

WEST ARNHEM



REGIONAL COUNCIL

Minutes of the West Arnhem Regional Council Ordinary Meeting
Wednesday, 22 September 2021 at 9:00 am
Council Chambers, Jabiru

The meeting was declared open at 9:01 am, all attendees were welcomed and Traditional Owners were acknowledged.

ELECTED MEMBERS PRESENT

Chairperson	Matthew Ryan (Mayor)
Deputy Mayor	Elizabeth Williams
Councillor	Ralph Blyth
Councillor	Otto Dann
Councillor	Jacqueline Phillips
Councillor	Catherine Ralph
Councillor	James Marrawal
Councillor	James Woods
Councillor	Julius Don Kernan
Councillor	Henry Guwiyul
Councillor	Donna Nadjamerrek
Councillor	Gabby Gumurdul

STAFF PRESENT

Chief Executive Officer	Daniel Findley
Chief Operating Officer	Chris Kelly
Chief Corporate Officer	David Glover
Governance and Risk Advisor	Doreen Alusa
Executive Assistant to the CEO and Mayor	Charlotte Meneer
Finance Manager	Andrew Shaw

VISITORS

Regional Network and Department of Chief
Minister and Cabinet

Colvin Crowe

Minute note: As this was the first meeting of Council after the 2021 Local Government election, the CEO chaired the meeting until Elected Members appointed the Mayor.

APOLOGIES

3.1 APOLOGIES AND LEAVE OF ABSENCE

The Council considered a report on apologies and leave of absence.

Council noted that there were no apologies or requests for leave of absence from Elected Members for the Ordinary Council meeting held on 22 September 2021.

ABSENT WITHOUT NOTICE

4.1 ABSENT WITHOUT NOTICE

The Council considered a report on absences without notice.

Council noted that no Elected Members were absent without notice for the Ordinary Council meeting held on 22 September 2021.

ACCEPTANCE OF AGENDA

5.1 ACCEPTANCE OF AGENDA

The Council considered a report on acceptance of the agenda.

**OCM71/2021 RESOLVED:
On the motion of Mayor Matthew Ryan
Seconded Deputy Mayor Elizabeth Williams**

The agenda papers for the Ordinary Council meeting held on 22 September 2021 as circulated were received for consideration at the meeting.

CARRIED

DECLARATION OF INTEREST OF MEMBERS OR STAFF

6.1 DISCLOSURE OF INTEREST OF MEMBERS OR STAFF

The Council considered a report on disclosure of interest of members or staff.

Council received no declarations of interest for the Ordinary Council meeting held on 22 September 2021.

CHIEF EXECUTIVE OFFICER'S REPORTS

8.1 SWEARING IN OF ELECTED MEMBERS: 2021 - 2025 COUNCIL

The Council considered a report on the swearing in of Elected Members: 2021 - 2025 Council.

Each Elected Member cited their declaration and signed their swearing in certificate.

8.2 BALLOT FOR THE POSITION OF MAYOR

The Council considered a report on the ballot for the position of Mayor.

OCM72/2021 RESOLVED:

On the motion of Councillor Ralph Blyth

Seconded Councillor James Marrawal

Council:

- **Approved the rules and procedures for the secret ballot.**
- **Elected Mathew Ryan, unopposed, to the position of Mayor of West Arnhem Regional Council for the duration of four years.**
- **Directed the administration to inform the following organizations of the election of Mayor Ryan:**
 - 1. The Northern Territory Electoral Commission.**
 - 2. All relevant government departments in the Northern Territory.**
 - 3. West Arnhem Regional Council staff.**
 - 4. The Local Government Association of the Northern Territory.**
- **Directed the administration to upload the results of the election of Mayor Ryan on Council's website and media publications, and share this information with other media outlets.**

CARRIED

Minute note: The CEO officially handed over the chairing of the meeting to Mayor Ryan.

8.3 BALLOT FOR THE POSITION OF DEPUTY MAYOR

The Council considered a report on the ballot for the position of Deputy Mayor.

OCM73/2021 RESOLVED:

**On the motion of Councillor Gabby Gumurdul
Seconded Councillor Ralph Blyth**

Council:

- **Approved the rules and procedures for the secret ballot.**
- **Elected Elizabeth Williams as Deputy Mayor of West Arnhem Regional Council for the duration of four years.**
- **Directed the administration to inform the following organisations of the election of Deputy Mayor Williams:**
 - 1. The Northern Territory Electoral Commission.**
 - 2. All relevant government departments in the Northern Territory.**
 - 3. West Arnhem Regional Council staff.**
 - 4. The Local Government Association of the Northern Territory.**
- **Directed the administration to upload the results of the election of Deputy Mayor Williams on Council's website and media publications, and share this information with other media outlets.**
- **Directed the administration to destroy the ballot papers for the election of the Deputy Mayor.**

CARRIED

Minute note: The meeting broke off from 9:26 am and resumed at 9:34 am to allow for counting of votes for the position of Deputy Mayor.

