

# East Arnhem Local Decision-Making Workshop Northern Territory Government Agencies

## FINAL SUMMARY REPORT

11<sup>th</sup> September 2018



**East Arnhem LDM Workshop Summary Report prepared by:**

**Ben Laidlaw**

Senior Consultant  
ARDS Aboriginal Corporation

**Prepared for:**

**Mr Jim Rogers**

Regional Executive Director – East Arnhem  
Nhulunbuy Regional Office  
Department of the Chief Minister, NT Government

Telephone (08) 8987 0536  
E-mail [Jim.Rogers@nt.gov.au](mailto:Jim.Rogers@nt.gov.au)

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# 1. Introduction

In July 2017, the NT Government hosted several workshops with key East Arnhem Government and Non-Government community stakeholders to provide background information on the Government's LDM agenda and commence early discussions to consider what this could potentially look like in practice across the East Arnhem region.

It was communicated to all workshop attendees at the time that this was to be the first step in a longer journey and that the NT Government envisages broader sessions also to be held with local communities as part of the future engage process.

The East Arnhem Strategic Coordination Group (SCG) at its most recent meetings proposed the convening of workshops to continue progressing these early discussions and to develop agreed next steps for developing and implementing a Local Decision-Making (LDM) Framework for the region.

It was proposed that two separate workshops be conducted on 10<sup>th</sup> and 11<sup>th</sup> September 2018.

The attendees for the first workshop on 10<sup>th</sup> September will comprise of regional Aboriginal controlled organisations, all three tiers of Government, the Northern Land Council and APONT. A senior representative and key board members or Yolngu leaders will be invited to attend the workshop and contribute to this important discussion.

The proposed key themes to be discussed at the workshop included:

- Overview of the NT Government's commitment to Local Decision Making and transitions to community control over the next 10 years including work to date and proposed next steps (to be further developed from the workshop);
- Overview of the Department of the Prime Minister and Cabinet's place-based framework and the approach to implementation in the region;
- Input and discussion by regional stakeholder organisations about approaches to local and regional engagement and decision making (eg. NLC, EARC, Miwatj, ALPA and ARDS);
- Regional and local coordination of services and how we can best work together, and settle if possible, an agreed coordination and collaboration framework;
- Broad discussion about Yolngu and Balanda governance systems and how they operate and interact at a regional level and local level and the approach to recognition, engagement and empowerment; and
- Agreement on possible next steps including consideration of a Statement of Commitment to describe how regional Government and Non-Government stakeholders work together and take a common approach to community engagement, priority setting and decision making in the Yolngu region.

The attendees for the second workshop on 11<sup>th</sup> September will comprise senior representatives of relevant NT Government agencies.

The purpose of this workshop is to allow Government personnel to reflect on feedback from Yolngu Directors and representatives of regional service providers from the previous day, discussing updates on current LDM activities across various agencies delivering services and supporting programs across East Arnhem region, review of LDM guiding principles and consideration of current risks and/or barriers to progressing LDM implementation across the region (including actions NT Government agencies can support to address these risks).

The following paper provides a summary report of the key discussions and feedback provided by workshop participants during the workshop.

## 2. Workshop Approach

In collaboration with the NT Government (Department of the Chief Minister), ARDS Aboriginal Corporation prepared workshop agendas and background communication materials for invited workshop participants.

The workshop agenda and copies of the previous LDM Workshop Summary Report (July 2017) were circulated to the workshop attendees has been included as a reference in Appendix 1 of this report.

ARDS Aboriginal Corporation provided joint facilitators, Ben Laidlaw and Gawura Wanambi (Vice Chair, ARDS and Yolngu Traditional Owner) to provide structure and guidance for the meeting.

A list of workshop attendees has been included in Appendix 2 for reference, however in summary, the following NT Government agencies were present:

- Departments of the Chief Minister (East Arnhem Regional Office)
- Department of the Chief Minister (LDM Project Team)
- Department of Education
- Territory Families
- Department of Housing and Community Development
- Department of Infrastructure Planning and Logistics
- Department of Health / Top End Health Service
- Department of Trade, Business and Innovation
- APO NT

The agenda for this workshop focussed on the following areas:

- Reflections on Yolngu Director feedback on Local Decision Making from previous day's workshop;
- NT Government Agency LDM updates on current activities;
- Understanding key risks and opportunities for LDM implementation;
- Review of LDM Guiding Principles to underpin successful implementation – including reference to Yolngu Director feedback; and
- Understanding next steps to continue engaging with key regional stakeholders to develop LDM Framework for the region.

