



SUPPLEMENTARY

WEST ARNHEM REGIONAL COUNCIL

ORDINARY COUNCIL MEETING

AGENDA

WEDNESDAY, 14 DECEMBER 2022



WEST ARNHEM REGIONAL COUNCIL

Notice is hereby given that an Ordinary Meeting of the West Arnhem Regional Council will be held in Council Chambers, Jabiru on Wednesday, 14 December 2022 at 9:00 am.

Paul Hockings
Chief Executive Officer

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WEST ARNHAM REGIONAL COUNCIL

FOR THE MEETING 14 DECEMBER 2022

Agenda Reference:	8.1
Title:	CEO Leave
File Reference:	1049894
Author:	Paul Hockings, Chief Executive Officer

SUMMARY

The CEO wishes to take leave and work remotely from West Arnhem Regional Council area over the Christmas New Year period and this report seeks to advise Councillors of the intended dates.

BACKGROUND

At the author's interview on 30 September 2022 it was noted that my eldest daughter, Makaela is graduating from University of Tasmania (UTAS) after completion of her Bachelor of Medicine & Surgery on 16 and 17 December 2022. Given the December 2022 Council meeting is on 14 December 2022 I have arranged to fly from Darwin to Hobart on 15 December 2022.

Given the proximity of this time to Christmas the author has arranged to work remotely for the week ending 23 December 2022 and would like to return to Jabiru after Christmas to recommence work on 3 January 2023.

An initial email was sent to Mayor Ryan on 10 November 2022 and subsequent discussions have occurred with both Mayor Ryan and Deputy Mayor Williams.

COMMENT

With regards to senior executive coverage Brooke Darminin, Executive Manager Strategy and Advocacy will be on site over the Christmas / New Year period in case an emergency situation occurs. Further, given it is a quiet time of year and I am new to the CEO role, I do not propose to appoint an acting CEO during this time.

STATUTORY ENVIRONMENT

Section 165 CEO of the *Local Government Act 2019*

- (1) A council must appoint an individual to be the CEO.
- (2) The CEO may, in writing, appoint a Deputy CEO for the period (not exceeding 2 years) specified in the appointment, and is eligible for reappointment.
- (3) If the CEO is on leave:
 - (a) if there is a Deputy CEO who is available to act – the Deputy CEO acts as CEO; and
 - (b) if there is no Deputy CEO, or the Deputy CEO is absent or unavailable to act – a person nominated by the CEO to act in that situation acts as CEO.
- (4) The CEO must notify the principal member of the council of a nomination made by the CEO under subsection (3)(b).
- (5) The CEO must notify all members of the council if the CEO will be on leave.
- (6) Appointments to the office of CEO are to be made, as occasion requires, by the council in accordance with:
 - (a) the requirements prescribed by regulation; and
 - (b) any relevant guidelines the Minister may make.

POLICY IMPLICATIONS

Not applicable

FINANCIAL IMPLICATIONS

No additional financial cost as Council will not be appointing an acting CEO.

STRATEGIC IMPLICATIONS

PILLAR 6 FOUNDATIONS OF GOVERNANCE

Integrity is at the heart of everything we do. We are leaders of best practice and excellence in governance, advocacy, consultation and administration.

Our processes, procedures and policies are ethical and transparent.

Goal 6.3

Council and Local Authorities

Excellence in governance, consultation administration and representation

VOTING REQUIREMENTS

RECOMMENDATION:

That Council note the report and the CEO leave and absence over the end of year period from 15 December 2022 to 2 January 2023.

ATTACHMENTS

There are no attachments for this report.

WEST ARNHAM REGIONAL COUNCIL

FOR THE MEETING 14 DECEMBER 2022

Agenda Reference:	8.2
Title:	Seeking Nominations - LGANT Strategic Priority Working Groups
File Reference:	1049912
Author:	Brooke Darmanin, Executive Manager Advocacy and Strategy

SUMMARY

The purpose of this report is to seek nominations from Council to join LGANT's Strategic Priority Working Groups to ensure West Arnhem Regional Council is providing ongoing input into LGANT's strategic direction.

