



Minutes of the West Arnhem Regional Council Ordinary Meeting
Wednesday, 10 August 2022 at 10:00 am
Council Chambers, Maningrida

Chairperson Mayor Matthew Ryan declared the meeting open at 10:12 am, welcomed all in attendance and did an Acknowledgement of Country.

ELECTED MEMBERS PRESENT

Chairperson	Matthew Ryan (Mayor)
Councillor	James Marrawal
Councillor	James Woods
Councillor	Henry Guwiyul
Councillor	Otto Dann
Councillor	Ralph Blyth (videoconference)
Councillor	Jacqueline Phillips (videoconference)
Councillor	Donna Nadjamerrek (videoconference)
Councillor	Gabby Gumurdul (videoconference)

STAFF PRESENT

Chief Executive Officer	Daniel Findley
Chief Operating Officer	Rick Mulvey
Chief Corporate Officer	David Glover
Director of Organizational Growth	Kim Sutton
Governance and Risk Advisor	Doreen Alusa (videoconference)
Executive Assistant to the CEO and Mayor	Charlotte Meneer (videoconference)
Finance Manager	Andrew Shaw (videoconference)
General Manager Technical Services	Fiona Ainsworth
Executive Manager Advocacy and Strategy	Brooke Darmanin

VISITORS

Jamie Chalker, Police Commissioner and CEO,
Northern Territory Police, Fire and Emergency
Services

Martin Dole, Assistant Commissioner,
Northern Territory Police, Fire and Emergency
Services

Karen Elligett, Executive Director, Northern
Territory Police, Fire and Emergency Services

Darren Johnson, Senior Director, Northern
Territory Police, Fire and Emergency Services

Nic Sarah, Regional Director West Arnhem,
Department of the Chief Minister and Cabinet

Maree De Lacey, Executive Director,
Department of the Chief Minister and Cabinet

Ethan Redshaw, Manager Legislation and
Policy, Department of the Chief Minister and
Cabinet

Sean Holden, CEO, Local Government
Association of the Northern Territory

Kon Vatskalis, Mayor City of Darwin and
President of the Local Government Association
of the Northern Territory

Valda Bokmakarray, Community Member

APOLOGIES

4.1 APOLOGIES AND LEAVE OF ABSENCE

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

Council received and noted Elected Member apologies from Deputy Mayor Elizabeth Williams, and Councillors Catherine Ralph and Julius Don Kernan for the Ordinary Council meeting held on 10 August 2022.

ABSENT WITHOUT NOTICE

5.1 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 10 August 2022.

ACCEPTANCE OF AGENDA

6.1 ACCEPTANCE OF AGENDA

The Council considered a report on acceptance of the agenda.

**OCM62/2022 RESOLVED:
On the motion of Councillor James Woods
Seconded Councillor Henry Guwiyul**

The agenda papers for the Ordinary Council meeting held on 10 August 2022 as circulated were received for consideration at the meeting.

CARRIED

DECLARATION OF INTEREST OF MEMBERS OR STAFF

7.1 DISCLOSURE OF INTEREST OF MEMBERS OR STAFF

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

The Council did not receive any declarations of interest for the meeting held on 10 August 2022.

CONFIRMATION OF PREVIOUS MINUTES

8.1 CONFIRMATION OF PREVIOUS MINUTES - ORDINARY COUNCIL MEETING HELD ON 8 JUNE 2022

The Council considered a report on the confirmation of previous minutes for the Ordinary Council Meeting held on 8 June 2022.

OCM63/2022 RESOLVED:

**On the motion of Councillor James Woods
Seconded Councillor James Marrawal**

The minutes of the 8 June 2022 Ordinary Council meeting were confirmed as a true and correct record of the meeting.

CARRIED

CHIEF EXECUTIVE OFFICER'S REPORTS

9.1 PRESENTATIONS AND VISITORS

The Council considered a report on presentations and visitors.

Council noted presentations by representatives from the following organisations:

- 1. Department of the Chief Minister and Cabinet;**
- 2. Northern Territory Police, Fire and Emergency Services; and**
- 3. Local Government Association of the Northern Territory.**

Minute note: Valda Bokmakarray left the meeting at 10:55 am.

