



Mission

East Arnhem Regional Council is dedicated to promoting the power of people, protection of community and respect for cultural diversity in the East Arnhem Regional Council. It does this by forming partnerships, building community capacity, advocating for regional and local issues, maximising service effectiveness and linking people with information.

Core Values

Respect
Professionalism
Human Dignity
Organisational Growth
Equity
Community

MINUTES FOR THE SPECIAL MEETING

12 May 2021

OFFICIAL OPENING – 9:23AM

ATTENDANCE AND APOLOGIES

In Attendance:

The President, Kaye Thurlow in the Chair and Councillors Yananymul Mununggurr, Elliot Bara arrived at 9:25am, Gordon Walsh arrived at 9:27am, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirmal Marika

East Arnhem Regional Council Representative
Dale Keehne – CEO, Shane Marshall – Director Technical and Infrastructure Services,
Andrew Walsh – Director Community Development and Michael Freeman – Corporate Services Manager

Minute Taker – Candice O’Halloran – Acting Governance, Local Authorities and Communication Manager

Apologies:

ACCEPTANCE OF ATTENDANCES AND APOLOGISES

RESOLVED (Keith Lapulung Dhamarrandji/Yirmal Marika)

- a) Cr Djuwalpi Marika and Evelynna Dhamarrandji are absent from Council.
- b) Cr Evelynna Dhamarrandji has provided an verbal apology.
- c) Cr Evelynna Dhamarrandji and Djuwalpi Marika are absent from Council with permission.

For:

President Kaye Thurlow and Councillors Yananymul Mununggurr, Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirmal Marika

Against:

Nil

Cr Jason Mirritjawuy left the meeting, the time being 10:25 am

Cr Jason Mirritjawuy returned to the meeting, the time being 10:29 am

9.2 DECLARATION OF REGISTERED INTEREST REGISTER

SUMMARY:

Elected Members are required to disclose an interest in a matter under consideration by Council at a meeting of the Council or a meeting of a Council committee:

- 1) In the case of a matter featured in an officer’s report or written agenda item by disclosing the interest to the Council as soon as possible after the matter is raised.
- 2) In the case of a matter raised in general debate or by any means other than the printed

**MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN THE NHULUNBUY
OFFICE ON WEDNESDAY, 12 MAY 2021 AT 09:00AM**

agenda of the Council by disclosure as soon as possible after the matter is raised.

Under disclosure, a member has a conflict of interest in a question arising for decision by the Council, Local Board or Council Local Authority, or Committee if the member or an associate of the member has a personal or financial interest in how the question is decided.

GENERAL

Sections 73 and 74 (Elected Members) Local Government Act 2008.

REGISTER:

Member's Names/ Families Names	Relationships	Entity Name	Connection to Entity
Kaye Thurlow			
David Djalangi			
R Guywanga	Wife		
Kenisha Gumbula	Granddaughter	NAAJA	Employee
L Gumbula	Granddaughter		
Evelyna Dhamarrandji			
Geoffrey Gurwanawuy	Grandfather	Arnhem Land Progress Association	Director
Dassy Gondarra	Grandmother	Shepherdson College	CLO
Elliot Bara			
Steven Bara	Brother		
Keenan Bara	Cousin		
Gordon Walsh			
Gordon Walsh		Warningakalinga Aboriginal Corporation	General Manager /Director
Andrew Walsh	Son	EARC	Director Community Development
Marianne Walsh	Wife	Groote Eylandt Aboriginal Trust	Employee
Erin Walsh	Daughter In Law	Arnhem Land Progress Association - Community Development	Employee
Joe Djakala			
Keith Lapulung			

MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN THE NHULUNBUY
OFFICE ON WEDNESDAY, 12 MAY 2021 AT 09:00AM

		ALPA	Director
		Manpan Furniture	Chair
		Milingimbi School Council	Chair
		Gulka Milingimbi Hostel	Committee Member
		REM Committee	Board Member
		Gattjirrk Yolngu Aboriginal Corporation	Director
Jason Mirritjawuy			
		Arnhem Land Progress Association	Director
Wesley Bandi Wunungmurra			
Wesley Bandi Wunungmurra		Yolngu Business Enterprise (2)	Director
Micky Wunungmurra	Brother	Arnhem Land Progress Association	Director
Bobby Wunungmurra	Brother	Northern Land Council, LGANT, EARC	Director/Councillor
Bobby Wunungmurra			
Bobby Wunungmurra		LGANT, Northern Land Council	Director, Director
Micky Wunungmurra		Arnhem Land Progress Association	Director
Wesley Bandi Wunungmurra		Yolngu Business Enterprise (2), EARC	Director
Yananyumul Mununggurr			
		Laynhapuy Homelands Aboriginal Corporation	Director
		Gauybu Housing A.C	Director
		AHANT	Director
		Yothu Yindi Foundation	Director
		Northern Land Council	Director
		ABA	Committee Member
		Mikan (Dept. of Families)	Committee Member
Djuwalpi Marika			
		Northern Land Council	Director
		Rirratjingu Aboriginal Corporation	Director
		Miwatj Health	Director
		Yirrkala Housing	Director
		Alcohol Management	Director

MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN THE NHULUNBUY
OFFICE ON WEDNESDAY, 12 MAY 2021 AT 09:00AM

Yirrmal Marika			

RESOLVED (Elliot Bara/Jason Mirritjawuy)

That Council notes the Conflict of Interest and Related Parties Register and no Change is to be made, or Conflict of Interest declared.

For:

President Kaye Thurlow and Councillors Yananymul Mununggurr, Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirrmal Marika

Against:

Nil

Cr Bobby M Wunungmurra left the meeting, the time being 11:34 AM

Cr Bobby M Wunungmurra returned to the meeting, the time being 11:46 AM

Previous Council Minutes

4.1 UNCONFIRMED MINUTES OF THE COUNCIL MEETING HELD 30 APRIL 2021

RECOMMENDATION

That the minutes be taken as read and accepted as a true record of the Ordinary Council meeting held on 30 April 2021.

RESOLVED (Bobby M Wunungmurra/Wesley Bandi Wunungmurra)

That the minutes be taken as read and accepted as a true record of the Ordinary Council meeting held on 30 April 2021.

For:

President Kaye Thurlow and Councillors Yananymul Mununggurr, Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirrmal Marika

Against:

Nil

MINUTES OF LOCAL AUTHORITIES AND COUNCIL COMMITTEES

8.1 UNCONFIRMED MINUTES OF COUNCIL COMMITTEES

Council has two committees, the:

1. Finance Committee to approve financial reports in the months Council does not meet;
2. Audit Committee - provides advice to Council on Governance, Risk and Controls matters.

The Audit Committee met on 2 March 2021 and the Finance Committee met on 31 March

2021.

RESOLVED (Gordon Walsh/Bobby M Wunungmurra)

That the Council notes the Ordinary Minutes of the Audit Committee that met on 2 March 2021 and the Finance Committee that met on 31 March 2021.

For:

President Kaye Thurlow and Councillors Yananymul Mununggurr, Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirmal Marika

Against:

Nil

REPORTS OF OFFICERS

9.1 ELECTED MEMBERS ATTENDANCE

SUMMARY:

The role of Elected Members of Council is to:

- Represent the interests of all residents and ratepayers of the Council area.
- Provide leadership and guidance.
- Facilitate communication between the members of the council's constituency and the Council.
- To participate in the deliberations of the Council and its community activities.
- To ensure, as far as practicable, that the Council acts honestly, efficiently and appropriately in carrying out its statutory responsibilities.

There are 6 ordinary Council meetings each year and Councillors are required to attend as many as they can. If a Councillor is absent without permission from Council for 2 consecutive ordinary meetings of the Council then they cease to be a Councillor.

RESOLVED (Gordon Walsh/Bobby M Wunungmurra)

That Council notes the running attendance register for Elected Members 2020-2021.

For:

President Kaye Thurlow and Councillors Yananymul Mununggurr, Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirmal Marika

Against:

Nil

9.3 COUNCIL MEMBERS EXTRA MEETING ALLOWANCE 2020-2021

SUMMARY:

The EARC Extra Meeting Allowance Policy (19/08/2020 CO) states that the Council may

MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN THE NHULUNBUY
OFFICE ON WEDNESDAY, 12 MAY 2021 AT 09:00AM

resolve that an extra meeting allowance will be payable where an Elected Member is to represent Council in external meetings as an official representative. This report is for Council to determine which other meetings are approved for representation by Councillors.

RESOLVED (Yananyumul Mununggurr/Bobby M Wunungmurra)

That Council notes the Extra Meeting Allowance table above.

For:

President Kaye Thurlow and Councillors Yananyumul Mununggurr, Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirmal Marika

Against:

Nil

9.4 CEO REPORT

SUMMARY:

This is a report of the key broad matters for Council since the last report to the Ordinary Council Meeting, in addition to those covered in other parts of the pre-meeting sessions and Ordinary Council meeting agenda.

RESOLVED (David Djalangi/Bobby M Wunungmurra)

That Council notes the CEO report.

For:

President Kaye Thurlow and Councillors Yananyumul Mununggurr, Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirmal Marika

Against:

Nil

9.5 COMMUNITY DEVELOPMENT UPDATE

SUMMARY:

This report is to provide information on the progress, successes, challenges and future opportunities of the Council's Community Development Directorate.

