



OPEN MINUTES for the Meeting of Council 14 December 2023

1 Meeting Establishment

YOW NGILIMURR BUKU'LUNGTHUN DHIYAK MEETINGU GA MALA DJARRYUN ROM

The Chair may wish to open the meeting with a prayer.

In Attendance:

In Person:

President Lapulung Dhamarrandji arrived at 10.15am via video.

Cr. Evelyn Dhamarrandji

Cr. Joe Djakala

Cr. Constantine Mamarika

Cr. Marrpalawuy Marika

Cr. Jason Mirritjawuy

Cr. Kaye Thurlow

Cr. Banambi Wunungmurra

Cr. Wesley Bandi Wunungmurra arrived at 9.28am via video.

Kaye Thurlow nominated as Chair in President Lapulung's absence.

Recommended Banambi/Bandi

East Arnhem Regional Council Officers:

Dale Keehne Chief Executive Officer.

Shane Marshall - Director Technical and Infrastructure Services.

Andrew Walsh - Director Community Development.

Wendy Brook Executive Assistant to the CEO (Minute Taker).

The Chair opened the meeting with a prayer at 9.16 am.

MOC 2023/158 **RESOLVED (Cr. Bandi Bandi Wunungmurra/Cr. Banambi Wunungmurra)**

Council nominated Cr Kaye Thurlow as Chairperson in President Lapulung Dhamarrandji's absence.

MEETING ESTABLISHMENT

1.2 Attendance

SUMMARY:

This report is to table, for the Councils 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 2023/160 **RESOLVED (Cr. Evelyn Dhamarrandji/Cr. Marrpalawuy Marika)**

That Council:

- (a) **Notes the absence of Deputy President Lionel Jaragba, Cr David Djalangi and Cr Bobby Wunungmurra, Cr Constantine Mamarika.**
- (b) **Notes the apology received from Deputy President Lionel Jaragba and Cr Bobby Wunungmurra.**
- (c) **Determines Deputy President Lionel Jaragba, Cr David Djalangi and Cr Bobby Wunungmurra, and Cr Constantine Marika are absent without permission of the Council under Section 47(1) (0) of the Act.**
- (e) **Accepts the resignation of Councillor Robert Yawarngu and notes a letter has been sent to the Electoral Commissioner advising the same, and requesting a bi-election be held as soon as is practicable.**

MEETING ESTABLISHMENT

1.3 Election of Deputy President

SUMMARY:

This report is to elect a Deputy President.

The current Deputy President Lionel Jaragba was elected on 15 December 2023, for the period 1 January 2023 to 31 December 2023.

In line with Section 61(3) the Council may appoint one of its members to be the Deputy President position. Section 62(2) states that the term of Deputy is for a period determined by Council.

Council can also consider the possible conflict of interest with the impending creation of a new Groote Archipelago Regional Council, and the involvement and participation of our current Deputy President Lionel Jaragba in that process.

MOC 2023/161 **RESOLVED (Cr. Wesley Dhamarrandji/Cr. Evelyn Dhamarrandji) Wesley/Evelyn**

That Council

- (a) **Acknowledges the service provided by Deputy President Lionel Jaragba.**
- (b) **Elects Cr Jason Mirritjawuy as Deputy President from 1 January 2024 for the remainder of the term of Council.**

MEETING ESTABLISHMENT

1.4 Declarations of Interest

SUMMARY:

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

MOC 2023/162 **RESOLVED** (Cr. Jason Mirritjawuy/Cr. Joe Djakala)

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

MEETING ESTABLISHMENT

1.5 Previous Council Minutes

MOC 2023/163 **RESOLVED** (Cr. Bandi Bandi Wunungmurra/Cr. Wesley Dhamarrandji)

That Council:

(a) Approves the minutes of the previous Council meeting held on 26 October 2023.

(b) Would like an adjustment to draft point C from the Draft Minutes noted, Cr Evelynna Dhamarrandji attended the Council meeting by phone from 12.35pm and Cr Robert Yawarngu attended from 11.20am to 11.53am by video.

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 LGANT - Special General Meeting (Online)

SUMMARY:

LGANT was unable to table the Annual Report and Audited Financial Reports at the recent General Meeting. As such a Special General Online Meeting of LGANT will be held on 18 December 2023 at 9am, to pass both reports.

MOC 2023/164 **RESOLVED** (Cr. Marrpalawuy Marika/Cr. Evelynna Dhamarrandji)

That Council approve the attendance of Deputy President Jason Mirritjawuy, Cr Kaye Thurlow and Bandi Bandi Wunungmurra as confirmed nominated representatives to attend the LGANT Special General Meeting on 18 December 2023 via video conference.

LOOKING FORWARD - DISCUSSIONS AND DECISIONS

2.2 Meeting Schedule of Council for 2024

SUMMARY:

This report is to set the schedule of ordinary meetings for the term of Council.

MOC 2023/165 **RESOLVED** (Cr. Wesley Dhamarrandji/Cr. Joe Djakala)

That Council

(a) set the schedule of Ordinary Meetings to be the last Thursday of every second month – to coincide with when Councillors are paid, on the following dates: 22 February, 18 April, 27 June, 22 August, 31 October and in December the second Thursday being 12 December.

(b) Locations for the April and August meetings to be determined at the February Council Meeting.

(c) Set the schedule of Finance Committee meetings to be the third Wednesday of months which do not have an Ordinary Council Meeting.

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 Minutes of Committees

MOC 2023/166 **RESOLVED** (Cr. Jason Mirritjawuy/Cr. Joe Djakala)

That Council approves the minutes of the Finance Committee Meeting held on 22 November 2023.

NOTING PROGRESS AND ACHIEVEMENT

3.2 Minutes of Local Authorities

MOC 2023/167 **RESOLVED** (Cr. Bandi Bandi Wunungmurra/Cr. Joe Djakala)

That Council approves the minutes of the following Local Authority meetings:

- (a) Ramingining Provisional Local Authority meeting 20112023.**
- (b) Milingimbi Local Authority meeting 21112023.**
- (c) Galiwin'ku Provisional Local Authority meeting 23112023.**

- (d) Angurugu Local Authority meeting 28112023.**
- (e) Gunyangara Provisional Local Authority meeting 30112023.**
- (f) Yirrkala Provisional Local Authority meeting 01122023.**
- (g) Notes the following Local Authority meetings were cancelled:
Gapuwiyak, Milyakburra and Umbakumba due to Sorry Business.**

NOTING PROGRESS AND ACHIEVEMENT

3.3 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.

MOC 2023/168 RESOLVED (Cr. Wesley Dhamarrandji/Cr. Joe Djakala)

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) Approves a consolidated report be presented to the June Council Meeting of completed items.**

NOTING PROGRESS AND ACHIEVEMENT

3.4 President and Councillors Update

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.

MOC 2023/169 **RESOLVED** (Cr. Marrpalawuy Marika/Cr. Evelyn Dhamarrandji)

That Council:

(a) Notes the President and Councillors updates.

(b) Council requests the Regional Manager – Community Development to organise community barbeques and promotional posters and messages to promote the role of Local Authorities and Local Authority membership.

(c) Requests the Director of Technical and Infrastructure Services to raise our concerns regarding Telstra computer system not recognising residential community lot identification when residents request new services or service changes within communities.

NOTING PROGRESS AND ACHIEVEMENT

3.5 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.

MOC 2023/170 **RESOLVED** (Cr. Bandi Bandi Wunungmurra/Cr. Jason Mirritjawuy)

That Council notes the CEO Report.

NOTING PROGRESS AND ACHIEVEMENT

3.6 Technical & Infrastructure Services 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 2023-2024 Annual Plan.

MOC 2023/171 **RESOLVED** (Cr. Evelynna Dhamarrandji/Cr. Joe Djakala)

That Council notes the Technical and Infrastructure Report.

MOC 2023/143 **RESOLVED** (Cr. Joe Djakala/Cr. Wesley Dhamarrandji)

Move to break at 10.35am

MOC 2023/144 **RESOLVED** (Cr. Joe Djakala/Cr. Evelynna Dhamarrandji)

Return from break at 10.58am

NOTING PROGRESS AND ACHIEVEMENT

3.7 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 2023/145 **RESOLVED (Cr. Jason Mirritjawuy/Cr. Evelynna Dhamarrandji)**

That Council notes the Community Development Report.

NOTING PROGRESS AND ACHIEVEMENT**3.8 Finance and Human Resources Update****SUMMARY:**

This report presents the Financial and Human Resources information as of 30 November 2023.

MOC 2023/146 **RESOLVED** (Cr. Marrpalawuy Marika/Cr. Evelynna Dhamarrandji)

That Council notes:

- (a) The Financial and Human Resources update to 30 November 2023.**
- (b) The tabling of the Revised Budget in the month of January due to unforeseen circumstances in the Corporate Services Department.**

NOTING PROGRESS AND ACHIEVEMENT

3.9 Correspondence Register**SUMMARY:**

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

MOC 2023/147 **RESOLVED** (Cr. Banambi Wunungmurra/Cr. Joe Djakala)

That Council notes the Correspondence Register.

4 Confidential Reports**RECOMENDATION: Cr. Marrpalawuy Marika/Cr. Evelynna Dhamarrandji**

Moved to Confidential at 11.27am

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 Change in Banking Signatories

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

4.2 T23-203320.2 East Arnhem Region - Consultancy - Road Safety Audit

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 COM2023-01 Youth Strategy

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 East Arnhem Regional Council ERP Project

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 2022-2023 Waste and Resource Management Grant Program

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 FT2021.05 - Maintenance, Repairs and Servicing of Council Fleet for EARC Procurement Panel - Addition of NEAL Aboriginal Corporation

{custom-field-reason-for-confidentiality}

RESUMPTION OF MEETING 12.08pm

MOC 2023/172 RESOLVED (Cr. Banambi Wunungmurra/President Lapulung Dhamarrandji)

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

5 General Business and Date of Next Meeting

GENERAL BUSINESS

Yirrkala Aged Care Facility Upgrade Funding

MOC 2023/156 RESOLVED (Cr. Banambi Wunungmurra/Cr. Bandi Bandi Wunungmurra)

That Council support the Aged Care Capital Assistance Grant Funding Round application for Capital Improvements to Yirrkala Aged Care Centre.

Date of Next Meeting - 21 February 2024

6 Meeting Close

The meeting concluded at 12.16PM.

This page and the preceding pages are the minutes of the Meeting of Council held on 14 December 2023, and are to be confirmed.