



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 FIRST MEETING OF COUNCIL

20 – 22 September 2021

MINUTES OF THE FIRST MEETING HELD IN THE NHULUNBUY OFFICE
ON 20 - 22 SEPTEMBER 2021

MEETING OPENING: 10:33AM, 20 SEPTEMBER 2021

In Attendance:

Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Constantine Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra, and Robert Yawarngu

East Arnhem Regional Council Officers:

Dale Keehne – CEO and Michael Freeman – Corporate Services Manager

Minute Taker – Nawshaba Razzak, Corporate Planning and Policy Officer

Observer - Joe Djakala

Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Constantine Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu took the Declaration of Office.

Attendance

2.1 DECLARATION OF MEMBERSHIP OF COUNCIL

SUMMARY:

This report is to table, for the Council's record, any absences, apologies and requests for leave of absence received from the Council Members and what absences that the Council gives permission for.

This report is to also provide the process for each elected member to acknowledge their role as an elected member, the code of conduct, and sign their declaration.

034/2021 RESOLVED (Jason Mirritjawuy/Jason Butjala)

That Council:

- (a) Notes the absence of Crs Evelynna Dhamarrandji, Djuwalpi Marika, Yirmal Marika and Bobby Wunungmurra.**
- (b) Notes the apologies received from Crs Evelynna Dhamarrandji, Djuwalpi Marika, Yirmal Marika and Bobby Wunungmurra.**
- (c) Determines Crs Evelynna Dhamarrandji, Djuwalpi Marika, Yirmal Marika and Bobby Wunungmurra are absent without permission at this first day of the Council meeting under Section 47(1)(o) of the Act.**
- (d) Expresses its dissatisfaction that Crs Evelynna Dhamarrandji, Djuwalpi Marika, Yirmal Marika and Bobby Wunungmurra did not attend this very important meeting today of the new Council.**

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Constantine Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu

Against: Nil

MINUTES OF THE FIRST MEETING HELD IN THE NHULUNBUY OFFICE
ON 20 - 22 SEPTEMBER 2021

5.1 EXPRESSION OF THANKS

SUMMARY:

This report provides an opportunity to acknowledge retiring elected members of the previous Council.

035/2021 RESOLVED (Lapulung Dhamarrandji/Jason Butjala)

That Council adjourns the meeting until 9AM, Wednesday, 22 September 2021.

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

MEETING RESUMED AT 8:46AM, 22 SEPTEMBER 2021

In Attendance:

Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Constantine Mamarika (joined at 10:12AM), Djuwalpi Marika, Yirmal Marika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu.

East Arnhem Regional Council Officers:

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

Minute Taker – Nawshaba Razzak, Corporate Planning and Policy Officer

Observer – Yananymul Mununggurr

Crs Djuwalpi Marika, Yirmal Marika took their Declaration of Office

MOTION

036/2021 RESOLVED (Gilbert Alimankinni/Lapulung Dhamarrandji)

Crs Evelynna Dhamarrandji, Bobby Wunungmurra are absent without permission at this first meeting of the Council under Section 47(1)(o) of the Act.

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Djuwalpi Marika, Yirmal Marika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

MINUTES OF THE FIRST MEETING HELD IN THE NHULUNBUY OFFICE
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MOTION

037/2021 RESOLVED (Gilbert Alimankinni/David Djalangi)

The meeting breaks at 9:13AM

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Djuwalpi Marika, Yirrmal Marika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

MOTION

038/2021 RESOLVED (Lapulung Dhamarrandji/Jason Mirritjawuy)

The meeting resumes at 10:12AM

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Djuwalpi Marika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

Cr Constantine Mamarika joined the meeting at 10:12AM

MOTION

039/2021 RESOLVED (Gilbert Alimankinni/Robert Yawarngu)

Cr Yirrmal Marika left the meeting and he is absent without permission.

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Djuwalpi Marika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

5.2 DECLARATION OF INTERESTS

SUMMARY:

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

040/2021 RESOLVED (Gordon Walsh/Constantine Mamarika)

That Council notes the Conflict of Interest and Related Parties Register process.

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Djuwalpi Marika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

MINUTES OF THE FIRST MEETING HELD IN THE NHULUNBUY OFFICE
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MOTION

041/2021 RESOLVED (Constantine Mamarika/Jason Mirritjawuy)

The meeting breaks at 10:39AM

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Djuwalpi Marika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

MOTION

042/2021 RESOLVED (Gordon Walsh/Constantine Mamarika)

The meeting resumes at 11:07AM

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Djuwalpi Marika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

5.3 APPOINTMENT OF PRESIDENT AND DEPUTY PRESIDENT

SUMMARY:

To appoint a President and Deputy President.

043/2021 RESOLVED (Lapulung Dhamarrandji/Robert Yawarngu)

That Council appoint Cr Banambi Wunungmurra as President for this term of Council.

That Council appoint Cr Gordon Walsh as Deputy President for a term of two years.