### 3. Workshop Discussion & Outcomes

The following section provides a summary of key points and outcomes arising from discussions across the 2 days of workshops.

#### 3.1 Reflection on East Arnhem Government and Regional Service Provider Workshop

The opening session for this workshop dedicated time to reflect and discuss the workshop outcomes from the previous day. Specifically, the purpose of this session was to reflect on the feedback provided by Yolngu Directors and Councillors on LDM and how this related to traditional decision-making processes.

Some of the key reflections from NT Government representatives included the following:

- The workshop provided a good opportunity to listen to Yolngu Directors discuss the processes of traditional decision making that have existed for many years and the challenges/impacts that have arisen as a result of many Government changes over time;
- Whilst many of these changes were described as having had a negative impact through issues such as potential dividing of the local community and families, it is a positive that Yolngu express positive support for the LDM process and see this as an opportunity 'get it right' and ensure communities do assume greater control of decisions that impact their community;
- A strong message was expressed by Yolngu about speaking with "One Voice" as "One Nation" recommending that more work is required to work with Yolngu to identify existing traditional decision-making structures and explore ways these can be better utilised to support Government engagement and decision-making processes;
- It was identified that as an example to the point above... there are presently a significant number of Reference Groups across several agencies in each community with each of these having different approaches to determining membership – these are time consuming, resource intensive, do not always achieve the appropriate representation for decisions or even input into decision-making;
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- Concern expressed that there is not always the cultural capability available within Government agencies to effectively engage with the 'correct' people within a community;
- Some agencies engage interpreters to assist with engagement processes however there is not always resources available for this and at times the engagement required does not align with the formal methodologies used for interpretation;
- Understanding that when looking at LDM for the East Arnhem region there is likely to be place-based approaches required for each community – what does this look like and how is this developed to ensure a consistent approach across multiple agencies?
- Need to seek opportunities to reduce the complexities of structures introduced by Government over many years – referred to terminology in workshop the prior day "trimming the branches of the tree";
- Need to ensure that messaging and actions are not inconsistent when stating that LDM will work at the pace of the community – this was identified as a potential risk in that a community may need or want to take a longer period of time, but Government may want to see LDM outcomes sooner.

During this session Gawura Wanambi (ARDS Vice Chairperson) read a statement he had prepared recently describing traditional decision-making processes and the impact of changes implemented by Government over time. This statement was discussed at length and assisted in developing many of the above points in the discussion.

## 3.2 Local Decision-Making Updates – NTG Departments (East Arnhem Region)

NT Government department representatives provided a high-level summary of current LDM activities being undertaken by their own departments across East Arnhem region.

Updates included information about business as usual work, specific LDM strategies being considered and/or implemented, current engagement challenges, any success stories and upcoming focus areas.

The session also provided the opportunity to identify any common themes or work streams across departments in similar locations.

### **Department of Housing & Community Development**

- Focus of current activities is mostly related to the work being undertaken in consultation with communities to progress delivery of Remote Housing Program, including new builds, room to breathe etc;
- Ongoing work across DHCD /DIPL, including ABE Unit to support capacity building in communities to maximise local participation and benefit;
- Current community engagement activities are led by regional staff in collaboration and consultation with Housing Reference Groups (HRGs) and through identification of other traditional decision-making structures;
- It was noted that the membership of HRGs are determined through EOI process and the strength of the groups varies from community to community;
- LDM is assisting to focus department efforts on considering how existing community structures can be better utilised in the future and this is seen as a key opportunity;
- Working across communities and in most cases having to work towards different approaches within each continues to be an ongoing challenge for the remote housing program, particularly when determining who to speak to within the community on key housing issues.

### **Territory Families**

- Focus of current work is mostly related to child protection and how LDM can be utilised as an effective approach whilst managing expectations and recognising policy / legislation constraints;
- Some positive work progressing with Yolngu Reference Group, including role in case review (with appropriate permissions);
- One of the challenges experienced by Territory Families is how to recognise people's time / input.