RESOLVED (Bobby M Wunungmurra/Jason Mirritjawuy)

That Council:

- a) **Notes the Community Development Report.**
- b) **Writes to Minister Chansey Paech regarding the correspondence that confirmed the ceasing on the remote property, tenancy and trade contracts, and expresses our serious concerns and disappointment regards to the decision making process, according with the Northern Territory Government Local Decision Making policy and obligations under the National Partnership for Remote Housing Northern Territory.**

MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN THE NHULUNBUY
OFFICE ON WEDNESDAY, 12 MAY 2021 AT 09:00AM

For:

President Kaye Thurlow and Councillors Yananymul Mununggurr, Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirrmal Marika

Against:

Nil

MOTION – MORNING TEA 10:45AM

RESOLVED (Yirrmal Marika/Joe Djakala)

Adjournment of meeting for morning tea break for 10 mins.

For:

President Kaye Thurlow and Councillors Yananymul Mununggurr, Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirrmal Marika

Against:

Nil

MOTION – RETURN FROM MORNING TEA – 11:07AM

RESOLVED (Joe Djakala/Yirrmal Marika)

Resumption of meeting.

For:

President Kaye Thurlow and Councillors Yananymul Mununggurr, Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirrmal Marika

Against:

Nil

9.6 CORPORATE SERVICES REPORT

SUMMARY:

This report provides an update on Corporate Services matters and seeks endorsement on the utilisation of Special Measures recruitment.

RESOLVED (Keith Lapulung Dhamarrandji/Joe Djakala)

That Council:

- a) **Notes the update on Corporate Services matters.**
- b) **Endorses the use of Special Measures recruitment where appropriate.**

For:

MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN THE NHULUNBUY
OFFICE ON WEDNESDAY, 12 MAY 2021 AT 09:00AM

President Kaye Thurlow and Councillors Yananymul Mununggurr, Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirrmal Marika

Against:
Nil

9.7 FINANCE REPORT TO 30 APRIL 2021

SUMMARY:

To provide Council with the Financial Management Reports for the period ended 30 April 2021.

RESOLVED (Wesley Bandi Wunungmurra/Joe Djakala)

That Council receives the Financial Report to 30 April 2021.

For:

President Kaye Thurlow and Councillors Yananymul Mununggurr, Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirrmal Marika

Against:
Nil

9.8 ELECTIONS 2021

SUMMARY:

This report presents information on the 2021 Elections

RESOLVED (Bobby M Wunungmurra/David Djalangi)

That Council:

- (a) Notes the timetable for the 2021 election;**
- (b) Does endorse the EARC assisting with the election process by providing voting services in each community.**

For:

President Kaye Thurlow and Councillors Yananymul Mununggurr, Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirrmal Marika

Against:
Nil

MOTION – LUNCH AT 12:01PM

RESOLVED (Bobby M Wunungmurra/David Djalangi)

Adjournment of meeting for lunch for 1 hour.

MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN THE NHULUNBUY
OFFICE ON WEDNESDAY, 12 MAY 2021 AT 09:00AM

For:

President Kaye Thurlow and Councillors Yananymul Mununggurr, Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirrmal Marika

Against:
Nil

MOTION – RETURN FROM LUNCH AT 1:00PM

RESOLVED (Yirrmal Marika/Wesley Bandi Wunungmurra)

Resumption of meeting

For:

President Kaye Thurlow and Councillors Yananymul Mununggurr, Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirrmal Marika

Against:
Nil

9.10 LOCAL AUTHORITY ACTION LISTINGS FROM LA MEETINGS

SUMMARY:

This report provides a summary list of actions arising from Local Authority meetings in each of the East Arnhem Regional Council communities.

RESOLVED (Gordon Walsh/Wesley Bandi Wunungmurra)

That Council:

- (a) Endorses the actions included in the Local Authority Actions List as recommended by each Local Authority, or as amended.**
- (b) Approves the removal of completed actions and as recommended by each Local Authority.**

For:

President Kaye Thurlow and Councillors Yananymul Mununggurr, Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirrmal Marika

Against:
Nil

Cr Elliot Bara left the meeting, the time being 01:56 PM
Cr Yirrmal Marika left the meeting, the time being 1:30 PM
Cr Elliot Bara returned to the meeting, the time being 2:10 PM
Cr Yananymul Mununggurr left the meeting, the time being 02:10PM

MOTION – AFTERNOON TEA AT 2:36PM

RESOLVED (Joe Djakala/David Djalangi)

Adjournment of meeting for afternoon tea break for 15 mins.

For:

President Kaye Thurlow and Councillors Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirmal Marika

Against:

Nil

Cr Yirmal Marika returned to the meeting, the time being 2:55 PM

MOTION – RETURN FROM AFTERNOON TEA AT 2:55PM

RESOLVED (David Djalangi/Wesley Bandi Wunungmurra)

Resumption of meeting.

