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## 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**

**29 June 2023**

MINUTES OF THE ORDINARY MEETING HELD IN THE NHULUNBUY ON  
THURSDAY, 29 JUNE 2023 AT 9AM

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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.

### **MEETING OPENING**

President Lapulung opened the meeting at 9.16A.

### **PRAYER**

Cr. Marrpalawuy Marika and President Lapulung.

### **In Attendance:**

President Lapulung Dhamarrandji, Councillor Jason Mirritjawuy, Wunungmurra, Councillor Joe Djakala (via video), (via video), Councillor Robert Yawarngu, Councillor Banambi Wunungmurra, Councillor Kaye Thurlow, Councillor Bandi Bandi Wunungmurra, Councillor Wesley Dhamarrandji, Deputy President Lionel Jaragba, Councillor Marrpalawuy Marika, Councillor Evelynna Dhamarrandji.

### **East Arnhem Regional Council Officers:**

Shane Marshall – A/g CEO.

Michael Freeman – Manager Corporate Services (via video).

Andrew Walsh – Director Community Development.

Minute Taker – Wendy Brook Executive Assistant to the CEO.

### **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.

## **Local Government Act: Code of Conduct**

Section 119

### **1 Honesty and integrity**

A member must act honestly and with integrity in performing official functions.

### **2 Care and diligence**

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A member must act with reasonable care and diligence in performing official functions.

3     Courtesy

A member must act with courtesy towards other members, council staff, electors and members of the public.

4     Prohibition on bullying

A member must not bully another person in the course of performing official functions.

5     Conduct towards council staff

A member must not direct, reprimand, or interfere in the management of, council staff.

6     Respect for cultural diversity and culture

A member must respect cultural diversity and must not therefore discriminate against others, or the opinions of others, on the ground of their cultural background.

A member must act with respect for cultural beliefs and practices in relation to other members, council staff, electors and members of the public.

7     Conflict of interest

A member must avoid any conflict of interest, whether actual or perceived, when undertaking official functions and responsibilities.

If a conflict of interest exists, the member must comply with any statutory obligations of disclosure.

8     Respect for confidences

A member must respect the confidentiality of information obtained in confidence in the member's official capacity.

A member must not make improper use of confidential information obtained in an official capacity to gain a private benefit or to cause harm to another.

9     Gifts

A member must not solicit, encourage or accept gifts or private benefits from any person who might have an interest in obtaining a benefit from the council.

A member must not accept a gift from a person that is given in relation to the person's interest in obtaining a benefit from the council.

10    Accountability

A member must be prepared at all times to account for the member's performance as a member and the member's use of council resources.

11    Interests of municipality, region or shire to be paramount

A member must act in what the member genuinely believes to be the best interests of the municipality, region or shire.

In particular, a member must seek to ensure that the member's decisions and actions are based on an honest, reasonable and properly informed judgment about what best advances the best interests of the municipality, region or shire.

12 Training

A member must undertake relevant training in good faith.

**GENERAL**

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

**063/2023 RESOLVED (Bandi Bandi Wunungmurra/Kaye Thurlow)**

**That Council:**

- (a) Notes the absence of Councillor David Djalangi.**
- (b) Notes the apology received from Councillor David Djalangi.**
- (c) Notes Councillor David Djalangi is absent with permission of the Council.**

**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.

**064/2023 RESOLVED (Jason Mirritjawuy/Wesley Dhamarrandji)**

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

**Previous Council Minutes**

**4.1 MINUTES OF THE COUNCIL MEETING HELD 28 APRIL 2023.**

**065/2023 RESOLVED (Evelyna Dhamarrandji/Bandi Bandi Wunungmurra)**

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

**CHIEF EXECUTIVE OFFICER REPORTS**

Cr Wesley Dhamarrandji left the meeting at 09:30 AM.

Cr Wesley Dhamarrandji returned to the meeting at 09:36AM.