### **Department of Education**

- Work progressing on Community Led Schools as the key long term LDM contribution with focus on areas such as staffing and bilingual education;
- Representative provided an update and summary of existing school – community engagement structures including School Councils, Parent Consultative Groups and other Committee structures;
- Some exploration of engagement models eg Nhulunbuy, to ensure local Aboriginal participation and input into School Council decision-making processes;

### **Department of Infrastructure, Planning & Logistics**

- Focus of current work on delivery of civil works programs in communities;
- Lands Right Act requirements for utilising Land Councils to support community engagement processes;
- DIPL has arrangements to support DIPL resource embedded within NLC and this has been a successful and effective means for improving engagement and assisting project delivery outcomes;
- Noted some language barriers when engaging on civil projects and consideration of future interpretive services to support process;
- Not presently harnessing medium to long term opportunities;
- Central Arnhem Road seen as a potential long-term strategic opportunity for local participation in business development, upgrade works and managing impacts;

**Department of Trade, Business & Innovation**

- Current engagement for East Arnhem is through engagement with REDC (East Arnhem) with next meeting focussing on Aboriginal Contracting;
- Key focus areas including future opportunities outside of mining sector, local employment and workforce development;
- Currently no Director role for regions;
- Communications is seen as an ongoing challenge.

**Department of Health / Top End Health Service**

- Local Decision-Making Vs Regionalisation;
- Focus on the transition of clinics to community controlled – top down decision to transition services originally driven by regionalisation but acknowledgement of some relevant LDM principles in the approach;
- Community engagement to inform which services will transition and how – some reservations for transition;
- Utilise Community Reference Groups for engagement processes;
- Limited capability of Health personnel to effectively engage and may require external expertise and support although limited specific transition funding for this work;
- Homelands is an area often raised and the need to consider implications for service delivery.

**Department of the Chief Minister**

- Focus currently on development of appropriate LDM platform for the region, including engagement with relevant stakeholders eg. LDM Regional Workshop;
- Coordination of the Strategic Coordination Group to provide insights and input into approach;
- Assisting to support an NTG joined up approach to consider opportunities across departments with engagement within the region;
- Development and delivery of cultural competency training (pilot program completed with consideration of other future rollout).

## 4. Local Decision-Making Implementation

### 4.1 Guiding Principles

Below is a summary list of the Guiding Principles (not listed in any particular order of priority) discussed across the two workshops and have been identified as critical to the successful implementation of LDM across the East Arnhem region:

- Yolngu are best placed to understand their community needs and priorities and therefore are also best placed to lead decision making processes through existing traditional decision-making structures... recognition of Yolngu Law;
- The local decision-making process should be looked at as a long-term approach – making decisions today that also consider the future aspirations of the community (just because a community is not ready right now does not mean they will never be ready);
- Acknowledgement that communities and their Aboriginal leadership are best placed to understand community needs and have ability to work with Government to develop and deliver local services that meet these needs;
- A recognition that each community is different... focus on local solutions for local priorities and not a one-size- fits-all approach;
- Recognition that for local decision making to be effective capability development needs to happen within Government (eg. understanding traditional community decision making structures, increasing cultural competence and considering alternative approach to fly-in/fly-out service delivery) and within community organisations (eg. effective governance and leadership, skills and service delivery capacity);
- Ensure appropriate community level involvement in the design, delivery and timeframes for LDM implementation;
- Challenge pre-conceived ideas or perceptions of community capacity based on people's previous experiences – focus on community strengths and future opportunities;
- Important to acknowledge what is already working well and building on this success – community led models;
- Effective use of Plain English and local languages where required to enhance effectiveness of Government communications;
- Government interagency coordination and collaboration prior to engagement to minimise potential confusion and/or conflicting programs and strategies, eg. Empowered Communities was raised as a potential issue if communications and engagement was not clear;
- Government investment decisions impacting delivery of services at a local level should include meaningful and respectful consultation with the community;
- Effective relationships and open two-way communication with community level decision making structures are seen to underpin all future discussions related to local decision making; and



## 4.2 Identification of LDM Risks

During the workshop NTG representatives reviewed the list of LDM risks previously identified in the workshop held in Nhulunbuy in 2017. During the workshop the list was updated with additional risk scenarios and current mitigation actions and perceived risk level.

