



NORTHERN
LAND COUNCIL

Our Land, Our Sea, Our Life

Community Planning and Development Program

Building stronger communities and better lives

NLC COMMUNITY PLANNING AND DEVELOPMENT PROGRAM

FRAMEWORK 2022 – 2026

Endorsed at the 224th Executive Council Meeting

BACKGROUND

The Northern Land Council (NLC) is a statutory authority under the *Aboriginal Land Rights Act (NT) 1976* and a Native Title Representative Body under the *Native Title Act 1993*. The NLC's vision is:

"To have the land and sea rights of Traditional Owners and affected Aboriginal people in the Top End of the Northern Territory recognised and to ensure that Aboriginal peoples benefit socially, culturally and economically from the secure possession of our land, waters and seas."

In 2016 the Full Council determined to support a Community Planning and Development (CP&D) Framework 2016-20 to assist NLC constituents drive their own development, by planning and implementing projects that would deliver lasting benefits to their communities. A unit was established within the NLC to implement the framework.

Over the course of 2016-22, the CP&D Program established itself as a key branch of the organisation. It successfully engaged eighteen Aboriginal communities within all seven NLC regions in planning and delivering 60 community projects using funds set aside from their land use agreements, collectively totalling \$9 million. Its establishment was supported through ongoing monitoring and evaluation to ensure the integrity of the NLC's community development practice and confirm development projects provide tangible and meaningful benefits to Aboriginal groups using the CP&D Program.

In preparation of the Framework expiring in November 2020, the NLC undertook a strategic planning process to review the progress of its CP&D Program and identify gaps and opportunities for growing the impact and reach of the Program over the next five years. NLC's CP&D Framework 2022-26 integrates outcomes of its Program's strategic review and aligns with the NLC's Corporate Plan (2022-2026).

This CP&D Framework 2020-26 defines community development and related key concepts, as well as principles that are applied by NLC staff across the organisation. It also sets out the process that will be used through the CP&D Program over the next five years, including Program goals, objectives and strategies. It will be refined and adapted as needed to ensure it aligns with NLC's strategic direction to effectively support Aboriginal people's ability to benefit economically, socially and culturally from the secure possession of their lands, seas and intellectual property.

Context

The NLC was established in 1973 and became an independent statutory authority under the *Aboriginal Land Rights Act (NT)* in 1976. The NLC is also a representative body for the purposes of the *Native Title Act* both for the NLC region and the Aboriginal people living on the Tiwi Islands and Groote Eylandt.

The NLC's constituents are both Traditional Owners and Native Title Holders within its region. The NLC region encompasses about 51,000 Aboriginal residents, with 80 percent of them living in regional and remote areas spread across about 200 discrete communities ranging in size from small family outstations to communities with populations of about 3,000 people. The majority of NLC's constituents speak an Aboriginal language as their first language; many are multi-lingual, and English is often spoken as a secondary or tertiary language. Customary law is vibrant and alive within the region and constitutes the primary rules by which people continue to conduct their lives. While being strong in language, cultural and connection to country, two thirds of the NLC's constituents living in regional and remote communities

and outstations, continue to be very disadvantaged when compared to key national social, economic and health indicators.

The NLC has over four decades of experience in operating across a large and complex region in assisting Aboriginal people acquire and manage their land and seas. The CP&D Program builds on NLC's key strengths:

- Aboriginal governance and leadership;
- Promoting rights and participation of Aboriginal people;
- Participatory planning;
- Consultation and informed decision-making; and
- Working effectively cross-culturally.

WHY A COMMUNITY PLANNING AND DEVELOPMENT APPROACH?

The NLC is committed to achieving better outcomes through Aboriginal-led development. One of the key strategic goals set out in the NLC Corporate Plan 2022-2026 is to "Support Aboriginal groups to identify their own goals, and advocacy needs, [and] to strengthen their project, financial and economic management skills."

Supporting Aboriginal groups to plan and achieve their own development objectives through a community development approach will have the following benefits:

1. EFFECTIVE AND SUSTAINABLE PROJECTS

Aboriginal groups plan and decide on projects based on their priorities, knowledge and experience so these projects are more likely to be locally appropriate, effective and sustainable.