BACKGROUND

At 26 September 2022 the LGANT Executive agreed to discontinue *Reference Groups* and replace them with *Strategic Priority Working Groups* (SPWG).

LGANT are now seeking nominations from member Councils to join the new SPWG's. These *Strategic Priority Working Groups* will align with the LGANT Strategic Plan and its 6 strategic priorities:

- Keep the LGANT Strategic Plan "live"
- Provide councils with a vehicle to be heard and hear, that is an opt in or opt out option
- Focus on the things that are of highest priority
- Ensure LGANT can reflect what councils are saying
- Assist LGANT lead where appropriate
- Engender a better relationship between LGANT Staff and Councils
- Have meetings that are about sharing information and not a decision-making instrument

Each of the LGANT Strategic Priority Working Groups will have a LGANT staff coordinator pertinent to their particular expertise.

All will meet in the first 2 months of next year and each SPWG will decide at that 1st meeting how often they will meet, when and what they will talk about. It is envisaged that typically each meeting will be:

- No less than one hour in duration and no more than two hours
- Meet at least twice per year
- Include a Guest Speaker
- Conducted via TEAMS and in-person if in Darwin at the time
- Include Local Government elected members, Council CEOs and/or senior staff from each council

The Strategic Priority Working Groups, with LGANT Coordinators assigned, are set out below and the CEO has suggested the following officers :

- SP1 Aboriginal Outcomes - Brooke Darmanin, Executive Manager Strategy and Advocacy.
- SP2 Finance, Governance and Workforce - David Glover Chief Corporate Officer & Peter Ryan People and Capability Manager.
- SP3 Infrastructure - Chief Operating Officer and Fiona Ainsworth General Manager Technical Services.

- SP4 Climate, Waste and Environment – Waste and Resources Coordinator.
- SP5 Economic Development – Paul Hockings CEO & Business Development Manager.
- SP6 Profile and Reputation - Brooke Darmanin Executive Manager Strategy & Advocacy and Heidi Walton Communications & Public Relations Coordinator.
- A potential new Strategic Priority on social and community services will be discussed at the LGANT 2023 strategic planning day. It is proposed the new SP will cover subject matter such as **sport and recreation, domestic violence, social inclusion, anti-social behavior, age care/ meals on wheels/ school nutrition, and libraries**. Paul Escott Manager Community Business Support

LGANT are also proposing that:

- A new draft Terms of Reference for the groups will be circulated to members for endorsement
- The 1st meeting of the SP2 SPWG will be to develop the program for the LGANT General Meeting and Conference in April 2023.
- The 1st meeting of the SP6 SPWG will be to discuss forming a Local Government Communications Network, input into the NEW LGANT website and a campaign to promote careers in councils

COMMENT

That Councillors consider the Strategic Priorities of each Working Group and provide a nomination for each.

STATUTORY ENVIRONMENT

Not applicable

POLICY IMPLICATIONS

Not applicable

FINANCIAL IMPLICATIONS

Not applicable

STRATEGIC IMPLICATIONS

As democratically elected representatives of their communities Councillors play an essential role in community engagement in line with pillar 1 as outlined in the *Regional Plan and Budget 2022-2023*.

PILLAR 1 PARTNERSHIPS, RELATIONSHIPS AND BELONGING

Investing in relationships and partnerships at all levels supports and strengthens community and belonging. We prioritise the value of partnerships and relationships as a key determinant of a happy, strong and thriving community.

Goal 1.1

Community Engagement

Seek out and support diverse perspectives and collaborations with community, community leaders, businesses, agencies and local service providers to enhance community life

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION:

That Council consider the report and nominate representatives to join the LGANT Strategic Priority

Working Groups:

- **SP1 Aboriginal Outcomes – Crs**
- **SP2 Finance, Governance and Workforce – Crs**
- **SP3 Infrastructure – Crs**
- **SP4 Climate, Waste and Environment – Crs**
- **SP5 Economic Development – Crs**
- **SP6 Profile and Reputation – Crs**
- **SP7 Social and Community Services– Crs.....**

ATTACHMENTS

There are no attachments for this report.