Minuet note: Representatives from the Northern Territory Police, Fire and Emergency Services and Nic Sarah left the meeting at 11:15 am.

Minute note: Representatives from LGANT left the meeting at 11:56 am.

Minute note: Maree De Lacey and Ethan Redshaw left the meeting at 12:46 pm.

Minute note: The meeting broke off for a short break at 12:46 pm and resumed at 12:56 pm.

9.2 REQUEST TO PROVIDE FEEDBACK ON THE LOCAL GOVERNMENT ASSOCIATION OF THE NORTHERN TERRITORY CONSTITUTION

The Council considered a request to provide feedback on the Local Government Association of the Northern Territory (LGANT) Constitution.

OCM64/2022 RESOLVED:

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

Council:

- Received and noted the report; and
- Reviewed and endorsed the following attached documents:
 - LGANT Constitution recommendation table.
 - LGANT Constitution draft preamble.
 - LGANT Constitution.

CARRIED

9.3 MEETINGS ATTENDED BY THE MAYOR

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

OCM65/2022 RESOLVED:

**On the motion of Councillor Henry Guwiyul
Seconded Councillor Otto Dann**

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

CARRIED

9.4 REVIEW OF ACTION ITEMS LIST

The Council reviewed the action items list.

OCM66/2022 RESOLVED:

**On the motion of Councillor James Marrawal
Seconded Councillor James Woods**

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

- 1. OCM54/2022: Call for nominations – Northern Territory Tobacco Control Action Committee.**
- 2. OCM55/2022: Sponsorship of the jabiru bombers - 2022-2023.**
- 3. Elected Member questions with or without notice: our councillor's map on page 8 of the *Regional Plan and Budget 2022-2023*.**
- 4. OCM41/2022: Filling of vacancies for Minjilang Local Authority.**

CARRIED

Minute note: The meeting broke off for lunch at 2:00 pm and resumed at 2:30 pm.

Minute note: Maree De Lacey and Ethan Redshaw re-joined the meeting at 2:30 pm.

CORPORATE SERVICES AND ORGANISATIONAL UNIT REPORTS

10.1 FINANCE REPORT FOR THE PERIOD ENDED 30 JUNE 2022

The Council considered the Finance Report for the period ended 30 June 2022.

OCM67/2022 RESOLVED:

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

Council approved the Financial Management report for the period ended 30 June 2022.

CARRIED

PROCEDURAL MOTIONS

CLOSURE TO THE PUBLIC FOR THE DISCUSSION OF CONFIDENTIAL ITEMS

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

OCM68/2022 RESOLVED:

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

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 regulation 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

Minute note: Council staff left the meeting at 2:50 pm so that Elected Members could have a confidential discussion with representatives from the Department of the Chief Minister and Cabinet. Council staff re-joined the meeting at 3:47 pm.

RE-ADMITTANCE OF THE PUBLIC

The Council considered a report re-admittance of the public.

OCM69/2022 RESOLVED:

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

Council opened the meeting to the public after the discussion of confidential items.

CARRIED

CORPORATE SERVICES AND ORGANISATIONAL UNIT REPORTS

10.2 LOCAL AUTHORITY ALLOWANCES 2022-2023

The Council considered a report on Local Authority allowances for 2022-2023.

OCM70/2022 RESOLVED:

On the motion of Mayor Matthew Ryan
Seconded Councillor James Woods

Council:

- Received and noted the report; and
- Adopted the following Local Authority members allowances for the financial year 2022-2023:

Allowance	Appointed Local Authority Member (Non WARC Staff)	Local Authority Chairperson (Non WARC Staff)
Allowance per meeting	\$135.00	\$181.00

CARRIED

10.3 AUSTRALIAN TAXATION OFFICE ELECTED MEMBERS TRAVEL AND EXPENSES RATES FOR THE 2022-2023 FINANCIAL YEAR

The Council considered a report on Australian Taxation Office Elected Members travel and expenses rates for the 2022-2023 financial year.