2. CAPACITY BUILDING

Aboriginal people are involved at every step so they build individual and group skills in governance, planning and development as well as partnerships and networks.

3. EMPOWERMENT

The skills individuals and groups develop mean they can be more self-reliant. They have more power and control over their interests and communities have capacity to make collective decisions and to influence the decisions of government and other organisations.

4. INCREASED GROUP COHESION

Working together can make Aboriginal groups stronger and more cohesive when facing the same issues, including negotiating different views and working through group conflict.

The NLC is aware that there are challenges to doing effective community development work in its region due to the history of colonisation, including the dispossession of and extradition from country, and ongoing disempowerment and marginalisation of many Aboriginal people relevant to largely top-down bureaucratic policy and program initiatives. Despite these challenges, evidence suggests a community development approach can deliver the benefits above provided the following elements are in place:

- Strong leadership by Aboriginal people willing to drive change;

- Locally appropriate and legitimate governance structures;
- Best practice planning processes;
- Active facilitation by skilled staff;
- An action, reflection and adaptation/advocacy approach;
- Genuine partnerships; and
- Adequate resourcing and realistic timeframes.

The NLC's CP&D approach takes account of these challenges and critical success factors.

THE NLC'S COMMUNITY PLANNING AND DEVELOPMENT APPROACH

Our definition of Community Planning and Development

The NLC understands 'community development' as being a way of working that involves a set of principles and a process that builds Aboriginal capacity, ownership and control. Additionally, it contributes to stronger Aboriginal groups or communities through their achievements of social, cultural, environmental and economic outcomes. The NLC believes that Aboriginal people making their own plans for development from the secure possession of their lands, seas and intellectual property is central and so applies a Community Planning and Development approach.

Aboriginal groups in the NLC region are connected by their relationship to land and sea, but members generally live in and move between different outstations or communities across a region. 'Community' refers to people who have a common connection – through shared identity, concerns or locality – but who have different interests and are not all the same. The NLC recognises and respects that there will always be differences within and among groups. NLC's Community Planning and Development approach focuses on genuine, inclusive planning and decision-making processes that bring in less powerful and disadvantaged group members and other affected Aboriginal people.

Our CP&D Program Principles

SELF-DETERMINATION

Aboriginal people have the right of self-determination including to freely pursue their social, cultural and economic development and to build resilient and independent outstations, communities and regions.

PARTICIPATION

Local participation in planning and decision-making through all stages of a project is required for effective Aboriginal development.

STRENGTHS-BASED

Aboriginal people and groups have existing strengths including leadership and governance capacity that forms the foundation to their self-determination.

EQUITY

Making sure all members of the group benefit from outcomes, especially the most disadvantaged.

FLEXIBILITY

Supporting people to design and trial their own solutions, see how they go and make changes with lessons learned or as the situation changes.

LONG-TERM ENGAGEMENT

Commitment and adequate resources to establish and sustain relationships with local people and organisations, develop capacity and achieve outcomes in a challenging development context.

NLC CP&D Program Goal

The goal of NLC's CP&D Program is healthy, resilient and engaged Aboriginal people, groups and communities that are strong in language, culture, connection to country, health, education and employment.

NLC CP&D Program Mission

The mission of the NLC's CP&D Program is to work alongside Aboriginal groups in building their governance and planning capacity to effectively control their own interests and build healthy and resilient communities for future generations.

CP&D Program Process

The NLC's planning and development process supports Aboriginal groups to work together to set and achieve their own development outcomes. In recognising the financial diversity of groups across NLC's region, the CP&D Framework is not limited to any one type and will be applied to:

- **Groups with significant income** from large and often long-term land use agreements that could support significant sustainable benefits;
- **Groups with moderate income** from land use agreements that is enough to support some meaningful community benefits (at least \$200,000 annual income and a willingness to set aside at least \$100,000 annually for community purposes); and
- **Groups with little or no income** that demonstrate strong community benefit aspirations, commitment to group governance and participatory planning. The CP&D Program will support these groups to secure funding and partnerships to achieve their goals.

