



Opening Statement – Supplementary Senate Estimates

Friday, 16th February 2024

The Anindilyakwa Land Council (ALC) wishes to thank you for inviting the Anindilyakwa people back to Ngunnawal and Ngambri country today to appear again before the Senate Committee.

We would like to take this opportunity to extend our sincerest condolences to the Northern Land Council on the passing of the Late Mr Bush-Blanasi in November last year. He was a dear colleague and friend to many on the Groote Archipelago, and he will be remembered as a powerful advocate who fought tirelessly for a better future for all Aboriginal Territorians.

The ALC will be represented at today's hearing by several Board members who are also Traditional Owners of the Groote Archipelago. We kindly request the Committee's understanding as we may need to swap speakers depending on the nature of the questions.

The ALC is pleased to report the progress achieved as part of its comprehensive response to the ANAO's Governance Report that was tabled on 31 May 2023. We have addressed 10 of the 15 formal recommendations (67%) and 24 of the 48 subsequent ALC actions (50%) with the support of increased funding and resources (previously not provided). We note the findings of the audit are mostly administrative or procedural in nature, and we believe this reflects the ALC's rapid growth as it seeks to secure a financially stable future for TOs when the GEMCO mine closes in 2031. For the Committee's benefit, we enclose a snapshot summary of our audit progress, together with an overview of ALC funding and royalty distribution.

The ALC is focused on delivering better outcomes for the Anindilyakwa people, including through the six Groote Archipelago Local Decision-Making Agreements. Many ALC Board members are leading Aboriginal corporations to create change through local control in these six key areas:

1. **Education:** ABA funding to construct an independent bi-lingual boarding school on Bickerton Island for 48 primary school aged children;
2. **Housing:** Substantial funding with the NT Government to deliver 56 new homes and enable housing to reach national standards by 2028;
3. **Law & Justice:** A complete reduction in youth incarceration through local programs and the construction of a new 32 bed on-country 'alternative to custody' facility to reduce incarceration amongst Anindilyakwa males by up to 50%;
4. **Economic Development:** The development of the Traditional Owner-led Winchelsea Mine to support financial independence and preserve cultural and community support programs after the GEMCO mine closes;
5. **Health:** In-principle agreements to construct 24 new homes to expand NT health staff and services and a community kitchen to deliver up to 1,000 meals/day to the community;
6. **Local Government:** the establishment of the prospective Groote Archipelago Regional Council that will assume control of local government services.

These achievements benefit all 14 traditional clans of the Groote Archipelago and deliver on the ALC Board's mission to protect, maintain, and promote Anindilyakwa culture, invest in the present to build a self-sufficient future, and create pathways for our youth to stand in both worlds.

We would welcome any questions that you may have.