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Djuwalpi Marika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

Previous Council Minutes

4.1 MINUTES OF THE COUNCIL MEETING HELD 20 AUGUST 2021

044/2021 RESOLVED (Gordon Walsh/Kaye Thurlow)

That the minutes be taken as read and accepted as a true record of the Meeting.

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Djuwalpi Marika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

Cr Djuwalpi Marika left the meeting, the time being 11:16 AM

CHIEF EXECUTIVE OFFICER REPORTS

6.1 MEMBERSHIP OF COMMITTEES

SUMMARY:

This report is to appoint members to committees.

045/2021 **RESOLVED (Lapulung Dhamarrandji/Jason Mirritjawuy)**

1. THAT Council appoints the Finance Committee of:

Gumurr Miwatj Ward:

Primary – Cr Djuwalpi Marika

Alternate – Cr Yirmal Marika, Cr Banambi Wunungmurra

Gumurr Miyarrka Ward:

Primary – Cr Jason Butjala

Alternate – Cr Bobby Wunungmurra

Anindilyakwa Ward:

Primary – Cr Constantine Mamarika

Alternate – Cr Gordon Walsh

Birr Rawarrang Ward:

Primary – Cr Jason Mirritjawuy

Alternate – Cr Robert Yawarngu

Gumurr Gattjirr Ward:

Primary – Cr Gilbert Alimankinni

Alternate – Cr Lapulung Dhamarrandji

Gumurr Marthakal Ward:

Primary – Cr Evelynna Dhamarrandji

Alternate – Cr Kaye Thurlow, Cr David Djalangi

With the alternate members being another Councillor.

2. THAT Council appoints Crs Gordon Walsh, Gilbert Alimankinni and Jason Butjala to the Audit Committee.

3. THAT Council appoints the President, Crs Gilbert Alimankinni and Lapulung Dhamarrandji to the CEO Review Committee.

4. THAT Council appoints the President or the Deputy President, Crs Constantine Mamarika, Kaye Thurlow and Jason Butjala to the Groote Archipelago Local Decision Making Agreement Committee.

5. THAT Council appoints the President, Deputy President and the following Councillors to the Yolngu Region Local Decision Making Partnership:

Gumurr Miwatj Ward: Cr Djuwalpi Marika

Gumurr Miyarrka Ward: Cr Jason Butjala

Birr Rawarrang Ward: Cr Robert Yawarngu

Gumurr Gattjirr Ward: Cr Lapulung Dhamarrandji

Gumurr Marthakal Ward: Cr David Djalangi

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For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

6.2 LOCAL AUTHORITY MEMBERSHIP

SUMMARY:

This report is to confirm membership of Local Authorities.

046/2021 RESOLVED (Gilbert Alimankinni/Jason Mirritjawuy)

That Council appoints the following Councillors to each Local Authority:

Angurugu – Crs Gordon Walsh and Constantine Mamarika
Galiwin'ku – Cr Evelynna Dhamarrandji
Gapuwiyak – Cr Bobby Wunungmurra
Gunyangara - Cr Banambi Wunungmurra
Milingimbi – Crs Lapulung Dhamarrandji and Gilbert Alimankinni
Milyakburra - Crs Gordon Walsh and Constantine Mamarika
Ramingining – Crs Jason Mirritjawuy and Robert Yawarngu
Umbakumba - Crs Gordon Walsh and Constantine Mamarika
Yirrkala – Cr Yirrmal Marika

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

MOTION

047/2021 RESOLVED (Gordon Walsh/Constantine Mamarika)

The meeting breaks for lunch at 12:12PM

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

MOTION

048/2021 RESOLVED (Kaye Thurlow/Gordon Walsh)

The meeting resumes at 1:06PM

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

Cr Jason Butjala left the meeting with permission, the time being 01:06 PM

6.3 MEETING SCHEDULE OF COUNCIL

SUMMARY:

This report is to set the schedule of ordinary meetings for the term of Council.

049/2021 RESOLVED (Gordon Walsh/Constantine Mamarika)

That Council set the schedule of ordinary meetings to be the third Wednesday of February, April, June, August, October, and the second Wednesday of December.

That Council set the schedule of Finance Committee meetings to be the third Wednesday of months which do not have an ordinary meeting of Council.

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

6.4 ADOPTION OF POLICIES

SUMMARY:

This report is to consider certain required policies at the commencement of the Council term.

050/2021 RESOLVED (Robert Yawarngu/Gilbert Alimankinni)

That Council adopts the following policies:

- 1. Casting vote policy**
- 2. Confidential information and business policy**
- 3. Extra meeting allowance policy**
- 4. Other reasonable expenses and non-monetary benefits policy (elected members)**
- 5. And Council resolves to:**
 - (a) revoke all previous delegations of the Council in force immediately before the date of this resolution; and**
 - (b) delegate powers and functions under the *Local Government Act 2019* to the Finance Committee, CEO and others specified in the Delegation Manual, in the manner, to the extent and subject to any conditions or limitations specified in the Manual.**

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

6.5 ELECTED MEMBERS TRAINING

SUMMARY:

This report is to present a training opportunity for elected members.

