



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 ORDINARY MEETING OF COUNCIL

21 April 2022

MINUTES OF THE ORDINARY MEETING HELD IN THE NHULUNBUY ON
THURSDAY, 21 APRIL 2022 AT 9AM

MEETING OPENING: Opened by President Lapulung Dhamarrandji at 9.01am.

PRAYER: By President Lapulung Dhamarrandji.

In Attendance:

President Lapulung Dhamarrandji, Deputy President Gordon Walsh, Councillor Jason Mirritjawuy, Councillor David Djalangi (arrived at 9.10am), Councillor Joe Djakala, Councillor Robert Yawarngu, Councillor Kaye Thurlow, Councillor Wesley Bandi Wunungmurra, Councillor Banambi Wunungmurra (arrived at 10.46am).

East Arnhem Regional Council Officers:

Dale Keehne – CEO.

Michael Freeman – Manager Corporate Services (by Video).

Shane Marshall – Director Technical and Infrastructure Services (joined at 9.14 am).

Andrew Walsh – Director Community Development (joined at 9.28am).

Minute Taker – Wendy Brook, Executive Assistant to CEO.

ELECTED MEMBERS ATTENDANCE AND RESIGNATION

SUMMARY

This report is also 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 the newly elected members to acknowledge their role as an elected member, the code of conduct, and sign their declaration.

023/2022 RESOLVED (Jason Mirritjawuy/Joe Djakala)

That Council

- (a) Notes the absence of Crs Constantine Mamarika, Bobby Wunungmurra and Evelyn Dhamarrandji.**
- (a) Notes the verbal apologies from Crs Constantine Mamarika and Bobby Wunungmurra.**
- (b) Determines Crs Evelyn Dhamarrandji, Constantine Mamarika and Bobby Wunungmurra are absent without permission of the Council under Section 47(1)(o) of the Act.**

Declaration of Registered Interest Register

DECLARATION OF REGISTERED INTEREST

SUMMARY

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

MINUTES OF THE ORDINARY MEETING HELD IN THE NHULUNBUY ON
THURSDAY, 21 APRIL 2022 AT 9AM

024/2022 RESOLVED (Gordon Walsh/Kaye Thurlow)

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

Previous Council Minutes

MINUTES OF THE COUNCIL MEETING HELD 24 FEBRUARY 2022

025/2022 RESOLVED (Robert Yawarngu/Joe Djakala)

- (a) That the minutes be taken as read and accepted as a true record of the Meeting.**
- (b) That Council changes the name of Wesley Bandi Wunungmurra to his proper traditional name of Bandi Bandi Wunungmurra.**

MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 10 MARCH 2022

026/2022 RESOLVED (Jason Mirritjawuy/Kaye Thurlow)

That the minutes be taken as read and accepted as a true record of the Special Council meeting held on 10 March 2022.

CHIEF EXECUTIVE OFFICER REPORTS

CEO REPORT

SUMMARY:

This is a report of the key broad issues since the last report to the Local Authority, in addition to those covered in other parts of the agenda.

027/2022 RESOLVED (Gordon Walsh/Robert Yawarngu)

That Council notes the CEO Report.

CEO left meeting at 10.13am.

TECHNICAL AND INFRASTRUCTURE SERVICES REPORTS

TECHNICAL AND INFRASTRUCTURE PROJECTS UPDATE

SUMMARY

This report is tabled for Council to provide updates on the current range of projects across the region as part of annual Capital and Local Authority Project Funded nominated projects.

028/2022 RESOLVED (Gordon Walsh/David Djalangi)

That Council notes the report.

MOTION MEETING BREAK FOR MORNING TEA AT 11.03

029/2022 RESOLVED (Jason Mirritjawuy/Kaye Thurlow)

CR. Banambi left meeting at 11.04am to visit clinic for 3rd Covid-19 injection.

CEO re-joined meeting during break for morning tea at 11.07am.

MOTION TO REOPEN MEETING AT 11.29

030/2022 RESOLVED (Jason Mirritjawuy/Joe Djakala)

COMMUNITY DEVELOPMENT REPORTS

Regional Manager Catherine Stillwell – joined meeting at 11.29am and provided a 10 minute introduction and update.

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.

031/2022 RESOLVED (David Djalangi/Joe Djakala)

That Council notes the Community Development Report.

**AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL
ASSEMBLY - MOTION**

SUMMARY:

This report notes the motion submitted to the Australian Local Government Association for the National General Assembly (NGA) 2022.

032/2022 RESOLVED (Wesley Bandi Wunungmurra/Robert Yawarngu)

That Council notes the motion submitted to the Australian Local Government Association National General Assembly 2022.

Cr. Banambi re-joined meeting at 11.52am

NATIONAL DISABILITY INSURANCE SCHEME - WORKER SCREENING

SUMMARY:

This report is to alert the Elected Members to a significant change in the National Disability Insurance Scheme (NDIS) that will have severe implications on the Aged & Disability services delivered by East Arnhem Regional Council and other providers in remote and very remote Australia.

033/2022 RESOLVED (Joe Djakala/Kaye Thurlow)

That Council

- (a) Notes the report.**
- (b) Expresses serious and significant concern on the implementation of the Worker screening process in the Northern Territory.**
- (c) Request Senior Council Management to engage with the Northern Territory screening body SAFE NT, responsible for the operational elements of the policy including the screening threshold.**
- (d) Advocates for significant policy change with the Commonwealth and Northern Territory Government, in the design and implementation of the national policy at the Northern Territory level on NDIS worker screening to allow for continued safe and viable delivery of NDIS services in remote and very remote Australia.**
- (e) Seeks an exemption from the screening requirements and continuation of Northern Territory transitional or special requirements until the policy matters are revised to suit NDIS provider needs in remote and very remote Australia.**

Cr. Robert left meeting at 11.54am

Director Shane Marshall left meeting at 12.05pm.

