

PALM ISLAND AGREEMENT

**“BUILDING A BETTER FUTURE FOR
PALM ISLANDERS”**

BETWEEN

The Australian Government

AND

Palm Island Aboriginal Shire Council

Dated this 11th day of October 2007

THE PALM ISLAND AGREEMENT – “BUILDING A BETTER FUTURE FOR PALM ISLANDERS”

1. PURPOSE

- 1.1. The Palm Island “Building a Better Future for Palm Islanders” Agreement (*“the Agreement”*) constitutes a recognition and commitment to work together, and share the responsibility of building a positive and productive future for its residents.
- 1.2. The parties to the Agreement (“Parties”) are committed to putting new arrangements in place which will contribute to long term reforms. The reforms are aimed at creating the necessary behaviours and opportunities to build a stronger, more vibrant community, demonstrated by choices that are based on a market economy and by individual economic independence.
- 1.3. Building a better future for Palm Islanders will be achieved through focusing efforts and resources toward home ownership, improved tenancy management, targeted employment opportunities, supported mobility, education, enterprise development, improved service delivery, income management support, capacity building and leadership, and the preservation and enhancement of cultural values.
- 1.4. The Agreement imposes duties, gives entitlements and encourages civic responsibility and appropriate standards of behaviour.

2. TIMEFRAME FOR AGREEMENT

- 2.1. The Agreement will continue for two years from the date of signing.
- 2.2. This Agreement can only be amended with the express agreement of the Parties.

3. RESPONSIBILITIES OF THE PARTIES UNDER THE AGREEMENT

3.1. Moving beyond Welfare

- 3.1.1. The Palm Island community acknowledges that the Australian Government’s welfare reform initiatives are aimed at moving individuals from a dependency on income support to self sufficiency. The changes will include linking future income support to the enrolment and attendance of dependent children at school, as well as lifting of Remote Area Exemptions (in relation to job seeking activity testing), scheduled for 30 June 2008.
- 3.1.2. The Parties agree that a key aim of this agreement is to improve school attendance. As a first step, this will be achieved by making school attendance a condition of accessing support for internal home improvements under the Pride of Place initiative in this agreement. The ultimate aim of the Palm Island Shire Council is to achieve 100% enrolment and attendance (consistent with Queensland Government policy).

- 3.1.3. The Parties will develop specific employment strategies, including for the mining industry and defence services.
- 3.1.4. The Parties commit to embedding local employment requirements in all service contracts issued as a result of the initiatives in this Agreement.

3.2. Housing Management

- 3.2.1. Palm Island Aboriginal Shire Council will outsource tenancy management of the houses on Palm Island to an organisation (“Tenancy Manager”) agreed by the Parties within four (4) weeks of the signing of this agreement.
- 3.2.2. The Palm Island Aboriginal Shire Council will ensure that the Tenancy Manager performs their duties in accordance with the *Residential Tenancies Act 1994 (Qld)*.
- 3.2.3. The Palm Island Aboriginal Shire Council will require the Tenancy Manager to ensure that:
 - 3.2.3.1. All adult persons residing in a house are parties to the tenancy agreement for that house, either as the principal tenant or co-contributors, with financial contributions specified in the agreement.
 - 3.2.3.2. Only adult persons who have signed the tenancy agreement can reside permanently in the house.
 - 3.2.3.3. Households, which at the expiration of current tenancy agreements, do not sign a new tenancy agreement that includes the tenancy obligations set out in this Agreement (“New Tenancy Agreement”) are required to pay the maximum rent level for their dwelling plus 10% as a risk factor, and are not eligible for any of the benefits flowing from this Agreement.
 - 3.2.3.4. New tenants are not allocated a house unless they sign a New Tenancy Agreement.
 - 3.2.3.5. Any tenant in breach of the agreement will be counselled and then warned and, if they remain in breach, be ultimately evicted by the Tenancy Manager in accordance with the provisions of the *Residential Tenancies Act 1994 (Qld)*.
 - 3.2.3.6. A tenancy advice and complaints hot line (an 1800 phone number) is available for use by any signatory to a tenancy agreement.
 - 3.2.3.7. New Tenancy Agreements are for 6 or 12 month periods, with rent deducted via Centrepay from an Income Management Plan (IMP) account or by direct debit for that period.

- 3.2.3.8. Wherever possible the Tenancy Manager will enter into New Tenancy Agreements with households by February 2008, or as soon as possible after the expiry of existing tenancy agreements.
- 3.2.3.9. Consistent with Queensland Department of Housing rent setting policy, rent is increased over a specified period to normalised rates (it is intended that market rates will be set for each property by independent valuation).
- 3.2.4. The Parties acknowledge that, for those families and individuals who already have, or can establish, a good rent record over a period of time, and who participate in Pride of Place External (see below), assistance will be provided towards the purchase of land and/or a future home deposit subject to the Queensland Government passing land reform legislation granting 99 year leases on DOGIT land.
- 3.2.5. Changed Arrangements:
 - 3.2.5.1. Any change in outsourcing arrangements with the Tenancy Manager, or the New Tenancy Agreements, during the life of the Agreement must be agreed by the Parties.

