in recipient groups.
- NLC to make it absolutely clear that it is members of relevant recipient groups who will make final decisions regarding the use of benefits streams, but that it is its own role and obligation to ensure they do so with access to the fullest possible information and after informed consideration of options.
- NLC to develop policy and procedures on its Community Development framework through widespread consultations, which are then authorised by NLC Council.
- NLC staff undertaking on-the-ground work with benefit recipients will need considerable organisational support and guidance in balancing capacity building on the one hand, and promoting the application of funds for lasting community benefit on the other, and this must ultimately be given by senior management and Council.

Recommendation 7: In order to come to an informed view as to whether and if so how NLC should work with local Aboriginal corporations in implementing a Community Development approach, including existing local corporations, NLC needs to undertake a detailed evaluation of Aboriginal corporations it has supported in the past and the common challenges facing them.

Recommendation 8: NLC should conduct two pilot projects as part of the process of establishing and testing a Community Development approach to the use of lease payments. There should be one pilot focused on lease payments from the Top and Bottom Stores at Galiwinku which have already been designated for community benefit, and a second pilot at another site, possibly Gapuwiyak, where traditional ownership is relatively uncontested.

Recommendation 9: These pilots should be run in parallel with and feed into the previously recommended processes addressing NLC operational approach, including the 'whole of organisation' and team-based approach.

Recommendation 10: It is not practicable, and nor is it necessarily desirable, for NLC to seek to have all income streams utilised through a CD framework. Accordingly, in conjunction with recipient groups NLC will have to make strategic decisions concerning which income streams off Aboriginal lands should be subject to a CD approach

Finally, in order to progress this project, it is our view that appropriate personnel should be engaged as soon as feasible to conduct the pilot projects, and careful attention be paid to exactly how the change within NLC itself outlined in earlier recommendations is to be driven.

Annex Two: CP&D process



Annex Three: Methodology

The monitoring for 2016-18 has drawn from a variety of data sources as outlined in the CP&D monitoring and evaluation implementation plan.

Standardised project reporting

In order to have comparable information about all projects, a standardised project monitoring and reporting system was applied to each of the projects managed by CP&D. In line with the community development process through which all projects are identified, designed and managed, traditional owners and community groups were invited to identify what they seek to achieve from each project and then invited to make assessment of project outcomes at the point of completion (when applicable).

This was reported for 2016-18 through a standard template (see Attachment One), administered by community development staff. Only one report was received per project for this report.

Additional data collection systems

In order to triangulate information from project reporting some additional data collection systems were utilised these included:

- Reflection reports completed by CP&D staff, directed at tracking changes in governance and capability in Aboriginal people (see attachment two for the template). For this report, this included two reflection reports, one completed in 2017 and the other early 2019.
- A quantitative project tracker system that provides specific information about project funding, management and reporting. Developed when and filled in by staff on a regular basis.

Collation and analysis

For this first report the information will be initially collated and analysed by an external consultant. Based on the report from this process a review and reflection process will be undertaken to make sense of the reported data. The process will start as an internal process, with CP&D staff and other NLC staff. In the future the process will expand to include external stakeholders and Aboriginal people from both the NLC Council and TO groups served by the CP&D projects.

CP&D staff together suggested that the analysis process should be framed around the key themes listed below⁹:

- **Accountability to Aboriginal people**
 - ***Drawing from any of the information collected through the monitoring, what data is there about the value of the project to Aboriginal people?***
- **Program improvement**

⁹ In practice for this initial report there was insufficient data to provide such a widespread analysis. Analysis was confined to the four program objectives, with most attention given to the first two objectives, reflecting the focus of the project reporting and staff reflections.

- *Drawing from any of the information collected through the monitoring, what data is there about how the project and community development process is being/could be improved?*
- **Alignment of CP&D with NLC vision and intention**
 - *Drawing from any of the information collected through the monitoring, what data is there about how CP&D outcomes are contributing to the broader NLC vision?*
- **External information sharing**
 - *Drawing from any of the information collected through the monitoring, what data is there about sharing externally about the CP&D process?*

Consistent throughout all the data analysis processes will be a privileging of Aboriginal people's voices and judgement. Further privileged throughout the analysis processes will be reference to the CP&D theory of change and key assumptions, to test and challenge those assumptions over time. Finally, privileged throughout the whole data collection and analysis process will be multiple opportunities to examine 'why?' and 'what are the implications of this for ongoing program improvement and development?'