Director Shane Marshall re-joined meeting at 12.22pm.

Corporate Services Reports

FINANCE AND CORPORATE SERVICES REPORT

SUMMARY:

This report is tabled to provide the Finance Report for the period ended the 31 March 2022 for its approval.

034/2022 RESOLVED (Wesley Bandi Wunungmurra/Gordon Walsh)

That Council approves the Finance Report with Human Resources information for the period ending the 31 March 2022.

MOTION Break for lunch at 12.26pm for 45 minutes.

035/2022 RESOLVED (Jason Mirritjawuy/Joe Djakala)

MOTION Meeting resumed at 1.35pm.

CEO & President left the meeting during lunch at 1.25 to attend additional meeting.

Cr. Banambi did not return to meeting after lunch.

Cr. Walsh assumed the chair at 1.30pm.

036/2022 RESOLVED (Robert Yawarngu/Joe Djakala)

FY2022 BUDGET REVISION

SUMMARY:

To approve a Second Budget Revision.

037/2022 RESOLVED (Jason Mirritjawuy/David Djalangi)

That Council approves the Second Revised Budget for 2021/22.

NEW POLICIES - SHARED SERVICES POLICY AND LOCAL AUTHORITY POLICY

SUMMARY:

The Local Government Act and Guidelines require the Council to maintain policies on Shared Services and Local Authority.

038/2022 RESOLVED (Kaye Thurlow/Wesley Bandi Wunungmurra)

That Council approves the:

- a) Shared Services Policy.**
- b) Local Authority Policy.**

Local Authorities

LOCAL AUTHORITY ACTIONS - COUNCIL REVIEW AND ENDORSEMENT

SUMMARY

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

039/2022 RESOLVED (Wesley Bandi Wunungmurra/David Djalangi)

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.**

UNCONFIRMED MINUTES FROM LOCAL AUTHORITY AND COMMITTEE MEETINGS AND MEMBERSHIP AND RESIGNATION OF LOCAL AUTHORITY

SUMMARY

This report provides to Council copies of minutes from Local Authority and Committee meetings and also lists the membership and resignation in each of the East Arnhem Regional Council communities.

MINUTES OF THE ORDINARY MEETING HELD IN THE NHULUNBUY ON
THURSDAY, 21 APRIL 2022 AT 9AM

040/2022 **RESOLVED** (Jason Mirritjawuy/Joe Djakala)

That Council

- a) **Notes the unconfirmed minutes from the Local Authority and Committee meetings.**
- b) **Accepts the resignation of Dorothy Wiliyawuy.**

Correspondence

CORRESPONDENCE REGISTER

041/2022 **RESOLVED** (Robert Yawarngu/Kaye Thurlow)

That Council note the ingoing and outgoing correspondence register.

MOTION MOVE TO CONFIDENTIAL MEETING AT 1.56PM

042/2022 **RESOLVED** (Joe Djakala/Kaye Thurlow)

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 99 of the Local Government Act, 2019 as the items lists come within the following provisions:-

Fleet Report - *The report will be dealt with under Section 99 of the Local Government Act and Section 51 (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.*

Information Systems - *The report will be dealt with under Section 99 of the Local Government Act and Section 51 (c)(i) (e) 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; AND information provided to the council on condition that it be keep confidential.*

FT2223-01

Supply of Toyota Vehicles and Hiaces - *The report will be dealt with under Section 99 of the Local Government Act and Section 51 (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.*

T21-203417.1

Galiwinku New Pedestrian Pathways - *The report will be dealt with under Section 99 of the Local Government Act and Section 51 (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.*

Financial Write-Off's - *The report will be dealt with under Section 99 of the Local Government Act and Section 51 (b) of the Local Government (General) Regulations. It contains information about the personal circumstances of a resident or ratepayer.*

MINUTES OF THE ORDINARY MEETING HELD IN THE NHULUNBUY ON
THURSDAY, 21 APRIL 2022 AT 9AM

Lot 189 Milingimbi - Headlease Handback. - *The report will be dealt with under Section 99 of the Local Government Act and Section 51 (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.*

Roads Infrastructure 10 Year Asset Plan Draft. - *The report will be dealt with under Section 99 of the Local Government Act and Section 51 (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.*

East Arnhem Regional Council Accommodation Business - *The report will be dealt with under Section 99 of the Local Government Act and Section 51 (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.*

MOTION MOVE BACK TO ORDINARY AGENDA AT 2.53PM.

043/2022 **RESOLVED** (Joe Djakala/Gordon Walsh)

RESUMPTION OF MEETING 2.53PM

044/2022 **RESOLVED** (Joe Djakala/Gordon Walsh)

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

Director Shane Marshall left meeting at 2.55pm.

Director Andrew Walsh left meeting at 2.55pm.

GENERAL BUSINESS

MOTION

Council amends the decision of the 10 March concerning attendance at Australian Labour Government of Australia of President Lapulung Dhamarrandji, Cr Bandi Bandi Wunungmurra the CEO and Director Community Development.

045/2022 **RESOLVED** (Jason Mirritjawuy/Joe Djakala)

Question from Cr. Kaye:

Can Council do anything about excluded Community status?
Discussions to continue in regards to this question.

DATE OF NEXT MEETING

30 JUNE 2022

MEETING CLOSE

The meeting concluded at 3.16 pm.

This page and the preceding pages are the minutes of the Ordinary Meeting of Council held on Thursday, 21 April 2022 and are to be confirmed on 30 June 2022.