



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

23 February 2023

MINUTES OF THE ORDINARY MEETING HELD IN THE NHULUNBUY ON
THURSDAY, 23 FEBRUARY 2023 AT 9AM

Under closing the gap priority reforms, socio economic outcome 16 – Aboriginal and Torres Strait Islander languages are strong, supported and flourishing and it is standard practice for reports to be considered, discussed and debated in the traditional dialects of the East Arnhem region, Yolngu Matha or Anindilyakwan.

In Attendance:

Deputy President Lionel Jaragba, Councillor Jason Mirritjawuy, Councillor Bobby M Wunungmurra, Councillor David Djalangi, Councillor Banambi Wunungmurra, Councillor Kaye Thurlow, Councillor Bandi Bandi Wunungmurra.

East Arnhem Regional Council Officers:

Dale Keehne – CEO.

Michael Freeman – Manager Corporate Services (via video).

Shane Marshall – Director Technical and Infrastructure Services.

Andrew Walsh – Director Community Development.

Signe Balodis – Regional Manager Community Development.

Minute Taker – Wendy Brook Executive Assistant to the CEO.

Guests: Cyril Bukulatjpi Galiwin'ku Local Authority member.

Meeting Opening:

The meeting was opened by Deputy President Lionel Jaragba at 9.07am.

Prayer:

Councillor David Djalangi.

Attendance

2.1 ELECTED MEMBERS ATTENDANCE AND RESIGNATION

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.

003/2023 RESOLVED (Jason Mirritjawuy/Banamby Wunungmurra)

That Council:

- (a) Notes the absence of President Lapulung Dhamarrandji, Cr. Constantine Mamarika, Cr. Robert Yawarngu, Cr Evelynna Dhamarrandji and Cr. Joe Djakala.**
- (b) Notes the apologies received from President Lapulung Dhamarrandji, Cr. Constantine Mamarika and Cr. Robert Yawarngu.**
- (c) Notes President Lapulung Dhamarrandji, Cr. Constantine Mamarika and Cr. Robert Yawarngu are absent with permission of the Council.**
- (d) Determines, Cr. Joe Djakala and Cr Evelynna Dhamarrandji are absent without permission of the Council under Section 47(1) (o) of the Act.**

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.

004/2023 RESOLVED (Wesley Dhamarrandji/Banambi Wunungmurra)

That Council notes the Conflict of Interest and Related Parties Register and notes no Councillor declares a conflict at today's meeting.

Previous Council Minutes

4.1 MINUTES OF THE COUNCIL MEETING HELD 15 DECEMBER 2022

005/2023 RESOLVED (Kaye Thurlow/Jason Mirritjawuy)

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

CHIEF EXECUTIVE OFFICER REPORTS

6.1 COMMITTEE MEMBERSHIP

SUMMARY:

This report is to further consider Committee Membership.

006/2023 RESOLVED (Wesley Dhamarrandji/Kaye Thurlow)

That Council:

- (a) Notes the current Committee and Local Authority Memberships.**
- (b) Seeks the view of the Gunyangara Local Authority about what Councillors it wants on its Local Authority.**

6.2 CLOSING THE GAP - OUTCOMES

SUMMARY:

This report is to seek approval from the Elected Members to include indicators that provide evidence to reporting and funding bodies that the actions and deliverables of Council are inclusive of Closing the Gap measurable outcomes.

007/2023 RESOLVED (Wesley Dhamarrandji/Kaye Thurlow)

That Council:

- (a) Notes the report.**

- (b) Approves the inclusion of the following statement in all Council and Local Authority agendas and minutes: "Under Closing the Gap priority reforms, socio economic outcome 16 – Aboriginal and Torres Strait Islander languages are strong, supported and flourishing, it is standard practice for reports to be considered, discussed and debated in the traditional dialects of the East Arnhem region, Yolngu Matha or Anindilyakwa."**
- (c) Supports the inclusion of other reasonable indicators to be included in operations to evidence Closing the Gap targets and outcomes.**
- (d) A Closing the Gap working group be formed including Council representative and officer membership.**

6.3 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.

008/2023 RESOLVED (Kaye Thurlow/Bobby M Wunungmurra)

That Council notes the CEO report.