3.3. Home Ownership

- 3.3.1. Home ownership opportunities should be made available to Palm Island residents concurrent with other reform measures, and are recognised by both Parties as a necessary component of building economic independence and self reliance for local families and individuals.
- 3.3.2. The Queensland Government is committed to introducing reforms to current land tenure arrangements by the end of 2007, including a commitment to 99 year leases on DOGIT communities. Subsequent to these reforms and the granting of such leases, Palm Island families will be able to access low cost home loans through Indigenous Business Australia (IBA), subject to meeting relevant criteria.
- 3.3.3. The Palm Island Aboriginal Shire Council will, by 31 January 2008, assist in identifying initially up to 30 families or individuals interested in purchasing houses and land on existing vacant lots and lots to be developed on Palm Island. A separate register of families or individuals interested in purchasing existing housing will also be established.
- 3.3.4. Subject to the Queensland Government passing land tenure reform legislation permitting 99 year leases on DOGIT land, and upon granting of such leases, the Australian Government will provide funds for the construction of up to 20 houses on existing vacant serviced blocks for families or individuals for rental with the option to purchase at a later stage.
- 3.3.5. The Australian Government will fund the development and servicing of a new subdivision/s containing up to 40 housing lots on Palm Island for the purpose of home purchase.

- 3.3.6. First home buyers will be eligible for the First Home Owners Grant, subject to normal criteria.
- 3.3.7. To be eligible for a home ownership loan, families would need to:
- have a deposit (in addition to any First Home Owners Grant);
 - be participants in an Income Management Plan (IMP);
 - commit to providing their own labour to assist in the construction of the house;
 - commit to full responsibility for the house maintenance (with a maintenance account set up through IMP); and
 - have participated in the Pride of Place (internal and external) initiatives under this Agreement (see below).

3.4. Home Improvements

- 3.4.1. Agreements will be developed with families and individuals that set out commitments and obligations attached to home improvement incentives, as outlined below.
- 3.4.2. These home improvements will be known as Pride of Place External and Pride of Place Internal.
- 3.4.3. All families and individuals who sign up to a New Tenancy Agreement (including participating in an IMP and paying off any rent arrears), will be eligible for Pride of Place External which will involve improvement to the external features of a house and will commence once the tenancy agreement is signed.
- 3.4.4. The Australian Government will fund external work including painting, yard clean up, fencing, landscaping and tree planting and minor repair up to a value of \$2500 under Pride of Place External.
- 3.4.5. All participating households will be required to contribute their own labour towards the improvement of the house.
- 3.4.6. Consistent with Clause 3.2.4 above, Pride of Place External participants will be eligible for assistance towards the purchase of land or a future home deposit, on the basis of establishing a good rent record over a period of time.
- 3.4.7. The Australian Government will fund Pride of Place Internal work for painting, kitchen and bathroom upgrades, and other improvements determined by the residents, to a value of \$7,500 for each participating household.
- 3.4.8. Pride of Place Internal would only be available to residents who:
- had participated in Pride of Place External;
 - had maintained their continuous participation in IMP or equivalent savings record for 6 months;
 - were willing to contribute up to one third of the material costs, up to a limit of \$1000; and

- where there are children in the household, had demonstrated a record of 100% school attendance over a 12 month period (in accordance with Education Queensland policy).

3.4.9. The person or persons overseeing the establishment of the IMP accounts (“the IMP Manager”) will advise individuals on the percentage of income that needs to be allocated to rent, and to other essentials such as food, children’s education costs and other appropriate family related activities.

3.5. Housing Growth

3.5.1. The Australian Government will include Palm Island as a priority site for the Australian Remote Indigenous Accommodation (ARIA) programme commencing in 2008.

3.6. Establishing a Viable and Friendly Business Environment

3.6.1. The Australian Government will commit to providing a funding contribution and other resources towards the development of a Retail Precinct on Palm Island, in addition to the funding referred to in Clause 5 below, subject to the strength of the final business case developed by IBA. It will also provide mentoring support to people setting up viable small businesses in the precinct or supported by this development.

3.6.2. The Palm Island Aboriginal Shire Council will ensure that it:

3.6.2.1. sets aside an appropriately zoned area so that the retail development and private businesses can operate and ensure leasing arrangements are in place;

3.6.2.2. subject to a feasibility study for retail development, supports the Community Store being the anchor tenant; and

3.6.2.3. as per clause 3.6.1, commits to diverting funds for renovations to existing Community Store premises to the infrastructure development of the retail development.

