



WEST ARNHEM REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
AGENDA

WEDNESDAY, 8 FEBRUARY 2023



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, 8 February 2023 at 9:00 am.

Paul Hockings
Chief Executive Officer

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WEST ARNHem REGIONAL COUNCIL

FOR THE MEETING 8 FEBRUARY 2023

Agenda Reference:	12.2
Title:	Northern Territory Government Review of Local Authorities
File Reference:	1057069
Author:	Brooke Darmanin, Executive Manager Advocacy and Strategy

SUMMARY

The purpose of this report is to provide Councillors with a copy of the West Arnhem Regional Council (WARC) submission to the Review of Local Authorities currently being conducted by the Northern Territory Government.

BACKGROUND

In response to the Northern Territory Governments 2nd phase of reviewing of Local Authorities, Council held an additional meeting in January 2023 with each Local Authority across the Region in order to garner feedback for Council's consideration and inform Council's submission to the Review.

COMMENT

This report provides Councillors with a copy of the formal submission made to the Northern Territory Government on behalf of the Local Authorities within West Arnhem.

STATUTORY ENVIRONMENT

Northern Territory Local Government Act 2019

POLICY IMPLICATIONS

West Arnhem Regional Council Policies:

1. Allowances and Expenses (Elected Local Authority and Council Committee Members) Policy 20210601
2. Local Authority Appointments Resignations and Terminations Policy

FINANCIAL IMPLICATIONS

Dependant on the overall outcome of the Northern Territory Review of Local Authorities there may be financial implications for Council, noting these would be considered in detail once able to be determined and quantified.

STRATEGIC IMPLICATIONS

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

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
Goal 6.5	Planning and Reporting Robust planning and reporting that supports Council's decision-making processes

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION:

That Council

1. **Received and noted report entitled *Northern Territory Government Review of Local Authorities***
2. **Endorsed attachment *West Arnhem Regional Council Submission- Review of Local Authorities 2022-2023*.**

ATTACHMENTS

- 1 West Arnhem Regional Council Submission - Review of Local Authorities 2022 - 2023.pdf



West Arnhem Regional Council

Local Authority Consultation

Submission to the Review of Local Authorities 2022-2023

Contents

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Executive Summary

There are 9 Regional Councils within the Northern Territory and 63 Local Authorities.

Local Authorities play an integral role at the intersection between Government and the communities we serve. West Arnhem Regional Council (WARC) has four Local Authorities within its borders: Gunbalanya, Minjilang, Warruwi and Maningrida with each group containing a mix of community representation including Traditional Owners on each membership.

In 2021 the Northern Territory Government commissioned a desktop review of Local Authorities across the Territory.

In 2022 a second review of Local Authorities was commissioned however the second review sought the engagement of Local Authorities to provide feedback to the Department on the strengths and challenges faced in fulfilling the intended function of the membership.

In response to the commissioning of the second phase of reviewing Local Authorities Council held a meeting with each across the Region.

Summary of findings and recommendations

There were several key themes which emerged during the consultation process

1. Greater flexibility regarding the funding guidelines is needed
2. Increased meetings were also requested across the board, however there were considerable variations between each LA as to the frequency required and format of proposed additional meetings
3. Use of proxies was unanimously recommended
4. Code of Conduct and Governance Training for LA members requested
5. Expressions of concern regarding project delays
6. Communication breakdowns noted between Council and the LA
7. Youth engagement and succession planning is critical

The opportunity such feedback presents to address the concerns raised, improve project outcomes and relationships with our membership and communities has been warmly welcomed. The following recommendations to Council based on the response from the consultations has been endorsed by unanimous resolution of full Council at its Ordinary Council Meeting of 18 January 2023.

1. approved the delegation to each Local Authority to commit and spend funds up to the value of their annual grant funding allocation,
2. directed the administration to create a place in each Local Authority Agenda which details the code of conduct, number and names of elected members, appointed members including the chair, the number of members required to reach a quorum and the number of members necessary to hold a provisional meeting,
3. directed the administration to invite Linda Weatherhead Director Policy & Projects, Local Government, Chief Minister and Cabinet to conduct code of conduct and

governance training for each Local Authority on the day prior to the upcoming February 2023 round of Local Authority meetings,

4. supported the findings from each Local Authority consultation that communication between Council and the Local Authorities requires improvement and directed the administration to work with each Local Authority and their respective Council Services Manager to improve communication as a matter of priority

Process for receiving feedback

In response to the second phase of the review of Local Authorities by the Northern Territory Government, Council held an additional meeting in January 2023 with each Local Authority across the Region in order to garner feedback for Council's consideration and inform Council's submission to the Review.

Each Authority was provided a written report explaining the purpose of the review and Council's intention to provide a submission to the Department detailing their feedback. The report was also verbally provided to the groups and included the mandatory consultation questions with some focus discussion questions from the administration provided also.

Minutes of each meeting were recorded and the administration committed to providing summary of the key findings and recommendations to the Local Authorities via the communities Council Services Manager in addition to having the minutes tabled at the following Local Authority Meetings.

Gunbalanya Local Authority

Key themes and recommendations

The Gunbalanya Local Authority expressed the view of feeling like they were working in isolation. They wished to see increased collaboration between heads of agencies, local stakeholders, Council and the Local Authority membership.

- It was suggested that the number of Local Authority meetings increase to 6 with 1 held during the dry season and 5 during the wet season due the amount of sorry business
- That some meetings would be held as a joint meeting with stakeholders at an alternative community location (not council offices)
- Invitation to Traditional Land Owners should be made to join the membership and/or attend as an invited guest to increase transparency and ensure the cultural safety of members by following appropriate cultural protocols

The membership expressed the feeling of frustration and disempowerment due to the current Local Authority Funding Guidelines in that they were restrictive and unsupportive of locally identified needs.

For example, the community had approached the Local Authority to assist with funding towards building an all-weather shelter at Injilak Arts for the Daluk (female) artists of the community to work from during the wet season and under shade on hot days. This would allow the Daluk to earn an income in a culturally appropriate setting being away from the Bininj (male) artists all year round.

This project was deemed unacceptable under the current funding guidelines.

Further examples, the community identified the need for a community funeral vehicle which the Authority wished to fund along with a financial contribution to improve the local morgue to reflect practical and cultural considerations. Both projects were deemed unacceptable under the current funding guidelines.

These are just some example projects from a range of projects which were identified as highly significant to the community which were refused under the guidelines. This has created a sense of despondency within the membership and contributed towards cultural backlash toward members.

Instituting a policy which would allow for Proxy Members was unanimously recommended with the view that it would “build the bench” and teach governance to family members’ especially young people. It was also viewed as a culturally appropriate way to expedite projects by minimizing delays due to not making a quorum.

Minjilang Local Authority

Key themes and recommendations

The Minjilang Local Authority are a very strong group. They are proud of their achievements for the community and the collaborative and positive relationships they maintain with local stakeholders. The mantra of the Minjilang Local Authority is “from little things big things grow”.

The membership have numerous suggestions for projects of local significance however they expressed the view that due to the small amount of funding they receive they have completed all of the smaller projects and are now limited in the projects they can deliver.

It was unanimously recommended that the Local Authority Funding guidelines be revisited to include the purchase of fleet and machinery as critical infrastructure such as roads maintenance would be a project of high significance to the community. It was also recommended that multiple years' worth of funding to be pooled to carry out larger projects such as larger road works.

The Authority noted that while the members had good working relationships and communication with the community there was a need for council to improve communication with all parties and a number of suggestions towards this were provided by the administration in attendance and from the members present also.

The recommendation to approve the use of Proxies was provided as a method of engaging more broadly with the community and stakeholders including CDP.

It was recommended that an ongoing invitation should be issued to CDP to attend meetings as it was noted that CDP is going through a period of change and it would be beneficial to all to combine resources.

Warruwi Local Authority

Key themes and recommendations

The Warruwi Local Authority are proud of the projects they have sponsored within the community such as the children's playground and the public amenities block.

The membership did however express that they felt unclear as to what Local Authority Funding was intended to support as opposed to ordinary council funding and that training for Local Authority members would be recommended to improve clarity of purpose and improve understanding of governance.

The Authority also expressed the view that the process for allocating projects to time of completion was too long and that increasing the frequency of meetings could provide a solution. It was suggested that the group hold a monthly meeting prior to a council meeting and that every second meeting would be a joint heads of agency/community stakeholder meeting combined with the Local Authority meeting.

The membership were clear that increased participation *of* and communication *with* Traditional Owners is recommended and that Cultural Authority and Local Authority was often confused by visiting government agencies and external stakeholders attending Local Authority meetings.

Community Planning Days with stakeholders, Local Authority members and Traditional Land Owners would be welcomed to develop a grants wishlist, youth projects and plan for large projects which might require combining multiple years of Local Authority funding. Such large projects might include a new emergency barge landing boat ramp as the current one is now deteriorated beyond repair or the purchase of a front end loader as the Council is currently using a hire loader from contractors working on the island. Both of these projects would currently fall outside of the funding guidelines and a review and change to the guidelines is highly recommended by the Authority as they feel these are the projects of highest local significance.

It was expressed by members that they always receive and make requests for proxy membership and that it is recommended that a policy supporting proxies should be implemented.

The group noted that there had been communication issues between council and members and that improving communication is recommended as a priority for Council to remedy.

Maningrida Local Authority

Key themes and recommendations

The Maningrida Local Authority are proud of the types of projects they are funding for their community and expressed the view that more could be done if there was more flexibility in the funding guidelines which would allow them to increase their pool of funding by combining years together (for example).

The membership are very committed to engaging youth with the Local Authority and Council. The view was expressed that governance training is strongly recommended to be provided at school as "all aboriginal people are exposed to aboriginal corporations in some way right across the territory". This governance training exposure could then be followed up with a youth council or Local Authority meeting membership. It was also recommended that governance training and code of conduct training be provided to all Local Authorities.

The Maningrida Local Authority are proud of their elders who have been councillors and/or Local Authority Members and the use of Proxies was strongly recommended as a method of empowering the next generation to engage with Council.

Heads of Agencies meetings were seen by some members of the group to continue the impost of the intervention and it was suggested that the Local Authority should be the lead in calling stakeholder meetings rather than through heads of agencies which are predominantly run and attended by non-indigenous people.

Communication between the Local Authority, Council and Community was recommended as a priority for improvement with several ideas provided to achieve this objective.

It was suggested that a formal meeting each quarter followed by informal meetings in between would assist in reducing the very long delays in having projects completed and improve communication between all parties

Consolidated themes

1. Greater flexibility regarding the guidelines was unanimously requested across the region with a particular focus on changing the restrictions of Local Authority grant funding to allow for the purchase of fleet, pool funding across multiple years to enable larger community projects and to include the ability to financially support projects in the community not included under local government remit
2. More meetings were also requested across the board, however there were considerable variations between each LA as to the frequency required and format of proposed additional meetings with some groups requesting a meeting prior to an Ordinary Council Meeting (OCM) with an informal LA catch up following the OCM. Others wanted to increase the number of meetings and invite stakeholders to attend every 2nd meeting. Some wished to increase the number of meetings and use the additional meeting to hold joint heads of agencies meetings.
3. All LA's expressed the firm feedback of a feeling of frustration with protracted delays in getting projects off the ground and to the point of completion.
4. Each LA expressed the view that there has been communication breakdowns between Council and the LA. This was partly attributed to Council holding bi-monthly meetings which further exacerbated delays in the uptake and completion of LA projects and in communication regarding the status of the projects coming back to the groups. The overall view right across the region was that improving communication with LA membership should be considered a high priority for Council. A wide variety of suggestions as to how this might be achieved was received and is currently being considered by the executive
5. Instituting a Policy which allowed for the use of proxies was unanimously recommended with some groups expressing the view that using proxies improved understanding of council and LA's in community and "built the bench" by way of succession planning opportunities.
6. Each group was asked if translators would be beneficial and there was limited uptake of this suggestion with LA's suggesting that while the membership did not require a translator, stakeholder meetings/community meetings may require translators on a needs basis

Conclusion

West Arnhem Regional Council acknowledges the many benefits that Local Authorities provide to communities and the Local Government sector. And also recognises the mutual interest shared with Northern Territory Government and Commonwealth Government in improving outcomes for aboriginal people through opportunities for self-determination.

This review recommends the Northern Territory Government uphold all of the recommendations made by the Local Authorities through the consultations.

This review also finds that there are immediate opportunities for Council to improve relationships with the Authorities, strengthen their function and further support the intent of *the Local Government Act 2019* (the 2019 Act) changes relating to Local Authorities and Local Decision Making.