



Minutes of the West Arnhem Regional Council Ordinary Meeting
Wednesday, 8 December 2021 at 9:00 am
Council Chambers, Jabiru

Chairperson Mayor Matthew Ryan declared the meeting open at 9:00 am, welcomed all in attendance and acknowledged the Traditional Owners.

ELECTED MEMBERS PRESENT

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

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
General Manager Technical Services	Fiona Ainsworth

STAFF PRESENT

Director of Organizational Growth	Kim Sutton
Manager ICT	Richard Bianco
Executive Manager Culture and Partnerships	Ken Vowles

VISITORS

Leader of the Opposition, Northern Territory (NT)	Lia Finocchiaro MLA
Office of the Leader of the Opposition	Emily Fanning
Australian Electoral Commission	Neville Khan
Australian Electoral Commission	Rain Wenitong
Office of Water Security, NT Department of Environment, Parks and Water Security	Rowan Reilly (videoconference)

Minuet note: The meeting began with a minute's silence in remembrance of members of staff and the community who have passed away.

APOLOGIES

3.1 APOLOGIES AND LEAVE OF ABSENCE

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

OCM104/2021 RESOLVED:

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

Council:

- **Noted that there were no Elected Member apologies for the Ordinary Council meeting held on 8 December 2021; and**
- **Approved Councillor Woods' request for leave of absence from 7 January 2022 to 8 March 2022.**

CARRIED

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 8 December 2021.

ACCEPTANCE OF AGENDA

5.1 ACCEPTANCE OF AGENDA

The Council considered a report on acceptance of the agenda.

OCM105/2021 RESOLVED:
On the motion of Councillor James Woods
Seconded Councillor Henry Guwiyaul

The agenda papers for the Ordinary Council meeting held on 8 December 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 noted that there were no declarations of interest for the meeting held on 8 December 2021.

CONFIRMATION OF PREVIOUS MINUTES

7.1 CONFIRMATION OF PREVIOUS MINUTES - ORDINARY COUNCIL MEETING HELD ON 13 OCTOBER 2021

The Council considered a report on the confirmation of minutes for the Ordinary Council Meeting held on 13 October 2021.

OCM106/2021 RESOLVED:
On the motion of Councillor Ralph Blyth
Seconded Councillor James Woods

- The minutes of the 13 October 2021 Ordinary Council meeting were confirmed as a true and correct record of the meeting after the amendment of item 4.1 as follows:
- Council resolved that Councillor Jacqueline Phillips was attending to cultural matters during the meeting held on 13 October 2021 and should therefore be noted as an apology for that meeting.

CARRIED

CHIEF EXECUTIVE OFFICER'S REPORTS

8.1 MEETINGS ATTENDED BY THE MAYOR

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

OCM107/2021 RESOLVED:

**On the motion of Councillor Henry Guwiyaul
Seconded Councillor James Woods**

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

CARRIED

8.2 MINJILANG AND WARRUWI COMMUNITY VIDEOS

The Council considered a report on Minjilang and Warruwi community videos.

Council noted the report.

Minute note: Rowan Reilly joined the meeting at 10:18 am and left at 11:00 am.

Minute note: Lia Finocchiaro MLA and Emily Fanning joined the meeting at 10:05 am and left at 11:02 am.

Minute note: The meeting had morning tea break at 11:17 am and resumed at 11:36 am.

Minute note: Neville Khan and Rain Wenitong joined the meeting at 11:10 am and left at 11:50 am.

8.3 PRESENTATIONS AND VISITORS

The Council considered a report on presentations and visitors.

Council noted presentations by:

- Lia Finocchiaro MLA - Leader of the Opposition in the NT;
- Neville Khan and Rain Wenitong - Representatives from the Australian Electoral Commission; and
- Rowan Reilly - Director, PFAS Taskforce, Office of Water Security, NT Department of Environment, Parks and Water Security.

Minute note: Elected Members invited Lia Finocchiaro MLA to attend the Ordinary Council meeting scheduled to take place in Maningrida on 8 June 2022.

