The governance role of local boards: A scoping study from six communities
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# Contents

Acknowledgements......................................................................................5

Executive summary......................................................................................6

Key research findings....................................................................................8

1. Introduction.............................................................................................11

2. Community governance and local boards.................................15
   Community governance............................................................................15
   Local boards............................................................................................17
   Establishing a local board.......................................................................17
   Role and function of local boards.........................................................18
   Broad comparison to previous community council..........................20

3. Research method....................................................................................22
   Communities involved in the fieldwork..............................................22
   Focus groups..........................................................................................24
   Observations............................................................................................26
   Limitations of the research method......................................................27

4. Research findings ..................................................................................28
   Representation and legitimacy of local boards....................................29
   Key findings.............................................................................................29
   Process for determining local board members......................................29
   Community representation at local board meetings..........................31
   Decision making for the community.....................................................33
   Functioning of local boards....................................................................34
   Key findings.............................................................................................34
   Are local boards meeting?.................................................................35
   Process of local board meeting............................................................37
   Payment for attendance at local board meetings...............................38
   Local boards and community working with the shire.......................38
   Strength of local boards in comparison to previous
     community council.............................................................................40
Role of local boards.................................................................41
Key findings...........................................................................41
Awareness of local boards......................................................41
Issues included in discussion at local board meetings..........42
Local boards facilitating community meetings......................45
Future recommendations for improving local boards ..........47
Key findings .............................................................................47

5. Overall findings and conclusion........................................51
Policy context of remote communities.................................51
Community awareness of the governance changes...............54
Community engagement in community governance..........55

Conclusions.............................................................................56

References..............................................................................59
The governance role of local boards: A scoping study from six communities
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Executive summary

Local government reform was implemented in 2008 across the Northern Territory (NT). As a part of this, shire councils were elected across 8 shires providing regional/ward representation. At the community level, local boards were established across most remote communities. The aim of local boards was to provide a reference group within the community that the shire could consult on shire business. In October to December 2009, the CLC initiated research to gather perspectives and experiences from the community residents on their understandings of the legitimacy, role and functioning of the local boards. The research was intended to inform the CLC of the role and work of local boards in relation to broader community governance issues.

The research was undertaken in six communities, three communities in the MacDonnell Shire and three communities in the Central Desert Shire. They included:

- MacDonnell Shire communities: Utju (Areyonga), Titjikala, Mutitjulu
- Central Desert Shire communities: Yuendumu, Atitjere and Wilowra

The research involved focus groups and smaller group discussion in all six communities. The focus groups discussed: representation and legitimacy, functioning of local boards and role of local boards. Focus group sessions also drew out comparisons between local board and previous community governance structures. The research team observed local board meetings that occurred in these communities during fieldwork.

The shires have established local boards in all major communities and they are supporting their development through training and/or resourcing of meetings. However, whilst there appears to be some energy from both the MacDonnell and Central Desert Shires
in obtaining local community perspectives, there are a number of structural and procedural issues (often beyond the shire control) that limit the effectiveness of the local boards as a mechanism for local decision making. The research found that the selection process for membership on a local board was not well understood by community members. In some cases, community members suggested that shire staff have picked local boards members. Frequently, the residents argued the community had ‘lost their voice’ and the local boards were not seen as strong representatives or a legitimate body for the community. Even those community members who are local board members were sceptical of their contribution and many wanted to get off the board. In many cases this was due to poor engagement of community members in meeting process.

On the functioning of local boards, the research revealed a poor history of achieving quorums in the Central Desert Shire board meetings. And, in the MacDonnell Shire quorums were generally only just achieved. When meetings did occur, they often went ahead with little input from residents on the agenda or issues to be discussed. This in combination with highly structured meetings, including formalised agenda, lengthy periods devoted to staff reports and significant involvement of senior staff appears to be at odds with the fact that boards are advisory. The lack responsiveness of the shires to community issues or requests raised at local board meetings is a significant factor leading to decreased interest and participation of community members in local board meetings. This lack of response to community issues is due in part to the limited scope of local government functions and the differing meeting schedules between local boards and shire meetings. For example, the issue of housing was prominent in focus group discussions. In relation to housing, focus group participants discussed the current lack of community decision making and the lack of responsive service delivery to housing maintenance issues. Finally, in relation to functioning of the boards, most community participants believed that local board members should be paid and/or provision of lunch during meetings. Further, there appears to be some discrepancy between shire staff being paid to attend meetings and those not working for the shire.
When asking community focus group participants about the role of locals boards, there was significant issues around understanding of the role. There was some anger in what locals board members are encouraged to focus on in the meetings as opposed to the priorities of the community. More broadly there was strong concern that there were less community meetings now which is a signal of increasing tensions between a community being ‘consulted’ and community members ‘making decisions’. There is little incentive for community members to play a role in achieving effective community governance when they are not involved in the final decision.

Overall the research found a very poor story of community engagement in community governance processes. One reason behind this is that fact that local boards (and other government driven governance process) are primarily consultative groups – with no decision making or financial delegation – this does little to recognise the role that community leaders play in their community. Community members are angry about the top down approach by the government in demanding ‘how, when and on what the community’ is consulted, which appears to be in contrast to their previous experience of community councils. Devolving decision making responsibilities to local committees and recognising community member’s role in developing their communities will lead to increased interest, capacity and resourcefulness at the local level.

Key research findings

1. The process of selection of members to a local board was not necessarily supported or understood by community members participating in the focus groups. A number of local board members from four communities reported not knowing how they got on the local boards and many more community members did not understand the process of selection of local board members. The exception to this was the Titjikala and Atitjere communities.
2. Most community members in the focus groups described having ‘lost the voice of the community’ and questioned the legitimacy of the local board because of lack community involvement and engagement in the local board meeting process.

3. In all communities focus group participants, including local board members, voiced concern about the lack of involvement of Aboriginal people in decisions and their ability to represent the community through local boards.

4. Many local boards are not meeting and/or community representation at meetings is low.

5. The high level of administration and imposed structure of local boards appears to be at odds with the advisory function of local boards. Many local board members in all communities reported feeling ‘ashamed’, ‘embarrassed’, ‘uncomfortable’ and ‘shy’ to speak at local board meetings.

6. Many focus group participants thought that local board members should be paid. Further, there is an inconsistency regarding who is paid and not paid in local board meetings. In a number of communities, focus group participants noted that shire staff, including shire staff who are local board members, and shire council members are paid to attend meetings.

7. Many local board members and community members perceived a lack of response to issues that they raise with their Shire. Most community members did not understand the relationship or process of getting information from local board meetings to shire council meetings.

8. All participants felt the community had less power and authority with local boards than with their previous community council. Participants discussed a more shared working relationship between Aboriginal people and staff from their previous community council.
9. There is a general lack of awareness, both amongst community members and local board members, on the role of local board member and local boards.

10. There is a lack of consistency regarding issues the local boards can discuss. Focus group participants felt the topics discussed at local boards were restrictive in comparison to the issues community council discussed and worked on. Participants in some communities noted the fact of not knowing budget/funding for the community.

11. Focus group participants described having less community meetings since the shires were in place than previously and this was linked with concerns that there is less knowledge about what is happening on their community than before.

12. All communities wanted to see local board members paid to attend meetings and given decision making responsibilities.

13. Many communities members wanted the community to meet before local board meetings so that they had opportunity to discuss community issues.

14. Members from MacDonnell Shire communities thought that the local boards were not meeting often enough. Communities in Central Desert Shire also noted that there were not enough meetings, but this was more related to quorum than scheduling of meetings.

15. Three communities recommended training for the local board members including governance, public speaking and minute taking.

16. Local board members from all communities wanted more of say regarding the local board agenda.

17. All communities wanted to see the shire report back more frequently to communities on issues raised by local board and community members.
1. Introduction

Local government reform was implemented across the NT in 2008. In the six years preceding, NT Government Ministers announced a crisis in small community remote communities and questioned the effectiveness of many local government councils with reference to the department’s interventions into the financial and administrative performance of many community councils (McAdam 2006; Ah Kit 2002). It was also recognised that the growing expectations placed on local governments made it increasingly difficult for poorly resourced councils to achieve their administrative, governance and service delivery requirements (Dillon and Westbury 2008, Dodson and Smith 2003). Both the terms ‘dysfunctional’ and ‘failed state’ were used to describe the performance of community councils (Dillon and Westbury 2008, Ah Kit 2002). All this culminated in a reform of local government in the NT which saw the 58 community council amalgamated into 8 shire councils in July 2008 (LGANT 2008).

Certainly, a major driver for the NT Government reform was to reduce the number of small Councils that required their own administrative support structures, and thus reduce overheads and administrative costs. In line with this, the NT Government argued the need for the reform based on the fact that service delivery systems and processes in remote communities were fragmented, inefficient and uncoordinated. Through the reform, the NT Government aimed to strengthen leadership and governance in the local government sector, particularly in regional and remote areas (NT Government 2009). The aspects of services and whether or not they have been improved by regionalising and centralising of local government is largely outside the scope of this paper. Notwithstanding the importance of service delivery, this paper is concerned with government’s aim of strengthening leadership and governance in remote areas, and particularly, the research addresses the place of local decision making in the new shire councils.
The Central Land Council’s (CLC) longstanding concern with local government reform is that it may reduce representation and participation of community members in governing their own communities. These concerns were also raised by others during the lead up to the reform (including Yu et al 2008: 55-56; Elvin 2009). As identified in the opening paragraph, the governance structures of communities were significantly changed when local government reform was implemented. In the central Australia, 17 community councils and incorporated associations were replaced with three Shire councils: MacDonnell Shire, Central Desert Shire and Barkly Shire (see figure 1). The reform involved a re-configuration of representation across communities and shifts in decision making power, effectively by reducing the numbers of people involved in these transactions. Further, the reform involved the transfer of assets and budgets to regional centres of Alice Springs, Tennant Creek and Katherine, which are now the primary business activity centres for the administration and co-ordination of services dispersed and delivered to remote Aboriginal communities. There is much that shires have had to grapple with in the year and half since they have been in place: assets, employment, service delivery co-ordination, program management, and, the new systems and structures for all of this. Importantly however, continued relationships with the community is paramount to developing sound service delivery systems and structures in the remote communities in which the new shire’s work.

The local government reform put in place shire councils that are now the governance, representative and decision making body for large numbers of communities and homelands (see figure 1) in NT. The NT policy makers behind the reform attempted to acknowledge the substantial change in representation and authority at the local community level through the mechanism of local boards. Local boards have an advisory role to shire councils and are set up according to the broad parameters defined in the Local Government Act (see section 2 for further information). The Central Land Council believes that local boards need to be
effective if local government reform is to improve service delivery and strengthen the governance structures of remote communities. This study provides an initial insight into the perspectives of residents from six communities in central Australia on the workings of the local board at their community.

Figure 1: Local Government Areas (Shires) in central Australia

The scoping study was undertaken in Utju, Mutitjulu, Titjikala, Willowra and Atitjere, with fieldwork occurring from November to December 2009. The study used focus groups as the primary method, and included review of relevant literature and observations. Specifically, during the focus group sessions researchers tried to
understand resident’s perspectives on issues of representation, legitimacy, impact of changed governance arrangements and suggestions for improving local boards. Focus groups participants included members of the local boards and other community residents. The results (section 4) within this report present a collective story of perspectives across these six communities. Generally despite different research teams across the communities, the views across communities had many commonalities and central themes, where there were differences these have been noted in the research findings.

Following this introduction, the report is divided in four main sections. Section 2 conveys some background information on the local boards, primarily information on the local boards as stipulated within the Local Government Act and the policies of Central and MacDonnell Shire. Section 3 provides details on the method used for the research. The key findings from the research are presented in section 4. Finally, section 5 presents some overall points for discussion and the conclusion.
2. Community governance and local boards

This section provides some overview of the current scope of local community governance broadly, with some specific details on the local boards following.

Community governance

The patterns of remote community governance in the NT, both the informal and formal groupings, are complex. They were complex before the local government reform in the NT (as shown Rowse 1992; Sanders 2006) and they continue to be since the shires were implemented. Of course, the informal governance structures are highly localised and specific to communities, and making generalised statements about these is difficult and problematic. At the community level however, there was a general acceptance that community governing councils were the formalised decision makers for service delivery on their community (Sanders 1996). Government departments, non-government entities, contractors, and others working with the community, usually did their business through community councils. It is useful to look at how formalised local governance structures have changed or are changing at present and how governments across all levels are conducting their business in remote communities.

Aside from those governance structures within communities that are set up within service provision, including women's centre groups, store committee, church groups and sport clubs. The two most prominent examples of formalised community governance structures set up or being set up for the community to deal directly with government, aside from the locals boards are:

- Local Implementation Plan (LIP) Reference Group
- Housing Reference Group

The LIP reference groups, at the time of this report, were being set up in three communities in central Australia: Yuendumu, Lajamanu and Hermannsburg. The LIP reference group have responsibility to
identify service priority improvements, with a focus on the ‘remote service delivery’ priorities, including early childhood, schooling, health, economic participation, healthy homes, safe communities, and, leadership and governance. There is little detail publicly available on LIP reference groups, although anecdotal evidence suggests that the reference group is mainly made up of community members, they are unpaid positions and the primary purpose of LIP reference group is to be consultative group for the Australian Government and NT Government to work with on the local implementation of the National Partnership agreements on Remote Service Delivery. In some cases, we have heard that the LIP reference group comprise of the same members as the local boards. In other cases, the shire councils have made the decision that the local boards cannot constitute the LIP reference group (Central Desert Shire 2009).

Recently, Sullivan (2010) has reviewed the National Partnership Agreement on Remote Service Delivery concentrating part of his analysis on the sections defined as Indigenous engagement. He argues that in the current policy environment there is a tension between ‘Indigenous citizens’ who require services and ‘the community’ that has a distinct self-controlled service sector and points out that there is a lack of recognition of community controlled organisations or service providers who are usually Aboriginal organisations. The LIP reference group can be classified in this same frame, as the group is set up by government to respond directly to government, without recognition of the Aboriginal agencies or service providers already operating within the community. Further, Sullivan presents a case that the majority of National Partnership Agreement funding for governance is directed towards setting up the ‘single government interface’. Our advice from government is that the single government interface is also known as the Government Business Managers, Indigenous Engagement Officers and perhaps includes Remote Operations Centres. This is largely not about building Indigenous governance, but building government within the communities (Moran 2010: 39).

The Housing Reference Group is consultative group set up by Territory Housing. Again there is little publicly available information on these groups, however the Territory Housing (2009) fact sheet
suggests the HRG is to provide ‘advice to government on cultural and family-related matters that can impact on decisions about housing and infrastructure in the community’. This group again is advisory; members are selected by Territory Housing staff and the positions unpaid. We are unsure how many HRGs are established in central Australia at present and/or in which communities they have been established.

Local boards

In comparison to HRG and LIP reference groups, there appears to be much more detail about the functions and roles of local boards, mainly because they are provided for in the statute. This section discusses background information on local boards. Primarily, it draws material from the Local Government Act and policy/planning documents from the Central Desert and MacDonnell Shire. It discusses the process of establishing a local board and the roles and function of the local boards.

Establishing a local board

A local board is established by a shire council. Section 51 of the Local Government Act states that the local board will consist of (LGA 2008: 29):

the members of the council who are resident within the local board’s area or who represent wards within its area; and such other members of the community or communities within the local board’s area as the council thinks fit to appoint as members of the local board; and any other person whom the council appoints to be a member of the local board.

The act has been described as deliberately non descriptive (as to the number of representatives and make up of representation), to allow some community agency and voice in determining the representation of the local boards (Elvin 2009). In a number of cases the previous community council rolled over its members onto the new local boards.
According to Department of Local Government, Housing and Sport staff and senior shire staff, the local boards were determined either through community meetings through a localised decision process or through vote. In some cases, the membership was determined before the shires commenced by staff from the Department of Local Government working with the community. In other cases, the membership was determined after the shires were in place. In a small number of cases the local board membership may include representation from pastoral stations in the region. The act also gives power to a shire council to abolish a local board or consider petitions from 20 residents or more to establish a local board in their area (LGA 2008: 28).

Role and function of local boards

The local boards, according to the Local Government Act, are advisory, although a shire council may “designate a part of its area as the location within which a particular local board is to exercise its functions”. Further, the Local Government Act states that the functions of a local board are 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;
- allow local communities a voice in the formulation of policies for the locality as well as policies for the area and the region;
- take the views of local communities back to council and act as advocates on their behalf;
- and, contribute to the development of the relevant regional management plan and the relevant municipal or shire plan. (2008: 29)

It also states that a local board is at the control and direction of the shire council. In regards to procedures of local boards, the act stipulates that this will be determined by the local board, subject to direction from the shire council. Although, under the
Local Government Act 2008 established local boards must meet once every four months. Further the act, provides some basic rules for the meeting, including:

- The meetings are convened by the CEO
- Notice of the meeting must be in writing – given to the members and publicly displayed
- Quorum which is half the members must be achieved within 30 minutes of the meeting start time
- Minutes of the meeting must be recorded and available publicly
- Positions are voluntary, local board members do not receive payment for attendance

Apart from these, the act allows some flexibility for local boards (with shire support) to determine their procedures, as such some information Central Desert and MacDonnell shire policies are below.

The Central Desert Shire local board Policy states that the local board objectives are:

> to make sure Local Advisory Boards provide good advice to the Shire Council. To make sure the community have a strong voice and are actively engaged in their local community affairs. (2009: 1)

The Central Desert Shire policy also provides guidance on the reporting framework of the local board, stating that board members advise on strategic matters, not operational. In the first year and half of the shires, local boards were scheduled to meet once per month, however, this has subsequently changed to every second month.

The MacDonnell Shire’s plan states a local board will have the following roles:

> provide advice to the council on service delivery plans and Place Plans and have input into Shire Plans and Regional Management Plans.
provide advice on specific council community and social projects that impact on that community or region. alert council to new and emerging issues within the scope of council activity. ensure the needs of the local community or region are considered by the council

The MacDonnell Shire has adopted a policy of scheduling ‘ordinary’ local boards meeting at least 3 times per year. This shire has also allowed the opportunity for ‘special’ and ‘informal’ local board meetings to take place. The difference, as stated in MacDonnell Shire plan, is that the special meetings are called by the CEO, whereas the informal meetings are called by the local board chairperson. The informal local board meeting might be called to discuss an issue that ‘local board members do not feel is Shire business’ (MacDonnell Shire 2009: 14).

Local boards have been established across all major communities and both shires have employed governance staff whose duties (among others) are to support the local boards. Hence, we note here that the MacDonnell and Central Desert Shire have actively supported the development and establishment of local boards and invested in some forms of training for local board members and other administration support for local board meeting.

Broad comparison to previous community council
At this stage it is important to note that, unlike previous community council positions, local board positions have no decision making power (unless delegated by the shire council), no financial delegation, may not necessarily be determined through election process and are unpaid positions. Further, the same conditions apply to other consultation groups being set up by governments including the Housing Reference Group and LIP reference group. The difference however, is that there is currently much more publicly accessible information about local boards than the HRG and LIP
reference groups. The research team was able to establish quite quickly which communities had local boards and their general meeting arrangements, such transparency in HRG or LIP reference groups did not exist at the time of fieldwork.
3. Research method

The research method was primarily based on a participatory research method which engaged groups of community members in a collective discussion on the issues of local boards. The research method was informed by other studies conducted in by the CLC and others working with remote Aboriginal communities. It was intended to provide depth of information rather than numerical data that could be analysed using statistics. As such, focus groups and observations were the main methods utilised by the research team. The research was intended as an initial scoping study to identify the perceptions of residents of local boards at identified communities in the Central Land Council region. It was decided early on in the project, that it would be useful to work with communities in two different shires, to analyse similarities and differences within the processes of each shire and because of the different procedural approaches of the shires. Six communities were chosen to participate in the study, three communities from MacDonnell Shire and three communities from Central Desert Shire. The communities were primarily selected based on the scheduled date of local board meetings and availability of researchers to conduct fieldwork. The fieldwork was deliberately selected to coincide with local boards meetings, so that researchers had the opportunity to observe meeting processes and discussion. The aim of this was intended to provide the researcher with background knowledge and understanding of the local board meetings before undertaking the discussions with community member. Unfortunately, some of the local board meetings were cancelled or changed at short notice, but the fieldwork went ahead.

Communities involved in the fieldwork

Fieldwork was undertaken in six communities and below provides a general description of these communities.

**Atitjere:** Atitjere, or Harts Range, is located approximately 215 kilometres north-east of Alice Springs, within an excision on the Mount Riddock Pastoral Lease. The population is approximately 250 people. The predominant Aboriginal language is Eastern Arrernte, with the closely related dialects of Akarre and Akityarre.
and the Alyawarr language also spoken. The Arltarlpilta Community Government Council was established in 1997 and was amalgamated into the Central Desert Shire in 2008. The local board comprises of 12 community members, 7 men and 5 women. The community board decided early on to establish a rotating chair for their local board meetings.

**Mutitjulu:** Mutitjulu is located approximately 480 kilometres from Alice Springs in the Uluru-Kata Tjuta National Park. Aboriginal freehold title of the Park area was granted to the owners in 1985 following a successful land claim. The area was subsequently leased back to National Parks and Wildlife in 1985 and is now under joint management. In 2006 the Aboriginal population of Mutitjulu was 217 (ABS 2006 Census), of whom the majority identify as Yankunytjatjara and/or Pitjantjatjara. There are complex servicing arrangements at Mutitjulu, because it is located within a Commonwealth national park. This led to Mutitjulu being seen as primarily falling within Commonwealth responsibility and missing out on being recognised as a local governing body by the Northern Territory Local Government Grants Commission in the late 1980s (Sanders 1996). Early in the implementation of shires in 2008, the MacDonnell shire negotiated a MOU with Mutitjulu to deliver services to the community. The local board was established with 17 members, 10 men and 7 women, but this number has subsequently changed.

**Utju:** Utju, or Areyonga, is situated approximately 240 kilometres west of Alice Springs. Traditionally Arrernte country, Utju is Aboriginal freehold land, with the majority of the resident population of 225 identifying as Pitjantjatjara. The Areyonga Association Council was amalgamated into the MacDonnell Shire. The local board has 13 members, 6 men and 7 women.

**Titjikala:** Titjikala is located approximately 120 kilometres to the east of Alice Springs. The community is a Community Living Area on Maryvale Pastoral Station. The Tapatjaka Association Council was established in 1996 and since then, amalgamated into MacDonnell Shire. The local board has 16 members, 10 men and 6 women.
Yuendumu: Yuendumu is located approximately 300 kilometres to the north-west of Alice Springs on Aboriginal freehold land (with the Yuendumu Aboriginal Land Trust). The population of Yuendumu is approximately 900 (Grants Commission current figure, June 2006). The majority of Aboriginal residents speak Warlpiri and/or Anmatjerr as a first language. The Yuendumu Community Government Council was established in 1993 and in mid 2000s an administrator was appointed for a period of time, before the Council was then returned to the community. Yuendumu CGC was amalgamated into the Central Desert Shire. The local board has 12 members, 7 men and 5 women.

Willowra: Willowra community is located 328 kilometres northwest from Alice Springs on Aboriginal freehold land within the Wirlyajarrayi Aboriginal Land Trust. The land trust runs a commercial pastoral station. The community has a population of 350. The majority of residents are Warlpiri and/or Anmatjerr. The Willowra Community Council was defunded in 2003 and its local governance status revoked (Sanders 2006). The Willowra community later came under the administration of Yuendumu Community Government Council. Hence in comparison to other communities, Willowra community has for many years been without a localised community decision making body. The local board comprises of 6 members, all of which were female at the time of this report (subsequent accounts from shire staff have informed us that there is now 1 male on the local board).

Focus groups
In each community, focus groups were undertaken with both members of the local board and non members of the local board. Additionally, smaller discussions in family groups or with individuals were also used where people could not participate in the focus group sessions and indicated an interest in the work. Surveys and randomised surveying techniques were not used, for a number of reasons including: short time frame of the research, assessed initial need to collect depth of data rather data than numerically aggregated data, and recognised preference that often Aboriginal people prefer to workshop ideas collectively rather than individual interviews.
Community residents involved in the focus group approach were selected with the support of a local Aboriginal assistant. Therefore, the participants were in some ways ‘targeted’, we wanted to talk with community members who were in the local boards now or had experience in previous community councils or other governance structures. However, the groups were very mixed (see table 2), and this was useful to gain a better understanding of the awareness of people across the community. Before the start of focus group sessions, participants were informed of the project, and asked if they would like to participate. They were also told that at any time they could stop participating in the focus group.

Table 2: Participants involved in the research

<table>
<thead>
<tr>
<th>Community</th>
<th>Total Number</th>
<th>Number participants who were local board members</th>
<th>Number participants who were previously involved on the Community Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utju</td>
<td>18</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>Titjikala</td>
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<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Mutitjulu</td>
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<td>4</td>
<td>n/a</td>
</tr>
<tr>
<td>Atitjere</td>
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<td>5</td>
<td>3</td>
</tr>
<tr>
<td>Willowra</td>
<td>7</td>
<td>5</td>
<td>n/a</td>
</tr>
<tr>
<td>Yuendumu</td>
<td>19</td>
<td>2</td>
<td>7</td>
</tr>
</tbody>
</table>
The sessions were facilitated by a CLC researcher (Jeff Hulcombe, Maggie Kavanagh, Alyson Wright and Rebecca Koser) with support of local Aboriginal assistant. The focus groups drew out participant’s understanding on four broad issues associated with local board (see Appendix A for general focus group sessions):

- the role and function of local boards;
- representation and legitimacy of local boards and relationship with associated shire council;
- suggestions on improving local boards; and,
- comparisons of the local board with other community advisory boards and the previous governance structure.

The focus groups were recorded and where possible, a transcript of the discussion and other meeting notes were used for the analysis. The facilitators took notes which were displayed for focus group participants during the sessions and were read back to the group at the end of the sessions. The local Aboriginal assistant helped with interpreting or translating and both Maggie Kavanagh and Jeff Hulcombe have skills in Pitjantjatjarra and Luritja respectively, which assisted in communicating the research questions and responses.

Due to the diversity of skills within the research teams, researchers structured their focus group sessions differently and used different research tools to discuss the main topics. This included the use of talking paper¹ and small group session within the focus group.

Observations

To support the focus groups, observations of the local board meetings were undertaken during the fieldwork visits to each community. The observations recorded such things as: participation of local board members; process of the meeting and the involvement of shire staff.

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¹ Talking paper is a participatory facilitation technique. The facilitator gives people a piece of paper and participants have the opportunity to write or draw their responses to questions. These responses are then shown to the group and discussed within the group. In this research, talking paper was used in answering two parts of the research: participants writing down how they feel about the changes with a couple of words and participants drawing where they see themselves in the new structures on their community.
The researcher explained her/his role at start of meeting to ensure that local board members and other meeting participants were comfortable with the meeting being observed. Observations were used to develop a better understanding of local board meetings to inform the study and focus group sessions, and where appropriate, to validate responses in focus group sessions.

Limitations of the research method

The research was conducted over a short time in only six communities across the NT. The research team is very much aware that the research is a point in time analysis. We also identify that the focus group only included community members in the community and not employees of the shire or other interested agencies within the community. Whilst the intention of this research was to give a voice to Aboriginal local perspectives rather than organisational or institutional perspectives, there would be some value in further studies that balance the view of other agencies and individuals, particularly those of the shire. The research team also notes that the use of targeted focus groups can have certain bias in the data collection, however we found that the depth of information collected during focus groups was an extremely valuable place to begin an initial study on this issue. The findings shown below would be useful to cross check through on-going survey work or work in other communities. Further, the findings offer opportunity for development of further longitudinal studies on the issues of community governance more broadly.
4. Research Findings

The research findings are divided up into the main sections included in the focus group sessions including: representation and legitimacy of the local, functioning of local board, role of local boards, and future recommendations for local boards. In the discussion below, the work draws out comparison between the previous community councils where these were made. The work also draws on local board meeting observations and on information from the MacDonnell and Central Desert Shire, where appropriate. Where it is relevant, the paper refers readers back to section 2 of this report. Firstly, the results are presented as key findings from the focus group sessions. This is followed by some discussion of what was said during focus group sessions.

We preface the findings with an acknowledgment that the focus group discussions were highly emotional, political and at times concerned with aspects outside local board and local government scope. This included a focus on various Australian and NT government policy changes and program changes:

At the moment there is the intervention. The shire came on top of that and completely bamboozled us, completely rammed us, threw us out. Destroyed everything we had. Took everything outside, our rights are gone with the wind. (Yuendumu)

CDEP has changed. People who are on CDEP don’t understand the new CDEP. If you missed work for two weeks you are cut off and you don’t get anymore money for eight weeks. A lot of young people don’t want to go on CDEP because of the changes. There are no part times jobs in the shire and they have to ask family for money. (Willowra)

These discussions, whilst at times outside of scope of the study specifically, indicate the level of policy that is being driven from outside the community and the lack of engagement of community members in these various governmental processes. The report revisits this in the discussion section, which follows this section.
Representation and legitimacy of local boards

Key findings

1. The process of selection of members to a local board was not necessarily supported or understood by community members participating in the focus groups. A number of local board members from four communities reported not knowing how they got on the local boards and many more community members did not understand the process of selection of local board members. The exception to this was the Titjikala and Atitjere communities.

2. Most community members in the focus groups described having ‘lost the voice of the community’ and questioned the legitimacy of the local board because of lack community involvement and engagement in the local board meeting process.

3. In all communities focus group participants, including local board members, voiced concern about the lack of involvement of Aboriginal people in decisions and their ability to represent the community through local boards.

Process for determining local board members

During the focus group session, almost all communities raised concerns with the legitimacy of the local board selection. In three communities, local boards members were uncertain about how some members came to be on the local board, comments included:

I didn’t know that I got picked to go into that shire, the local board. I just saw my name on the notice board. They should let people know first. Someone from the office put our name down. We didn’t know. (Utju)

Somebody put my name down to be on the local board but I don’t know who put my name down and I don’t know what the board does. They should ask people first. (Mutitjulu)
I got a shock when I saw my name down on the board. I didn’t know anything about it. (Mutitjulu)

Some people don’t know how they got on the local board. (Willowra)

Other local board members stated that they were on the local board because they worked for the shire and employees of the shire had asked them to come along to the meetings. These sentiments represent a concern for those involved in the process of developing community boards. Even if there had been a process for determining the local board members, the fact that these members don’t recall an event suggests that there is lack of ownership within the community in determining the local board membership. Worse still, it signals that in some cases members may have been put up without a consent process.

In some cases, participants in focus groups highlighted that lack of involvement of the community more generally because limited representation of certain sectors of the community in the local board:

The local advisory boards now make the decisions and mostly middle aged people on the local advisory board. Elders and traditional owners are the right people to make decisions on the community, only some of them on the local board. (Willowra)

There are no men on the local board. I don’t mind women talking but you need to have all the community involved. (Willowra)

In two communities, Titjikala and Atitjere, focus group participants seemed more informed of the process of local board selection, stating:

Community people voted local advisory board members in. 9 or 12 got put in with the most votes. (Titjikala)

Residents were aware that some members were self-nominated whereas others were nominated by other community members.
They were also aware that there was no election process and in Titjikala, local board residents were aware that the shire council are ultimately responsible for signing off on nominations for local boards.