051/2021 RESOLVED (Constantine Mamarika/Jason Mirritjawuy)

That Council approve the attendance of all elected members who wish to attend the two day LGANT Symposium in October 2021, with the approval of the extra meeting allowance for each day attended, and travel/accommodation/enrolment costs to be met from Professional Development Allowances.

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantine Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

6.6 COUNCIL INVOLVEMENT IN CLOSING THE GAP - NORTHERN TERRITORY IMPLEMENTATION PLAN

SUMMARY:

Council is asked to consider how it can best support the involvement of it and other councils in the Closing the Gap Northern Territory Implementation Plan.

052/2021 RESOLVED (Lapulung Dhamarrandji/Gilbert Alimankinni)

That Council propose a motion to the LGANT General Meeting on 4 November 2021, that LGANT consult with all member councils on the most effective way to involve them in the Closing the Gap Northern Territory Implementation Plan process. The Consultation should include consideration of the involvement of some or all of the Regional and Municipal Members of the LGANT Executive, and/or a Steering Committee of nominated Council representatives, with appropriate support from the LGANT CEO, Council CEO's and senior officers.

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantine Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

MINUTES OF THE FIRST MEETING HELD IN THE NHULUNBUY OFFICE
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DECISION TO MOVE TO CLOSED SESSION

RECOMMENDATION:

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 65(2) of the Local Government Act, 2013 as the items lists come within the following provisions:-

053/2021 RESOLVED (Lapulung Dhamarrandji/Kaye Thurlow)

The meeting moves to closed session at 2:15PM

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

- 12.1 Minutes of the Confidential Council Meeting held 20 August 2021** - *The report will be dealt with under Section 99 of the Local Government Act and Section 49 (d) of the Local Government (General) Regulations. It contains information subject to an obligation of confidentiality at law, or in equity.*
- 12.2 LGANT** - *The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(iv) of the Local Government (General) Regulations. It contains information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.*
- 12.3 Milingimbi Mechanical Workshop Potential Employee Fraud Involving Cash and Alternate Account Payments from Community members.** - *The report will be dealt with under Section 99 of the Local Government Act and Section 49 (f) of the Local Government (General) Regulations. It contains information in relation to a complaint of a contravention of the code of conduct..*
- 12.4 Fleet Report** - *The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(i) of the Local Government (General) 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.*
- 12.5 RFT133-2105**
Lot 3 Milyakburra
Installation of Replacement Perimeter Fencing - *The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(i) of the Local Government (General) 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.*
- 12.6 FT2122.03 2nd Round**
Supply of Utility Vehicles - *The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(i) of the Local Government (General) 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.*
- 12.7 FT2122.04 2nd Round**
Supply of Tipper Trucks - *The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(i) of the Local Government (General) 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.*

MINUTES OF THE FIRST MEETING HELD IN THE NHULUNBUY OFFICE
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12.8 T21-203419.1

Gunyangara New Pedestrian Pathways and Crossings - *The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(i) of the Local Government (General) 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.*

12.9 RFT15245-2104

Lot 245 Milingimbi - Supply and Installation of Security Screens and Fences - *The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(i) of the Local Government (General) 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.*

RESUMPTION OF MEETING

054/2021 RESOLVED (Gilbert Alimankinni/Robert Yawarngu)

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

The awarding of tenders from items 12.5 to 12.9 inclusive are published on the website.

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

MOTION

055/2021 RESOLVED (Lapulung Dhamarrandji/Constantine Mamarika)

The meeting breaks at 3:27PM

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

MOTION

056/2021 RESOLVED (Kaye Thurlow/Gordon Walsh)

The meeting resumes at 3:41PM

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

TECHNICAL AND INFRASTRUCTURE SERVICES REPORTS

7.1 EAST ARNHEM REGIONAL COUNCIL TENDER AND REQUEST FOR QUOTATION ASSESSMENT WEIGHTING CRITERIA

SUMMARY:

This report is tabled for Council to review the current Assessment Weightings Criteria for Tender and Request for Quotations, for the Procurement of Goods and Services.

057/2021 RESOLVED (Gordon Walsh/Jason Mirritjawuy)

That Council moves this report to the October Council Meeting

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

Corporate Services Reports

9.1 FINANCE AND CORPORATE SERVICES REPORT

SUMMARY:

This report is tabled to provide the Finance Report for the period ended the 31 August 2021 for its approval.

058/2021 RESOLVED (Jason Mirritjawuy/Lapulung Dhamarrandji)

That Council approves the Finance Report with Human Resources information for the period ended the 31 August 2021.

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu
Against: Nil

Questions from Councillors

059/2021 RESOLVED (Kaye Thurlow/David Djalangi)

Councillor Kaye Thurlow raised that Lot 479 (A, B, C) in Buthan does not have sufficient street lights and requested this to be looked at.

The Council decides that the question be added to the action list.

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DATE OF NEXT MEETING

20 October 2021

MEETING CLOSE

The meeting ended at 4:20PM

This page and the preceding 12 pages are the minutes of the First Meeting of Council held on 20 - 22 September 2021, and are to be confirmed on the Ordinary Council Meeting of 20 October 2021.