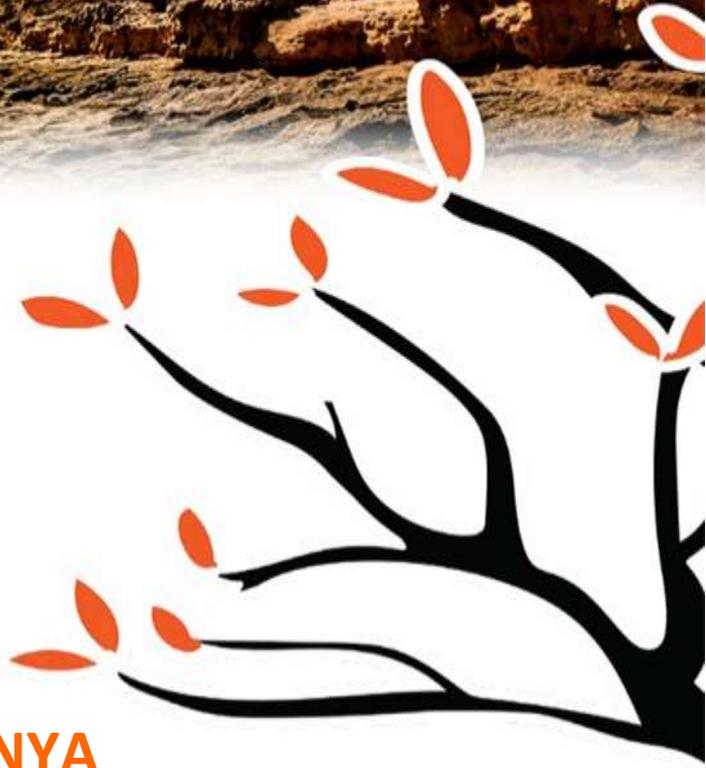




**WEST ARNHEM**



**REGIONAL COUNCIL**



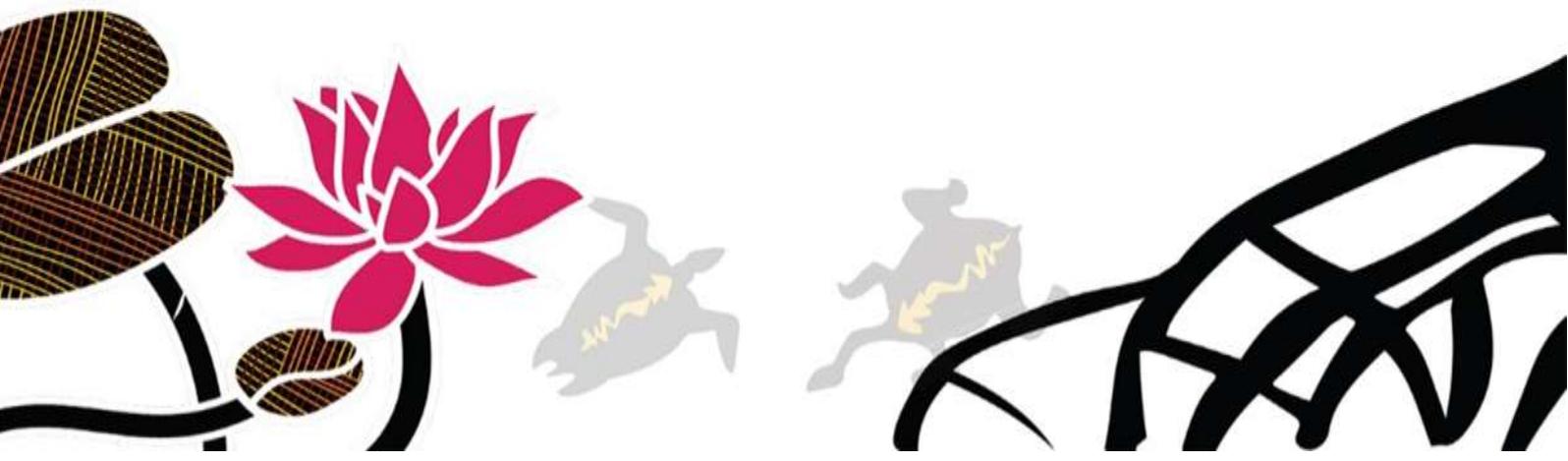
## **GUNBALANYA**

**WEST ARNHEM REGIONAL COUNCIL**

**LOCAL AUTHORITY MEETING**

**AGENDA**

**TUESDAY, 10 JANUARY 2023**



## **WEST ARNHEM REGIONAL COUNCIL**

Notice is hereby given that a Local Authority Meeting of the West Arnhem Regional Council will be held in Gunbalanya on Tuesday, 10 January 2023 at 11:00.

Paul Hockings  
Chief Executive Officer

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## Acknowledgement of Country

West Arnhem Regional Council acknowledges the First Nations Custodians, and the many Language and Family groups who are Managers and Caretakers to each of their Traditional homelands and Waters across the West Arnhem Region Wards.

West Arnhem Regional Council pays its respects and acknowledges Elders, past, present and rising.

## WEST ARNHEM REGIONAL COUNCIL

### FOR THE MEETING 10 JANUARY 2023

<b>Agenda Reference:</b>	<b>3.1</b>
<b>Title:</b>	<b>Apologies and Leave of Absence</b>
<b>File Reference:</b>	<b>1052043</b>
<b>Author:</b>	<b>Charlotte Meneer, Executive Assistant to the CEO and Mayor</b>

#### SUMMARY

This report is to table, for the Gunbalanya Local Authority's record, any apologies and requests for leave of absence received from Authority members for the meeting held on 10 January 2023.

#### BACKGROUND

Not applicable.

#### COMMENT

Not applicable.

#### STATUTORY ENVIRONMENT

Clauses 7.1(f) and 9 *Guideline 1: Local Authorities 2021*

#### STRATEGIC IMPLICATIONS

This report is aligned to goals in pillar 6 in the *Regional Plan and Budget 2022-2023* as outlined below:

#### 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

Not applicable at this time.