The NLC supports and facilitates the following 8-step process:

1. GETTING STARTED

Traditional Owners/Aboriginal group considers and opts into using the CP&D Program and where applied, make a decision on how much money from their land use agreements to set aside for community benefit. Groups with little or no income can apply to participate in the Program by completing a form to demonstrate their community aspirations and commitment.

2. SET UP GOVERNANCE

Aboriginal group decides how plans and decisions will be made, whether to set up a working group and who will be involved.

3. DECIDE ON PRIORITIES

Aboriginal group talks about values and aspirations and chooses the most important issues to work on.

4. PLAN PROJECT

The NLC supports the Aboriginal group to first test and strengthen their ideas (feasibility). Where the group agrees to continue work on a strong idea, they make a project plan that:

- Sets out the objectives of the project and how it will create lasting community benefit,
- Identifies the work that needs to be done and who will do the work;
- Where a partner/contractor is required, sets out the selection criteria and tender process;
- Looks at any risks involved and how to manage those risks;
- Where able, secures grants or other partnerships to help resource the project, and
- Includes clear project budget.

5. DECIDE ON PROJECT

The Aboriginal group discusses the project plan and budget and decides whether to approve funding and implement the project.

6. ENTER FUNDING AGREEMENT

The NLC checks that:

- the right Aboriginal people were consulted,
- the process has been followed,
- the project will deliver lasting community benefit,
- the project partner has a clear set of measurable deliverables, and
- the purchase of vehicles, allocation of funds for future purposes¹ or the repayment of debt are not part of the project plan.

After all the right checks, the NLC signs a legal agreement with the partner organisation that promises to deliver the project as planned, budgeted and agreed by the Aboriginal group. This may include separately, third party agreements to secure funds, grants or other types of resources to support the project.

7. PROJECT HAPPENS

Partner organisation delivers project and the NLC/Aboriginal group communicates on progress and project journey and checks that it is on track and sort out any problems along the way.

8. LOOKING BACK

The Aboriginal group and NLC look back:

- Did the project benefit Aboriginal people in the way they planned?
- Was the money used in the right way?
- Did the partner give us a report?
- What could be done better next time?

¹ NLC, when asked by Traditional Owners, can hold an amount of land use income in trust for future distribution for special purposes including funerals, education, medical expenses and ceremonies. This is managed by NLC, but not through its CP&D Program.

All groups are different and they won't work through these steps at the same pace or in exactly the same way. The 8 steps provide NLC with a consistent process to support groups make strong plans and informed decisions that deliver outcomes. The steps also provide Aboriginal groups with an easy and reliable practice towards their self-development.

Groups working to build their capacity through the CP&D process will be supported by skilled staff who have specific knowledge and experience in facilitation, project management and working inter-culturally, and will apply NLC's CP&D Program Principles in practice.

Support for groups with little or no royalty income

The CP&D Program generally works with groups that are able to commit at least \$100,000 per annum to community projects. However, there are some Aboriginal groups that have strong social and economic development aspirations but very little land-use agreement income. Subject to capacity and resource constraints, the CP&D Program is able to provide planning, advocacy and funding application support to such groups, including supporting them to identify and apply for alternative funding. Such groups will need to apply for CP&D assistance, though CP&D staff can assist with this process if requested. To qualify for support they must demonstrate significant long-term commitment to achieving community benefit as well as self-motivation and initiative.

Advocacy

Not all the aspirations of groups can be achieved using their own limited resources. Influencing others, building partnerships, alliances and leveraging available Government/private-sector resources is essential to achieving long-term and meaningful change. The CP&D will support Aboriginal groups to undertake small and medium scale advocacy projects that will assist them in achieving their broader objectives. This might include advocating that a local council provide funding for a specific purpose or that a homeland is registered for service provider assistance. Where the scope of the advocacy goal is beyond the capacity of a single group/project officer (e.g. changing national legislation), CP&D will refer the matter, as appropriate, to the relevant NLC Regional Council, the NLC's policy team and/or executive, for consideration.

