



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

30 June 2022

MEETING OPENING

In Attendance:

President Lapulung Dhamarrandji Councillor Evelynna Dhamarrandji, Councillor Jason Mirritjawuy, Councillor David Djalangi, Councillor Constantine Mamarika, Councillor Robert Yawarngu, Councillor Banambi Wunungmurra (via video), Councillor Kaye Thurlow (via video), Councillor Bandi Bandi Wunungmurra.

East Arnhem Regional Council Officers:

Dale Keehne – CEO.

Michael Freeman – Manager Corporate Services.

Shane Marshall – Director Technical and Infrastructure Services.

Andrew Walsh – Director Community Development.

Diyan Ahimaz – A/Community Development Coordinator.

Minute Taker – Wendy Brook, Executive Assistant to CEO.

Meeting Opened by President Lapulung Dhamarrandji at 9.13AM, followed by a prayer at 9.21AM.

Attendance

2.1 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.

GENERAL

The report author does not have a conflict of interest in this matter (Section 179 of the Act).

046/2022 RESOLVED (Jason Mirritjawuy/Constantine Mamarika)

That Council:

- (a) Notes the absence of Councillor Bobby M Wunungmurra and Councillor Joe Djakala.**
- (b) Determines Councillor Bobby M Wunungmurra and Councillor Joe Djakala are absent without permission of the Council under Section 47(1)(o) of the Act.**

COUNCIL RESOLUTION

047/2022 **RESOLVED (Constantine Mamarika/Banambi Wunungmurra)**

To Accept the addition of the Supplementary Agenda.

2.2 ELECTION OF DEPUTY PRESIDENT

SUMMARY:

This report is to elect a Deputy President.

The Deputy President has resigned under Section 64 of the Local Government Act.

As per Section 61(3) the Council may appoint one of its members to be the deputy President. Section 62(2) states that the term of deputy is for a period determined by Council.

The role of the Deputy President is:

59 Role and functions of principal member and deputy or acting principal member

- (1) In addition to the role of a member mentioned in section 44, the principal member of a council has the following functions:
 - (a) to chair meetings of the council.
 - (b) to speak on behalf of the council as the council's principal representative.
 - (c) to liaise with the CEO about the performance of the council's and CEO's functions.
 - (d) to promote behaviour among the members of the council that meets the standards set out in the code of conduct.
 - (e) to lead the council to undertake regular review of the performance of the CEO.
- (2) In addition to the role of a member mentioned in section 44, the role of the deputy principal member of a council is to carry out any of the principal member's functions when the principal member:
 - (a) delegates the functions to the deputy or
 - (b) is absent from official duties because of illness or for some other reason.

MINUTES OF THE ORDINARY MEETING HELD IN THE DARWIN COUNCIL
OFFICE AND VIDEO ON THURSDAY, 30 JUNE 2022 AT 9.00AM

Many councils appoint their Deputy for a twelve month period in order to be able to rotate the role and give other Councillors an opportunity to learn in the role.

The Deputy President was also a member of the Audit Committee, the CEO Review Committee and the Groote Transition Committee.

The report author does not have a conflict of interest in this matter (Section 179 of the Act).

048/2022 RESOLVED (Robert Yawarngu/Bandi Bandi Wunungmurra)

That Council elects Councillor Kaye Thurlow as Deputy President for a 6 month term ending 30 December 2022.

That Council appoint:

Councillor Bandi Wunungmurra to the Audit Committee.

Councillor Kaye Thurlow to the CEO Review Committee.

No Resolution for an appointment to the Groote Transition Committee.

Declaration of Registered Interest Register

3.1 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.

049/2022 RESOLVED (Banambi Wunungmurra/Evelyna Dhamarrandji)

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

b) That there are no Conflicts of Interest declared at today's meeting.

Previous Council Minutes

4.1 MINUTES OF THE COUNCIL MEETING HELD 21 APRIL 2022

050/2022 RESOLVED (Jason Mirritjawuy/Evelyna Dhamarrandji)

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

4.4 MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 20 APRIL 2022, 13 MAY 2022, AND 10 JUNE 2022

051/2022 RESOLVED (David Djalangi/Constantine Mamarika)

That the minutes be taken as read and accepted as a true record of the Special Council meetings held on 20 April 2022, 13 May 2022, 30 May 2022 and 10 June 2022.

CHIEF EXECUTIVE OFFICER REPORTS

6.1 CEO REPORT

SUMMARY:

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

052/2022 **RESOLVED (David Djalangi/Bandi Bandi Wunungmurra)**

That Council:

- a) Notes the CEO Report.**
- b) Endorses the resolutions of the Local Authorities of East Arnhem Land to not support the pathway forward for Local Decision Making planned by the ARDS Aboriginal Corporation as advised on 29 April 2022.**
- c) Supports the East Arnhem Land First Nations Call for Recognition.**

6.2 ALCOHOL AND KAVA MANAGEMENT

SUMMARY:

Council is asked to consider and advise the next steps to effectively deal with the important issues of the possible legal sale of alcohol and kava in East Arnhem Land.