**6.1 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.

**066/2023 RESOLVED (Robert Yawarngu/Wesley Dhamarrandji)**

**That Council notes the CEO report.**

## **6.2 PRESIDENT'S REPORT**

### **SUMMARY**

This report sets out all scheduled meetings for the President representing East Arnhem Regional Council, and attendance for the period May and June 2023.

**067/2023 RESOLVED (Evelyna Dhamarrandji/Marrpalawuy Marika)**

**That Council:**

- (a) Notes the President's Report.**
- (b) Notes the presentation from Councillor Thurlow in relation to the nine points relating to Galiwin'ku.**
- (c) Request that Miwatj Health be invited to the next Galiwinku Local Authority meeting to discuss the current Trauma assistance available in Galiwinku for residents.**
- (d) Notes the Kings Birthday honour and gratification more broadly for Councillor Kaye Thurlow.**

Cr. Bobby Wunungmurra joined the meeting at 9.45AM.

Cr Wesley Dhamarrandji left the meeting at being 09:48AM.

Cr Wesley Dhamarrandji returned to the meeting at 09:49AM.

## **TECHNICAL AND INFRASTRUCTURE SERVICES REPORTS**

### **7.1 TECHNICAL SERVICES AND INFRASTRUCTURE REPORT**

#### **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.

**068/2023 RESOLVED (Banambi Wunungmurra/Bandi Bandi Wunungmurra)**

**That Council note the Technical & Infrastructure Services Report.**

## **COMMUNITY DEVELOPMENT REPORTS**

### **8.1 CLOSING THE GAP COMMITTEE - TERMS OF REFERENCE**

#### **SUMMARY:**

This report is to seek approval from the Elected Members to approve the proposed Terms of Reference for a Closing the Gap Committee of Council and nominate Elected Member's to the Committee. The report also seeks to confirm a chairperson for the Committee and frequency of meetings.

**069/2023 RESOLVED (Jason Mirritjawuy/Wesley Dhamarrandji)**

**That Council:**

- (a) Notes the report**
- (b) Approves the amended Terms of Reference for the Closing the Gap Committee**
- (c) Approves the frequency of meetings of the Committee to be every two month/s**
- (d) Approves the establishment of the Closing the Gap Committee**
- (e) Nominates the following Elected Members to be appointed the Closing the Gap Committee**
  - 1. Cr. Kaye Thurlow.**
  - 2. Cr. Marrpalawuy Marika.**
  - 3. Cr. Bobby Wunungmurra.**
  - 4. Deputy President Lionel Jaragba.**
- (f) Nominates the following Elected Member as Chair of the Closing the Gap Committee Cr. Marrpalawuy Marika.**

Cr. Joe Djakala left the meeting at 10.05AM.  
Cr. Joe Djakala returned to the meeting at 10.07AM.

### **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.

**070/2023 RESOLVED (Robert Yawarngu/Lionel Jaragba)**

**That Council notes the Community Development update.**

### **8.3 EAST ARNHAM MURAL PROJECT**

#### **SUMMARY**

This report is to seek a decision regarding the continuation of the East Arnhem Regional Council Mural project.

*071/2023 RESOLVED (Jason Mirritjawuy/Joe Djakala)*

**That Council:**

- (a) Notes the report.**
- (b) Approves paying all remaining cost for the project from Council sourced revenue to the value of \$135,000.00 in addition to the successful Tourism Grant received.**

Cr Wesley Dhamarrandji left the meeting at 10:27AM.

### **8.4 COMMUNITY GRANTS PROGRAM**

#### **SUMMARY:**

This report is to seek approval for amendments for the new Community Grants Program Policy.

*072/2023 RESOLVED (Kaye Thurlow/Marrpalawuy Marika)*

**That Council:**

- (a) Approves the Community Grants Program policy with amendments including the inclusion of Homelands within East Arnhem Region.**
- (b) Discontinues and removes the current Sponsorship & Donation Policy.**

#### **MOTION MOVE TYO BREAK AT 10.31AM**

*073/2023 RESOLVED (Bobby M Wunungmurra/Constantine Mamarika)*

Cr Jason Mirritjawuy left the meeting at 10:47AM.