ANAO SUMMARY ACTION SNAPSHOT

ANAO Recommendations

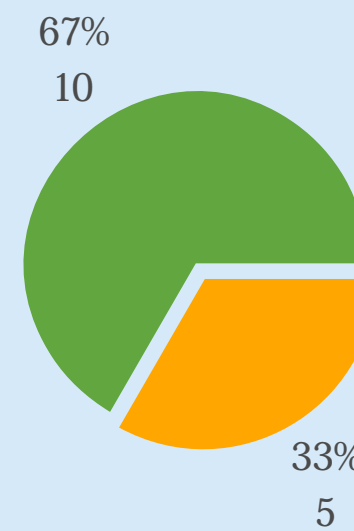
15

Actioned

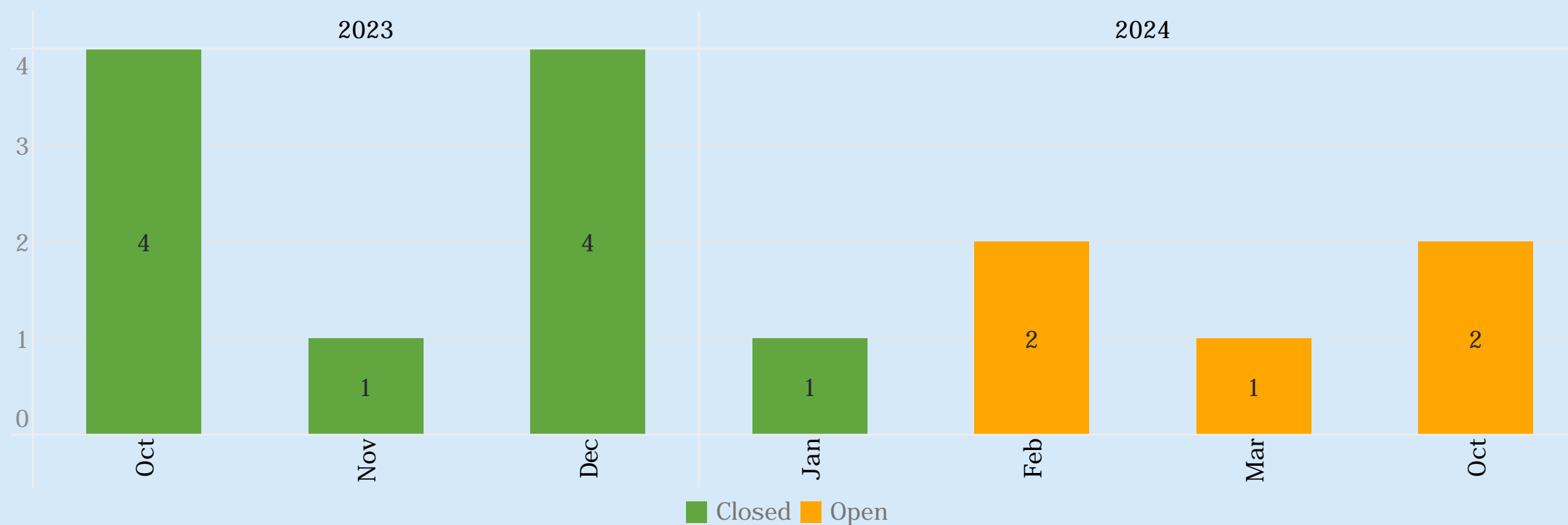
10

In Progress

5



ANAO RECOMMENDATIONS PROGRESS



The ALC has committed to a further 33 actions, drawn from the ANAO report, to improve governance arrangements, address gaps and enhance systems at the ALC.

Total Adopted Actions from the ANAO report

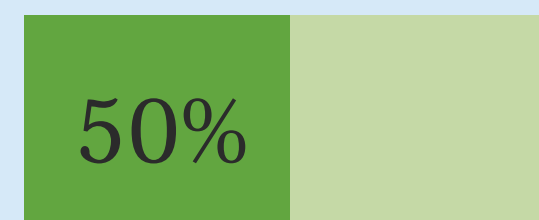
48

Actioned

24

In Progress

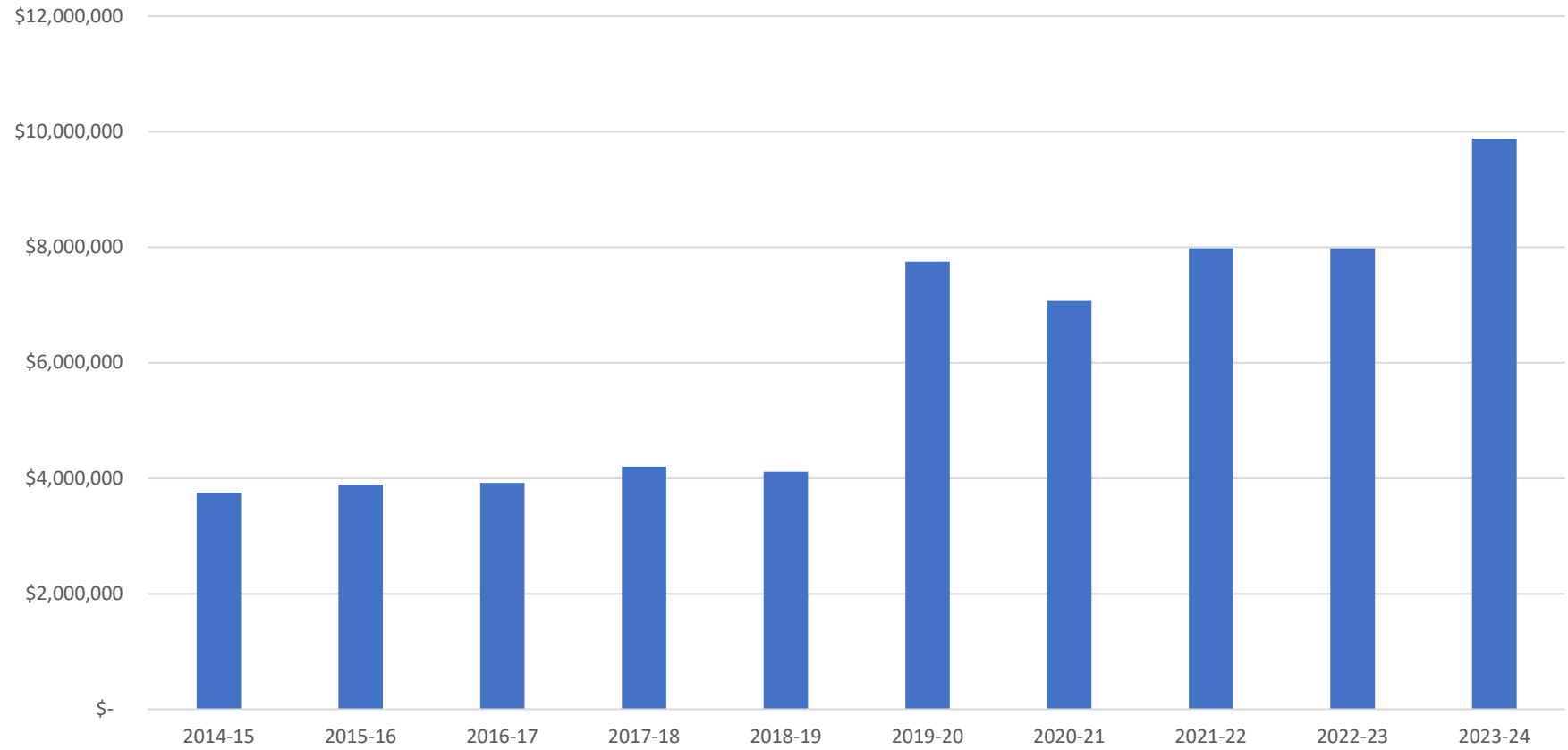
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Actioned