053/2022 **RESOLVED (Jason Mirritjawuy/Evelyna Dhamarrandji)**

That Council:

Calls on the Northern Territory and Australian Governments to;

- a) Work with the Local Authorities and Regional Council to ensure genuine and thorough consultation and engagement with, and understanding of, all communities and homelands of East Arnhem Land, on the important and pressing issues of the possible introduction of the legal sale of kava and alcohol and support the leadership of the President on this issue.**
- b) Advise the Northern Territory and Australian Governments of the very strong position across Local Authorities and Council to oppose the introduction of the legal sale of alcohol to prevent the massive social and health affects it will bring;**

and
- c) There is a need to focus on the issue of kava and consideration across the many**

communities and homelands across East Arnhem whether to approve it's legal sale, where, and if so, how that would be managed to properly deal with the health and social impacts on families and work, and that any profits go to the benefit of communities and homelands.

Cr Banambi Wunungmurra left the meeting, the time being 10:14 AM

TECHNICAL AND INFRASTRUCTURE SERVICES REPORTS

7.1 WASTE AND ENVIRONMENTAL SERVICES UPDATE

SUMMARY:

This report is to provide a summary update of works and projects being implemented by the Waste Services Department.

054/2022 RESOLVED (Constantine Mamarika/Robert Yawarngu)

That Council notes the Waste and Environmental Services report.

7.2 TRANSPORT AND INFRASTRUCTURE SERVICES UPDATE

SUMMARY:

This report provides Council with an update on the Transport and Infrastructure Services Program.

055/2022 RESOLVED (Evelyna Dhamarrandji/Banambi Wunungmurra)

That Council notes the Report.

Cr Banambi Wunungmurra returned to the meeting, the time being 10:33 AM

7.3 BUILDING AND INFRASTRUCTURE UPDATE

SUMMARY

This report provides an update of all current and completed Building and Infrastructure projects across the East Arnhem region.

056/2022 RESOLVED (Bandi Bandi Wunungmurra/Constantine Mamarika)

That Council notes the Building and Infrastructure update report.

7.4 ANIMAL MANAGEMENT PROGRAM UPDATE

SUMMARY

This report is tabled for the Council to provide updates on the community delivery of the Animal management program.

057/2022 **RESOLVED (Kaye Thurlow/Evelyna Dhamarrandji)**

That Council Notes the report.

MOTION TO MOVE TO MORNING TEA AT 10.52AM

058/2022 **RESOLVED (Bandi Bandi Wunungmurra/Robert Yawarngu)**

MOTION MEETING RESUMED AT 11.35AM

059/2022 **RESOLVED (Bandi Bandi Wunungmurra/Jason Mirritjawuy)**

COMMUNITY DEVELOPMENT REPORTS

8.1 NEW CHILD CARE SERVICE - ANGURUGU

SUMMARY

This report is to provide information and seek direction from the Elected Members on a proposed new Community Child Care Fund Restricted (CCCFR) program in Angurugu.

060/2022 **RESOLVED (Jason Mirritjawuy/Constantine Mamarika)**

That Council:

- (a) Notes the report.**
- (b) Supports East Arnhem Regional Council being the provider for the proposed CCCFR service in Angurugu.**
- (c) Supports further negotiation with the Department of Education, Skills and Employment to implement the proposed service.**
- (d) Recommends that Milingimbi be considered for further consultation and establishment in either phase 1 or phase 2 of the CCCFR program expansion.**

8.2 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.

061/2022 **RESOLVED (Jason Mirritjawuy/Bandi Bandi Wunungmurra)**

That Council notes the Community Development update.

8.3 LIBRARY SERVICES PRINCIPLES

SUMMARY

This report is to inform and seek direction from the Elected Members on the provision and design of East Arnhem Regional Council's Library services.

062/2022 **RESOLVED (Evelyna Dhamarrandji/Constantine Mamarika)**

That Council:

- (a) Notes the report.**
- (b) Recommend the following be included in Library design and programming**
 - a. Create a special area where people can come and do something really meaningful.**
 - b. Use library as a space to give something to the people.**
- (c) Recommend this report is tabled at all EARC Local Authorities.**
- (d) Request the Director – Community Development to propose design and programming ideas to Council after consultation with community and Local Authorities.**
- (e) Request the Director – Community Development to explore potential partnerships to strengthen library services in community.**

8.4 PACIFIC AUSTRALIA LABOUR MOBILITY SCHEME

SUMMARY:

This report is to provide information to the Elected Members of the Pacific Australia Labour Mobility (PALM) scheme from the Federal Department of Foreign Affairs Tourism & Trade (DFAT).