MOTION MOVE TO MORNING TEA BREAK AT 10.15AM

009/2023 RESOLVED (Kaye Thurlow/Wesley Dhamarrandji)

MOTION MEETING RESUMED 10.54AM

010/2023 RESOLVED (Kaye Thurlow/Banambi Wunungmurra)

CR LIONEL JARAGBA LEFT THE MEETING, THE TIME BEING 10:54 AM.

CR BOBBY WUNUNG MURRA TOOK THE CHAIR THE TIME BEING 10:54AM.

6.1 PLACEHOLDER - ALCOHOL REFORM

SUMMARY

011/2023 RESOLVED (Jason Mirritjawuy/Wesley Dhamarrandji)

That Council:

- (a) Notes the report.**
- (b) Writes a letter to Mayor Matt Patterson expressing its support of Alice Springs Town Council actions that have led to the return of Alcohol restrictions.**

- (c) Writes a letter to the Northern Territory Government acknowledging their actions to legislate new alcohol reforms, and reiterate the resolutions of all Local Authorities and Council supporting the non-introduction of Alcohol in East Arnhem Land.
- (e) Reiterates the resolutions of all Local Authorities and Council in relation to the possible sale of Kava.
- (f) Supports the development of comprehensive Community Safety Action Plans, including the provision of information of the current status of the actual use of all substances across the Region, and health education.

CR LIONEL JARAGBA RETURNED TO THE MEETING, THE TIME BEING 11:24 AM AND RETURNED TO THE CHAIR.

6.5 PLACEHOLDER - VOICE TO PARLIAMENT

SUMMARY

This report is to seek Council's position on the Indigenous Voice to Parliament and The Mayors for the Voice to Parliament Public Statement.

012/2023 RESOLVED (Jason Mirritjawuy/Wesley Dhamarrandji)

That Council supports the Indigenous Voice proposal and signing the Mayors Voice to Parliament Public Statement, and the active engagement of Council, Local Authorities and Communities on how to implement them.

CR BANAMBI LEFT MEETING AT 11.40AM.

CR BANAMBI RETURNED MEETING AT 11.46AM.

MOTION MOVE TO LUNCH BREAK AT 11.56AM

013/2023 RESOLVED (Kaye Thurlow/Wesley Dhamarrandji)

MOTION RESUME MEETING AT 12.51PM

014/2023 RESOLVED (Jason Mirritjawuy/Kaye Thurlow)

Cr. Wesley Dhamarrandji did not return to meeting after the lunch break.

MOTION MOVE TO CONFIDENTIAL AT 12.52AM

015/2023 RESOLVED (Jason Mirritjawuy/Kaye Thurlow)

MOTION RETURN TO ORDINARY MEETING AT 2.14PM

016/2023 RESOLVED (Jason Mirritjawuy/Bobby M Wunungmurra)

TECHNICAL AND INFRASTRUCTURE SERVICES REPORTS

7.1 TECHNICAL AND INFRASTRUCTURE PROGRAM AND CAPITAL PROJECT UPDATES

SUMMARY

This report is tabled for the Council to provide program updates within the Technical and Infrastructure directorate. In addition to progress updates associated with capital projects and initiatives associated with the 2022-2023 Annual Plan.

017/2023 RESOLVED (Banambi Wunungmurra/Bobby M Wunungmurra)

That Council notes the Technical & Infrastructure Services report.

7.2 TELSTRA INVESTMENT AND CONNECTIVITY UPDATE PRESENTATION

SUMMARY:

This report is tabled for Council as a follow up from the last Ordinary Council Meeting, requesting information from Telstra surrounding investment in Regional Infrastructure and improved connectivity.

018/2023 RESOLVED (Kaye Thurlow/Bobby M Wunungmurra)

That Council notes the update on the meeting request and Telstra information.

7.3 PROPOSED UMBAKUMBA LAUNDRY SITE

SUMMARY:

This report is tabled for Council regarding approval for the location and positioning of a funded laundromat within the area of lot 229 Umbakumba.

019/2023 RESOLVED (Kaye Thurlow/Bobby M Wunungmurra)

That Council supports the proposed laundry installation, to be located on lot 229 Umbakumba, as supported by the community.

COMMUNITY DEVELOPMENT REPORTS

8.1 FUNERAL SERVICES AND CEMETERY MANAGEMENT POLICY - REVIEW

SUMMARY

This report is to provide information to the Elected Members on the proposed updates to the East Arnhem Regional Council Funeral Services and Cemetery Management Policy following the introduction of the Northern Territory Burial and Cremation Bill 2022.

The report provides the opportunity for the Elected Members to reflect on the proposed Policy and to directly influence the final policy and the management of the East Arnhem Regional Council Community cemeteries.

020/2023 RESOLVED (Bobby M Wunungmurra/Banambi Wunungmurra)

That Council:

- (a) Notes the report.**
- (b) Approves the draft Funeral Services and Cemetery Management Policy.**
- (c) Approves adoption of records management practice for the EARC Burial Register and Cemetery management that allows the decision maker for the deceased to decide what information is classed as culturally sensitive information.**

CR BOBBY M WUNUNG MURRA LEFT THE MEETING, THE TIME BEING 03:58 PM.

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.

021/2023 RESOLVED (Evelyna Dhamarrandji/Bandi Bandi Wunungmurra)

That Council notes the Community Development update.

CR DAVID DJALANGI LEFT THE MEETING, THE TIME BEING 03:40 PM.

CR DAVID DJALANGI RETURNED TO THE MEETING, THE TIME BEING 03:43 PM.

8.3 2023 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION - NATIONAL GENERAL ASSEMBLY

SUMMARY:

This report is to advise Council that the call for motions and attendees has been made for the National General Assembly of Local Government to be held in June 2023.

022/2023 RESOLVED (Kaye Thurlow/David Djalangi)

That Council:

- (a) Notes the report on the call for motions for the 2023 National General Assembly of Local Government.**
- (b) Nominates President Lapulung Dhamarrandji, Deputy President Lionel Jaragba and Councillor Bandi Bandi Wunungmurra, to attend the NGA23 supported by Senior Officers of Council nominated by the Chief Executive Officer.**
- (c) Endorses the following motions to be prepared for the Councillors review:**
 - (1) Telecommunications, mobile connection and telecommunication Infrastructure and services.**
 - (2) Australia Post services.**

- (d) Will consider and decide on the motion/s to be submitted to 2023 National General Assembly of Local Government at a Special Meeting of Council to be called before submissions are due on Friday 24 March 2023.

8.4 COUNCIL OPERATIONS ON PUBLIC HOLIDAYS

SUMMARY:

This report is to seek direction from the Elected Members on the provision of Council services on gazetted public holidays.

023/2023 **RESOLVED (David Djalangi/Wesley Dhamarrandji)**

That Council:

- (a) Notes the report.**
- (b) Requests that each Local Authority be consulted about which Public Holidays they wish to celebrate and how.**
- (c) Approves the continuation of Council observing the organisational public holiday during NAIDOC week.**

THE MEETING CONCLUDED AT 3.58PM 23 FEBRUARY 2023, DUE TO LOSS OF QUORUM, TO BE RECONVENED ON 24 FEBRUARY 2023.

MEETING RESUMED AND WAS OPENED BY DEPUTY PRESIDENT LIONEL JARAGBA AT 8.43AM ON 24 FEBRUARY.

Corporate Services Reports

9.1 REPRESENTATION REVIEW

SUMMARY

This report presents the final Local Government Representation Review 2022.

024/2023 **RESOLVED (Jason Mirritjawuy/Joe Djakala)**

That Council notes the 2022 Representation Review.

9.2 DELEGATION MANUAL

SUMMARY:

Minor review of the Delegation Manual.

025/2023 RESOLVED (Kaye Thurlow/Bandi Bandi Wunungmurra)

That Council adopts the revised Delegation Manual.

9.3 FINANCE AND HUMAN RESOURCES REPORT

SUMMARY

This report is tabled to the Council to provide the Finance Report for the period ended the 31 January 2023 for its approval.

026/2023 RESOLVED (Bobby M Wunungmurra/Bandi Bandi Wunungmurra)

That the Council approves the Finance and Human Resources Report for the period ended on 31 January 2023.

9.4 AUDIT CHARTER AND WORK PLAN

027/2023 RESOLVED (Jason Mirritjawuy/Banamby Wunungmurra)

That the Council approves the Audit Committee Charter and notes the Work Plan.

MOTION MOVE TO BREAK AT 2.51PM (Wunungmurra/Wunungmurra)

MOTION MEETING RESUMED AT 3.10PM (Wunungmurra/Wunungmurra)

028/2023 RESOLVED (Kaye Thurlow/Bobby M Wunungmurra)

10.2 UNCONFIRMED MINUTES FROM LOCAL AUTHORITY AND COMMITTEE MEETINGS AND MEMBERSHIP

SUMMARY

This report provides to Council copies of minutes from Local Authority and Committee meetings.

029/2023 RESOLVED (Kaye Thurlow/Bandi Bandi Wunungmurra)

That Council notes the unconfirmed minutes from the Local Authority and Committee meetings.

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.

030/2023 RESOLVED (Evelyna Dhamarrandji/Wesley Dhamarrandji/)

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.**
- (c) That Local Authority members Cyril Bukulatjpi and Lirrpiya Mununggurr are approved to attend the Local Authority Action meeting, to be held in Darwin on 9 March 2023.**
- (d) That Local Authority members Cyril Bukulatjpi and Lirrpiya Mununggurr be paid the equivalent of the Council extra meeting allowance.**
- (e) That Council will meet the actual and reasonable costs of travel.**
- (f) That Council meet the actual and reasonable costs of Local Authority member Cyril Bukulatjpi, involved in attending the 81st Bombing of Darwin ceremony on 19 February 2023.**
- (g) That Councillor Kaye Thurlow be paid an extra meeting allowance for assisting the External Chair with Audit Committee Membership interviews, as Cr. Thurlow knows what is required of an Audit Committee member, and again if required to attend these meetings.**

Correspondence

16.1 CORRESPONDENCE REGISTER DOCUMENT DETAILS REPORT

Incoming Correspondence

1712852	Guideline 7 – Procedural Fairness in Deciding Code of Conduct Complaints.pdf
1727300	Marion Scrymgour MP - Request for 2023 Meeting Schedule 16.12.2022.pdf

MINUTES OF THE ORDINARY MEETING HELD IN THE NHULUNBUY ON
THURSDAY, 23 FEBRUARY 2023 AT 9AM

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

031/2023 RESOLVED (Kaye Thurlow/Wesley Dhamarrandji)

That Council notes the incoming and outgoing correspondence register.

DECISION TO MOVE TO CLOSED SESSION AT 12.52PM

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:

12.1 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) 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 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.*

12.3 External Auditors - *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.*

CEO Mid-Year Performance Review - *The report will be dealt with under Section 99 of the Local Government Act and Section 51 (a) of the Local Government (General) Regulations. It contains information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual.*

12.4 Debtors and Rates of Council - *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.*

12.5 RFT1683-2211 Lot 83 Gapuwiyak Staff Housing Upgrades - *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.*

12.6 RFT1695-2208 Lot 95 Gapuwiyak - Childcare New Security Fencing - *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.*

RESUMPTION OF MEETING AT 2.14PM.

032/2023 RESOLVED (Jason Mirritjawuy/Bobby M Wunungmurra)

MINUTES OF THE ORDINARY MEETING HELD IN THE NHULUNBUY ON
THURSDAY, 23 FEBRUARY 2023 AT 9AM

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

GENERAL BUSINESS

That Council discussed concerns with Power and Water connections.

COUNCIL RESOLUTION

033/2023 RESOLVED (Wesley Dhamarrandji/Joe Djakala)

That Council write to Power and Water to request and audit of all power and water meters and connections to ensure they are working properly and any required repairs are carried out, to be in line with current standards.

DATE OF NEXT MEETING: 28 APRIL 2023.

COUNCIL RESOLUTION

034/2023 RESOLVED (Evelyna Dhamarrandji/David Djalangi)

That Council resolves the Ordinary meeting of Council be moved from the 27 April 2023 to the 28 April 2023.

MEETING CLOSE

Meeting closed at 9.21AM 24 February 2023.

This page and the preceding pages are the minutes of the Ordinary Meeting of Council held on 23 and 24 February 2023, and are to be confirmed.