Risk Area	Potential Risk Scenarios	Existing Mitigations	Risk Level (With Mitigations)
<b>LDM Policy &amp; Framework</b>	Change in LDM policy direction under current Government or as part of any change in Government may create frustration have a reputation impact for Government at regional and community levels. This also includes potential changes in key NTG senior agency personnel.	<ul style="list-style-type: none"> <li>Profiling of successful LDM outcomes;</li> <li>Demonstration of community support for LDM implementation;</li> <li>Buy-in from senior leadership across Government agencies;</li> </ul>	Medium
	Misalignment or conflicting policy messaging across the three levels of Government and/or by service providers may confuse communities and impact participation and community support.	<ul style="list-style-type: none"> <li>Australian Government included as LDM partner where appropriate;</li> <li>Proactive communications and engagement between different levels of Government to ensure alignment prior to community level engagement;</li> </ul>	Low - Medium
	Government agencies working in “silos” resulting in potential duplication of efforts, additional engagement costs, conflict between implementing LDM approach vs meeting department KPIs, inconsistent LDM messaging, consultation meeting fatigue for community members etc.	<ul style="list-style-type: none"> <li>Regular East Arnhem LDM Working Group meetings facilitated by DCM;</li> <li>Regular updates and sharing progress across departments;</li> <li>Potential signing of common set of LDM Guiding Principles for CEOs of each department – commitment to ensure current programs and services are delivered consistent with LDM principles, policy and framework;</li> <li>Involvement of senior NTG representatives in LDM regional workshops as required.</li> </ul>	Medium - High
	LDM scope is not well understood or effectively communicated early in the engagement process resulting misalignment and different expectations between Government and Community of LDM outcomes.	<ul style="list-style-type: none"> <li>Discuss with EA LDM Reference Group and develop clear messaging with regards to scope eg. in/out of scope of more related to flexibility and/or constraints in some areas.</li> </ul>	Low - Medium

Risk Area	Potential Risk Scenarios	Existing Mitigations	Risk Level (With Mitigations)
<b>Community Engagement Process</b>	LDM engagement is not seen to be genuine, respectful, open and transparent impacting level of trust and community support for the process.	<ul style="list-style-type: none"> <li>▪ Involvement of key East Arnhem regional organisations, including representation of Yolngu Directors in discussions;</li> <li>▪ Representation of senior NTG personnel from DCM, LDM Team and most relevant Government agencies for the region;</li> <li>▪ Early discussions and agreement on guiding principles;</li> <li>▪ Opportunity for Yolngu to lead early discussions and shape the look and feel of the LDM approach for the region;</li> <li>▪ Engagement of ARDS as a facilitator of the engagement process.</li> </ul>	<b>Low</b>
	Information provided during early engagement and consultation process creates false expectations impacting on level of trust in the LDM process.	<ul style="list-style-type: none"> <li>▪ Progress discussions at the pace of the region/community;</li> <li>▪ Under promise and over deliver;</li> <li>▪ Ensure that communications are clear, language appropriate with consistent messaging.</li> </ul>	Medium
	Cross-cultural language barriers and lack of a common and consistent LDM language for Government, regions, community and/or organisation may impact engagement process and could potentially create confusion and misunderstanding about LDM.	<ul style="list-style-type: none"> <li>▪ Engagement of organisations, eg. ARDS, to assist with facilitating early discussions;</li> <li>▪ Plain English and language translation of key LDM policy and framework documents;</li> <li>▪ Individual departments engaging interpreter services to support their engagement activities as appropriate;</li> <li>▪ Cultural competency training for Government personnel.</li> </ul>	Medium - High
	The design and implementation of the LDM regional and community level engagement approach is not developed from Yolngu input and direction impacting level of participation, who participates and community support of the process.	<ul style="list-style-type: none"> <li>▪ Establishment of EA LDM Reference Group – this group tasked with providing advice and guidance on the design of an appropriate LDM engagement approach, including efforts to remove complex structures and utilise existing traditional decision-making structures... “trimming the branches”</li> <li>▪ Input from other key senior Yolngu and/or other EA community-controlled organisations.</li> </ul>	Medium
	Timing and loss of momentum, including moving too quickly may impact level of participation and community support for the process.	<ul style="list-style-type: none"> <li>▪ Establishment of EA LDM Reference Group – this group will meet to develop a plan of next steps including timing as determined by Yolngu.</li> </ul>	Low