Community representation at local board meetings
Community representation on issues is difficult to achieve when meetings do not go ahead or quorum is only just achieved at local board meetings (see discussion below on page 25). Representation is also limited when people feel uncomfortable with the meeting processes. Responses in focus group sessions discussed that many local board members are not comfortable with how the meetings are currently run:

*We feel ashamed to talk up. (Utju)*

*Sometimes we whisper. All the information is coming from the outside. All the choice comes from outside. There is no community voice in the meeting. (Utju)*

*White people talk first, they should let Aboriginal people talk first. (Atitjere)*

*The local board doesn’t speak up properly. They should speak up more for Aboriginal people. (Titjikala)*

*It’s like Anangu are invisible. Anangu are going down and all this makes us empty inside. It makes our spirit sad. (Mutitjulu)*

*We just give up because no one is listening. (Willowra)*

The procedural nature of meetings often inhibited participation from local board members, particularly those not confident in English. At all focus group sessions, people agreed that there was less participation and engagement of the community (including the local board, but also more generally) in community activities and service
delivery since the implementation of the shires. This is part due to lack of inclusivity of people in meetings, but also signals people’s frustration at the lack of awareness of what is happening and planned for their community. One example includes:

I didn’t even know about this house here or that childcare that got built up. We not involved in our community and we don’t have a say anymore. (Utju)

Ladies from the Arts Centre wanted to talk at a meeting because they were concerned about this new park area that was going to go up. Shire service manager put everything in plan for the Jet Creche and everything had to be over here near the park, but the Arts Centre mob didn’t like that. Some of the mothers work in the Arts centre and they didn’t want kids to come over and the spoil the mums, or the mums to spoil them because they are too close together. Some of the Jet crèche mob wanted the crèche to stay where it is because it is close to the school and they wanted the crèche to be near the school so the little kids can get involved in the older brothers and sisters going to the school, so they can get used to the idea of staying at school. They not listening properly so the Arts centre ladies walked out of the meeting and some of them were upset (Atitjere)

The local board meeting processes struggle to engage community members in ways which are meaningful to them. Further, in Atitjere the local board had made a decision to include a rotating chair within their structure, i.e one person hold the chair position for 3 meetings, but this was not implemented by the shire. One comment included:

Local board mob all picked out a Chair for, must be, for three meetings or something like that and we all supposed to have a turn chairing meetings, but that never happen so I don’t know what is going on now. We’ve been trying to find out ways that people can speak up at meetings and being Chairperson I think that is a big role for the council members, because you can’t have a Chairperson talking, talking away and the other councillors just sitting back and not talking, not saying anything. (Atitjere)
The focus group discussion on the lack of engagement of people within the new shires often led on to a discussion of decision making at the community level.

Decision making for the community

Across all communities, participants in the focus group voiced hurt and anger at not understanding how decisions are made for their community now. Some focus group participants argued that decisions are now made outside the community by Shire or Shire staff.

*We don’t know who is making the decisions. We don’t know how decisions are made. Who made the changes? (Mutitjulu)*

*What sort of laws the shire council make to the community. That sort of thing we don’t understand. They can’t bring that information back when they go for meeting to the community. They need to bring it back. (Yuendumu)*

*We are talking about decision. We used to make it here, our own decisions with government people. They used to listen to us. Not now. (Yuendumu)*

Frequently, focus group participants compared the strength of the community council in decision making process to that of the local boards.

*See when we had our community and committee meetings everything that we ran was here. There was a power and a voice in that. Organisations had power. We had authority there. Soon as the shire came in, they broke us. That is why the voice isn’t on the table anymore. They can have the board through the shire, but they don’t have the power to make it happen because it all comes from the top. (Yuendumu)*

In all communities (with the exception of Willowra who had lost their community council before the onset of local government reform),
the focus groups concluded that the local boards are much weaker than the previous community council. Although, Titjikala focus group participants argued that they are making the shire listen to them.

*With the changes I think our self determination has been taken away, our self management and looking after our own rights. We are pretty strong here and when the Shire started we told them straight away, you’ve not going to tell us what to do, just give us jobs and we’ll do it. Now they are beginning to listen.* (Titjikala)

Of course, it is difficult to make an assessment of the difference between council and local board through a point in time analysis. However, the perceptions expressed through the local board meeting were so strongly and convincingly presented that they cannot be ignored in this report. Further, they warrant attention by those involved in governance because they represent fundamental concerns with the imposed structures and procedures of local boards.

**Functioning of local boards**

**Key findings**

1. Many local boards are not meeting and/or community representation at meetings is low.

2. The high level of administration and imposed structure of local boards appears to be at odds with the advisory function of local boards. Many local board members in all communities reported feeling ‘ashamed’, ‘embarrassed’, ‘uncomfortable’ and ‘shy’ to speak at local board meetings.

3. Many focus group participants thought that local board members should be paid. Further, there is an inconsistency regarding who is paid and not paid in local board meetings. In a number of communities,
focus group participants noted that shire staff, including shire staff who are local board members, and shire council members are paid to attend meetings.

4. Many local board members and community members perceived a lack of response to issues that they raise with their Shire. Most community members did not understand the relationship or process of getting information from local board meetings to shire council meetings.

5. All participants felt the community had less power and authority with local boards than with their previous community council. Participants discussed a more shared working relationship between Aboriginal people and staff from their previous community council.

Are local boards meeting?

During the field work period, it became obvious that many local board meetings, particularly in the Central Desert Shire, are not meeting because they do not achieve a quorum on the scheduled meeting date. There is a necessity within the Local Government Act to achieve a quorum for local board meetings to take place and this is also considered good governance practise. According to the minutes posted on the MacDonnell and Central Desert shire websites, Table 3 indicates the meetings that have taken place in each of the survey communities.

Table 3: Meeting schedule comparisons

<table>
<thead>
<tr>
<th>Community</th>
<th>Shire</th>
<th>Schedule meetings in 2009</th>
<th>Number of minuted meetings (as per Shire websites)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utju</td>
<td>MacDonnell</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Titjikala</td>
<td>MacDonnell</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Mutitjulu</td>
<td>MacDonnell</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>Atitjere</td>
<td>Central Desert</td>
<td>12</td>
<td>4</td>
</tr>
<tr>
<td>Yuendumu</td>
<td>Central Desert</td>
<td>12</td>
<td>2</td>
</tr>
<tr>
<td>Willowra</td>
<td>Central Desert</td>
<td>12</td>
<td>2</td>
</tr>
</tbody>
</table>
In three out six communities, Utju, Mutitjulu, Atitjere and Titjikala, local board meeting took place as scheduled and could therefore be observed during the fieldwork time. In Yuendumu, they did not achieve a quorum and in Willowra, the meeting date was changed to a few weeks later (at short notice). In the observed meetings, researchers found that the process for meetings was very procedural (agenda, resolutions, and quorum), and that this appears to be at odds with the informal set up of the group and the lack of decision making powers.

At the time of the fieldwork, the Yuendumu local board had not had a meeting in the past eight months and at the fieldwork time only two local board members (plus the Shire deputy chair) showed up for the scheduled meeting at Yuendumu. Willowra has had more recent meetings in the last couple of months. Atitjere had has several meetings. Comments included:

> Sometimes we don’t get quorum in the local advisory board meeting. That makes it hard for us to continue working on things. (Willowra)

> Last LAB was cancelled, one before that just had quorum. When the last LAB was supposed to be on, fellas were mustering. (Atitjere)

The local boards all met in MacDonnell Shire during the fieldwork period and on the scheduled day. This could perhaps be considered an improvement on Central Desert Shire’s record of meetings; although MacDonnell Shire’s local board schedules do not met as frequently as Central Desert Shire’s scheduled local board meeting. Further, it should be noted that two out of three only just achieved quorum to go ahead and that this quorum was achieved by including elected members of the shire ward in the quorum, who may not necessarily be local community members. In addition, in two meetings in the MacDonnell Shire, shire staff described the process of nomination with local board members. Staff encouraged any community member to come to a meeting and nominate for the local board without necessarily a community discussion process.
In addition, several focus groups with local board members noted that they did not want to stay on the local boards. People indicated work as a conflict and others indicated the genuine lack of community involvement and disempowerment felt by being a member of the local board.

Process of local board meeting
The local board meeting procedures were discussed with focus groups and people raised concerns over the formality of the settings. We observed that the local board meetings consist of a formalised set agenda, run by the chair and closely watched by several shire staff. From our observations and in discussions, the setting for local board meetings was intimidating for members and did not generate flowing conversation and participation for local board participants. This appears at odds with the actual function of the local boards which is to advise on community matters and priorities.