3.6.3. The Parties will explore options for ownership and management of the store in the longer term.

3.6.4. The Australian Government will fund a feasibility study into the establishment of a Palm Island Construction Company in addition to the funding referred to in Clause 5. This will include investigating the need, and cost effective options, for staff accommodation to support the importation of necessary skills to manage the Company.

3.6.5. Prospective small business owners from Palm Island will be encouraged to participate in the Income Management Program.

3.7. Choices – Volunteer Relocation Program

3.7.1. The Australian Government will provide funding in addition to the funding referred to in Clause 5 to support initiatives aimed at making it

easier for individuals to relocate to take advantage of wider opportunities to work or study outside their community should they wish to do so.

- 3.7.2. The Palm Island Aboriginal Shire Council will encourage and support individuals who wish to take up these opportunities.
- 3.7.3. The Australian Government will work with the Palm Island community and the Queensland Government to actively explore and develop the following initiatives.
 - The provision of social housing in mainland centres such as Townsville, including intensive case management support for Palm Island residents choosing to relocate to take up education or employment opportunities.
 - The establishment of an educational boarding facility to support Palm Island students as well as other students from remote Indigenous communities.
 - The establishment of a pilot Mobility Home Ownership program for existing residents of Palm Island who relocate to mainland centres for education and employment purposes. This program will be established under a mixed strategy of rent/buy or buy, which will allow for initial placement in social housing if required. Eligible individuals and families will be required to participate in support measures such as IMP and be eligible for a standard IBA home loan.
- 3.7.4. The Parties will develop a program for individuals pursuing employment or educational opportunities on the mainland, including a targeted strategy for the mining industry. These individuals will have access to mobility support options.
- 3.7.5. The Parties will explore the potential for the private rental housing sector to provide accommodation on the mainland to support the relocation of interested families or individuals.

3.8. Improvement of Service Delivery

- 3.8.1. The Australian Government is committed to increasing its investment in the service delivery system on Palm Island on the basis of evidence based need. It will fund, in addition to the funding referred to in Clause 5, a project that will provide an overview of required services, identify opportunities for streamlined administrative processes and determine an evaluation framework to measure outcomes. A more strategic approach to service delivery will directly contribute to the development of economically viable individuals and families. This work will concentrate on key areas such as health, education, participation (training and employment) and individual and family needs.
- 3.8.2. The Palm Island Aboriginal Shire Council will support and fully participate in this project.

3.9. Building Capacity and Leadership

- 3.9.1. The Australian Government will fund and/or deliver a range of capacity building projects in addition to the funding referred to in Clause 5, aimed at individuals, families and community, relating to:
- Leadership Development;
 - Corporate Governance; and
 - Community Rebuilding and Strengthening.
- 3.9.2. The Palm Island Aboriginal Shire Council will fully support these initiatives, and participate in relevant capacity building and leadership projects.

3.10. Other Initiatives

- 3.10.1. The Australian Government acknowledges the work the Palm Island Aboriginal Shire Council is committed to, and continues to develop in relation to introducing local laws that are complementary to State laws, and incorporating rules into household Tenancy Agreements aimed at effecting behavioural change and heightened responsibility. These include:
- declaring “grog fee” homes as requested by residents;
 - continuing to support the alcohol restrictions of the Alcohol Management Plan, including all public areas being “grog free”;
 - imposing time limitations on parties and loud noise;
 - requiring the care and control of animals;
 - requiring the maintenance of yards; and
 - imposing a curfew for young people.
- 3.10.2. The Australian Government, through the Townsville ICC, will allocate staffing resources dedicated to coordinating the delivery of Australian Government services on Palm Island.
- 3.10.3. The Australian Government will accelerate the delivery of the joint government Safe Haven project with the support of the Palm Island Aboriginal Shire Council.

4. MANAGEMENT ARRANGEMENTS

- 4.1. A Steering Group will be established upon the signing of this Agreement.
- 4.2. The Steering Group will comprise two representatives each from the Palm Island Aboriginal Shire Council, the Palm Island community and the Australian Government, with 5 representatives constituting a quorum.
- 4.3. The purpose of the Steering Group will be to:
- develop an Implementation Plan to support the Agreement;
 - review and monitor progress of the activities against this Plan;
 - participate in related decision making pertaining to the successful implementation of this Agreement;

- provide policy guidance on tenancy management; and
- assist in dispute resolution.

4.4. The Steering Group will meet monthly, or less often if required.

4.5. The Townsville ICC will provide Secretariat support for the Steering Group.

5. FUNDING

5.1. A total of \$14 million will be made available to support housing based initiatives under the Agreement. In addition, funding will be available through IBA for home loan assistance.

SIGNATORIES TO THE AGREEMENT

**The Hon Mal Brough MP
Minister for Families, Community
Services and Indigenous Affairs
on behalf of the Australian Government**

Signed:

Date:

**Ms Delena Foster
Mayor
Palm Island
on behalf of the Palm Island Aboriginal Shire Council**

Signed:

Date: