



OPEN MINUTES for the Meeting of Council 26 October 2023

1 Meeting Establishment

YOW NGILIMURR BUKU'LUNGTHUN DHIYAK MEETINGU GA MALA DJARRYUN ROM

In Attendance:

Cr. Wesley Dhamarrandji
Cr. Joe Djakala
Cr. Constantine Mamarika
Cr. Marrpalawuy Marika
Cr. Jason Mirritjawuy
Cr. Kaye Thurlow
Cr. Banambi Wunungmurra
Cr. Bandi Bandi Wunungmurra

Via Telephone:

Cr Evelynna Dhamarrandji (joined at 12.56pm).

Via Teams:

Cr Robert Yawarngu (joined at 11.26am and left at 11.56am)

Guest: Gunygalpa Dhurrkay

East Arnhem Regional Council Officers:

Dale Keehne Chief Executive Officer
Shane Marshall Director Technical and Infrastructure Services
Andrew Walsh Director Community Development
Michael Freeman Manager Corporate Services

Wendy Brook Executive Assistant to the CEO (Minute Taker)

Gunygalpa Dhurrkay, Milingimbi Local Authority member opened the meeting at 9.38am and delivered the Prayer.

MEETING ESTABLISHMENT

1.2 Attendance

SUMMARY:

This report is to table, for the Council's record, any absences or apologies. Council need to make a decision on whether absences are granted permission. Any request for a leave of absence received can be considered.

MOC 2023/113 **RESOLVED** (Cr. Jason Mirritjawuy/Cr. Joe Djakala)

That Council:

- (a) Notes the absence of President Lapulung Dhamarrandji, Deputy President Lionel Jaragba, Cr Evelynna Dhamarrandji, Cr Robert Yawarngu, Cr David Djalangi and Cr Bobby Wunungmurra.
- (b) Notes the apology received from Cr Evelynna Dhamarrandji, Cr Robert Yawarngu, Cr David Djalangi, Cr Bobby Wunungmurra and Deputy President Lionel Jaragba.
- (c) Notes Cr Evelynna Dhamarrandji, Cr Robert Yawarngu, Cr David Djalangi. Cr Bobby Wunungmurra and Deputy President Lionel Jaragba are absent with permission of the Council.
- (d) Determines President Lapulung Dhamarrandji is absent without permission of the Council under Section 47(1) (0) of the Act.

MEETING ESTABLISHMENT

1.3 Declarations of Interest

SUMMARY:

Elected members are required to disclose an interest in a matter under consideration by Council.

MOC 2023/114 **RESOLVED** (Cr. Jason Mirritjawuy/Cr. Joe Djakala)

That Council:

- (a) Notes the Conflict of Interest and Related Parties Register.
- (b) Looks forward to a clearer format of the Register at the next meeting.

MEETING ESTABLISHMENT

1.4 Previous Council Minutes

MOC 2023/115 **RESOLVED** (Cr. Banambi Wunungmurra/Cr. Constantine Mamarika)

That Council approves the minutes of the previous Council Meeting held on 31 August 2023.

2 Looking Forward - Discussions and Decisions

GO NGILIMURR MALA DJARRYUN GA YURAM GA YAKAYUN GA BALWAK NGUPAN
DHUWAL DHARUK

LOOKING FORWARD - DISCUSSIONS AND DECISIONS

2.1 Submission to Remuneration Tribunal

SUMMARY:

The Remuneration Tribunal has invited Council to make a submission on the workings of the Determinations.

MOC 2023/116 RESOLVED (Cr. Bandi Bandi Wunungmurra/Cr. Banambi Wunungmurra)

That Council approve the submission to the Remuneration Tribunal.

LOOKING FORWARD - DISCUSSIONS AND DECISIONS

2.2 Annual Report and Financials for 2022/23

SUMMARY:

To table and adopt the Annual Report for 2022-23.

MOC 2023/117 RESOLVED (Cr. Marrpalawuy Marika/Cr. Joe Djakala)

That Council:

- (a) Receives the tabled Local Authority Project Funding certificates for 30 June 2023 and the Waste Resource Management Grant for 2021/22.**
- (b) Receives the Audit Opinion from the external auditors Merit Partners.**
- (c) Authorises the CEO to approve minor editing to the Annual Report words prior to publishing.**
- (d) Adopts the 2022-23 Annual Report.**
- (e) Publish the report under Section 290 of the Local Government Act by the required date of 15 November 2023.**

LOOKING FORWARD - DISCUSSIONS AND DECISIONS

2.3 Engagement with Department of Social Services

SUMMARY:

This report aims to seek direction and advice regarding the discussion point advocating for an increase in the frequency of social welfare payments in regions like East Arnhem. This discussion point was raised on 5 August 2023, during a meeting with Australian Government

Officials. Discussions have additionally been held with departmental representatives on 3 October 2023.

MOC 2023/118 **RESOLVED** (Cr. Wesley Dhamarrandji/Cr. Constantine Mamarika)

That Council:

- (a) **Notes the report.**
- (b) **Notes the progress to date.**
- (c) **Supports the principle idea of the discussion point being progressed, with the Department of Social Services, with the aim of a trial being implemented in the East Arnhem region.**

LOOKING FORWARD - DISCUSSIONS AND DECISIONS

2.4 LGANT Conference November 2023

SUMMARY:

The Local Government Association of the Northern Territory (LGANT) Conference and Annual General Meeting is 8 – 10 November 2023.

MOC 2023/119 **RESOLVED** (Cr. Constantine Mamarika/Cr. Marrpalawuy Marika)

That Council appoint the President Lapulung Dhamarrandji and Cr Kaye Thurlow and Cr Bandi Wunungmurra as delegates at the Local Government Association of the Northern Territory Conference and Annual General Meeting, utilising the Professional Development Allowance, accompanied by the CEO.

3 Noting Progress and Achievement

YOW GALKI MEETING DJA DHAWARYUNA YURRU NGILIMURR RONGIYI GA NHAMA NGUNIYI

NANYTJAK NGU DHARUK MALAN GA YURUM GA BUKU WEKAM DHIYAKU MEETING GU

NOTING PROGRESS AND ACHIEVEMENT

3.1 President and Councillors Update

AUTHOR Wendy Brook (Executive Assistant to the CEO)

RECOMMENDATION

That Council notes the President and Councillors report.

SUMMARY:

This report details updates from the President and Councillors in addition to a table of meetings attended by the President since last Council meeting.

NOTING PROGRESS AND ACHIEVEMENT**3.2 CEO Update****SUMMARY:**

The process of advocating a range of significant issues by Council, with the other two levels of government, continues.

MOC 2023/120 RESOLVED (Cr. Wesley Dhamarrandji/Cr. Constantine Mamarika)

That Council:

- (a) Notes the CEO Report.**
- (b) Endorses that Local Authority members Ganygulpa Dhurrkay and Priscilla Yunupingu, are paid in alignment with the sitting fees paid for attendance at a Local Authority meeting, for their attendance at the preparation meeting and meeting held between EARC and Northern Territory Government, National Indigenous Australians Agency and the Northern Territory Police on 24 October. In addition to their attendance of the Launch of the East Arnhem Regional Mural, as representatives of their communities, and the Council Pre-Agenda day on 25 October, 2023.**
- (c) Supports continued engagement on the range of important issues raised, with both the Northern Territory and Australian Government.**

NOTING PROGRESS AND ACHIEVEMENT**3.3 Technical & Infrastructure Services Update****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 2023-2024 Annual Plan.

MOC 2023/122 **RESOLVED** (Cr. Joe Djakala/Cr. Wesley Dhamarrandji)

That Council:

- (a) Notes the Technical Services and Infrastructure Services report.**
- (b) Congratulates the Animal Management Team on their national award.**

NOTING PROGRESS AND ACHIEVEMENT

3.4 Community Development Report

SUMMARY:

This report is to provide information on the progress, successes, challenges and future opportunities of the Council's Community Development Directorate.

MOC 2023/123 **RESOLVED** (Cr. Bandi Bandi Wunungmurra/Cr. Constantine Mamarika)

That Council notes the Community Development Report.

NOTING PROGRESS AND ACHIEVEMENT**3.5 Pacific Australia Labour Mobility Scheme - Update****SUMMARY:**

This report is to provide information and update the Elected Members on the Pacific Australia Labour Mobility (PALM) scheme of the Federal Department of Foreign Affairs Tourism & Trade (DFAT), following consultation with East Arnhem Regional Council and Local Authorities and action taken to progress the scheme to a trial phase for the East Arnhem Regional Council.

MOC 2023/124 RESOLVED (Cr. Constantine Mamarika/Cr. Joe Djakala)

Move to lunch break at 12.04pm.

MOC 2023/125 RESOLVED (Cr. Constantine Mamarika/Cr. Joe Djakala)

Return to meeting from lunch at 1.08pm.

MOC 2023/126 RESOLVED (Cr. Wesley Dhamarrandji/Cr. Marrpalawuy Marika)

That Council:

- (a) Notes the report.**
- (b) Notes the organisation is now an approved employer of the Pacific Australia Labour Mobility Scheme.**

NOTING PROGRESS AND ACHIEVEMENT

3.6 Finance and Human Resources Update

SUMMARY:

The Financial and Human Resources information to 30 September 2023.

MOC 2023/125 **RESOLVED** (Cr. Wesley Dhamarrandji/Cr. Evelynna Dhamarrandji)

That Council:

- (a) Notes the Financial and Human Resources update to 30 September 2023.**
- (b) Authorises the repayment to the Northern Territory Government of \$530,987 of expired Local Authority Project Funds.**

NOTING PROGRESS AND ACHIEVEMENT

3.7 Minutes of Committees

MOC 2023/137 RESOLVED (Cr. Wesley Dhamarrandji/Cr. Constantine Mamarika)

That Council approves the minutes of the following Committee meetings:

- (a) Finance Committee meeting of 20 September 2023.**
- (b) Audit Committee meeting of 12 October 2023.**

NOTING PROGRESS AND ACHIEVEMENT

3.8 Minutes and Action Registers of Local Authorities

MOC 2023/136 RESOLVED (Cr. Bandi Bandi Wunungmurra/Cr. Joe Djakala)

That Council:

- (a) Approves the unconfirmed minutes of the following Local Authority meetings:**

Ramingining 18 September 2023.

Milingimbi Provisional Meeting 19 September 2023.

Galiwin'ku 21 September 2023.

Gapuwiyak Meeting cancelled.

Miliakburra Meeting cancelled.

Angurugu 26 September 2023.

Umbakumba Provisional Meeting 27 September 2023.

Gunyangara Provisional Meeting 28 September 2023.

Yirrkala 29 September 2023.

- (b) Accepts the nominations of Rayden Lalara and Jazzroy Mamarika as members of Umbakumba Local Authority, and Jamie Gumbula and Vanessa Danyndhathy as members of Gunyangara Local Authority.**

- (c) Accepts the resignation of Jarella Amagula and Matthew Wurrawilya as members of Angurugu Local Authority.**

- (d) Endorses the actions included in the Local Authority Actions List as recommended by each Local Authority, or as amended.**

- (e) Approves the removal of completed actions as recommended by each Local Authority.**

- (f) Approves \$100,000 from Angurugu Local Authority Project Funding for the purchase of a hearse.**

- (g) Approves \$90,000 from Angurugu Local Authority Project Funding for the purchase of a playground.**

(h) Supports the application for the Regional and Remote Burial Areas Grant for area improvements and identification mapping for the Galiwinku and Milingimbi cemetery sites.

NOTING PROGRESS AND ACHIEVEMENT

3.9 Correspondence Register

SUMMARY:

This report details the incoming and outgoing correspondence that Council has received and sent.

DOCUMENT DETAILS REPORT:

Outgoing Correspondence

Document ID	Document Name
1818374	To Ministers – Re Kava and Alcohol (contained in CEO Report)
1818370	To NIAA and Dept of the CM&C – Youth Justice, Law, Order Support (contained in CEO Report)
1818372	To Yingiya Guyula MLA – Re Youth, Justice, Law Order and Support (contained in CEO Report)
1818365	To Ministers – Re Local Decision Making Agreement with EARC

Incoming Correspondence

Document ID	Document Details Report
1837897	From Chief Minister – Re Kava and Alcohol (contained in CEO Report)
1837898	Letter from Chief Ministers Office Re Youth, Law, Order and Support (contained in CEO Report)
1838180	Letter from Yingiya Guyula MLA - Re Youth, Justice, Law Order and Support (contained in CEO Report)
1837894	Letter from Chief Minister Re Local Decision Making Agreement with EARC (contained in CEO Report)
1837905	From NDIA CEO – Re Service Accessibility in the Region
1838292	Letter to Mr. Dale Keehne – Local Authority Program Funding

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

MOC 2023/138 **RESOLVED** (Cr. Joe Djakala/Cr. Bandi Bandi Wunungmurra)

That Council notes the Correspondence Report.

4 Confidential Reports

MOVED TO CONFIDENTIAL AT 1.30PM**RECOMENDATION: Cr. Joe Djakala/Cr. Marrpalawuy Marika**

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:-

4.1 Elected Member Code of Conduct

The report will be dealt with under Section 99 of the Local Government Act and Section 51(1)(c)(iv) of the Local Government (General) Regulations. It contains information that would subject to subregulation (3) – prejudice the interests of the council or some other person.

4.2 TECH00010 RFT - Freight Services - Barge

The report will be dealt with under Section 99 of the Local Government Act and Section 51(1)(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.

4.3 FIN0004 Internal Audit Services

The report will be dealt with under Section 99 of the Local Government Act and Section 51(1)(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.

4.4 FIN0005 - External Audit Services

The report will be dealt with under Section 99 of the Local Government Act and Section 51(1)(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.

4.5 Fleet Action and Sales Report

The report will be dealt with under Section 99 of the Local Government Act and Section 51(1)(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.

4.6 East Arnhem Mural Project - Augmented Reality

The report will be dealt with under Section 99 of the Local Government Act and Section 51(1)(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.

4.7 Minutes of Committees

The report will be dealt with under Section 99 of the Local Government Act and Section 51(1)(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.

4.8 Minutes of Local Authorities

The report will be dealt with under Section 99 of the Local Government Act and Section 51(1)(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 2.44pm

MOC 2023/139 RESOLVED (Cr. Marrpalawuy Marika/Cr. Constantine Mamarika)

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

5 Date of Next Meeting

MOC 2023/140 RESOLVED (Cr. Joe Djakala/Cr. Marrpalawuy Marika)

{GENERAL BUSINESS}

That Council:

- (a) Notes the resignation of the current East Arnhem Regional Council CouncilBIZ nominated representative, Corporate Services Manager Mr. Michael Freeman.**
- (b) Pursuant to Clause 11.1 of the CouncilBIZ constitution, appoint the Director of Technical and Infrastructure Services Mr. Shane Marshall as it's newly Nominated Representative, with the appointment of the Strategy Manager – Community Development Mr. Divyan Ahimaz as the alternate Nominated Representative.**

NEXT ROUND OF MEETINGS

Local Authority	Meeting Date
Ramingining	20 Nov 23
Milingimbi	21 Nov 23
Galiwinku	23 Nov 23
Gapuwiyak	24 Nov 23
Milyakburra	27 Nov 23
Angurugu	28 Nov 23
Umbakumba	29 Nov 23
Gunyangaga	20 Nov 23
Yirrkalala	1 Dec 23

DATE OF NEXT COUNCIL MEETING 14 DECEMBER 2023

6 Meeting Close