



Minutes of the West Arnhem Regional Council Ordinary Meeting
Wednesday, 18 January 2023 at 09:00
Council Chambers, Jabiru

Chairperson Elizabeth Williams (Deputy Mayor) declared the meeting open at 09:16, welcomed all in attendance and did an Acknowledgement of Country.

ELECTED MEMBERS PRESENT

Chairperson	Elizabeth Williams (Deputy Mayor)
Councillor	Ralph Blyth
Councillor	Otto Dann (video conference)
Councillor	Jacqueline Phillips (video conference)
Councillor	Catherine Ralph
Councillor	James Marrawal
Councillor	James Woods (video conference)
Councillor	Julius Don Kernan (video conference)
Councillor	Henry Guwiyul (video conference)

STAFF PRESENT

Chief Executive Officer	Paul Hockings
Chief Operating Officer (Acting)	Fiona Ainsworth
Chief Corporate Officer	David Glover
Director of Organisational Growth (Acting)	Peter Ryan
Executive Manager, Advocacy and Strategy	Brooke Darmanin
Governance and Risk Advisor	Jessie Schaecken
Travel and Executive Administration Officer	Jasmine Mortimore

VISITOR

Regional Director, Chief Minister and Cabinet	Nicholas Sharah (video conference)
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APOLOGIES

3.1 APOLOGIES AND LEAVE OF ABSENCE

The Council considered a report on Apologies and Leave of Absence.

OCM1/2023 RESOLVED: On the motion of Cr Catherine Ralph Seconded Cr James Marrawal

That Council received and noted apologies from Mayor Ryan for the Ordinary Council meeting held on 18 January 2023.

CARRIED

ABSENT WITHOUT NOTICE

4.1 ABSENT WITHOUT NOTICE

The Council considered a report on Absent without Notice.

OCM2/2023 RESOLVED:

On the motion of Cr Catherine Ralph

Seconded Deputy Mayor Elizabeth Williams

That Council noted Cr Donna Nadjamerrek, as absent without notice for the Ordinary Council meeting held on 18 January 2023.

CARRIED

ACCEPTANCE OF AGENDA

5.1 ACCEPTANCE OF AGENDA

The Council considered a report on Acceptance of Agenda.

OCM3/2023 RESOLVED:

On the motion of Cr Otto Dann

Seconded Cr James Woods

That the agenda papers for the Ordinary Council meeting held on 18 January 2023 as circulated be 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.

Nil

CONFIRMATION OF PREVIOUS MINUTES

7.1 CONFIRMATION OF PREVIOUS MINUTES - ORDINARY COUNCIL MEETING HELD ON 14 DECEMBER 2022

The Council considered a report on Confirmation of Previous Minutes - Ordinary Council Meeting held on 14 December 2022.

OCM4/2023 RESOLVED:

On the motion of Cr Jacqueline Phillips

Seconded Cr James Woods

That the minutes of 14 December 2022 Ordinary Council meeting are confirmed as a true and correct record of the meeting.

CARRIED

CHIEF EXECUTIVE OFFICER'S REPORTS

8.1 SEEKING NOMINATIONS - LGANT STRATEGIC PRIORITY WORKING GROUPS

The Council considered a report on Seeking Nominations - LGANT Strategic Priority Working Groups.

OCM5/2023 RESOLVED:

On the motion of Cr Ralph Blyth

Seconded Cr James Woods

That Council nominated representatives to join the remaining LGANT Strategic Priority Working Groups being:

- **SP3 Infrastructure – Cr Blyth**
- **SP6 Profile and Reputation – Cr Phillips**
- **SP7 Social and Community Services– Cr Woods**

CARRIED

8.2 MEETINGS ATTENDED BY THE MAYOR

The Council considered a report on Meetings Attended by the Mayor.

OCM6/2023 RESOLVED:

On the motion of Deputy Mayor Elizabeth Williams

Seconded Cr James Marrawal

That Council:

- 1. Received and noted the report entitled *Meetings attended by the Mayor*.**
- 2. Approved associated travel cost to attend the listed meetings.**

CARRIED

Cr Julius Kernan joined the meeting 09:37.

Cr Julius Kernan left the meeting at 09:52 and returned at 09:52.