8.4 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 months of October and November 2021.

8.1 REVIEW OF ACTION ITEMS LIST

The Council reviewed the action items list.

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

- Department of Infrastructure Planning and Logistics (DIPL) repairs at Cahills Crossing;
- Letter to the Minister for Indigenous Australians about poor telecommunication services in West Arnhem communities;
- Councillor Julius Kernan's nomination for the Northern Territory Heritage Council (OCM100/2021);
- Letter to the Member for Arafura inviting him to attend Local Authority and Council meetings in 2022; and
- Repair of the road near the power house in Gunbalanya.

CORPORATE SERVICES REPORTS

9.1 FINANCE REPORT FOR THE PERIOD ENDED 31ST OCTOBER 2021

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

OCM108/2021 RESOLVED:

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

Council approved the financial report for the period ended 31st October 2021.

CARRIED

9.2 STATUS OF GRANTS UPDATE AND BUSINESS DEVELOPMENT FOR WEST ARNHEM REGIONAL COUNCIL FOR NOVEMBER TO DECEMBER 2021

The Council considered a report on the status of grants update and business development for West Arnhem Regional Council for November to December 2021.

OCM109/2021 RESOLVED:

**On the motion of Mayor Matthew Ryan
Seconded Councillor Gabby Gumurdul**

Council:

- Received and noted the report on the status of grants update and business development for West Arnhem Regional Council in November 2021;
- Noted that the total amount of unutilized funds from the Minjilang barbeque shelter project is \$13,729 and not \$19,178.52 as earlier reported (OCM15/2021); and
- Approved the reallocation of \$13,729 of unutilised funds for the completed barbeque shelter project to other projects yet to be advised.

CARRIED

Minute note: The Mayor, Deputy Mayor, Councillor Phillips and Councillor Kernan left the meeting at 12:01 pm. Councillor Blyth stood in as Chairperson for the meeting during the Mayor's absence.

COMMITTEE AND LOCAL AUTHORITY REPORTS

11.1 MINUTES OF THE RISK MANAGEMENT AND AUDIT COMMITTEE MEETING HELD ON 27 OCTOBER 2021

The Council considered a report on the minutes of the Risk Management and Audit Committee meeting held on 27 October 2021.

OCM110/2021 RESOLVED:

**On the motion of Councillor Gabby Gumurdul
Seconded Councillor James Woods**

Council:

- **Accepted the unconfirmed minutes of the Risk Management and Audit Committee meeting held on 27 October 2021; and**
- **Adopted the resolutions contained therein.**

CARRIED

11.2 MINUTES OF THE SPECIAL FINANCE COMMITTEE MEETING HELD ON 10 NOVEMBER 2021

The Council considered a report on the minutes of the Special Finance Committee meeting held on 10 November 2021.

OCM111/2021 RESOLVED:

**On the motion of Councillor Henry Guwiyaul
Seconded Councillor James Woods**

Council:

- **Accepted the unconfirmed minutes of the Special Finance Committee meeting held on 10 November 2021; and**
- **Adopted the resolutions contained therein.**

CARRIED

11.3 REPORT FOR THE MINJILANG LOCAL AUTHORITY MEETING HELD ON 14 OCTOBER 2021

The Council considered a report for the Minjilang Local Authority meeting held on 14 October 2021.

Council noted the unconfirmed minutes of the Minjilang Local Authority meeting held on 14 October 2021.

11.4 REPORT FOR THE MINJILANG LOCAL AUTHORITY MEETING HELD ON 25 NOVEMBER 2021

The Council considered a report for the Minjilang Local Authority meeting held on 25 November 2021.

Council noted the unconfirmed minutes of the Minjilang Local Authority meeting held on 25 November 2021.

11.5 REPORT FOR THE WARRUWI LOCAL AUTHORITY MEETING HELD ON 21 OCTOBER 2021

The Council considered a report for the Waruwi Local Authority meeting held on 21 October 2021.