Risk Area	Potential Risk Scenarios	Existing Mitigations	Risk Level (With Mitigations)
<b>Government &amp; Community Capacity Building</b>	Without additional capacity building support for communities who do not have strong governance/organisational structures already in place may miss out or get left behind.	<ul style="list-style-type: none"> <li>EA LDM Reference Group will consider capacity building needs to support establishment of appropriate governance arrangements.</li> </ul>	Low - Medium
	Without sufficient capacity building within Government in areas such as, understanding traditional decision-making structures, cultural competency, effective engagement approaches, the benefits and outcomes of LDM may not be realised.	<ul style="list-style-type: none"> <li>Cultural competency training rollout;</li> <li>Involvement of key Government personnel in LDM discussions with Yolngu.</li> <li>Advice and direction from EA LDM Reference Group and other key Yolngu on traditional decision-making structures to support LDM engagement processes.</li> <li>Indigenous Government employees with strong cultural competencies and extensive knowledge of Yolngu region.</li> <li></li> </ul>	Medium
<b>Resourcing</b>	Without allocating appropriate level of resourcing and support, identified LDM regions, communities and/or organisations may struggle to establish the required governance arrangements and not be able to achieve the desired LDM outcomes.	<ul style="list-style-type: none"> <li>LDM resources budgeted (\$1M) to support establishment of governance arrangements and capacity building activities to support LDM regional/community implementation.</li> </ul>	Medium
	Under resourcing of agency LDM activities may impact the effectiveness of engagement and program outcomes.	<ul style="list-style-type: none"> <li>??</li> </ul>	Medium

### 4.3 Proposed Next Steps – East Arnhem LDM Statement of Commitment

In the final session of the workshop, attendees discussed the recommendation from the workshop on the previous day to progress the development of a Statement of Commitment to assist in directing an agreed approach for the next steps.

During this session, ARDS facilitators and DCM staff discussed the potential structure and purpose of this document.

Workshop attendees agreed that this was a positive next step and supported the approach.

### 4.4 Proposed Actions and Workshop Follow-up

The following actions are suggested as follow-up to the workshop session:

Step	Action	Timeline	Responsibility
1	Prepare LDM Workshop Summary Report and provide to DCM for circulation of draft report to NTG workshop attendees for feedback/comments;	Within 2 weeks of Workshop	ARDS / DCM
2	Incorporate any suggested changes/edits and re-submit final Workshop Summary Report to DCM for dissemination to workshop attendees;	Within 3 days of receiving all feedback	ARDS / DCM
3	Develop and circulate draft LDM East Arnhem Statement of Commitment to NT Government, Australian Government, EARC and key Regional Service Providers for review and comment.	Within 2 weeks of Workshop	ARDS
4	Incorporate any suggested changes/edits and forward final version of Statement of Commitment to signatories ahead of signing by each of the parties.	Within 3 days of receiving all feedback	ARDS
5	Plan for signatories to formally sign East Arnhem LDM Statement of Commitment.	TBC	NTG (DCM East Arnhem Regional Office)

## 5. Acknowledgement

ARDS Aboriginal Corporation would like to thank the NT Government for the opportunity to facilitate the recent East Arnhem LDM Workshops held in Nhulunbuy.

We understand that this is a very important step forward for the relationship between NE Arnhem communities and the NT Government.

## 6. Appendices

### 6.1 Appendix 1 – Workshop Agenda

Double-click on link below...



## 6.2 Appendix 2 – East Arnhem LDM Workshop Summary Report (July 2017)

Double-click on link below...



## 6.3 Appendix 3 – Workshop Attendance List

### TO BE UPDATED WITH FINAL LIST

NAME	ORGANISATION / NT GOVERNMENT DEPARTMENT
Ben Laidlaw (Facilitator)	ARDS Aboriginal Corporation
Gawura Wanambi	ARDS Aboriginal Corporation
Jim Rogers	NT Department of the Chief Minister (East Arnhem)
Bridgette Bellenger	NT Department of the Chief Minister (LDM Team)
Marina Wangurra	NT Department of the Chief Minister (East Arnhem)
Selina Holtze	NT Department of the Chief Minister (LDM Team)
Rob Picton	NT Department of Education
	NT Department of Health / Top End Health Service
	NT Department of Housing and Community Development
Stephanie Hawkins	NT Department of Housing and Community Development
	NT Department of Infrastructure, Planning and Logistics
	NT Department of Trade, Business & Innovation
	NT Territory Families
Wes Miller	APONT
Sarah	APONT