Focus group discussion participants expressed concern over the meeting procedures and the way meetings were run. Comments from the focus group sessions included:

"I’ve been on the local board but I gave it up because nobody is really listening to what we trying to say and do, what we want for this community. If you miss two local board meetings without an explanation you are automatically off it. I think I am off the board now, because I’ve missed out a couple now, but I didn’t really want to be on it because it was just going the wrong way." (Atitjere)

Participants made recommendations including:

- Shire and LAB should listen to elders and Traditional owners
- Chairperson should be recognised as having the role of running the meeting
• Community and LAB should determine the agenda
• Aboriginal people and shire staff should be working together

Payment for attendance at local board meetings
Frequently, the issue of payment or catering for meetings (in terms of provision of lunch) for attendance at local board meetings was an issue. Comments from local board participants reflected on the previous community council where people were paid and recognised for the job they were doing. Comments included:

*Meeting wiya [no]. Money wiya [no]. Before we use to get paid for the job we did as a Councillor. (Utju)*

*In council days people got sitting fees, no sitting fees now for the local board meetings.*

*You have to have lunch at the meetings. The shire says it’s just an ordinary board meeting and there is no money. (Mutitjulu)*

The issue was not just lack of payment for local board members, but an inconsistency in payment. In a number of cases, it appears that local board members who are employees of shire are paid to attend meetings, shire staff who are visitors are paid to attend meetings and shire councillors are paid to attend meetings. However, local board members who are not employed with the shires are not receiving payment for their attendance at meetings. Whilst it may not necessarily be a sitting fee, the payment of employees whilst attending a local board meeting, creates an unequitable divide and appears at odds with the ‘unpaid positions’ stipulated in the Local Government Act (section 51.3).

Local boards and community working with the shire
Discussions with focus groups on how community issues are fed from the community to shire, or from the local board to shire revealed
some concerns of residents over the shire responsive to issues and concerns. Comments included:

*Don’t know what is going on. The community doesn’t get much service.* (Willowra)

*Don’t know how the local advisory works with the shire. We have bought up lights on the oval, taps, basketball lights, speed bumps to the meetings but nothing happened. They say we will get back to you. There’s no feedback, they say they’re too busy. Some things you bring up with go on the next meeting. Things go to council and they say they will report back to us.* (Willowra)

*Frustrating. Feel you say what you want to say [at the meeting] but nothing happens.* (Willowra)

The fact that the differing schedules between local board meetings and shire meetings schedule in some ways explains the limited response people obtain from their shire. Also, the fact that people were raising operational issues around (lack of housing maintenance, etc), also suggest the fundamental issues with roles of the local boards.

There was much discussion across focus groups on the community ability to work with the shires and responsiveness of the shires to community requests. Generally, all communities felt improvements need to be made on two basic levels: stronger relationships between local boards and shire council, and more responsive shire staff to community requests. Complaints during focus groups tended to include:

*Houses were getting fixed more quickly under the community council.
A lot of stoves no good.* (Mutitjulu)

*We use to win Tidy Towns. Now we don’t even have a rubbish collection.*
There needs to be more jobs for people in the community. (Atitjere)

There is no firewood collection anymore. This is really hard in winter especially for old people. (Mutitjulu)

The establishment of the shires is relatively new and any criticism of their delivery of services therefore needs to take into consideration the fact that they are still establishing procedures and processes for service delivery across their vast region.

Strength of local boards in comparison to previous community council

The research findings have already drawn out particular comparisons between the local boards and the community councils that relate to representation and role and function. Throughout focus group session, participants frequently reverted back to discussing how the situation was previous to the shires. Participants argued the following:

Used to be Anangu [Aboriginal people] and white fellas working together. I was a councillor before. Anangu and white fellas worked together, they were level in that council. (Utju)

Everyone in the council use to talk. There’s lots of white people in the meeting now. Make me shamed, feel no good. I don’t feel like talking. I am a bit shy. (Utju)

We have nothing to stand-on. Nowhere to go and look for any support. We used to make decisions here. We had things moving. At least we got the government to hear what we were asking for. (Yuendumu)

The participants of focus groups felt that the local boards were less representative, had less authority, less decision making power and less resolution of community issues than the previous community
councils. The difficulties and lack of relationships between shire staff and Aboriginal people was often a point of comparison. In all but one community (Atitjere) a new Shire Service Manager had replaced a previous CEO.

Role of local boards

Key findings

1. There is a general lack of awareness, both amongst community members and local board members, on the role of local board members and local boards.

2. There is a lack of consistency regarding issues the local boards can discuss. Focus group participants felt the topics discussion at local boards were restrictive in comparison to the issues community council discussed and worked on. Participants in some communities noted the fact of not knowing budget/funding for the community.

3. Focus group participants described having less community meetings since the shires were in place than previously and this was linked with concerns that there is less knowledge about what is happening on their community than before.

Awareness of local boards

Across all meetings, local board members and community members were confused about the role of local boards and their members.

*Only some people understand the local advisory board. I don’t know what the shire is or what the job is. Nobody knows what the job is to be on the local advisory board in the community.*

(Mutitjulu)

The new structure and rules has not easily replaced the role community councils and people are confused the different structures and processes.
In the MacDonnell Shire at the time of fieldwork, this confusion was also compounded with the release of the code of conduct. Comments from LB members included:

*Its different way now – run by rules.* (Titjikala)

The rules they put up, like the code of conduct, block us. This is a brick wall for speaking up strong. So maybe when there is a concern for staffing at the Shire you can’t talk up now about it. It’s not allowed under the code of conduct. It has never been mentioned properly to us in language. We asked for it to be interpreted but it wasn’t. There was a governance workshop at Ross River and it wasn’t explained. Through language we can understand hard words and numbers. They didn’t go through it slowly and explain it carefully. We need more training. We need more practice. (Titjikala)

They had the poster on display at the meeting. But it is all in English and difficult for us to understand. (Utju)

**Issues included in discussion at local board meetings**

In discussions with senior officers of both the shires, the Shires staff explained that they want to ensure that their business is the focus of local board meetings. The local boards are a forum for shires to engage with the community, not government departments or other institutions. It is also acknowledged that the shires are resourcing and providing administrative assistance associated with meetings. However, the scope of issues and agenda items was a source of frustration for participants in the focus groups. In discussing this, the focus group participants drew on their experiences of community council, who they described as playing an active role across the community in discussing broad community issues including education, health and other community priorities. Comments included:

*It’s hard for us to talk about the things we want for our community now. All those things that are important to people: housing,
school, jobs for our young people. That was the council work.  
(Atitjere)

The issue of housing at Utju is an example of contrast between what can and can’t be discussed at local board meeting. At the local board meeting in July residents requested to discuss housing allocation, maintenance and other housing issues in the community. This was recorded in the minutes as:

*That Shire writes to Regional Ex Director of Territory Housing to ask that two representatives come to discuss housing; specifically Territory housing rental issues plus SIHIP and that they attend an informal LB meeting as soon as possible. (MacDonnell Shire 2009: 4)*

At the subsequent meeting in November that we attended during the fieldwork period, shire staff reported back that the community would need to organise an ‘informal meeting’ to talk with Territory Housing because it was not shire business and should not be discussed during formal board meetings. This confused and frustrated the Utju local board members, and after the meeting and during the focus group made the following statements:

*Housing is the main issue we face at this community. Today we were told we can’t talk about housing at the local boards. They say organise another meeting. What other meeting? We need things fixed now. (Utju)*

*When people break things, like doors and windows, the council use to fix it straight away. But with the shire you have to wait. I don’t know why I can’t bring this up as local board member. (Utju)*

*You know the council spent a lot of time on housing in our meetings. They talked about who was living in what house, what new houses were needed, what were the housing problems. Now with the board, we are lost. (Utju)*
Utju local board members felt confused about the options for discussing housing, an extremely important topic to them and the community. There appeared to be no knowledge within the community of Territory Housing initiating a Housing Reference Group. Worse still, was that in subsequent fieldwork in Titjikala, the local board members met with Territory Housing staff during the local board meeting. In the exact same shire, the rules are different across local boards. The inconsistency in what can be discussed and who can attend as visitors is different across the local boards. It is also not consistent with what issues people thought they should be advising shire council. This continues to be an increasing source of frustration for people grappling with the new shires.