Cr Otto Dann left the meeting at 09:53 and returned at 09:54.

8.3 SUMMARY OF WARC STRATEGIC ADVOCACY INITIATIVES 2022

The Council considered a report on Summary of WARC Strategic Advocacy Initiatives 2022.

OCM7/2023 RESOLVED:

On the motion of Cr James Marrawal

Seconded Cr Catherine Ralph

That Council:

- 1. Received and noted the report entitled Summary of WARC Strategic Advocacy Initiatives ; and**
- 2. Requested the information contained in this report be included in the next publication of 'In The Wire'.**

CARRIED

Minute note: The meeting broke at 10:02 and resumed at 10:24 for morning tea.

8.4 REVIEW OF ACTION ITEMS LIST

The Council considered a report on Review of Action Items List.

OCM8/2023 RESOLVED:

On the motion of Cr James Woods

Seconded Cr Henry Guwiyul

That Council:

- 1. Reviewed the outstanding resolutions, and gave approval for completed items to be removed from the list; and**
- 2. Requested the AFL advocacy in Maningrida be explored by the CEO.**

CARRIED

Cr Julius Kernan left the meeting at 10:50 and returned at 10:51.

Cr Henry Guwiyul left the meeting at 10:50 and returned 10:53.

8.5 INCOMING AND OUTGOING CORRESPONDENCE

The Council considered a report on Incoming and Outgoing Correspondence.

OCM9/2023 RESOLVED:

On the motion of Cr Henry Guwiyul

Seconded Cr Otto Dann

That Council noted NIL items of incoming and outgoing correspondence during the months of December 2022.

CARRIED

8.6 MAYOR'S LEAVE AND APPOINTMENT OF ACTING MAYOR

The Council considered a report on Mayor's Leave from 18 January to 17 March 2023 and Appointment of Acting Mayor.

OCM10/2023 RESOLVED:

On the motion of Cr Ralph Blyth

Seconded Cr Henry Guwiyul

That Council:

- 1. Received and noted the report entitled *Mayor's Leave and Appointment of Acting Mayor*,**
- 2. Approved Deputy Mayor Williams to fulfil Mayoral duties during this period,**
- 3. Appointed Cr Woods to the position of acting Mayor should the Deputy Mayor be unable to fulfil this role; and**
- 4. Appointed Cr Blyth to support both the acting Mayor and Cr Woods during the leave period.**

CARRIED

Cr Otto Dann left the meeting at 11:29 and returned at 11:36 due to a power outage.

Cr Otto Dann left the meeting at 11:39 and returned at 11:42 due to another power outage.

8.7 INVITATION TO ATTEND PUBLIC HEARING FOR THE INQUIRY INTO COMMUNITY SAFETY, SUPPORT SERVICES AND JOB OPPORTUNITIES IN THE NORTHERN TERRITORY

The Council considered a report on Invitation to attend Public Hearing for the Inquiry into Community Safety, Support Services and Job Opportunities in the Northern Territory.

OCM11/2023 RESOLVED:

On the motion of Cr Jacqueline Phillips

Seconded Cr Otto Dann

That Council:

- 1. Received and noted the report entitled *Invitation to attend the public hearing for the Senate Inquiry into Community Safety, Support Services and Job Opportunities in the Northern Territory*,**
- 2. Appointed Cr Kernan, Cr Woods, Cr Phillips, supported by CEO and EMA&S to attend the inquiry in Maningrida or by video conference or video submission and speak on behalf of West Arnhem Regional Council at the hearing.**
- 3. Extended an invitation to Mayor Ryan to participate in the senate hearing if he desires, noting this is during his period of leave.**

CARRIED

Cr Julius Kernan left the meeting at 11:51 and returned at 11:58.

Nic Sarah joined the meeting via the Maningrida Council Chambers video conference at 11:56 and left at 12:25.

Cr Ralph Blyth left the meeting at 12:13 and returned 12:16.

8.8 MANINGRIDA DRAFT LOCAL DECISION MAKING AGREEMENT

The Council considered a report on Maningrida DRAFT Local Decision Making Agreement.