ID	Finding Title	Type	Status Name
1003320	ANAO Recommendation 2 2.20 Document Roles and Accountability	Finding	Closed
1003302	ANAO Recommendation 5 3.25 Access to Minutes and Rules	Finding	Closed
1003347	ANAO ALC ID 4.14 Privacy Policy	Issue	Closed
1007269	ANAO IMP 3.90 Project Reporting	Issue	Closed
1007260	ANAO ALC ID. 4.8 Risk Reporting	Issue	Closed
1003355	ANAO ALC ID 4.13 Credit Card Policy	Issue	Closed
1005296	ANAO Recommendation 3 - 3.14 Roles and Responsibility Training	Finding	Closed
1003321	ANAO Recommendation 6 - 3.29 Board and FINCOM Rules	Finding	Closed
1003340	ANAO ALC ID 3.36 FINCOM Recommendation	Issue	Closed
1005307	ANAO Recommendation 12 4.21 Fraud Policy	Finding	Closed
1002658	ANAO IMP 2.14 Delegations Specificity	Issue	Closed
1005974	ANAO Recommendation 4 3.21 CEO recruitment	Finding	Closed
1003334	ANAO IMP 3.34 Board and FINCOM Minutes	Issue	Closed
1007283	ANAO ALC ID. 4.64 Establish Internal Audit	Issue	Closed
1003963	ANAO ALC ID. 4.82 Resourcing for Secretariat Functions	Issue	Closed
1002652	ANAO Recommendation 1 2.11 Delegations	Finding	Closed
1005971	ANAO ALC ID 3.71 Advising the Board on Consultation Outcomes	Issue	Closed
1005948	ANAO IMP 4.77 Audit Committee- Terms of Members	Issue	Closed
1007272	ANAO Recommendation 15 4.83 Audit Committee	Finding	Closed
1007263	ANAO ALC ID. 2.15 Accountable Authority Instructions	Issue	Closed
1005315	ANAO Recommendation 13 4.46 Conflicts of Interest	Finding	Closed
1007267	ANAO IMP 3.81 Complaints Process	Issue	Closed
1006617	ANAO Recommendation 10 - 3.87 Finance Committee	Finding	Closed
1006600	ANAO ALC ID 4.67 Audit Committee	Issue	Closed