#### RECOMMENDATION:

**That the Gunbalanya Local Authority notes members apologies and/or requests for leave of absence for the meeting held on 10 January 2023.**

## WEST ARNHEM REGIONAL COUNCIL

### FOR THE MEETING 10 JANUARY 2023

<b>Agenda Reference:</b>	<b>4.1</b>
<b>Title:</b>	<b>Absent Without Notice</b>
<b>File Reference:</b>	<b>1052049</b>
<b>Author:</b>	<b>Charlotte Meneer, Executive Assistant to the CEO and Mayor</b>

#### SUMMARY

This report is to table, for the Gunbalanya Local Authority's record, any appointed members that are absent without notice for the meeting held on 10 January 2023.

#### BACKGROUND

Not applicable.

#### COMMENT

Not applicable.

#### STATUTORY ENVIRONMENT

Clauses 7.1(f) and 9 *Guideline 1: Local Authorities 2021*

#### STRATEGIC IMPLICATIONS

This report is aligned to goals in pillar 6 in the *Regional Plan and Budget 2022-2023* as outlined below:

#### 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

Not applicable.

#### RECOMMENDATION:

**That the Gunbalanya Local Authority notes members absences without notice for the meeting held on 10 January 2023.**

## WEST ARNHEM REGIONAL COUNCIL

### FOR THE MEETING 10 JANUARY 2023

<b>Agenda Reference:</b>	<b>5.1</b>
<b>Title:</b>	<b>Acceptance of Agenda</b>
<b>File Reference:</b>	<b>1052047</b>
<b>Author:</b>	<b>Doreen Alusa, Governance and Risk Advisor</b>

#### SUMMARY

Agenda papers are submitted for acceptance by appointed members for the Gunbalanya Local Authority meeting of 10 January 2023.

#### BACKGROUND

Not applicable.

#### COMMENT

The Local Authority is encouraged to review the agenda and to accept or not accept the agenda.

#### STATUTORY ENVIRONMENT

Clause 11 of *Guideline 1: Local Authorities 2021* is relevant to this matter.

#### STRATEGIC IMPLICATIONS

This report is aligned to goals in pillar 6 in the *Regional Plan and Budget 2022-2023* as outlined below:

<b>PILLAR 6 FOUNDATIONS OF GOVERNANCE</b>	
<b>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.</b>	
<b>Goal 6.3</b>	<b>Council and Local Authorities</b> Excellence in governance, consultation administration and representation
<b>Goal 6.5</b>	<b>Planning and Reporting</b> Robust planning and reporting that supports Council's decision-making processes

#### VOTING REQUIREMENTS

Simple majority.

#### RECOMMENDATION:

**That the agenda for the Gunbalanya Local Authority meeting of 10 January 2023 as circulated be accepted.**

# WEST ARNHEM REGIONAL COUNCIL

## FOR THE MEETING 10 JANUARY 2023

<b>Agenda Reference:</b>	<b>6.1</b>
<b>Title:</b>	<b>Confirmation of Previous Local Authority Meeting Minutes - 27 October 2022</b>
<b>File Reference:</b>	<b>1052098</b>
<b>Author:</b>	<b>Charlotte Meneer, Executive Assistant to the CEO and Mayor</b>

### SUMMARY

Unconfirmed minutes of the 27 October 2022 Gunbalanya Local Authority meeting are submitted to the Authority for confirmation that the minutes are a true and correct record of the meeting.

### BACKGROUND

Not applicable.

### COMMENT

The minutes as submitted and confirmation of the minutes must comply with section 101 of the *Local Government Act 2019*.

### STRATEGIC IMPLICATIONS

The confirmation of previous minutes is aligned to the following goals as outlined in pillar 6 of the *Regional Plan and Budget 2022 - 2023*:

#### 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.**

<b>Goal 6.2</b>	<b>Records</b> Delivery of storage and retrieval of records processes which support efficient and transparent administration
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<b>Goal 6.5</b>	<b>Planning and Reporting</b> Robust planning and reporting that supports Council's decision-making processes
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### VOTING REQUIREMENTS

Simple majority.

#### RECOMMENDATION:

**That the minutes of the 27 October 2022 Gunbalanya Local Authority meeting are adopted as a true and correct record of the meeting.**

## **ATTACHMENTS**

- 1 Gunbalanya Local Authority 2022-10-27 [1572] Minutes.DOCX



Minutes of the West Arnhem Regional Council a Local Authority Meeting  
Thursday, 27 October 2022 at 10:00 am  
Council Chambers, Gunbalanya

Chairperson Andy Garnarradj declared the meeting open at 10:30, welcomed all in attendance and did an Acknowledgement of Country.

#### APPOINTED MEMBERS PRESENT

Chairperson	Andy Garnarradj
Member	Kenneth Mangiru
Member	Henry Yates
Member	Evonne Gumurdul
Member	Maxwell Garnarradj

#### ELECTED MEMBERS PRESENT

Deputy Mayor	Elizabeth Williams (video conference)
Councillor	Donna Nadjamerrek
Councillor	Gabby Gumurdul

#### STAFF PRESENT

Chief Operating Officer	Jesse Evans (Acting)
Executive Assistant to CEO and Mayor	Charlotte Meneer
Project Coordinator Infrastructure	Sam Fazzolari
Project Manager Technical Services	Clem Beard

#### VISITORS

Department of the Chief Minister and Cabinet	Colvin Crowe (video conference)
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#### APOLOGIES

##### 3.1 APOLOGIES AND LEAVE OF ABSENCE

The Committee considered Apologies and Leave of Absence.

The Gunbalanya Local Authority noted apologies from Mayor Ryan, Cr Otto Dan and appointed member Connie Nayinggul for the meeting held on 27 October 2022.

**ABSENT WITHOUT NOTICE****4.1 ABSENT WITHOUT NOTICE**

The Committee considered Absent Without Notice.

**The Gunbalanya Local Authority noted that no members were absences without notice for the meeting held on 27 October 2022.**

**ACCEPTANCE OF AGENDA****5.1 ACCEPTANCE OF AGENDA**

The Committee considered Acceptance of Agenda.

**GUN135/2022 RESOLVED:**

**On the motion of Members Henry Yates  
Seconded Chairperson Andy Garnarradj**

**The agenda for the Gunbalanya Local Authority meeting of 27 October 2022 as circulated was accepted.**

**CARRIED**

**DECLARATION OF INTEREST OF MEMBERS OR STAFF****6.1 DISCLOSURE OF INTEREST OF MEMBERS OR STAFF**

The Committee considered Disclosure of Interest of Members or Staff.

**The Gunbalanya Local Authority did not receive any declarations of interest for the meeting held on 27 October 2022.**

**CONFIRMATION OF PREVIOUS MINUTES****7.1 CONFIRMATION OF PREVIOUS LOCAL AUTHORITY MEETING MINUTES - 28 JULY 2022**

The Committee considered Confirmation of Previous Local Authority Meeting Minutes - 28 July 2022.

**GUN136/2022 RESOLVED:**

**On the motion of Chairperson Andy Garnarradj  
Seconded Mr Kenneth Mangiru**

**The minutes of the 28 July 2022 Gunbalanya Local Authority meeting were adopted as a true and correct record of the meeting.**

**CARRIED**

**Minute note** : Deputy Mayor Williams left the meeting at 10:45.

**COUNCIL'S RESPONSES - LOCAL AUTHORITY ISSUES****8.1 COUNCIL'S RESPONSE TO LOCAL AUTHORITY ISSUES RAISED**

The Committee considered Council's Response to Local Authority Issues Raised.

**The Gunbalanya Local Authority noted the report.**

**LOCAL AUTHORITY ACTION ITEMS**

West Arnhem Regional Council

- 2 -

Gunbalanya Local Authority Meeting  
Thursday, 27 October 2022

**9.1 REVIEW OF LOCAL AUTHORITY ACTION ITEMS**

The Committee considered Review of Local Authority Action Items.

**The Gunbalanya Local Authority reviewed the action items list and noted the progress made towards the completion of ongoing projects.**

**CSM REPORT ON REGIONAL COUNCIL SERVICES****10.1 CSM REPORT ON CURRENT REGIONAL COUNCIL SERVICES**

The Committee considered CSM Report on Current Regional Council Services.

**The Gunbalanya Local Authority noted the report.**

**FINANCE REPORT****11.1 LOCAL AUTHORITY FUNDING**

The Committee considered Local Authority Funding.

**GUN137/2022 RESOLVED:**

**On the motion of Chairperson Andy Garnarradj  
Seconded Councillor Donna Nadjamerrek**

**The Local Authority:**

- Noted the report;
- Noted the attached Local Authority project funding certification report for Gunbalanya for the period ended 30 June 2022; and
- Continued to discuss the use of the remaining \$136,934 of funds available for allocation.

**CARRIED**

**Minute note :** The meeting adjourned at 11:15 and resumed at 11:34.

**11.2 FINANCIAL REPORT TO AUGUST 2022**

The Committee considered Financial Report to August 2022.

**The Gunbalanya Local Authority noted and received the Financial Report for the year to date period, July 2022 to August 2022.**

**GENERAL ITEMS****12.1 GUNBALANYA AIRPORT ABLUTION BLOCK**

The Committee considered Gunbalanya Airport Ablution Block.

**GUN138/2022 RESOLVED:**

**On the motion of Chairperson Andy Garnarradj  
Seconded Councillor Donna Nadjamerrek**

**The Local Authority:**

- Noted the report;
- Reviewed the updated toilet designs;
- Direct the Administration to seek funding for this project at an estimated cost of \$304,000 for option 2 (Flushing prefabrication ablution facilities).

- Plus the additional funding for Northern Land Council (NLC) / Aboriginal Areas Protection Authority (AAPA)/ Environment Protection Authority (EPA) consultation and approvals is approximately \$10,000.

CARRIED

**12.2 DRAFT OF THE 2021-2022 WEST ARNHAM REGIONAL COUNCIL ANNUAL REPORT**

The Committee considered Draft of the 2021-2022 West Arnhem Regional Council Annual Report.