For:

President Kaye Thurlow and Councillors Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirmal Marika

Against:

Nil

DECISION TO MOVE TO CLOSED SESSION

RESOLVED (David Djalangi/Wesley Bandi Wunungmurra)

Members of the press and public be excluded from the meeting of the Closed Session and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld. This action is taken in accordance with Section 10A(s) of the Local Government Act, 2008 as the items lists come within the following provisions:-

For:

President Kaye Thurlow and Councillors Yananymul Mununggurr, Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirmal Marika

Against:

Nil

11.1 Council Engagement with Local Decision Making and Local, Regional & National Indigenous Voice Processes - *The report will be dealt with under Section 65(2), Regulation 8 (c)(iv) of the Local Government Act and Local Government (Administration) Regulations. It contains information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.*

**11.2 T20-203416.2
Gapuwiyak**

Mapurru New Culvert Installation - *The report will be dealt with under Section 65(2), Regulation 8 (c)(i) of the Local Government Act and Local Government (Administration) Regulations. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.*

11.3 T20-203416.3

Gapuwiyak Access Road Upgrades - *The report will be dealt with under Section 65(2), Regulation 8 (c)(i) of the Local Government Act and Local Government (Administration) Regulations. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.*

11.4 Fleet and Sales Result - *The report will be dealt with under Section 65(2), Regulation 8 (c)(i) of the Local Government Act and Local Government (Administration) Regulations. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.*

11.5 Confidential Correspondence Register - *The report will be dealt with under Section 65(2), Regulation 8 (c)(iv) of the Local Government Act and Local Government (Administration) Regulations. It contains information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.*

RESUMPTION OF MEETING

RESOLVED (Jason Mirritjawuy/Yirrmal Marika)

That the decisions of Closed Session be noted as follows:-

For:

President Kaye Thurlow and Councillors Yananymul Mununggurr, Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirrmal Marika

Against:

Nil

9.9 ANNUAL PLAN AND BUDGET 2021-22

SUMMARY:

This report provides an update on the Annual Plan timetable.

RESOLVED (Joe Djakala/Yirrmal Marika)

That Council:

- (a) Approves a timetable for 2021-22 Annual Plan of approving a draft on 23 June 2021, consulting 25 June – 16 July 2021, and adopting a final Annual Plan at a Special Meeting to be called for Friday 23 July 2021.**
- (b) Endorses a 2% increase in rates and refuse charges for consideration in the Draft Annual Plan 2021/22.**

For:

President Kaye Thurlow and Councillors Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe

MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN THE NHULUNBUY
OFFICE ON WEDNESDAY, 12 MAY 2021 AT 09:00AM

Djakala, Yirmal Marika

Against:
Nil

9.11 UNCONFIRMED MINUTES FROM LOCAL AUTHORITY MEETINGS

SUMMARY:

This report provides Council copies of minutes from Local Authority meetings in each of the East Arnhem Regional Council communities.

RESOLVED (Joe Djakala/Lapulung Dhamarrandji)

That Council notes the unconfirmed minutes from the Local Authority meetings held in March 2021.

For:

President Kaye Thurlow and Councillors Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirmal Marika

Against:
Nil

9.12 CORRESPONDENCE REGISTER

DOCUMENT DETAILS REPORT

Incoming Correspondence

Document Type	Date	Document Name
Letter	15.03.2021	Dept of The Chief Minister and Cabinet - RE Groote Archipelago Local Decision Making Agree
Letter	30.04.2021	ALGA - Invitation of 2021 National General Assembly
Letter	06.05.2021	Health Services in Milyakburra

Outgoing Correspondence

Document Type	Date	Document Name
Letter	04.03.2021	Yolngu Regional Local Decision Making Partnership - Workshop and Working Group
Letter	05.03.2021	Introduction of Legal Sale of Kava
Letter	05.03.2021	The Groote Archipelago Local Decision Making Agreement – Local Government Objective

RESOLVED (Gordon Walsh/Bobby M Wunungmurra)

That Council notes the correspondence ingoing and outgoing.

For:

President Kaye Thurlow and Councillors Elliot Bara, Gordon Walsh, Wesley B Wunungmurra , Bobby M Wunungmurra, David Djalangi, Jason Mirritjawuy, Lapulung Dhamarrandji, Joe Djakala, Yirmal Marika

Against:

MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN THE NHULUNBUY
OFFICE ON WEDNESDAY, 12 MAY 2021 AT 09:00AM

Nil

MEETING CLOSURE

The meeting closed at 4:09 pm.

Nest meeting will be Wednesday 30 June 2021.

This page and the preceding 13 pages are the minutes of the Special Meeting held on Wednesday, 12 May 2021 and are to be confirmed.