ALC 64/1 Funding 10 Year Period



Rents & Royalties Distribution Snapshot

64(3) monies January 2019-December 2023

Total Value of Distributions 2019-2023

361.91M

Completed Projects

276.40M

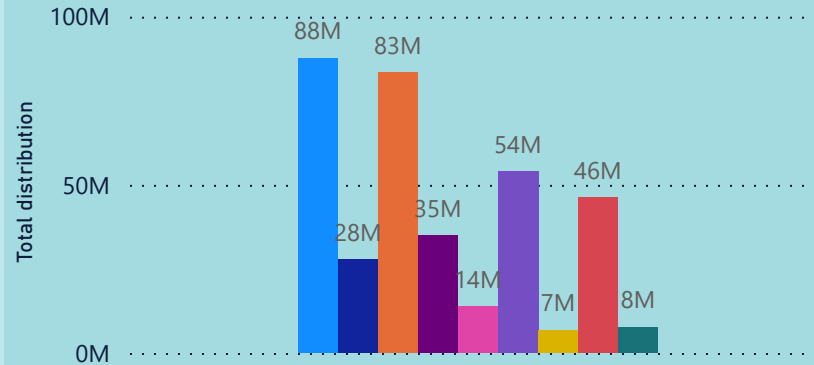
In Progress Projects

76.59M

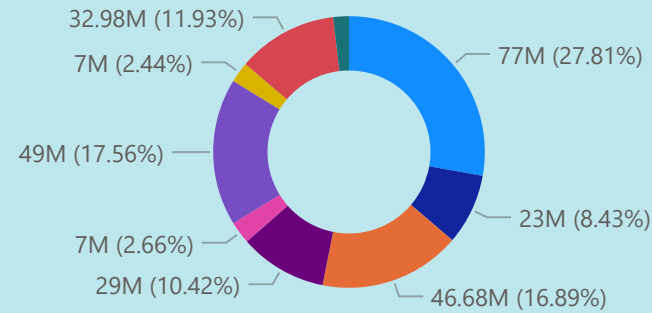
Granted to Commence
Projects

8.92M

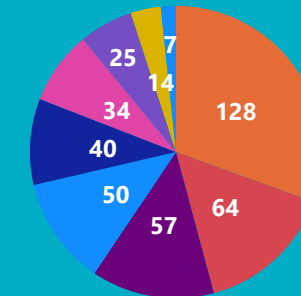
Total value of distributions by categories 2019-2023



Completed Distributions 2019-2023



Number of Distributions by category
January 2019- December 2023



Distributions in this document refers to the ALC Board's approval of the royalty and rents monies for distribution.

Total value of distributions from 2019-2023 have been invested across the following areas >>>



Community Support

87.66M



Culture

27.70M



Economic Development

83.42M



Education

34.90M



Health

13.75M



Housing

53.86M



ORIC operations

6.79M



Infrastructure

46.11M



Telecommunications

7.71M

August 2023

64(3) monies Distributions Snapshot



Total Distributions
Awarded August 2023
22.36M

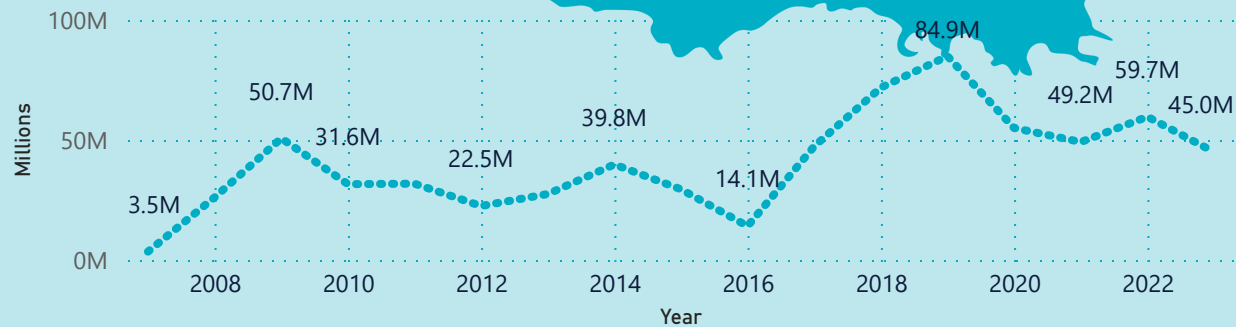


2.8M was distributed to the Community Support Program to maintain the delivery of crucial financial support services.

2.8M was distributed to the Preserving Culture Program to support operations of music, arts, language and cultural protection projects.