063/2022 RESOLVED (Robert Yawarngu/Evelyna Dhamarrandji)

That Council:

- (a) Notes the report.**
- (b) Notes the presentation provided by the Department of Foreign Affairs Tourism & Trade.**
- (e) Considers the Pacific Australia Labour Mobility scheme and implementation at a future Council Meeting.**
- (f) Recommends this report is tabled for all EARC local authorities for their consideration, and to seek their voice on what they would like for their communities and homelands.**

Corporate Services Reports

9.1 POLICIES

SUMMARY:

This report presents reviewed policies for adoption.

064/2022 RESOLVED (Jason Mirritjawuy/Constantine Mamarika)

That Council amend the Procurement Policy section 17.5 to have this separation of duties requirement only mandatory to Purchases over \$5,000, and where possible for Purchases under \$5,000.

That Council adopt the following revised policies:

- (a) Animal Management.**
- (b) Procurement.**
- (c) Records Management.**
- (d) Delegation Manual.**

9.2 END OF YEAR FINANCIAL MATTERS

SUMMARY:

This report addresses various financial matters required for end of year.

065/2022 RESOLVED (Bandi Bandi Wunungmurra/Robert Yawarngu)

That Council:

- (a) Considers that it is satisfied that asset values are fairly reflected and do not require a revaluation as at 30 June 2022.**

MINUTES OF THE ORDINARY MEETING HELD IN THE DARWIN COUNCIL
OFFICE AND VIDEO ON THURSDAY, 30 JUNE 2022 AT 9.00AM

(b) Approve the following carry-over of funds:

- a) Unspent tied grant funding be allocated to the Carry Over Tied Grants Reserve.
- b) Unspent Local Authority Project Funding be allocated to the appropriate Local Authority Carry Over Reserve.
- c) Funds received in advance from the NTG and Grants Commission be allocated to the Carry Over Untied Grants Reserve.
- d) Unspent Waste Management funds from waste charges be allocated to the Waste Reserve.
- e) Unspent Roads funds be allocated to the Roads Reserve.
- f) Unspent Elections funds be allocated to the Elections Reserve.
- g) Unspent Age Care and Disability funds be allocated to the Aged Care Reserve.
- h) Unspent Untied funds allocated to Projects as Carry Over funds as scheduled in the table:

202520 - Training	200,000
304021 - New IT Systems Project	140,000
203620 - Public Relations – Website and Strategy	140,000
Various – Staffing resources	400,000
Contingency Projects to Public Infrastructure Reserve	700,000
Street Lighting to Roads Reserve	200,000
Cemetery improvements to Cemetery Reserve	150,000
Remaining untied funds to Roads Reserve	Yet to be determined
Community Events	
201011 - Civic & Community Events - Angurugu	12,723
201012 - Civic & Community Events - Umbakumba	10,227
201013 - Civic & Community Events - Milyakburra	4,120
201014 - Civic & Community Events - Ramingining	3,883
201015 - Civic & Community Events - Milingimbi	3,919
201016 - Civic & Community Events - Gapuwiyak	1,630
201017 - Civic & Community Events - Galiwinku	6,372
201018 - Civic & Community Events - Yirrkala	2,089
201019 - Civic & Community Events - Gunyangara	6,783
201020 - Civic & Community Events - Nhulunbuy	6,499
	58,250

9.3 ADOPTION OF REGIONAL PLAN

SUMMARY:

This report is to adopt the 2022-23 Regional Plan.

066/2022 RESOLVED (Constantine Mamarika/Bandi Bandi Wunungmurra)

That Council adopts the 2022-23 Regional Plan and all contents contained therein in accordance with Section 35 (1) of the Local Government Act 2019 (the Act) and its statutory instruments, including:

- a) Elected Member Allowances in accordance with Clause 7 of Ministerial Guideline 2A.
- b) Declared Rates in accordance with Sections 237 and 238 of the Act, having been certified by the Chief Executive Officer in accordance with Regulation 29 of the Local Government (General) Regulations 2021.
- c) Budget for Financial Year 2022-23 in accordance with Section 203 of the Act.

9.4 FINANCE AND HUMAN RESOURCES REPORT

SUMMARY

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

067/2022 RESOLVED (Jason Mirritjawuy/Robert Yawarngu)

That the Council approves the Finance and Human Resources Report for the period ended on 31 May 2022.

Cr Jason Mirritjawuy left the meeting, the time being 12:30 PM.

Cr Jason Mirritjawuy returned to the meeting, the time being 12:34 PM.

Cr Evelyn Dhamarrandji left the meeting, the time being 12:38 PM.

Cr Evelyn Dhamarrandji returned to the meeting, the time being 12:42 PM.

