



Australian Government

Department of Families, Housing,
Community Services and Indigenous Affairs

Mr Jackie Nguluwidi
Operator – Mapuru Ngatha Store
PMB 74 Sheppardson College
via WINNELLIE NT 0822

Dear Mr Nguluwidi

Notice of refusal to issue a community store licence for the Mapuru Ngatha Co-operative under Section 97 of the *Northern Territory National Emergency Response Act 2007*

Thank you for the submission received on 16 September 2009 in response to our letter and assessment of the Mapuru Ngatha Co-operative to you, dated 25 August 2009.

I refer to your application under section 96 of the *Northern Territory National Emergency Response Act 2007* (the Act) and the subsequent assessment of the Mapuru Ngatha Co-operative in accordance with section 97 of the Act. I am the delegate for the purposes of section 97 of the Act. I am writing in accordance with subsections 101(2) of the Act to notify you that I have decided to refuse to grant a community store licence for the Store.

Background and Legislation

Subsection 97(3) of the Act provides that the Secretary of the Department of Families, Housing, Community Services and Indigenous Affairs, or his delegate, must not grant a community store licence to a person unless satisfied that, if the licence is granted, the community store or stores to which the licence relates will be operated in a satisfactory manner, having regard to:

- a) the assessable matters; and
- b) if the person is an operator of a community store or community stores that have been assessed under section 94—the assessment or assessments; and
- c) any other matter he considers relevant.

The assessable matters in relation to a community store are set out in section 93 of the Act, and include:

- a) the community store's capacity to participate in, and (if applicable) the community store's record of compliance with, the requirements of the income management regime;

- b) the quality, quantity and range of groceries and consumer items, including healthy food and drink, available and promoted at the community store;
- c) the financial structure, retail practices and governance practices of the community store;
- d) any matters specified by the Minister under subsection 125(2) to be assessable matters; and
- e) any other matter that the Secretary considers relevant to the provision of high quality community store services.

I refer to the assessment of the Mapuru Ngatha Co-op undertaken on 23 June 2009 conducted by an authorised officer from the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA). The assessment was to determine if a licence should be granted to you under Section 97 of the *Northern Territory National Emergency Response Act 2007* (the Act) as the operator of the store.

Reasons

I have considered the findings of the assessment of the Mapuru Ngatha Store, and I am not satisfied that the store meets the licensing requirements, having regard to:

- the store's capacity to participate in and meet the requirements of the income management regime (Section 93(1)(a) of the Act);
- the financial structure, retail practices and governance practices of the community store (Section 93(1)(c) of the Act); and
- your submission received on 16 September 2009.

I have taken into consideration your comments in relation to my decision to refuse a licence for the Mapuru Ngatha Co-operative, and note that in your response the Co-operative management seeks approval from FaHCSIA to accept funds through BasicsCards only and no longer seeks a licence to receive IM funds. You agreed with the FaHCSIA report that to do so would hamper the 'ownership' of the Co-operative. I also note that your submission does not address any of the specific issues raised in the licence assessment.

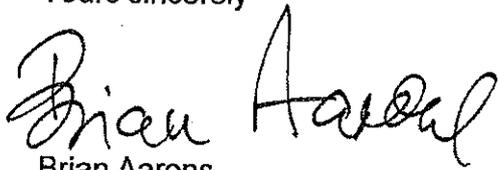
Consequently, I am notifying you that a community store licence under section 96 of the Act will not be issued to you in relation to the Mapuru Ngatha Co-operative.

The Department has carefully considered the income management and licensing policy in relation to very small stores that service isolated populations that have no other ready access to food using income managed funds. The Minister for Families, Housing, Community Services and Indigenous Affairs has agreed to a minor policy change in these circumstances to allow Centrelink to offer you an application to apply for BasicsCard merchant access. You will of course need to meet the conditions required by Centrelink of BasicsCard merchants.

I would also like to reassure you that Case Managers from the FaHCSIA Community Stores Section would like to continue to work with you and the residents of Mapuru to develop and implement longer term solutions to the food security issues.

If you have any questions in relation to this letter, please contact Laura Toyne, Co-Director of the Community Stores Section, on 8936 6375.

Yours sincerely



Brian Aarons
Manager
NTER Unit

Department of Families, Housing, Community Services and Indigenous Affairs.

13 October 2009

cc. Mr David Shoobridge, Government Business Manager, Galiwinku
Mr John Greatorex, Charles Darwin University