When focus group participants were asked, what the local board should be discussing and working on, the responses were almost immediate:

*Local boards should be involved in everything. Everything that is happening in the community. They should get involved in childcare, art centre, and housing – all the things that are important to Anangu. (Utju)*

*Anangu should have more say in the agenda. What we need to talk about. Any other business so other community issues can be discussed. (Mutitjulu)*

The focus group discussed the missing link in having a place within their community to discuss all the issues that they consider priorities. The local boards are not filling the role that the community members perceived they should be. We note that Central Desert shire has policy which states that the local boards provide ‘strategic rather than operational’ advice. It was however discussed within focus groups session that the very types of things people want to be involved in decision making on cross from operational to strategic, and include:
- Housing repairs and maintenance
- Employment and review of local shire staff
- Employment of young people in the community
- Firewood collection
- Sport facilities: basketball courts, lighting for ovals

This also included a lack of knowledge on the budget and financial situation for the community. In comparison to the perceived role of what their previous community council played. Comments included:

> It [council] was a body that would sort out all our problems. We use to know how money was spent. Now the money story is gone. We don’t know what money is for here. (Utju)

The issues that local board members can be involved in and have a say during their local boards meeting is core reason for lack of engagement an participation in local board processes. If communities are solely dealing with issues that fall outside of their priorities and feel that they are not able to discuss matters that are important to them, than they are going to start ‘voting with their feet’. That is, that local board participation or more formally obtaining quorums will continue to be an upward battle for those in charge of organising and facilitating meetings.

Local boards facilitating community meetings

The lack of engagement is further pronounced by the fact that the participants assessed a reduced number of community meetings occurring on their communities. Across many focus groups in communities, people discussed the lack of communities meetings that now take place in the community. The participants of focus groups were concerned both that the community members weren’t getting together to discuss and prioritise community issues and that there was less of understanding of what was going on in the community by those working or visiting the communities.
Having a community council and community meetings is the proper way to do things. That doesn’t happen anymore. (Mutitjulu)

Before we always had a community meeting to explain what was said and put it before the people. There are less community meetings now that before. (Titjikala)

This might be perceived as at odds with others describe as communities in ‘meeting fatigue’.

The previous role of community councils in generating community discussion forums and meetings is missed across communities and adds to anger and distrust of new structures. The comments on community meetings were:

If it was a community issue and we had a meeting to discuss everything, disputes and violence on the community among family members and sorted out that particular problem that way. That worked, that worked really well. That was the power in the traditional way, the traditional owners as a group no say in this new thing. (Yuendumu)

Less community meetings now. Nobody is interested in meetings anymore. People just walk away. Before all the changes people were interested. (Mutitjulu)

It might be stated that communities should be organising their own community meetings, but institutional structures, such as women’s centres, shire councils, stores, commonly play an important role in facilitating and mediating meetings and additionally are able to respond if they are a part of such meetings.
Future recommendations for improving local boards

Key findings

1. All communities wanted to see local board members paid to attend meetings and given decision making responsibilities.

2. Many communities members wanted the community to meet before local board meetings so that they had opportunity to discuss community issues.

3. Members from MacDonnell Shire communities thought that the local boards were not meeting often enough. Communities in Central Desert Shire also noted that there were not enough meetings, but this was more related to quorum than scheduling of meetings.

3. Three communities recommended that training for the local board members including governance, public speaking and minute taking.

4. Local board members from all communities wanted more of say regarding the local board agenda.

5. All communities wanted to see the shire report back more frequently to communities on issues raised by local board and community members.

There was an array of suggestions across the focus group discussions for improving local board procedures and meeting processes. Generally, this was obtained through a discussion that generated a list of recommendations. In addition, the discussion often went further to look more broadly at the issues of community governance. The following table provides a list of recommendations across each of the community.
Table 4: Suggestions of improving the local boards

<table>
<thead>
<tr>
<th>COMMUNITY</th>
<th>IMPROVING THE LOCAL BOARDS</th>
</tr>
</thead>
</table>
| UTJU      | Board members should be paid to attend meetings  
Lunch should be provided  
Community and shire should be working more closely together  
Should be more jobs for young people  
Community should be involved in the agenda  
There should be less shire staff at the meetings  
The shire should listen to us and respond to our request |
| TITJIKALA | Sitting fees for board members  
Anangu should have more say about the agenda e.g. any other business so other local people not on the board can also talk  
Should have lunch at every board meeting  
Need more strong people  
Proper training for local advisory board members |
| MUTITJULU | There needs to be more jobs for people in the community  
The shire should report back to the community  
You should ask people first if they want to be on the local advisory board  
There should be more local advisory board meetings – they don’t meet very often and there are always different Anangu on them  
Need training for people on the local advisory boards  
Need cross cultural training for new shire staff  
We would like to see windbreaks for old people  
We need waru (firewood)  
Mutitjulu should set up a steering committee of the main Anangu here to talk about problems. For Anangu to get land for Mutitjulu. |
<table>
<thead>
<tr>
<th>COMMUNITY</th>
<th>IMPROVING THE LOCAL BOARDS</th>
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</table>
| WILLOWRA | Whole community should be meeting before the local advisory board meeting and go through the elders and traditional owners first  
We would like to see young people on the local advisory board  
We want young people to be more involved in everything  
We would like to have men on the local advisory board  
We should have a community meeting to pick the local advisory board members and put up notices first  
We need: more houses, women’s centre, old people program, more jobs, more room in the store, art and crafts space, street lights and parks, bitumen road to the Stuart Highway, need big water tanks  
We should have a meeting with Ali Curung to talk about fixing the road between Willowra and here and put water tanks in along the way especially so we can use Jarra Jarra outstation  
Shire and local advisory board should listen to elders and traditional owners  
We want the bilingual program bought back to the school.  
Nobody is looking at our 5 year plan  
Government is only looking at the larger communities, not the small ones. They are just putting us to the side  
For the future we would like this community to grow  
The community should still keep going – don’t let them walk all over us |
| YUENDUMU | Bring the Racial Discrimination Act back, give rights back to Aboriginal people  
Involve more young people in decision making  
Run our own government  
‘We need the voice and power from each one of us’  
We need to know what is going on |
Many of the suggestions in the table are specific to community, including particular aspects of service delivery. There are some findings that are across all (or at least the majority) of communities. This includes the following recommendations:

- Payment for attending meetings
- More training for local board members
- Employment of Aboriginal community members, and particularly young people, within the shire
- Community having more say in issues affecting them

Additionally, across the fieldwork there was a range of good suggestions for improving local board processes. Particularly, Willowra’s suggestion that the community should meet before local board meetings and Utju’s suggestion that the community should be involved in developing the agenda. Such issues and suggestions warrant further investigation and/or trial across communities. Finally, the issues raised on community service delivery whilst outside the scope of this report, also warrant further investigation.
5. Overall findings and conclusion

The following presents a summary of some key overall findings from the research. This includes some discussion of governance with the current policy context. This is followed by some closing remarks that address the awareness and engagement of communities in the governance of their communities. Lastly, the conclusion draws out some major findings and presents suggestions for further investigation.

Policy context of remote communities

The findings need to be read in light of other policy changes that are having an enormous effect on communities. The past few years has seen large policy restructures and change within both the NT and Australian governments. These policy changes have altered the landscape in which community governance operates, as well as having a direct impact on the leadership and general capacity of remote residents to govern their own communities.

Most significantly, the Northern Territory Emergency Response included a range of measures that have impacted on almost all aspects of Aboriginal people’s lives. In regards particularly to community governance, the NTER legislation and measures:

- Gave powers to Minister to alter funding arrangements, direct how services are to be provided, seize community assets (including community stores), and sack community councils.
- Put in place compulsory five year leases on major remote communities on Aboriginal land and Community Living Areas, and allowing the Australian government to unilaterally grant rights and interests within communities.
- Required community stores to be licensed to receive income management.
- Employed Government Business Managers in most large remote communities to oversee NTER roll out and who report directly to the Commonwealth.
The Central Land Council (2008) found that many community members argue that the NTER processes ignored or undermined existing good governance practises and/or community projects that were operating at the local level. This included such things as communities determining their own alcohol restrictions and initiating their own valuable CDEP activities.

The NTER review board’s report (2008) reasserts similar findings to the CLC’s report and in doing so, they argue “that you cannot drive change into a community and unload it off the back of a track” (Yu et al. 2009: 58). They present six recommendations on governance, agree making and capacity building that essentially make a case for a more community driven approach to be adopted by governments as a part of the NTER processes. They also questioned the local government reform particularly whether the local boards would be seen as legitimate Aboriginal representative bodies (Yu et al. 2008: 55-56).