Cr Bobby M Wunungmurra left the meeting at 10:47AM.

Cr Wesley Dhamarrandji returned to the meeting, the time being 11:04AM.

#### **MOTION MEETING RESUMED AT 10.47AM**

*074/2023 RESOLVED (Evelyna Dhamarrandji/Lionel Jaragba)*

## **Corporate Services Reports**

### **9.1 FINANCE AND HUMAN RESOURCES REPORT**

#### **SUMMARY**

This report is tabled to the Council to provide the Finance and Human Resources Report for the period ended the 31 May 2023 for its approval.

**075/2023 RESOLVED (Joe Djakala/Wesley Dhamarrandji)**

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

### **9.2 ADOPTION OF REGIONAL PLAN**

#### **SUMMARY**

This report is to adopt the 2023-24 Regional Plan.

**076/2023 RESOLVED (Joe Djakala/Wesley Dhamarrandji)**

#### **1. That Council:**

**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 Building Infrastructure funds be allocated to the Buildings Reserve.**
- (g) Unspent Elections funds be allocated to the Elections Reserve.**
- (h) Unspent Age Care and Disability funds be allocated to the Aged Care Reserve.**
- (i) Estimated Unspent Untied funds allocated to Projects as Carry Over funds as scheduled in the table:**

<b>202520 - Training</b>	<b>300,000</b>
<b>304021 - New IT Systems Project</b>	<b>270,000</b>



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<b>203620 - Public Relations – Website and Strategy</b>	<b>25,000</b>
<b>3053-20 - Mural</b>	<b>120,000</b>
<b>Remaining untied funds to Building Infrastructure Reserve</b>	<b>Yet to be determined</b>
<b>Community Events</b>	
<b>201011 - Civic &amp; Community Events - Angurugu</b>	<b>14,455</b>
<b>201012 - Civic &amp; Community Events - Umbakumba</b>	<b>14,417</b>
<b>201013 - Civic &amp; Community Events - Milyakburra</b>	<b>6,854</b>
<b>201014 - Civic &amp; Community Events - Ramingining</b>	<b>3,773</b>
<b>201016 - Civic &amp; Community Events - Gapuwiyak</b>	<b>4,773</b>
<b>201017 - Civic &amp; Community Events - Galiwinku</b>	<b>17,645</b>
<b>201018 - Civic &amp; Community Events - Yirrkala</b>	<b>1,649</b>
<b>201019 - Civic &amp; Community Events - Gunyangara</b>	<b>7,503</b>
<b>201020 - Civic &amp; Community Events - Nhulunbuy</b>	<b>114,136</b>
	<b>185,205</b>

2. That Council acknowledge the feedback from the Department of Chief Minister and Cabinet – Local Government.

3. That Council:

Adopts the 2023-24 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.

(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 2023-24 in accordance with Section 203 of the Act.

### 9.3 PROCUREMENT POLICY AND DELEGATION MANUAL SUMMARY

This report presents the revised Procurement Policy and Delegation Manual.

*077/2023* **RESOLVED (Lionel Jaragba/Evelyna Dhamarrandji)**

**That Council adopts the revised Procurement Policy and Delegation Manual.**

## **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.

**078/2023 RESOLVED (Constantine Mamarika/Wesley Dhamarrandji)**

**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:**

Yirrkala Local Authority	Priscilla Yunupingu.
Gunyangara Local Authority	Syd Yunupingu.
Gunyangara Local Authority	Malakhi Puertollano.
Galiwin'ku Local Authority	Bobby Nyikamula