OCM112/2021 RESOLVED:

**On the motion of Councillor Gabby Gumurdul
Seconded Councillor James Woods**

Council:

- **Noted the unconfirmed minutes of the Waruwi Local Authority meeting held on 21 October 2021;**
- **Noted that the following members were appointed to the Local Authority Members Selection Panel;**
 - 1. Councilor James Marrawal**
 - 2. Mr Richard Nawirr**
 - 3. Mr Nicholas Hunter**
 - 4. Mr Stephen Dawkins (Provide administrative support)**
- **Noted that Mr Phillip Wasaga submitted his expression of interest to become a member of Waruwi Local Authority.**

CARRIED

11.6 REPORT FOR THE GUNBALANYA LOCAL AUTHORITY MEETING HELD ON 23 NOVEMBER 2021

The Council considered a report for the Gunbalanya Local Authority meeting held on 23 November 2021.

OCM113/2021 RESOLVED:

**On the motion of Councillor Gabby Gumurdul
Seconded Councillor James Marrawal**

Council:

- **Noted the unconfirmed minutes of the Gunbalanya Local Authority meeting held on 23 November 2021; and**
- **Directed the administration to reallocate \$19,560 for the volunteer dog health program to other projects.**

CARRIED

11.7 REPORT FOR THE MANINGRIDA LOCAL AUTHORITY MEETING HELD ON 11 NOVEMBER 2021

The Council considered a report for the Maningrida Local Authority meeting held on 11 November 2021.

OCM114/2021 RESOLVED:

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

Council:

- **Noted the unconfirmed minutes of the Maningrida Local Authority meeting held on 11 November 2021;**
- **Directed the administration to try and source for funding for the supply and installation of eight speed humps over the next two financial years (four per year);**
- **Approved the allocation of future 2021-2022 Maningrida Local Authority funding to projects in the following order:**
 - **Installation of four bus stop shelters at an estimated cost of \$80,000;**
 - **Construction of two hard structures for the health clinic on Lot 659 at an estimated cost of \$80,000; and**
 - **The repair of playground equipment near the Council office on Lot 477 at an estimated cost of \$29,000.**
- **Approved the allocation of \$18,790, from the previously approved \$50,000 community activities funds (OCM22/2021), to fund a community event that will take place during the Maningrida Day celebrations in 2022; and**
- **Noted that the following were appointed to the Maningrida Local Authority Members selection Panel:**
 - 1) Councillor James Woods**
 - 2) Ms Jessica Phillips**
 - 3) Mr Shane Namanurki**
 - 4) Yanja Thompson (Assisting with administrative support)**

CARRIED

Minute note: Councillor Nadjamerrek left the meeting at 12:25 pm and re-joined the meeting at 12:30 pm.

ELECTED MEMBER QUESTIONS WITH OR WITHOUT NOTICE

12.1 ELECTED MEMBER QUESTIONS WITH OR WITHOUT NOTICE

The Council considered a report on Elected Member questions with or without notice.

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

- 1) **Street lights on Jabiru Drive:** It was noted that this matter had been addressed.
- 2) **Pollution of waterways in Maningrida:** It was noted that the administration had presented a report on this matter at the Maningrida Local Authority meeting held on 11 November 2021, and the Local Authority had decided not to allocate funding for commissioning an environmental consultant to investigate the problem. However, due to the importance of this matter, the meeting noted that Councillor Kernan will consult with Traditional Owners to identify a viable solution to the problem.
- 3) **Repair of roads in New Sub in Gunbalanya:** It was noted that the Council Services Manager in Gunbalanya will inspect the roads in New Sub in consultation with Councillors Gumurdul and Dann to identify areas that should be repaired.
- 4) **Additional garbage compactor truck for communities:** It was noted that the administration will investigate options for having additional garbage compactor truck for West Arnhem communities and present a report at the next Council meeting.

GENERAL ITEMS

13.1 OPERATIONS REPORT - OCTOBER AND NOVEMBER 2021

The Council considered the Operations report for October and November 2021.

Council received and noted the report.

13.2 COMPLAINTS MANAGEMENT - DECEMBER 2021

The Council considered a report on complaints management for December 2021.