8.4 OVERVIEW OF THE RESPONSIBILITIES OF COUNCIL

The Council considered a report on the overview of the responsibilities of Council.

Council discussed and noted the report titled Overview of the Responsibilities of Council.

8.5 CODE OF CONDUCT - ELECTED MEMBERS

The Council considered a report on Code of Conduct - Elected Members.

Council discussed and noted the report titled Code of Conduct – Elected Members.

8.6 ATTENDANCE OF ELECTED MEMBERS AT COUNCIL MEETINGS

The Council considered a report on attendance of Elected Members at Council meetings.

Council discussed and noted the report titled Attendance of Elected Members at Council Meetings.

8.7 ELECTED MEMBER ALLOWANCES 2021-2022

The Council considered a report on Elected Member Allowances 2021-2022.

Council noted the following allowances for the financial year 2021-2022:

a) Base and Electoral Allowances			
Allowance	Ordinary Council Member \$	Deputy Principal Member \$	Principal Member \$
Base Allowance	\$13,509.96	\$27,776.12	\$75,116.61
Electoral Allowance	\$4,943.73	\$4,943.73	\$19,771.29
TOTAL	\$18,453.69	\$32,719.85	\$94,887.90
b) Professional Development Allowance			
Allowance	Ordinary Council Member	Deputy Principal Member	Principal Member
Professional Development Allowance	\$3,753.17	\$3,753.17	\$3,753.17
c) Extra Meeting Allowance			
Allowance	Ordinary Council Member	Deputy Principal Member	Principal Member
Extra Meeting Allowance	\$145.00 per meeting (to a maximum of \$9,006.64 per annum)	\$0.00	\$0.00
d) Acting Principal Member			
Allowance			
Daily Rate	\$261.34	Max Claimable (90 days)	\$23,520.60

8.8 OVERVIEW OF THE ROLES AND RESPONSIBILITIES OF THE CHIEF EXECUTIVE OFFICER

The Council considered a report on Overview of the Roles and Responsibilities of the Chief Executive Officer.

Council discussed and noted the report titled Overview of the Roles and Responsibilities of the Chief Executive Officer.

8.9 CHAIR TO EXERCISE A CASTING VOTE POLICY

The Council considered a report on Chair to Exercise a Casting Vote Policy.

**OCM74/2021 RESOLVED:
On the motion of Councillor Ralph Blyth
Seconded Deputy Mayor Elizabeth Williams**

Council reviewed and approved the Chair to Exercise a Casting Vote Policy.

CARRIED

8.10 ANNUAL RETURN OF INTERESTS - ELECTED MEMBERS

The Council considered a report on Annual Return of Interests - Elected Members.

Council received and noted the report, and Elected Members filled in the Key Management Personnel (KMP) declaration form.

8.11 LOCAL AUTHORITY MEMBERSHIP: APPOINTMENT OF ELECTED MEMBERS AND NOMINATIONS FOR VACANCIES

The Council considered a report on Local Authority Membership: Appointment of Elected Members and Nominations for Vacancies.

**OCM75/2021 RESOLVED:
On the motion of Councillor Gabby Gumurdul
Seconded Councillor James Marrawal**

Council:

- **Noted and received the report;**
- **Nominated and approved the appointment of each Elected Member to Local Authorities in their respective Wards;**
- **Approved the appointment of the Mayor and Deputy Mayor as ex-officio members of each Local Authority; and**
- **Approved the commencement of the nomination process for appointed (community) Local Authority member vacancies.**

CARRIED

8.12 SPECIAL FINANCE COMMITTEE NOMINATIONS

The Council considered a report on Special Finance Committee nominations.

OCM76/2021 RESOLVED:

**On the motion of Councillor Gabby Gumurdul
Seconded Councillor Otto Dann**

Council:

- **Appointed the following Elected Members to the Special Finance Committee.**
 1. **Mayor Mathew Ryan**
 2. **Deputy Mayor Elizabeth Williams**
 3. **Councillor Catherine Ralph**
 4. **Councillor Jacqueline Phillips**
 5. **Councillor Donna Nadjamerrek**
- **Reviewed and noted the attached Terms of Reference for the Special Finance Committee.**

CARRIED

8.13 RISK MANAGEMENT AND AUDIT COMMITTEE MEMBERSHIP: APPOINTMENT OF ELECTED MEMBERS AND COMMENCEMENT OF APPOINTMENT OF INDEPENDENT MEMBER

The Council considered a report on Risk Management and Audit Committee Membership: Appointment of Elected Members and Commencement of Appointment of Independent Member.

OCM77/2021 RESOLVED:

**On the motion of Deputy Mayor Elizabeth Williams
Seconded Councillor James Marrawal**

Council:

- **Appointed the following Elected Members to the Risk Management and Audit Committee:**
 1. **Mayor Mathew Ryan**
 2. **Deputy Mayor Elizabeth Williams**
 3. **Councillor Gabby Gumurdul**
 4. **Councillor James Woods**
 5. **Councillor Catherine Ralph**
 6. **Councillor Jacqueline Phillips**
- **Approved the appointment of Carolyn Eagle as the Chairperson of the Risk Management and Audit Committee for the duration of this Council's term in office (4 years);**
- **Approved the commencement of the recruitment of an independent/ external member for the Risk Management and Audit Committee; and**
- **Reviewed and noted the attached Terms of Reference and Charter for the Risk Management and Audit Committee.**

CARRIED

8.14 CEO EMPLOYMENT AND REMUNERATION ADVISORY PANEL: APPOINTMENT OF ELECTED MEMBERS AND COMMENCEMENT OF APPOINTMENT OF INDEPENDENT MEMBER

The Council considered a report on CEO Employment and Remuneration Advisory Panel: Appointment of Elected Members and Commencement of Appointment of Independent Member.

OCM78/2021 RESOLVED:

**On the motion of Mayor Matthew Ryan
Seconded Councillor James Marrawal**

Council:

- **Approved the establishment of a CEO Employment and Remuneration Advisory Panel;**
- **Appointed the following Elected Members to the CEO Employment and Remuneration Advisory Panel:**
 - 1. Mayor Mathew Ryan**
 - 2. Councillor James Marrawal**
 - 3. Councillor Julius Don Kernan**
- **Appointed Deputy Mayor Elizabeth Williams as a proxy Member of the CEO Employment and Remuneration Advisory Panel;**
- **Approved the commencement of the recruitment of an independent member for the CEO Employment and Remuneration Advisory Panel; and**
- **Reviewed and approved the attached Terms of Reference for the CEO Employment and Remuneration Advisory Panel.**

CARRIED

Minute note: The meeting broke off for morning tea at 10:40 am and resumed at 11:12 am.

8.15 LOCAL GOVERNMENT ASSOCIATION OF THE NORTHERN TERRITORY SYMPOSIUM

The Council considered a report on Local Government Association of the Northern Territory Symposium.

Council noted the report and confirmed that all Elected Members will attend the LGANT Elected Member Symposium from 5-6 October 2021.

8.16 DELEGATES FOR LGANT MEETINGS

The Council considered a report on delegates for Local Government Association of the Northern Territory (LGANT) meetings.

OCM79/2021 RESOLVED:

**On the motion of Deputy Mayor Elizabeth Williams
Seconded Councillor Gabby Gumurdul**

- Council appointed Mayor Mathew Ryan and Councillor Ralph Blyth as delegates to attend LGANT meetings; and
- Noted that the following Elected Members may also attend this year's LGANT Annual General Meeting (AGM) in Alice Springs:
 1. Councillor Jacqueline Phillips
 2. Councillor Catherine Ralph
 3. Councillor Julius Don Kernan
 4. Councillor James Marrawal

CARRIED

8.17 CALL FOR NOMINATIONS – LOCAL GOVERNMENT ASSOCIATION OF THE NORTHERN TERRITORY EXECUTIVE VACANCIES

The Council considered a report on call for nominations – Local Government Association of the Northern Territory Executive Vacancies.

OCM80/2021 RESOLVED:

**On the motion of Councillor Otto Dann
Seconded Councillor Gabby Gumurdul**

Council:

- Received and noted the report; and
- Nominated Councillor Ralph Blyth to vie for a position on LGANT's Executive.

CARRIED

8.18 INCOMING AND OUTGOING CORRESPONDENCE

The Council considered a report on incoming and outgoing correspondence.

Council received and noted the items of incoming and outgoing correspondence during the month of August 2021.

8.19 MEETINGS ATTENDED BY THE MAYOR

The Council considered a report on meetings attended by the Mayor.

OCM81/2021 RESOLVED:
On the motion of Deputy Mayor Elizabeth Williams
Seconded Councillor James Marrawal

Council noted the list of meetings attended by the Mayor and approved the associated costs of travel for these meetings.

CARRIED

8.20 REVIEW OF ACTION ITEMS LIST

The Council reviewed the action items list.

OCM82/2021 RESOLVED:
On the motion of Councillor Henry Guwiyaul
Seconded Councillor Jacqueline Phillips

Council reviewed the outstanding resolutions, and gave approval for the following completed item to be removed from the list:

- 1. Accumulation of rubbish on Marlow Road.**

CARRIED

CORPORATE SERVICES REPORTS

9.1 FINANCE REPORT FOR THE PERIOD ENDED 31ST JULY 2021

The Council considered the finance report for the period ended 31st July 2021.

OCM83/2021 RESOLVED:
On the motion of Deputy Mayor Elizabeth Williams
Seconded Councillor Catherine Ralph

Council approved the financial report for the period ended 31 July 2021.

CARRIED

9.2 STATUS OF GRANTS UPDATE AND BUSINESS DEVELOPMENT FOR WEST ARNHEM REGIONAL COUNCIL - AUGUST 2021

The Council considered a report on Status of Grants Update and Business Development for West Arnhem Regional Council - August 2021.

OCM84/2021 RESOLVED:

On the motion of Deputy Mayor Elizabeth Williams

Seconded Councillor Catherine Ralph

Council:

- Received and noted the report on the status of grants update and business development for West Arnhem Regional Council in August 2021; and
- Approved the reallocation of \$8000 from Maningrida Local Authority funding for Maningrida Youth to participate in the Barunga Sports and Cultural Festival to other projects.

CARRIED

9.3 DELEGATIONS MANUAL

The Council considered a report on West Arnhem Regional Council's Delegations Manual.

OCM85/2021 RESOLVED:

On the motion of Deputy Mayor Elizabeth Williams

Seconded Councillor James Marrawal

Council reviewed and approved the attached Delegations Manual in accordance with sections 40, 41 and 183 of the *Local Government Act 2019* and clause 99 of the *Local Government (General) Regulations 2021*.

CARRIED

9.4 CONFIRMATION OF PREVIOUS MINUTES - ORDINARY COUNCIL MEETING HELD ON 11 AUGUST 2021

The Council considered previous minutes for the Ordinary Council Meeting held on 11 August 2021.

OCM86/2021 RESOLVED:

On the motion of Deputy Mayor Elizabeth Williams

Seconded Councillor Julius Kernan

The minutes of the 11 August 2021 Ordinary Council meeting were confirmed as a true and correct record of the meeting.

CARRIED

COMMITTEE AND LOCAL AUTHORITY REPORTS

11.1 REPORT FOR THE WARRUWI LOCAL AUTHORITY MEETING HELD ON 22 JULY 2021

The Council considered a report on the Warruwi Local Authority meeting held on 22 July 2021.

OCM87/2021 RESOLVED:

**On the motion of Councillor James Marrawal
Seconded Deputy Mayor Elizabeth Williams**

Council:

- **Noted the unconfirmed minutes of the Warruwi Local Authority meeting held on 22 July 2021;**
- **Approved the installation of solar lights in various locations in Warruwi at an estimated cost of \$55,000;**
- **Directed the administration to prepare a scope and budget for a new shade and additional seating near the Warruwi crèche; and**
- **Directed the administration to try and look for additional funding to meet any funding shortfall for the aforementioned projects.**

CARRIED

Minute note: The meeting adjourned for lunch at 12:06 pm and resumed at 12:45 pm.

ELECTED MEMBER QUESTIONS WITH OR WITHOUT NOTICE

12.1 ELECTED MEMBER QUESTIONS WITH OR WITHOUT NOTICE

The Council considered Elected Member questions with or without notice.

The Chairperson received the following questions with or without notice from Elected Members:

- 1. Road near the Power House in Gunbalanya: It was noted that the administration will investigate ownership of the road and how it can be repaired.**
- 2. Men's shed in Gunbalanya: Colvin Crowe provided an update on progress made towards the construction of the men's shed.**
- 3. Pollution of waterways in Maningrida: It was noted that the administration will present a report and proposal on commissioning an environmental consultant at the Local Authority meeting to be held on 4 November 2021.**
- 4. Jabiru Masterplan: It was noted that the administration will request representatives from Gundjehmi Aboriginal Corporation or Jabiru Kabolkmakmen to provide an update on the Jabiru Masterplan at the October Ordinary Council meeting.**

GENERAL ITEMS

13.1 OPERATIONS REPORT - AUGUST 2021

The Council considered the operations report for August 2021.

Council received and noted the report.

13.2 APPROVAL OF COUNCIL POLICIES

The Council considered a report on approval of council policies.

OCM88/2021 RESOLVED:

**On the motion of Deputy Mayor Elizabeth Williams
Seconded Councillor Ralph Blyth**

Council reviewed and approved the following policies:

- 1. Procurement Policy; and**
- 2. General Rates, Special Rates and Concessions Policy.**

CARRIED

13.3 WEST ARNHAM REGIONAL COUNCIL ELECTED MEMBER TRAINING

The Council considered a report on West Arnhem Regional Council Elected Member training.

Council noted the report and the requirement to complete mandatory training for Elected Members within the next 12 months.

13.4 COUNCIL MEETING SCHEDULE AND PROPOSED MEETING DATES FOR 2021-2022

The Council considered a report on Council meeting schedule and proposed meeting dates for 2021-2022.

OCM89/2021 RESOLVED:

**On the motion of Councillor Gabby Gumurdul
Seconded Councillor Henry Guwiyaul**

Council noted the report and approved the attached calendars for meeting dates for 2021 and 2022.

CARRIED

PROCEDURAL MOTIONS

14.1 CLOSURE TO THE PUBLIC FOR THE DISCUSSION OF CONFIDENTIAL ITEMS

The Council considered a report on Closure to the Public for the Discussion of Confidential Items.

OCM90/2021 RESOLVED:

**On the motion of Deputy Mayor Elizabeth Williams
Seconded Mayor Matthew Ryan**

Council approved the closure of the meeting to the public as confidential items were about to be discussed. The meeting was closed in accordance with clause 51(c) of the *Local Government (General) Regulations 2021* as the matters to be discussed included information that, if publicly disclosed, would be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person; or (ii) prejudice the maintenance or administration of the law; or (iii) prejudice the security of the council, its members or staff; or (iv) subject to sub regulation (3) – prejudice the interests of the council or some other person.

CARRIED

CONFIDENTIAL ITEMS

The information is classed as confidential under clause 51(c) of the Northern Territory the *Local Government (General) Regulations 2021*.

15.2 DISCLOSURE OF CONFIDENTIAL RESOLUTIONS AND RE-ADMITTANCE OF THE PUBLIC

The Council considered a report on disclosure of confidential resolutions and re-admittance of the public.

OCM92/2021 RESOLVED:

**On the motion of Deputy Mayor Elizabeth Williams
Seconded Mayor Matthew Ryan**

Council opened the meeting to the public after the discussion of confidential items, and approved to disclose the following selected resolutions from the confidential section of this meeting in the non-confidential meeting minutes.

CARRIED

15.1 ACCEPTANCE OF PROPOSED SUB LEASES AND LICENCES TO MAINTAIN - JABIRU

The Council considered a report on Acceptance of proposed sub leases and licences to maintain - Jabiru.

OCM91/2021 RESOLVED:

**On the motion of Councillor Gabby Gumurdul
Seconded Councillor Henry Guwiyaul**

Council:

- Received and noted the report;
- Accepted proposed amendments to Sub Leases, and Licenses to maintain as determined by Management in consultation with legal advice;
- Directed the CEO to sign ongoing Sub Leases and Licenses to Maintain; and
- If required for execution, approved the use of the common seal.

CARRIED

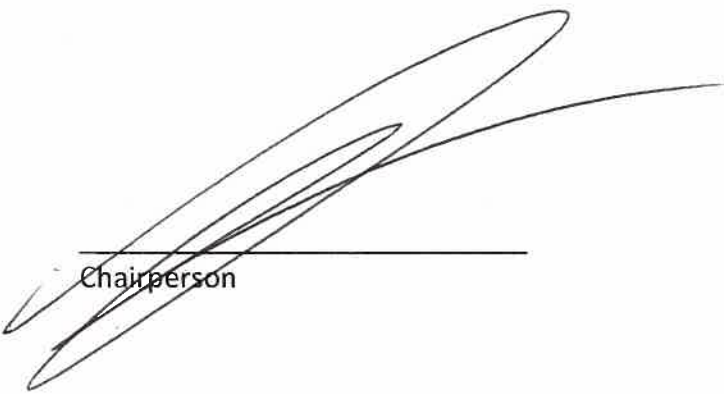
NEXT MEETING

The next meeting is scheduled to be held on Wednesday, 13 October 2021.

MEETING DECLARED CLOSED

Chairperson Mathew Ryan declared the meeting closed at 1:54 pm.

This page and the preceding pages are the minutes of the Ordinary Council meeting held on Wednesday, 22 September 2021.



Chairperson

13/10/21
Date Confirmed