## **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.

**079/2023 RESOLVED (Constantine Mamarika/Robert Yawarngu)**

**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.**

## **Correspondence**

### **16.1 CORRESPONDENCE REGISTER**

#### **DOCUMENT DETAILS REPORT**

#### **Incoming Correspondence**

1756575	Land Development Committee - Release of the NT Subdivision
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	Development Guidelines – 2 <sup>nd</sup> edition 17.04.2023
1768713	LANT - Report Tabled Inquiry into Local Decision Making - 19.05.2023.
1756179	Letter - WARC - Re NT Electoral Boundary Review Submission.
1759816	LGANT - Acceptance of Council Motions - 26.04.2023
1768931	Minister for Local Government - Congratulation to Councillor Marrpalawuy Marika – 19.05.2023
1753925	NT Heritage Council - Historic Aircraft Wrecks - 06.04.2023
1757238	Senator for the NT - Update on Voice to Parliament - 06.04.2023.pdf
1757461	Email - Brenden Petterson - RE First Circles Leadership program Nhulunbuy 26th and 27th April 2023 – 20.04.2023.

**Outgoing Correspondence**

1756528	Email - Dale Keehne - RE First Circles Leadership program Nhulunbuy 26th and 27th April 2023 - 18.04.2023
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**CEO Correspondence**

1748691	Letter - Regional Connectivity Grants - Office of the Hon. Marion Scrymgour.
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The report author does not have a conflict of interest to this matter (Section 179 of the Act).

**080/2023 RESOLVED (Banambi Wunungmurra/Joe Djakala)**

**That Council notes the incoming and outgoing correspondence register.**

**DECISION TO MOVE TO CLOSED SESSION AT 11.59AM**

**RECOMMENDATION: Evelynna Dhamarrandji/Banambi 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 99 of the Local Government Act, 2019 as the items lists come within the following provisions:-

**12.1 Write Off of Debts** - *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.*

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- 12.2 Fleet Sales and Update** - *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 Community Places for People (CPP) Successful Grant** - *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.*
- 12.4 RFT 17290-2302 Lot 290 Galiwinku - Staff Housing Upgrades - Variation to Contract** - *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.*
- 12.5 RFT 17ML230302 Galiwin'ku Housing Window Security Upgrade** - *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.*
- 1.6 Groote LDM Agreement Implementation Plan** - *The report will be dealt with under Section 99 of the Local Government Act and Section 51 (e) of the Local Government (General) Regulations. It contains information provided to the council on condition that it be kept confidential.*

**RESUMPTION OF MEETING 12.32PM**

081/2023 RESOLVED (Robert Yawarngu/Lionel Jaragba)

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

**MOTION BREAK FOR LUNCH AT 12.33PM**

082/2023 RESOLVED (Bandi Bandi Wunungmurra/Robert Yawarngu)

**MOTION MEETING RESUMED AT 1.25PM**

083/2023 RESOLVED (Evelyna Dhamarrandji/Bobby M Wunungmurra)

Cr Banambi Wunungmurra left the meeting at 12.15PM.  
Cr Constantine Mamarika left the meeting at 12:34PM.  
Cr Jason Mirritjawuy returned to the meeting at 1:05PM.  
Cr Bobby M Wunungmurra returned to the meeting at 1:05PM.  
Cr Lionel Jaragba left the meeting at 12.33PM.  
Cr Wesley Dhamarrandji left the meeting at 12.33 PM.

## **GENERAL BUSINESS**

The Councillors have decided the next meeting will be held in Milingimbi. But ask that engagement activities are organised for the meeting duration for engagement with Community outside of the normal Council meeting.

The Councillors have asked that a letter of thanks be sent to the Mayor of West Arnhem Regional Council for their attendance and meeting with East Arnhem Regional Council, and look forward to continuing to work with them into the future.

## **MEETING CLOSE**

The meeting concluded at 2.13PM.

## **DATE OF NEXT MEETING**

31 August 2023.

This page and the preceding pages are the minutes of the Ordinary Meeting of Council held on Thursday 29 June 2023, and are to be confirmed.