Council received and noted the report.

13.3 VACANCIES - WARRUWI LOCAL AUTHORITY MEMBERSHIP NOMINATION

The Council considered a report on vacancies - Warruwi Local Authority membership nomination.

OCM115/2021 RESOLVED:
On the motion of Councillor James Woods
Seconded Councillor Otto Dann

Council considered and approved the nomination of Mr. Phillip Wasaga to the Warruwi Local Authority.

CARRIED

13.4 CALL FOR NOMINATIONS – ANIMAL WELFARE ADVISORY COMMITTEE

The Council considered a report on Call for Nominations – Animal Welfare Advisory Committee.

OCM116/2021 RESOLVED:
On the motion of Councillor Ralph Blyth
Seconded Councillor Gabby Gumurdul

Council did not nominate an Elected Member or Council officer to represent LGANT on the NT Animal Welfare Advisory Committee.

CARRIED

Minute note: The Mayor and Councillor Phillips re-joined the meeting at 12:45 pm and the Mayor resumed as Chairperson for the meeting.

PROCEDURAL MOTIONS

14.1 CLOSURE TO THE PUBLIC FOR THE DISCUSSION OF CONFIDENTIAL ITEMS

The Council considered a report on closure of the meeting to the public for the discussion of confidential items.

OCM117/2021 RESOLVED:
On the motion of Councillor Ralph Blyth
Seconded Councillor Otto Dann

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 subregulation (3) – prejudice the interests of the council or some other person.

CARRIED

CONFIDENTIAL ITEMS

The information is classed as confidential under section 99(2) of the *Local Government Act 2019* and regulations 51 and 52 of the *Local Government (General) Regulations 2021*.

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

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

OCM121/2021 RESOLVED:
On the motion of Councillor Ralph Blyth
Seconded Councillor Otto Dann

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

CARRIED

1.1 CONFIRMATION OF PREVIOUS MINUTES - CONFIDENTIAL ORDINARY COUNCIL MEETING HELD ON 13 OCTOBER 2021

The Council considered a report on the confirmation of minutes for the confidential Ordinary Council meeting held on 13 October 2021.

OCM118/2021 RESOLVED:
On the motion of Mayor Matthew Ryan
Seconded Councillor Gabby Gumurdul

The confidential minutes of the 13 October 2021 Ordinary Council meeting were confirmed as a true and correct record of the meeting.

CARRIED

2.2 CONFIRMATION OF PREVIOUS MINUTES - CONFIDENTIAL RISK MANAGEMENT AND AUDIT COMMITTEE MEETING HELD ON 27 OCTOBER 2021

The Council a report on the confirmation of minutes for the confidential Risk Management and Audit Committee Meeting held on 27 October 2021.

OCM119/2021 RESOLVED:
On the motion of Councillor Gabby Gumurdul
Seconded Councillor Otto Dann

Council noted the confidential minutes of the 27 October Risk Management and Audit Committee meeting and adopted the resolutions contained therein.

CARRIED

3.3 CONFIRMATION OF PREVIOUS MINUTES - CONFIDENTIAL SPECIAL FINANCE MEETING HELD ON 10 NOVEMBER 2021

The Council considered a report on the confirmation of minutes for the confidential Special Finance Meeting held on 10 November 2021.

OCM120/2021 RESOLVED:

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

Council noted the confidential minutes of the 10 November 2021 Special Finance Committee meeting and adopted the resolutions contained therein.

CARRIED

Minute note: On behalf of the Council, Mayor Ryan thanked Chris Kelly for his service during his time as the Chief Operating Officer at West Arnhem Regional Council.

NEXT MEETING

The next meeting is scheduled to take place on Wednesday, 9 February 2022.

MEETING DECLARED CLOSED

Chairperson Mathew Ryan declared the meeting closed at 1:05 pm.

This page and the preceding eleven (11) pages are the minutes of the Ordinary Council meeting held on Wednesday, 8 December 2021.



Chairperson

09/03/2022

Date Confirmed