Council deferred discussions on the report about the Australian Taxation Office Elected Members travel and expenses rates for 2022-2023 to the next Council meeting scheduled on 12 October 2022.

10.4 ORGANISATIONAL GROWTH UNIT REPORT

The Council considered the Organisational Growth Unit report.

Council received and noted the report on the activity and progress made by the Organisational Growth unit in pursuit of the strategic goals.

10.5 ANNUAL RETURN OF INTERESTS - ELECTED MEMBERS; KMP DECLARATION

The Council considered a report on annual return of interests and the Key Management Personnel (KMP) declaration for Elected Members.

Council:

- Received and noted the report; and
- Noted that Elected Members will fill in the following two forms no later than 30 September 2022:
 1. Schedule 5: Annual Return of Interest for Council Members; and
 2. Key Management Personnel (KMP) Declaration.

TECHNICAL SERVICES REPORTS

11.1 DISPOSAL OF SURPLUS FLEET ASSETS

The Council considered a report on the disposal of surplus fleet assets.

OCM71/2022 RESOLVED:

**On the motion of Councillor Henry Guwiyul
Seconded Councillor James Marrawal**

Council received and noted the report, and approved the sale via auction of the following vehicles:

- 1. 2018 Toyota Prado - Jabiru**
- 2. 2020 Toyota Prado - Jabiru**

CARRIED

COMMITTEE AND LOCAL AUTHORITY REPORTS

12.1 MINUTES OF THE SPECIAL FINANCE COMMITTEE MEETING HELD ON 13 JULY 2022

The Council considered a report on minutes of the Special Finance Committee meeting held on 13 July 2022.

OCM72/2022 RESOLVED:

**On the motion of Deputy Mayor Elizabeth Williams
Seconded Councillor Jacqueline Phillips**

Council:

- Accepted the unconfirmed minutes of the Special Finance Committee meeting held on 13 July 2022; and**
- Adopted all other resolutions contained in the minutes.**

CARRIED

12.2 MINUTES OF THE RISK MANAGEMENT AND AUDIT COMMITTEE MEETING HELD ON 27 JULY 2022

The Council considered a report on minutes of the Risk Management and Audit Committee meeting held on 27 July 2022.

OCM73/2022 RESOLVED:

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

Council:

- Accepted the unconfirmed minutes of the Risk Management and Audit Committee meeting held on 27 July 2022; and**
- Adopted the resolutions contained therein.**

CARRIED

12.3 REPORT FOR THE WARRUWI LOCAL AUTHORITY MEETING HELD ON 21 JULY 2022

The Council considered a report on the Warruwi Local Authority meeting held on 21 July 2022.

OCM74/2022 RESOLVED:

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

Council:

- **Noted the unconfirmed minutes of the Warruwi Local Authority meeting held on 21 July 2022; and**
- **Approved a total of approximately \$15,170.15 from future Warruwi Local Authority funding for the next 3 years towards the animal management program as per the breakdown below:**
 - **\$4,718.70 from 2022-2023 Warruwi Local Authority funding.**
 - **\$5, 049.01 from 2023-2024 Warruwi Local Authority funding.**
 - **\$5, 402.15 from 2024-2025 Warruwi Local Authority funding.**

CARRIED

12.4 REPORT FOR THE GUNBALANYA LOCAL AUTHORITY MEETING HELD ON 28 JULY 2022

The Council considered a report on the Gunbalanya Local Authority meeting held on 28 July 2022.