MOTION break for lunch at 12.42PM (Mamarika/Wunungmurra)

MOTION RESUME FROM LUNCH AT 1.38PM (Yawarngu/Wunungmurra)

068/2022 RESOLVED (Constantine Mamarika/Robert Yawarngu)

10.2 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.

069/2022 RESOLVED (Constantine Mamarika/Bandi Bandi Wunungmurra)

That Council:

- a) Notes the unconfirmed minutes from the Local Authority and Committee meetings.**
- b) Accepts the following nominations as members of their respective Local Authorities:**
 - i. Cyril Bukulatjri**
 - ii. Jermaine Campbell**
 - iii. Merrill Guyula**
 - iv. Alice Wanambi**
 - v. Nathaniel Murrungun**
 - vi. Elliot Bara**
- c) Accepts the resignation of:**
 - i. Ronald Wurrawilya**
 - ii. Lawrence Yantarranga**
 - iii. Violet Huddleston**

Councillor Constantine left meeting at 2.17PM to travel home early to attend funeral following day.

10.3 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.

070/2022 RESOLVED (Jason Mirritjawuy/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.**

LATE ITEMS

1.1 LGANT EXECUTIVE

SUMMARY:

This report seeks possible nominations to the LGANT Executive.

RECOMMENDATION

There was no Recommendation for a nomination to the position on the LGANT Executive.

LATE ITEMS

1.2 ELECTED MEMBERS TRAVEL AND ACCOMMODATION POLICY

SUMMARY:

This report proposes a minor change to the Travel and Accommodation Policy

071/2022 **RESOLVED (Kaye Thurlow/Robert Yawarngu)**

That Council approves the revision to the Elected Members Travel and Accommodation Policy to refer to the Australian Tax Office Determination for rates.

Correspondence

16.1 CORRESPONDENCE REGISTER

DOCUMENT DETAILS REPORT

Incoming Correspondence

Document ID	Document Name
1632507	Minister for Local Government – Local Authority Project Funding Extension – 2022.
1626615	Advice to CEO East Arnhem Gumurr Gattjirrk ward - 17.02.2022.
1626614	Advice to CEO East Arnhem Gumurr Miyarrka ward - 17.02.2022.
1609517	Minister for Indigenous Australians - Condolences Mr D Marika - 31.03.2022.

Outgoing Correspondence

Document ID	Document Name
1632519	Electoral Service Agreement – Mitwatji ward June 2022

MINUTES OF THE ORDINARY MEETING HELD IN THE DARWIN COUNCIL
OFFICE AND VIDEO ON THURSDAY, 30 JUNE 2022 AT 9.00AM

1626137	Letter to Hon Minister of Health – Potential Exposure to Manganese on Groote Eylandt – 03.06.2022
1624934	Letter from President Lapulung Dhamarrandji East Arnhem Regional Council to Hon Minister Linda Burney 1 June 2022
1630042	Letter to Electoral Commission – Casual Vacancy of Anindilyakwa Ward – 14.06.2022
1632687	NT Chief Minister – Thank you letter from President Lapulung 09.06.2022

CEO Correspondence

Document ID	Document Name
1630313	Letter to Members Absent from Council Meeting in April – Bobby – 01.05.2022
1630312	Letter to Members Absent from Council Meeting in April – Constantine – 01.05.2022
1632508	Letter to Members Absent from Council Meeting in April – E Dhamarrandji
1632709	Email to NLC – Call for Recognition – 22.04.2022

The report author does not have a conflict of interest to this matter (Section 179 of the Act).

072/2022 RESOLVED (Bandi Bandi Wunungmurra/Robert Yawarngu)

That Council

- (a) notes the ingoing and outgoing correspondence register.
- (b) Recommends that the President writes a letter of thanks and acknowledgement to Councillor Gordon Walsh who recently resigned from Council.

DECISION TO MOVE TO CLOSED SESSION AT 1.42

RECOMMENDATION (Evelyna Dhamarrandji/David Djalangi)

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:-

12.1 RFT1498-2202

Lot 98 Ramingining

New Oval Stage - *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.*

12.2 FLEET AND SALES 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)*

MINUTES OF THE ORDINARY MEETING HELD IN THE DARWIN COUNCIL
OFFICE AND VIDEO ON THURSDAY, 30 JUNE 2022 AT 9.00AM

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.

- 12.3 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.*

RESUMPTION OF MEETING FROM CLOSED SESSION 2.12PM

073/2022 **RESOLVED** (Evelyna Dhamarrandji/Bandi Bandi Wunungmurra)

That the decisions of Closed Session be noted as follows: Per confidential minutes

DATE OF NEXT MEETING 25 AUGUST 2022.

MEETING CLOSE

The meeting concluded at 3.48 pm.

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