WEST ARNHAM REGIONAL COUNCIL

FOR THE MEETING 14 DECEMBER 2022

Agenda Reference:	12.1
Title:	Local Authority Review Report - Councillor Feedback and Submission
File Reference:	1049815
Author:	Jasmine Mortimore, Travel Officer

SUMMARY

The purpose of this paper is to seek Council's thoughts on the 2nd draft of the Department of Chief Minister and Cabinet's (CM&C) Local Authority Review Report.

BACKGROUND

Local authorities (LA's) were established in 2014 under section 53B of the former *Local Government Act 2008*. LA's were established as a response to concerns from communities that the transition from the former community government councils to regional councils led to a loss of communities' voices in the planning and delivery of council programs and services in their community.

The inclusion of LA's in the structure of regional councils is intended to ensure communities have a say in their regional councils' planning, prioritisation, funding and delivery of services and infrastructure for their community; and the provision of information and feedback to communities about the councils' decisions and activities in that community. The ultimate goal is effective, responsive council services for remote communities.

The initial report was delivered on 10 March, and WARC's April 6 response to that report is attached.

COMMENT

CM&C is encouraging further discussions, and our Councils' feedback on the attached report and has set a deadline of 20 January 2023. This extended time frame was intended to allow time for Council and our LA's to work through what it might look like in our area, and for discussions locally and/or with our teams about how we can improve it so it meets the intent of LAs. CM&C is willing to assist with Council and LA discussions if needed.

However with the recent changeover of CEO's the 2nd draft of this report has missed the latest round of Local Authority meetings.

Brooke Darminin, Executive Manager Strategy & Advocacy and Paul Hockings, CEO participated in a CM&C lead discussion with other regional council CEO's on 9 December 2022.

It is intended that the elected member workshop to be held on 13 December 2022 will include a discussion on this review to assist with Councillor feedback.

STATUTORY ENVIRONMENT

Local Government Act 2019

POLICY IMPLICATIONS

Local Authority Appointments Resignations and Terminations Policy

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC IMPLICATIONS

The Local Authority committees are an important part of community engagement in line with pillar 1 as outlined in the *Regional Plan and Budget 2022-2023*.

PILLAR 1 PARTNERSHIPS, RELATIONSHIPS AND BELONGING

Investing in relationships and partnerships at all levels supports and strengthens community and belonging. We prioritise the value of partnerships and relationships as a key determinant of a happy, strong and thriving community.

Goal 1.1

Community Engagement

Seek out and support diverse perspectives and collaborations with community, community leaders, businesses, agencies and local service providers to enhance community life

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION:

That Council provide feedback to the Department of Chief Minister and Cabinet by 20 January 2023 on the 2nd draft of the Local Authority Review Report after engaging with the Local Authorities at Gunbalayna, Maningrida, Minjaling and Warruwi.

ATTACHMENTS

- 1 Letter ACEO to Maree De Lacey - LA Desktop Review Response - 07.04.2022.pdf
- 2 RE Local Authority Review Report - for discussion and feedback.pdf
- 3 NTG LA Review Report - 12 October 2022 Draft.pdf



6 April 2022

Maree De Lacey
 Executive Director
 Local Government and Regional Development Unit
 Department of the Chief Minister and Cabinet
 GPO Box 4621,
 Darwin NT 0801
LG.Compliance@nt.gov.au

Dear Ms De Lacey,

RE: Response to Draft Local Authority Desktop Review Report

Thank you for the opportunity to respond to the draft *Local Authority Desktop Review Report* that West Arnhem Regional Council (WARC) received on 10 March 2022. The report contains some useful feedback and examples that councils can benchmark against their current practices.

In undertaking this desktop review and providing our feedback, we feel it is essential to do so with the legislated role and responsibility Local Authorities (LAs) have in local decision making in mind, and this is, “to allow local communities a voice in the formulation of policies for the locality as well as policies for the area and the region” and “to take the views of local communities back to the council and act as advocates on their behalf.”

In comparison to other regional councils in the Northern Territory, West Arnhem Regional Council have the legislated role and responsibility, “to play a broad role in promoting the social, economic, environmental, and cultural well-being of their local communities.” and; “to be responsive to the needs, interests and aspirations of individuals and groups within its area” and “to cooperate with Territory and national governments in the delivery of services for the benefit of its area.”

With regards to the summarized appraisal of WARC’s local authority activity to date:

Thank you for highlighting the ‘strengths’ of our practice. Hearing positive feedback on what we are doing well is most encouraging.

With regards to the ‘weaknesses section’ we have reviewed these and are confident that we have resolved each with the exception of ‘the minimum number of four meetings per year’ which has been difficult to achieve on rare occasions. COVID-19 remains to be one of the greatest challenges in community with fear of infection and exclusion zones acting as an impediment to some meetings.



✉ PO Box 721, Jabiru NT 0886 📧 info@westarnhem.nt.gov.au 🌐 www.westarnhem.nt.gov.au

Jabiru (Head Office) Gunbalanya Maningrida Warruwi Minjilang
 ☎ 08 8979 9444 ☎ 08 8970 3700 ☎ 08 8979 6600 ☎ 08 8970 3600 ☎ 08 8970 3500





With regards to our policy, a policy review is scheduled. We welcome the sharing of best practice policies, so if you do have an example of a specific policy that incorporates your recommendations, please do send it through to us for consideration.

The 'challenges' and 'suggested improvements' highlighted in the report for WARC still stand. Further, in support of the intent to improve two-way communication between LA's and Councils and provide enhanced decision-making opportunities to LAs, we have additional thoughts on the Local Authority Project Funding (LAPF) funding. Determining projects for this expenditure certainly offers a potential 'decision-making' opportunity for our LAs. However, the current annual LAPF amounts are not enough to fund the majority of projects nominated by our LAs. This means that bringing their nominated projects to fruition requires much additional time and resource to secure match funding or requires projects to be carried over to the next financial year and funds combined. We strongly feel that increasing the financial value of the LAPF annual allocation to each LA would further empower and motivate each LA; enabling them to deliver increased outcomes and positively reinforcing their decision-making.

By way of general note, I see that the dates of our information supplied do not align with the review period. Whilst the timeframe of the Department's desktop review was 1 July 2019 to 30 June 2020, WARC's contribution focused on an assessment of our engagement with Local Authorities (LAs) during the 2020-2021 financial year.

I believe that we selected this year because it preceded the commencement of the *Local Government Act 2019* (2019 Act), therefore, giving us an opportunity to present the most recent examples of what we had done to strengthen the roles and responsibilities of LAs as we transitioned to the 2019 Act. As a result, the Department's report highlights oversights that were made in 2019-2020, but unfortunately do not cover some of the key improvements that WARC made in 2020-2021 to rectify past omissions.

In terms of providing dieback on the LA Desktop review activity and process, whilst the Department did not inform WARC of the 2019-2020 desktop review timeframe/scope when asked to contribute to the process in August 2021, we feel that doing so would have supported the collaborative intent of the exercise.

We also feel that having listed the desktop evaluation questions listed in the appendix of the report would have been most helpful.

In addition to the suggestions for improvement outlined in the submission that we sent to the Department on 30 August 2021, we would like the following to be considered:

1. We request that the Department hold direct consultations with relevant council staff and LA members to seek their views about strengthening LAs. While we appreciate the information obtained from the desktop review, the nuances of the challenges and opportunities of reciprocal communication between communities, LAs and regional councils cannot be fully discerned by reviewing online documents and making observations during LA meetings.





Having conversations with individuals who consistently engage with remote communities and LAs would provide insightful information on how the Department and councils can work together to support and strengthen local decision-making.

2. Over the past few months, WARC has implemented a community consultation model for LA funded projects that has enabled community members to have a greater say in the design of projects. The model comprises of the following stages:
 - a. Members of the LA identify a project for the community such as an additional toilet block or recreational area.
 - b. Council staff prepare a proposal comprising of the design, scope and budget of the project.
 - c. The proposal is presented to the LA for review and approval.
 - d. Once approved, a simplified plan of the project including enlarged photographs of the proposed finalized project are put up near WARC's offices in the respective community, and community members are encouraged to discuss the project with LA members before the next LA meeting.
 - e. At the next LA meeting, LA members discuss and consider feedback from the community. Thereafter, the project plans are reviewed and updated before being approved by the LA members and the Council.

Moving forward, WARC will continue to encourage and facilitate the participation of community members in decision-making processes through the strengthening of Local Authorities in the West Arnhem Region. We are firmly committed to identifying opportunities for continually improving the activity, and outcomes of our West Arnhem local authorities.

WARC appreciates the opportunity to take part in the desktop review and is highly committed to working in partnership with you and your team to deliver the best possible outcomes to the communities we serve. We look forward to receiving a copy of the final report.

Sincerely,

A handwritten signature in black ink, appearing to be "KS", written over a white background.

Kim Sutton,
Chief Executive Officer (Acting),
West Arnhem Regional Council



Jasmine Mortimore

To: Paul Hockings; Brooke Darmanin
Subject: RE: Local Authority Review Report - for discussion and feedback

Good afternoon all

On 10 March 2022 we provided a copy of the LA Desktop Review report to regional councils for your feedback. We received a lot of great input, including through subsequent discussions with CEOs, elected members and LA members, and our colleagues in NTG. This was appreciated.

The next draft review report is attached. As flagged in our conversations, and based on your feedback, it is quite different to the first version. It focuses on the core role of LAs, and aims to strip back requirements that might detract from councils' and LA's ability to carry out that core role. It also provides for flexibility for those LAs and councils, who with their communities, want their LA to have a broader focus.

It is principles-based, recognising the diversity of LAs, councils and communities.

Next Steps:

We would welcome further discussions, and your councils' (and LAs') feedback on the attached report, by **20 January 2023**. This extended time frame is intended to allow time for councils and LAs to work through what it might look like in your area, and for discussions locally and/or with our teams about how we can improve it so it meets the intent of LAs. CM&C is willing to assist with council and LA discussions if needed.

We are also keen to get your examples of great practice, to include into the final report, by 20 January.

By January 2023 we will bring together a reference group to inform the development of an Implementation Plan for feedback. We will call for nominations for council and LA representatives to be part of that reference group in December.

The final LA Review report and Implementation Plan will be provided to the Minister for Local Government for consideration and approval. It is intended that this will be completed by the second quarter of 2023.

The LA Project Fund grant funding guidelines will be reviewed in 2022-23 in consultation with regional councils along with Guideline 1. Any recommendations for changes will then be advised to the Minister for Local Government for consideration for implementation in 2023-24.

These timelines are very tight and may change if needed.

As outlined in the reports, Local Authorities were initially established as part of the regional local government structure, to respond to the concerns raised by community members that the creation of regional councils would mean they would lose their voices with local government. They were included in the *Local Government Act 2008*, and their role was strengthened in the 2019 Act. They are part of the regional council structure, and their role is essentially to support their council with two-way communication between their community and the council; to assist their community to have input into the council's planning, prioritisation, service delivery and funding in that community; to advocate for their community with council; recommend (or decide if delegated) where LA project funding should be prioritised, and, in turn, help the council to keep communities informed about planning and services.

They are an important part of the regional local government structure.

If you'd like to discuss any aspect of this review or the report, please don't hesitate to contact me, Linda Weatherhead or Charmaine Wigness.

Your Regional Executive Director is also included in this email and we will be working together with them and their team members on finalising the report and the development of the implementation plan.

We look forward to further conversations, and receiving your feedback

Regards

Maree

Maree De Lacey
Executive Director
Local Government
Department of the Chief Minister and Cabinet

Level 1, RCG Centre, 47 Mitchell St, Darwin
GPO Box 4396, Darwin NT 0801

t. 08 8999 8573
m. 0408 072 878
cmc.nt.gov.au



boundlesspossible.com.au



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Local Authority Review Report

1. Background

Local authorities (LAs) were established in 2014 under section 53B of the former *Local Government Act 2008* (the 2008 Act). LAs were established as a response to concerns from communities that the transition from the former community government councils to regional councils led to a loss of communities' voices in the planning and delivery of council programs and services in their community.

The inclusion of LAs in the structure of regional councils is intended to ensure communities have a say in their regional councils' planning, prioritisation, funding and delivery of services and infrastructure for their community; and the provision of information and feedback to communities about the councils' decisions and activities in that community. The ultimate goal is effective, responsive council services for remote communities.

2. Intent of the Legislative Framework

On 1 July 2021, the intent of the 2008 Act was further strengthened when it was replaced with the *Local Government Act 2019* (the 2019 Act). In addition, the previous *Guideline 8: Regional councils and local authorities* (Guideline 8) was replaced by the new *Guideline 1: Local Authorities* (Guideline 1). The provisions in the 2019 Act were in a new chapter entitled Local Decision Making to reinforce the intent and purpose of LAs.

The 2019 Act requires regional councils to seek their LAs' advice and recommendations in relation to the council's budget; their priorities for expenditure; their service delivery; regional plans; strategic directions; and funding. Regional councils must also ensure their strategies and plans are informed by the vision and priorities of the LAs, and must work with their LAs to foster constructive working relationships between the council and community.

The 2019 Act specifically provides for expanded roles for LAs and a mechanism for giving communities a stronger voice in local government matters that affect them. Section 78 defines the functions of a LA:

- to involve local communities more closely in issues related to local government;
- ensure that local communities are given an opportunity to express their opinions on questions affecting local government;
- to allow local communities a voice in the formulation of policies for the locality as well as policies for the area and the region;
- to take the views of local communities back to the council and act as advocates on their behalf;
- to contribute to the development of the regional plan;
- to make recommendations to the council in relation to the council's budget and the part of the council's area within which the LA performs its functions.

Guideline 1 provides how LAs are to operate and be administered by their respective regional councils, including appointments and resignations, meetings, LA member payments and reporting.

3. Local Authority Review

In 2021, before the commencement of the 2019 Act, the Department of the Chief Minister and Cabinet (CM&C) started a desktop review (Review 1) of how well regional councils and LAs were meeting the intent of the 2008 Act and Guideline 8. The aim of Review 1 was to identify good practice across the NT as well as areas that could be further strengthened, and to determine what actions could be considered to better support the delivery of the intent

Local Authority Review Report

of LAs given their expanded roles under the 2019 Act. Review 1 focused on the 66 LAs established across the Northern Territory for the period 1 July 2019 to 30 June 2020.

Review 1 was informed by the information available on regional councils' websites, information held and observations made by CM&C and some feedback and insights provided by regional councils. The findings and draft recommendations were provided to councils and other stakeholders in early 2022 for comment.

The Review 1 report acknowledged limitations associated with any desktop process. However it provided a platform for more discussion with councils, LA members and others, resulting in the direction outlined in this report.

Review 1 confirmed that there is noticeable diversity in the functioning of LAs and the way councils work with them, with some LAs engaging strongly with their communities and working with their councils to deliver on community priorities and aspirations, and some others struggling to meet or attain quorum to enable recommendations to be made about community priorities. Some LAs, with their councils' support, consider broader matters than council business, acting as a forum and conduit for community engagement in matters including local, Territory and Commonwealth government priorities.

In addition, feedback from councils and LA members has indicated that some of the requirements placed on them by the NT Government, or interpretations of these requirements, are impeding their ability to achieve their core functions.

Feedback on Review 1 included the following:

Role of LAs:

- a need for greater recognition, promotion and celebration of the strengths of the LA model and more sharing of examples of LAs and their councils successfully achieving the intent of the Act;
- the need for CM&C, councils and LAs to have a clear and common understanding of the definition and scope of their core functions and requirements;

Flexibility:

- the need for flexibility in how LAs and their councils deliver on the core functions (or choose to move beyond the core) to respond to differences between communities, their aspirations and the capacity of LAs;
- providing for flexibility for those communities, LAs and councils who want to have more integrated engagement, not just on local government matters. For example, some communities would like to see a single body coordinating community input into local government and NT Government (or broader) planning, services and prioritisation; while others have indicated a preference that LA members continue to focus on local government and other groups are established or continue to provide input into NT Government and broader matters;
- recognition that some LAs are well established with consistent membership who deliver well-regarded outcomes for their communities and council, and others are less established; and that, over time, LAs may cycle through these stages. This impacts on the levels of support needed from councils for their LAs and the level of autonomy LAs may have, and needs to be accommodated in expectations set by CM&C and required of councils;

Decision making

Local Authority Review Report

- LAs should have as much influence and decision-making power as is appropriate to their stage of development and the delegations of the council; for example, some councils have already delegated decision making in the use of LA Project Funding (LAPF) to their LA, and some have delegated decision making over other community funding. The council is the decision-maker about the level of delegation relevant for their LA/s;

LA Members:

- a need for greater role clarity, capacity building and support for LA members and LA chairs;
- the need to revisit whether proxies should be permitted for LA members;

Administration:

- CM&C should remove any administrative requirements that detract from the ability of the LA and council to deliver on their core function. This needs to be balanced with good governance and accountable administrative process, reflecting that LAs are involved in the use of public resources and should be respected in their communities as informed, well governed and responsive structures;
- performance reporting should be focused on the intended outcome; ie the demonstration by councils of the engagement of communities through their LAs, and of the council's responsiveness to the advice, input and advocacy of their LA, including through the delivery of agreed community priorities;
- LAs should be able to set their own agendas and conduct their own meetings, while recognising the role of councils in managing administration, building capacity and responding to the varying levels of experience and capacity of members;

Resourcing/support

- some LAs and their councils continue to see benefit in having CM&C representatives at meetings at least occasionally, to coordinate responses to questions from community and LAs about NT Government matters, as well as to support engagement with other NT Government agencies;
- LAPF is a valuable resource for LAs and their councils to respond to community priorities. However, some councils struggle to spend these funds in the required time frames. The support role of CM&C is important in helping councils to address any barriers to the timely expenditure of funding on community priorities as determined by the LA and council;
- Accessible information should be provided to enable communities to understand how priorities for the use of LAPF are determined, and where they are spent;
- A need for a review of the LAPF guidelines to ensure their alignment with the core intent of the LAs;
- Any changes to the LA model should avoid requiring additional council resourcing. For example, where communities and their LAs want to have a broader role than council matters, there may need to be negotiation of partnering with NTG or others to share costs.

As a result of feedback and further discussions, the focus of the Review 1 report changed considerably into this report. This report emphasises the intent of the legislative framework for LAs and provides a principles-based direction for how this intent will be strengthened across the diverse councils of regional NT.

This review does not anticipate a change in the 2019 Act in relation to the role of LAs; LAs will remain part of their regional council structure, and continue to be subject to the control and direction of their relevant regional council.

4. Principles

Local Authority Review Report

The following principles have been developed to guide the way in which CM&C, regional councils and LAs will support the effective integration and involvement of communities in the system of local government, as intended in the 2019 Act. An amendment to Guideline 1 will be required to fulfil the aspirations below.

PRINCIPLE: Flexible governance	
<i>What does this mean?</i>	<p>All LAs have a core role: to enable their community to have a say in their regional councils' planning, prioritisation, budgeting, and service delivery for their community; and to support the provision of regular feedback to their communities about council activities and the achievement of LA priorities.</p> <p>Councils and their LAs, with their communities, will determine how they deliver the role so it is adaptable to different locations, community aspirations, and capacity. CM&C will facilitate the sharing of examples of good practice from LAs across the NT</p>
<i>What does this look like?</i>	<p>LAs, with their councils, decide:</p> <ul style="list-style-type: none"> • whether they and their community prefer that the LA focus on council business or take a broader approach with a wider range of community matters. If a broader approach is agreed this may need negotiation of support from CM&C or other partners for non-council activities. Also, if a broader approach is agreed community input should ensure it avoids duplicating other community structures, authority or roles and that the role is understood and supported; • how the LA will conduct meetings and engage with their community; • how the LA will prioritise LAPF funds including how community input will be heard, how priorities will be decided, and how decisions and outcomes will be communicated to the community; • whether delegated decision making will be requested from the council; • the nomination process for LA members, with councils seeking LA and community input into their policy on criteria for selecting LA members; • the number of appointed members up to a maximum of 14; • whether the Mayor/President will be a member of LAs beyond their own ward; • the frequency of LA meetings (minimum four per year, with timing to enable input into, and feedback from, council planning); • the location of LA meetings - they should be held in public places to maximise opportunity for community members to attend; and • whether attendance at meetings via phone/video conference will be allowed. <p>First LA meetings to recommend to council:</p> <ul style="list-style-type: none"> • nomination of LA chair; • the kinds of priorities the LA would like to focus on for their community; • how information about meetings and decisions will be publicised. This must be at least on the council website for transparency for community members; and • the use of interpreters

Local Authority Review Report

PRINCIPLE: Community-centred, place based engagement	
What does this mean?	The way the council and LA engage with each other and the community is place-based and adapts to local needs, languages, time frames and cultural protocols to encourage community involvement.
What does this look like?	<ul style="list-style-type: none"> • LAs will recommend to their council the process for community engagement and two-way communication between the council, LA and community • Community engagement is supported by principles of the Remote Engagement and Coordination Strategy • Communication is clear and accessible. • LAs with their councils decide the nature and format of reports to be provided by councils to LAs – brief, diagrammatic reports are enough • LAs and their councils decide how the feedback about priorities is given to the LA and community in a timely way such as through the Council Community Based Manager, local council member or LA chair outside of meetings if needed • Regional councils support their LAs to host at least one community based event each year to support community input into LA priorities, and council planning. These events may be funded through some LAPP. For example, some LAs may hold community barbecues twice per year: to provide input into LA priorities and council plans for their area; and to receive feedback about how the LA and council has responded to that input. • Information is provided by regional councils in LA meeting agenda papers on: <ul style="list-style-type: none"> ○ Decisions that council has made based on the LA’s recommendations and advice ○ Council resources and service delivery in the community. ○ Progress / status updates on LA project recommendations. ○ The amount of funding that is available to the LA for community priorities.

PRINCIPLE: Empowerment	
What does this mean?	LAs have authority to effectively carry out their core role as intended in the Act.
What does this look like?	<p>Where LAs seek to do so, regional councils consider opportunities for delegation of relevant decisions to LAs consistent with the <i>Local Government Act 2019</i>, including decision making about priorities for LA project funds</p> <p>Councils, with CM&C assistance, provide training and resources to support professional development of LA chairs and members in governance and the LA role; and clearly communicate the role of LAs and regional councils to communities.</p>

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PRINCIPLE: Outcome-focused	
What does this mean?	LAs (and communities) can see that their recommendations to the council, based on community engagement, are being acted on; where this is not the case, they are informed of the reason.
What does this look like?	Council annual reports include information that demonstrates how they have engaged with communities via their LA, and the outcomes delivered in response to LA recommendations/decisions. Compliance activity by CM&C will focus on the intended outcome of LAs

PRINCIPLE: Accountability	
What does this mean?	LAs and their councils continue to demonstrate high standards in governance and the use of public resources
What does this look like?	LAs have opportunities for professional development in governance consistent with their core role through their council and/or with support from CM&C if requested Decision making is transparent, focused on the best interests of the community as a whole, and conflicts of interest are managed. Information is accessible to community members about meetings, meeting proceedings, and opportunities for participation. Meetings are generally open to community members unless there is a defined need for confidentiality consistent with the provisions in the <i>Local Government Act 2019</i> .

5. Examples of Good Practice

To be discussed with, and provided by, regional councils.

6. Next Steps

This report will be provided to regional councils and other stakeholders for comment and input. Regional councils are encouraged to engage with their LAs in developing feedback. CM&C is available to assist as needed.

An implementation plan will be drafted for feedback from regional councils and LAs through their respective councils. The implementation plan will be developed through a reference group led by CM&C with the Local Government Association of the NT, and council and LA representatives.

The final LA Review report and Implementation Plan will be provided to the Minister for Local Government for consideration and approval. It is intended that this will be completed within the first quarter of 2023.

The LA Project Fund grant funding guidelines will be reviewed in 2022-23 in consultation with regional councils along with Guideline 1. Any recommendations for changes will then be advised to the Minister for Local Government for consideration for implementation in 2023-24.