OCM75/2022 RESOLVED:

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

Council:

- **Noted the unconfirmed minutes of the Gunbalanya Local Authority meeting held on 28 July 2022;**
- **Approved the allocation of \$45,000.00 from Gunbalanya Local Authority funding to complete the variations to the playground;**
- **Approved the allocation of a total of \$47,196.02 from future Gunbalanya Local Authority funding for the next 3 years towards the animal management program as per the breakdown below:**
 - **\$14,680.40 from 2022-2023 Gunbalanya Local Authority funding.**
 - **\$15,708.03 from 2023-2024 Gunbalanya Local Authority funding.**
 - **\$16,807.59 from 2024-2025 Gunbalanya Local Authority funding; and**
- **Directed the administration to try and seek funding for the installation of fixed pole lights at Lot 641 at an estimated cost of \$2,063,090.91, plus initial purchase of Plant & Equipment at \$40,000.00.**

CARRIED

12.5 REPORT FOR THE MANINGRIDA LOCAL AUTHORITY MEETING HELD ON 4 AUGUST 2022

The Council considered a report on the Maningrida Local Authority meeting held on 4 August 2022.

OCM76/2022 RESOLVED:

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

Council:

- **Noted the unconfirmed minutes of the Maningrida Local Authority meeting held on 4 August 2022;**
- **Endorsed the election of Ms. Sharon Hayes as the Chairperson of the Maningrida Local Authority for a period of 12 months;**
- **Approved an additional 35,000 from Maningrida Local Authority funding towards the cost of the 2023 New Year's Eve fireworks display bringing the total allocation of funding for this project to \$70, 000;**
- **Approved the allocation of \$29,924.24 from Maningrida Local Authority funding towards the installation of solar lights at the Ceremonial Grounds at Top Camp in Maningrida; and**
- **Approved the allocation of a total of \$96,077.61 from future Maningrida Local Authority for the next 3 years towards the animal management program as per the breakdown below:**
 - **\$29,885.10 from 2022-2023 Maningrida Local Authority funding.**
 - **\$31,977.06 from 2023-2024 Maningrida Local Authority funding.**
 - **\$34,215.45 from 2024-2025 Maningrida Local Authority funding.**

CARRIED

12.6 VACANCIES - MINJILANG LOCAL AUTHORITY MEMBERSHIP NOMINATION

The Council considered a report on nominations for Minjilang Local Authority membership vacancies.

OCM77/2022 RESOLVED:

**On the motion of Councillor Henry Guwiyul
Seconded Councillor James Marrawal**

Council:

- **Received and noted the report;**
- **Noted that Mr Charles Yirrawala is still a member of the Minjilang Local Authority; and**
- **Considered and approved the nomination of the following as members of the Minjilang Local Authority:**
 1. **Mr Clint Wauchope**
 2. **Ms Audrey Lee**
 3. **Mr David Makings**

CARRIED

12.7 REPORT FOR THE MINJILANG LOCAL AUTHORITY MEETING HELD ON 9 AUGUST 2022

The Council considered a report on the Minjilang Local Authority meeting held on 9 August 2022.

OCM78/2022 RESOLVED:

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

Council:

- **Noted the unconfirmed minutes of the Minjilang Local Authority meeting held on 9 August 2022;**
- **Approved the allocation of \$25,000 from Minjilang Local Authority funding to meet the costs for the architectural and structural drawings for the Minjilang Council office disabled access ramp and toilet;**
- **Directed the administration to try and seek additional funding for the construction of the Minjilang Council office disabled access ramp and toilet at an estimated cost of \$176,500;**
- **Directed the administration to try and seek additional funding for the Minjilang Airport shelter upgrade at an estimated cost of \$91,000;**
- **Directed the administration to send letters to other stakeholders in Minjilang, and request them to co-contribute to the cost of the Minjilang Airport shelter upgrade; and**
- **Approved the allocation of a total of \$10,113.44 from future Minjilang Local Authority funding for the next 3 years towards the animal management program as per the breakdown below:**
 - **\$3,145.80 from 2022-2023 Minjilang Local Authority funding.**
 - **\$3,366.01 from 2023-2024 Minjilang Local Authority funding.**
 - **\$3,601.63 from 2024-2025 Minjilang Local Authority funding.**

CARRIED

GENERAL ITEMS

13.1 OPERATIONS REPORT - JUNE & JULY 2022

The Council considered the Operations Report for June and July 2022.

Council received and noted the Operations Unit report for June and July 2022.