Auspice Arrangements

Groups participating in the CP&D program may be assisted to apply for grant funding for their projects through auspice arrangements. This provides groups that do not have a corporation with capacity to apply for and administer grants an alternative means to benefit from grant programs and partnerships.

Aboriginal Corporations that receive income from land use agreements

Without seeking to replace/replicate the work of many organisations that already exist to support the governance of Aboriginal Corporations, CP&D may support local corporations with strategic planning and project management where they receive money from Aboriginal Groups and request such assistance. The scope of assistance will depend on available resources.

Where an Aboriginal group wishes to direct land use agreement money is towards a local (usually Aboriginal) corporation, CP&D Program will administer grant agreements for those funds. This will help ensure compliance with reporting obligations set out at Section 35C of the *Aboriginal Land Rights (Northern Territory) Act 1976*.

Groups negotiating substantial benefits under large-scale agreements

The CP&D Program is well placed to help groups identify project impacts, opportunities, as well as their social, cultural and economic development priorities and integrate these into the negotiation and implementation plans for large-scale benefit agreements. Subject to resourcing, CP&D staff can work alongside other NLC staff to support and empower these groups and their negotiation teams. This work requires that CP&D collaborate closely with Legal, Resources and Energy and Regional Development branches.

OBJECTIVES AND STRATEGIES

The NLC will work closely with Aboriginal groups and communities choosing to participate in the CP&D Program to achieve the following objectives through the listed strategies.

OBJECTIVE 1

Strengthen Aboriginal capacity, control and group cohesion, particularly through the management of resources that belong to them.

Strategies

- Set up and support locally appropriate Aboriginal governance arrangements that are culturally legitimate and effective in contemporary circumstances.
- Support effective governance by Aboriginal groups in all aspects of the NLC CP&D Program process, with an emphasis on inclusive and informed decision-making.
- Build the governance capacity of Aboriginal groups involved in the CP&D Program in planning, financial and project management, and monitoring and evaluation.
- Support groups to reflect on governance arrangements and improve them.

OBJECTIVE 2

Generate social, cultural, environmental and economic outcomes prioritised and valued by Aboriginal people and which benefit them.

Strategies

- Promote the use of payments from land use agreements for lasting community benefit.
- Apply the NLC's CP&D Program approach where Aboriginal groups resolve to direct payments to lasting community benefit.
- Secure partnerships and networks to apply funds, grants and other resources for projects designed and approved by Aboriginal groups as part of NLC's CP&D process.
- Ensure the effective project management of all approved initiatives, including monitoring implementation by project partners in line with funding agreements.

OBJECTIVE 3

Monitor and evaluate to support continuous improvement and build an evidence base for the NLC’s Community Planning and Development approach; and to support Aboriginal groups evaluate and promote the success and benefits of their projects.

Strategies

- Finalise (2022) and implement CP&D’s Monitoring and Evaluation System.
- Undertake annual independent monitoring and periodic evaluation of the CP&D Program to assess Aboriginal capacity and empowerment outcomes from its process, as well as measure Aboriginal perceptions on the social, cultural, environmental and economic benefits generated from their community projects.
- Report back to Council and Program participants on key findings.
- With input from the NLC leadership, ensure monitoring and evaluation informs ongoing improvement of the CP&D Program.

OBJECTIVE 4

Share lessons learned through the delivery of the CP&D Program with government and non-government agencies to advocate Aboriginal-led planning and development.

Strategies

- Disseminate monitoring and evaluation reports and report on findings to key stakeholders including government ministers and departments, Aboriginal organisations and development agencies.
- Prepare culturally appropriate resources to raise Aboriginal people’s awareness and understanding of NLC’s CP&D Program and its activities.
- Prepare and implement communication strategies that provide Aboriginal voice to the success of their development.
- Prepare, publish papers and present findings from the delivery of the CP&D Program at relevant forums.

Version Control

VERSION CONTROL – REVISION HISTORY				
VERSION	DATE REVISED	SECTION REVISED	REVISION DESCRIPTION	APPROVAL
V1	November 2016	Original Drafting	Framework 2016-20	114 th Full Council Meeting
V2	November 2022	Whole document	Framework 2022-26	224 th Executive Council Meeting