**The Local Authority:**

- Noted the progress made towards completing the 2021-2022 West Arnhem Regional Council Annual Report.
- Reviewed the draft 2021-2022 West Arnhem Regional Council Annual Report that was provided at the meeting.

**12.3 LOCAL AUTHORITY MEMBERS QUESTIONS**

The Committee considered Local Authority Members Questions.

It was noted that there were no additional questions from Local Authority members at the meeting held on 27 October 2022.

**NEXT MEETING** – The next Gunbalanya Local Authority meeting date will be confirmed at the next Ordinary Council Meeting on 9 November 2022.

**MEETING DECLARED CLOSED**

Chairperson Andy Garnarradj declared the meeting closed at 12:15.

This page and the preceding 3 pages are the minutes of the Gunbalanya Local Authority Meeting held on 27 October 2022.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date Confirmed

## WEST ARNHem REGIONAL COUNCIL

### FOR THE MEETING 10 JANUARY 2023

<b>Agenda Reference:</b>	<b>7.1</b>
<b>Title:</b>	<b>Northern Territory Government Review of Local Authorities</b>
<b>File Reference:</b>	<b>1052018</b>
<b>Author:</b>	<b>Brooke Darmanin, Executive Manager Advocacy and Strategy</b>

#### SUMMARY

The purpose of this report is to provide context and information regarding the Northern Territory Government Review of Local Authorities to the Gunbalanya Local Authority Members so that it may assist them to provide feedback via Councils submission to the Review

#### 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.

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 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**

- 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;

- LAMPF 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 LAMPF are determined, and where they are spent;
- A need for a review of the LAMPF 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.

## **COMMENT**

Today's meeting aims to provide an opportunity for Local Authority Members to consider ways in which they feel their Local Authority could operate better in order to strengthen the role of Local Authorities and better assist their communities.

Included in the attachments are questions from the Northern Territory Government for the Local Authority to consider and discuss and also includes a running sheet of today's workshop.

The feedback from all West Arnhem Regional Councils Local Authorities and Council will be consolidated and provided to the Department in a single report

## **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 feedback received from the Local Authority and 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 the Gunbalanya Local Authority consider and provide feedback on ways in which the Local Authority can be strengthened and improved

## ATTACHMENTS

- 1 NTG LA Review questions for consultations.docx
- 2 LA Review - workshop.docx

## LA Review – questions for consultation

Thinking about how you can talk to your community about what they want and work better with the council:

1. What are the things that your LA does well?
2. How could things be improved or what should you do differently?
3. How do you talk to your community about what is important to them?
4. Do you just want to focus on council business or do you want to join up issues and get input from other organisations on what they are doing in the community?
5. Do the rules and procedures help with your meetings and with talking to the community or do they need to be more flexible? How would you run meetings and go about getting feedback from the community so that they work better?
6. Who should be on the LA? Currently there can be between 6 – 14 members. Do you want to involve other people or organisations at meetings?
7. What help and support do you need to be able to perform your role?
8. Can communication with the Council be improved? What suggestions would you make to do this?

## LA Review – Strengthening West Arnhem Local Authorities

Suggestion	Comment/Feedback
<b>Local Authority Members Workshops</b> <ul style="list-style-type: none"> <li>• Community Plan for each community</li> <li>• Youth Plan</li> <li>• Grant Wishlists</li> </ul>	
<b>Training for LA Chair's</b>	
<b>Changing the Agenda</b> <ul style="list-style-type: none"> <li>• Are there reports we don't need?</li> <li>• What would the LA like to focus on</li> </ul>	
<b>Do we need translators for meetings</b>	
<b>LA Proxy Members</b>	

<p><b>LA Members on recruitment panels for their community</b></p>	
<p><b>More meetings</b></p>	
<p><b>Communications Plan for LA's</b></p> <ul style="list-style-type: none"><li>• Radio</li><li>• Posters</li><li>• Instagram</li><li>• Facebook</li></ul>	

**WEST ARNHEM REGIONAL COUNCIL  
FOR THE MEETING 10 JANUARY 2023**