ELECTED MEMBER QUESTIONS WITH OR WITHOUT NOTICE

14.1 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. Men's shade in Gunbalanya:** The Mayor will enquire from Red Lilly about progress made on the men's shed in Gunbalanya, and provide an update at the next Council meeting.
- 2. Women's safe house in Maningrida:** The administration will make an enquiry about male access to the women's safe house in Maningrida, and provide an update at the next Council meeting.
- 3. Half-sized basketball court in Maningrida:** The administration will investigate how to stop flooding during the wet season at the Maningrida half-sized sized basketball court, and provide an update at the next Council meeting.
- 4. 2023 meetings calendar:** The administration will present a report about proposed Council, Local Authority and Committee meeting dates for 2023 at the next Council meeting.
- 5. Upgrading of community airport shelters:** It was noted that the administration is working with Local Authorities to explore options for upgrading airport shelters in West Arnhem communities.

PROCEDURAL MOTIONS

15.1 CLOSURE TO THE PUBLIC FOR THE DISCUSSION OF CONFIDENTIAL ITEMS

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

OCM79/2022 RESOLVED:

On the motion of Councillor James Woods

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 regulation 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 in this section of the agenda is classed as confidential under section 293(1) of the *Local Government Act 2019* and regulation 51 of the *Local Government (General) Regulations 2021*.

16.1 CEO Executive Recruitment Proposals – Recommendation from the CEO Recruitment, Performance and Remuneration Advisory Panel

The Council considered a report on recommendations from the CEO Recruitment, Performance and Remuneration Advisory Panel

OCM80/2022 RESOLVED:

On the motion of Councillor James Marrawal
Seconded Councillor Henry Guwiyul

Council

- Received and noted the report;
- Approved the CEO recruitment process and timeframe as outlined in the report;
- Resolved not to endorse the first-choice recruitment firm that the CEO Recruitment, Performance and Remuneration Advisory Panel recommended to undertake the recruitment process of WARC's next CEO; and
- Resolved to engage Blackadder Associates as the recruitment firm that will undertake the recruitment of WARC's next CEO.

CARRIED

16.2 CEO Executive Recruitment Proposals – Recommendation from the CEO Recruitment, Performance and Remuneration Advisory Panel

The Council considered a report on recommendations from the CEO Recruitment, Performance and Remuneration Advisory Panel

OCM81/2022 RESOLVED:

On the motion of Councillor Ralph Blyth
Seconded Councillor Gabby Gumurdul

Council

- Received and noted the report;
- Approved the CEO base salary range and the total package entitlements as outlined in the report; and
- Approved a relocation reimbursement range of \$10,000 to \$20,000 for the CEO position.

CARRIED

16.3 CONFIRMATION OF PREVIOUS MINUTES - CONFIDENTIAL ORDINARY COUNCIL MEETING HELD ON 8 JUNE 2022

The Council considered a report on the confirmation of previous minutes for the confidential Ordinary Council Meeting held on 8 June 2022.

Due to time constraints, the confirmation of the minutes of the 8 June 2022 confidential Ordinary Council meeting was deferred to the next Council meeting scheduled on 12 October 2022.

16.4 CONFIRMATION OF PREVIOUS MINUTES - CONFIDENTIAL RISK MANAGEMENT AND AUDIT COMMITTEE MEETING HELD ON 27 JULY 2022

The Council considered a report on the confirmation of previous minutes for the confidential Risk Management and Audit Committee Meeting held on 27 July 2022.

Due to time constraints, the confirmation of the minutes of the confidential minutes of the 27 July 2022 Risk Management and Audit Committee meeting was deferred to the next Council meeting scheduled on 12 October 2022.

16.5 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.

**OCM82/2022 RESOLVED:
On the motion of Councillor James Marrawal
Seconded Mayor Matthew Ryan**

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

NEXT MEETING

The next meeting is scheduled to take place on Wednesday, 12 October 2022.

MEETING DECLARED CLOSED

Chairperson Mayor Matthew Ryan declared the meeting closed at 4:24 pm.

This page and the preceding twelve (12) pages are the minutes of the Ordinary Council Meeting held on Wednesday, 10 August 2022.

Chairperson

Date Confirmed