The intention is to have a transparent process (outcomes will be widely reported) but also a process which has meaning for the participants. Hence the intention to start small and internal, building the validity and effectiveness of the meetings before inviting wider participation.

CP&D and NLC management will consider any recommendation for further refinement and change to the CP&D program. Where other areas for action are recommended beyond CP&D, these will be presented to the NLC Leadership Group for consideration.

Project Reporting Template	
	Project name: e.g. Gapuwiyak CP&D Project (intention is to monitor each Project - process and sub-projects)
CP&D process Step 1 - getting started	<p>At this step (all questions apply at project level) - did the TO and their families identify any reasons for making use of the CD process?</p> <p>Did they identify any early ideas about what they wanted to achieve through the process?</p> <p>Did they talk about why it might be good for their group or community?</p>
Step 2- working together	<p>At this step (all questions apply at project level) - Were any people or groups excluded/ particularly included?</p> <p>Was the governance process clearly established?</p> <p>Did everyone understand and agree to this process?</p> <p>What governance issues remain a concern (both those identified by Aboriginal people and those you might have observed)?</p>

<p>Step 3 - what is best for community</p>	<p>At this step (might be project or each sub-project, depending on how the sub-projects relate to each other and to the process in the group. Apply in line with how people understand their money is being spent...on something that adds up to one idea or as various and different ideas) - what did TO and their families and groups decide they wanted to achieve? What were the immediate changes they expected from this sub-project? What longer term changes are they trying to achieve?</p>	<p>possible questions: What is this project good for? (<i>likely speaks to immediate changes</i>) What will be different if this project is a success? (<i>likely speaks to immediate changes</i>) How does this help the people who live here? (<i>likely speaks to longer term changes</i>) Ideal tool for this is drawing...on paper, or whatever is available. Ask people to draw what is happening now. Ask them to draw how it will be different after this project finished. By then discussing the drawing you get to hear the thoughts underneath the representations. The drawing then become really useful monitoring tools which you can revisit in the future to see if all those things happened. Also, people add in all sorts of other things they want to see (usually well beyond what the project can achieve) so you end up with a wider understanding of what people want for their location.</p>
<p>Steps 4-7</p>	<p>During these steps have TO and their families and groups changed or added to their expectations for this project or sub-project? Have they identified concerns or changes that should be made to the governance process? What are people's expectations of the sub-project partner/s?</p> <p>(I think this last one is very important and should be applied to each sub-project.</p>	<p>Specifically asking people, what do you want them to do? How will you know they have done a good job? Such question usually elicits the detail about both the tangible outcomes expected but also start to get people talking about what</p>

Step 8 - Looking back

What benefits do the TO and their families and groups identify from this project? Both immediate and longer term? What views do they have about the project management by NLC?

What views do they have about the subproject implementation by the partner?

What views do they have about doing more of this work in future and would it be different to how this has been done?

else they want to see and the underlying interest and idea they have.

What did NLC do that helped? How could NLC do better to help in the future?

How did that(implementing partner) go? What did they do that was good? What more should they have done? Do you have any ideas for the future about what you want from these partners?

What does all this mean for the next time you use your money for the community?

Will you do the same types of projects? Why?

Will you do some different things? Why? Like what?

Would you like to organise the decision making in a different way for the future?

What suggestions or changes do you have for the NLC and how it works?

Any other suggestions for the future?

Staff Reflection Template	
Project Name:	
Reflecting on the project outcomes: over the past six months, what have been the benefits for Aboriginal people (positive or negative)?	
Reflecting on Aboriginal people's control, capacity and group cohesion: over the past six months have there been significant (positive or negative) changes?	
Why do you think those benefits and/or changes have occurred?	
What other significant activities or events have occurred in this location which might be influencing either the project benefits or Aboriginal people's capacity?	
Is there anything NLC should change about its CD work and approach for this project that would improve outcomes?	
Are there any lessons learned which could be applied more widely to CD or NLC work?	



NORTHERN LAND
COUNCIL

Our Land, Our Sea, Our Life

NLC Head Office

45 Mitchell Street
Darwin, NT 0801
Tel (08) 8920 5100
Fax (08) 8920 5255
GPO Box 1222

www.nlc.org.au