Historical Distribution Snapshot

64.3 Receipts 2007-2023



August 2023 Distributions over \$500,000

Sum of Amount	Description	ORIC	Category
750,000.00	AAAC Banking Feasibility	AAAC	Economic Development
800,000.00	AAAC Operational	AAAC	Economic Development
623,930.00	AHAC Housing & Rent Funding from 01/08/2022	AHAC	Housing
800,000.00	AHAC Operational Funding YE 2023	AHAC	Housing
1,500,000.00	Cairns Family Group Homes	Aminj arrinja	Education
2,800,000.00	CSP Program Funding Top Up	ARAC	ALC Community Support Program
511,000.00	GHAC Aqua Capital	GHAC	Economic Development
700,000.00	GHAC Community Kitchen	GHAC	Economic Development
1,500,000.00	GHAC Operational	GHAC	Economic Development
1,632,000.00	GHAC Pole 7A Village capex	GHAC	Economic Development
1,400,000.00	Head Office Upgrade - additional funding	ARAC	Public Infrastructure
850,914.00	Little Paradise Base Camp	GHAC	Economic Development
500,000.00	Little Paradise S19 Payment	GHAC	Economic Development
500,000.00	Numeracy & Lit Operational	ARAC	Education
2,800,000.00	Preserving Culture Funding Top Up	ARAC	Cultural Protection
500,000.00	RDU Operational	ARAC	Economic Development
650,000.00	Renewable Energy/Solar	GHAC	Economic Development
3,400,000.00	Royalty payment to TO's	ARAC	ALC Community Support Program
1,119,000.00	Telstra LP & WM	GHAC	Economic Development



15th February 2024

The following statement can be attributed to Anindilyakwa Land Council CEO Mark Hewitt:

The ALC Board is focused on delivering better outcomes for the benefit of all 14 traditional clans of the Groote Archipelago and achieving our mission to protect, maintain, and promote Anindilyakwa culture, invest in the present to build a self-sufficient future, and create pathways for our youth to stand in both worlds.

The ALC has undergone enormous changes and growth in recent years as it seeks to actively secure the future prosperity of the Groote Archipelago for the benefit of Traditional Owners.

We note the findings of the ANAO audit are mostly administrative or procedural in nature, and we believe they reflect the rapid growth of the ALC and the challenges in establishing governance practices with limited resources in a remote location.

Since May 2023, we have implemented the majority of the formal recommendations of the ANAO audit report, as well as many subsequent related actions and self-identified initiatives to enhance our governance, with the help of more funding and resources.

The implemented ANAO audit report recommendations include the development and implementation of effective management plans for interests declared in the staff and Council registers of interest.

The ALC has updated the register of interest and implemented a new management plan to manage conflicts. This updated register and new management plan are used in Board and Finance Committee meetings to ensure any conflicts of interest are managed well and documented in minutes. We have also improved our secretariat function to support this.

We have implemented the recommendation to assess whether management plans for the Chair's and CEO's interests in Winchelsea Mining and Groote Holdings Aboriginal Corporation are effective.

As well as creating jobs for local Aboriginal people, the Winchelsea Mining project will most importantly contribute the additional revenue necessary to ensure the Traditional Owners' 'future fund' (the Anindilyakwa Mining Trust) reaches a self-sustainable value capable of replacing the royalty income that will be lost when the GEMCO/South32 mine closes in 2031 after 65 years of operation.

The majority shareholder in the Winchelsea Mining project is the Anindilyakwa Advancement Aboriginal Corporation (AAAC), whose directors comprise senior Traditional Owners from the two relevant clan groups. AAAC is a not-for-profit Aboriginal corporation whose objective is to provide for and assist with the economic, social, and cultural advancement of the Groote Archipelago Traditional Owners.

At this stage a bankable feasibility study has been prepared in accordance with relevant industry standards, which indicates the viability of the Winchelsea Mining resource.

The ALC conducted extensive consultations with Traditional Owners and interested community members regarding the Winchelsea Mining proposal, which was approved by the ALC Board with the consent of the Traditional Owners. The ALC CEO and Chair absent themselves from ALC Board meetings during consideration and decisions on matters relevant to Winchelsea Mining Pty Ltd, in accordance with conflict-of-interest management plans.

The Audit Committee Chair is remunerated based on time expended to carry out the role, and his work is all directed at that. In addition to scheduled committee meetings, the Audit Committee Chair carries out a wide range of important tasks, including extensive training of audit committee members, and comprehensive reviews of critical policies, procedures, reporting, and internal control matters.

The ALC has implemented the ANAO report's recommendations in relation to the audit committee, including ensuring the Audit Committee Chair is independent, assessing the performance of the Audit Committee to confirm that it is effectively undertaking all mandatory functions, and implementing an effective secretariat to support the operation of the Audit Committee.

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