Housing services, as identified as a critical issue in focus group discussions, is one area that exemplifies the direct lack of decision making at the local level. It is important to reflect that housing services to remote NT communities has largely been driven by an Australian Government policy which replaced Indigenous Community Housing Organisation in favour of a public housing model and underpinned by ‘secure land tenure’ (see Terrill 2009). The move to a public housing model (Territory Housing) was possible through both creation of five year leases (and associated tenure changes) and the removal of community councils, as most community councils were previously the Indigenous Community Housing Organisations (ICHOs) in the NT. Community residents are no longer engaged in decision making on housing, tenancy related issues, rent models or others. In some cases, such as Utju, the community members are not even engaged in advisory role either through the local board or the establishment of a Housing Reference Group.

The change from local decision making on services to regional decision making and the change to community members playing
only an advisory role is being recognised in government at least in terms of lack of community governance capacity. Most recently, the Coordinator-General’s six monthly report on COAG’s remote service delivery implementation highlighted significant concerns around governance capacity of the 29 prioritised communities, including specifically identifying concerns with nine communities in the NT (2009: 94). The Coordinator—General argues that “sustained governance and leadership training that is tailored to the needs of individual communities is needed as a matter of priority” (2009:94). The Coordinator-General’s report clearly identifies the government’s issues with rolling out policy and programs in remote communities because of the lack of governance structures in remote communities, not only within the NT but across remote Australia. In addition to some broad overarching statements on the lack of local governance capacity, structures and leadership, the Coordinator-General recommends that in the NT both governments work (2009: 110):

…with local shires to accelerate the roll out of Local Area Boards in the priority communities and ensuring they are properly resourced, informed and effective in advising on decisions associated with local government matters in these communities.

Perhaps, governments are now recognising that by concentrating their resources into building their own ‘local interface’ or ‘government one-stop shop’ in communities, they have ignored, and in doing so, undermined and threatened the local structures and decision making that could have been supported (Sullivan 2010). We would caution government against thinking that additional resources and governance support is all that is required to develop the effectiveness of local boards and more generally, community governance. Whilst, these matters are important, improved governance can only be achieved within structures that have local support and ownership (Yu et al. 2009; Dodson and Smith 2003) and that actually allow the community members to ‘govern’ their own communities. The results of this report suggest that one of the main tensions of local board structures is the lack of legitimacy, authority and representation in the eyes of Aboriginal community members.
Community awareness of the governance changes

It is clear from the research that people are frustrated with not understanding the changes and not having access to clear and concise information about the changes. Elvin (2009) previously found that despite an effort by the NT Government in developing communication strategies in the reform process, many residents within two months of the reform implementation did not know what a shire was or implications for losing their councils and gaining a local board. This appears still to be the case, 18 months into the reforms. Many people described not being able to see a place in the new structures for Aboriginal people. This in combination with the lack of acknowledgement of and commitment to work with Aboriginal people’s knowledge and expertise is problematic for future community planning and development. There continues to be real uncertainty for community members about their shires, particularly for those community members less involved in the local boards or shire council.

People’s limited understanding of the new structures has meant that many people (including the members) do not attend local advisory board meetings, there is no consistency in members of local boards, people remain unclear on the selection of board members and people do not have any input into the agenda. There was a general apathy towards attendance because of the lack of involvement of Aboriginal people in meetings, in setting the agenda and participating in community issues. This is generally not because there is a lack of interest in their community, but it is primarily due to a lack of real engagement with community residents. This lack of involvement is driving the poor outcomes of meeting quorums, meeting resolutions/decision and compounding the lack of transparency between the local board recommendations that require shire council’s decisions.

The implementation of shires and local boards has reduced decision making on communities or at the local level, and as consequence led to a reduced actual governance capacity on communities. As
Hunt and Smith (2006: x) have stated previously, governance needs to:

.. be a process that actively strengthens Indigenous decision-making and control over their core institutions, goals and identity, and that enhances cultural match and legitimacy.

Further, Hunt and Smith remind (2007: xvi) us, in a successive report, that real decision making authority is critical to supporting and building capacity in the governance of Indigenous communities. The local government reform (along with other policy shifts, such as NT Emergency Response) has in fact withdrawn rather than strengthened local Indigenous decision making and in doing so, has been a core driver in the disengagement of people from their own community development priorities.

Community engagement in community governance
The research reveals a story of poor community engagement across six communities. In general, the research found that communities are not happy with the imposed structure of local boards and that people are upset that the community voice has been lost through the amalgamation of their community councils into shires. These sentiments were reflected by both local board members and other community residents who participated in the focus groups sessions. There was no strong opposition to these sentiments, although Titjikala residents suggested that they are attempting to make the system work for them. Some could argue that community members may have provided a different assessment if the interviews had occurred one-on-one, but the research team believes that the opinions were so strongly supported in focus group sessions that there would be little difference using another method.

Perhaps this finding is not particularly startling, despite an investment by the NT Government into community consultations before implementation of reform, the reform never reflected community
priorities or put effort in strengthening existing governance capacities or structures. As Sullivan (2010) highlights, there is longstanding concern from Aboriginal people on being consulted rather than engaged in decision making. Community members weren’t happy with the reform before it was implemented, the consultations did little to respond to concerns or make significant changes to the overall policy agenda and as such, the disappointment continues today. You could argue that maybe this will change with time and as people settle into the new arrangements. There would be some value in reviewing the findings of this research again and/or extending the number of communities surveyed, so that the findings can be compared amongst other communities or longitudinally over time.

At present however there appears to be a disproportionately low level of real engagement, despite an increasing number of committees and boards being initiated. This not only includes the local boards, but other groups being set up so government can ‘consult’ with the community. These include the Housing Reference Group, LIP Local reference group, school boards and others. It is likely that the removal of a resourced and elected community council with financial delegations and power has been a trigger for the increasing amount of community ‘consultation’ groups being initiated by differing levels of government. It is exactly this move away from decision making to consultation that is the issue and is the reason that local boards may never really get much support from the community residents.

Conclusions
Local boards are playing a small and mostly insignificant role in governing of their communities. The perspective of community members is that they appear not to have replaced community councils in a significant and powerful way, so as to ensure that community representation continues to be heard through local government processes. Most notably, there appears to be a range of deficiencies and gaps in what issues local boards are encouraged to focus on as opposed to the priorities of the community. In some cases, it appears that members are voting with their feet, and that
quorums and meetings are difficult to achieve and to sustain. This in combination with highly structured board meetings: including formalised agenda, lengthy periods of time devoted to staff reporting and significant involvement of senior staff, appear at odds with the fact that the boards are only advisory and have no financial delegation. The lack of involvement of local people in decision making, and the limited community awareness of the changes, has created on-going sentiments of mistrust, anger and hurt within the community of the new governance arrangements. You could of course argue that this was inevitable, take a local agency away from the community replace it with a regional decision making structure, and there is bound to negative impact in the first instance. But, the question is have we lost a way of doing business that cannot be replaced by the new shire and local boards?

As was observed in the fieldwork, the issues surrounding the performance of local boards need to be viewed within a context of the changing policy and governance landscapes of remote communities. In recent years there has been a move away from building the capacity of local governance on communities to building government in communities, including instituting Government Business Managers into communities, ‘local interfaces’, and resurrecting greater control of Australian and NT government at the local level. All of this has impacted on engagement levels of community and as focus groups participants articulated the ‘self-determination’ of community people.

By and large, the research has found that community members’ main issues are with structural and procedural elements of local boards directed under the Local Government Act. There is a need to realign and reassert some energy into developing governance structures in remote Indigenous communities that are more strategic and better aligned with community priorities. There is also some need to invest energy into developing structures and systems within all levels of government that allow particular decisions to be devolved to the local level, so that communities have a role within the decision making structure. There are some options available to challenging the current system in place across communities. One
option is the removal of local boards replaced with a community entity that has increased decision making power and authority and its own discretionary funds to drive community developed programs and projects. The other alternative is to strengthen the existing local board structure, by increasing the scope of work, role and functioning of local boards so that it is more aligned with community issues. The later may also involve shires giving greater consideration to decisions that should be devolved to local boards. The options for improving community governance structures is an area for future investigation and vital if we are to achieve significant changes in remote community development.