OCM12/2023 RESOLVED:

On the motion of Cr Julius Kernan

Seconded Cr Henry Guwiyul

That Council received and noted report entitled *Maningrida DRAFT Local Decision Making Agreement*.

CARRIED

Minute note: The meeting broke for lunch at 12:25 and resumed at 13:10.

CORPORATE SERVICES REPORTS

Cr Julius Kernan left the meeting at 13:27 and returned at 13:38.

9.1 FINANCE REPORT FOR THE PERIOD ENDED 30 NOVEMBER 2022

The Council considered a report on Finance Report for the period ended 30 November 2022.

OCM13/2023 RESOLVED:

On the motion of Cr Catherine Ralph

Seconded Cr Otto Dann

That Council received and noted report entitled *Finance Report for the period ended 30 November 2022*.

CARRIED

9.2 FINANCE REPORT FOR THE PERIOD ENDED 30 NOVEMBER 2022 - SUPPLEMENTARY

The Council considered a Finance Report for the period ended 30 November 2022 - Supplementary.

OCM14/2023 RESOLVED:

On the motion of Cr Ralph Blyth

Seconded Deputy Mayor Elizabeth Williams

That Council received and noted report entitled *Finance Report for the period ended 30 November 2022 – Supplementary*.

CARRIED

9.3 ORGANISATIONAL GROWTH UNIT REPORT

The Council considered a report on Organisational Growth Unit Report.

OCM15/2023 RESOLVED:

On the motion of Deputy Mayor Elizabeth Williams

Seconded Cr Jacqueline Phillips

That Council received and noted the report entitled *Organisational Growth Unit Report* on the activity and progress made in pursuit of the strategic goals.

CARRIED

TECHNICAL SERVICES REPORTS

10.1 APPROVAL TO DISPOSE OF SURPLUS FLEET ASSETS

The Council considered a report on Approval to Dispose of Surplus Fleet Assets.

OCM16/2023 RESOLVED:

On the motion of Cr Ralph Blyth

Seconded Cr James Woods

That Council:

1. Received and noted report entitled '*Approval to dispose of surplus fleet assets*'.
2. Approved the sale via auction of the following vehicles and plant:
 - a. 2004 CAT 966G wheel loader – Minjilang,
 - b. 2014 Isuzu DMax utility – Jabiru,
 - c. 2017 Toyota Hilux utility – Darwin,
 - d. 2016 Isuzu DMax utility – Jabiru,
 - e. 2011 Isuzu DMax utility – Maningrida; and
 - f. Linelazer line marking machine - Jabiru

CARRIED

Cr Ralph Blyth left the meeting at 13:44 and returned 13:47.

GENERAL ITEMS

12.1 NTG DISCUSSION PAPER - FACILITATING INVESTMENT AND DEVELOPMENT ON TOWN & COMMUNITY LIVING AREAS

The Council considered a report on NTG Discussion Paper - Facilitating Investment and Development on Town & Community Living Areas.

OCM17/2023 RESOLVED:

On the motion of Cr James Woods

Seconded Cr Otto Dann

That Council;

1. Abstained from participating in the Northern Territory NTG Discussion Paper - Facilitating Investment and Development on Town & Community Living Areas as there are no Community or Town Living Areas within its boundaries under its care.
2. Inform GAC, GACJT & JKL of the discussion paper and their representative opportunity to make a submission; and
3. Directed staff to liaise with local representatives and the Department of Chief Minister and Cabinet's regional representative to understand the future of Jabiru Town Camp and a briefing paper be brought back to a future meeting.

CARRIED

12.2 OPERATIONS REPORT - DECEMBER 2022

The Council considered a report on Operations Report - December 2022.

OCM18/2023 RESOLVED:

On the motion of Cr Ralph Blyth

Seconded Cr Catherine Ralph

That Council received and noted the report entitled *Operations Report December 2022*.

CARRIED

12.3 GUIDELINE 7 – PROCEDURAL FAIRNESS IN DECIDING CODE OF CONDUCT COMPLAINTS

The Council considered a report on Guideline 7 – Procedural Fairness in Deciding Code of Conduct Complaints.

OCM19/2023 RESOLVED:

On the motion of Cr Ralph Blyth

Seconded Cr Henry Guwiyul

That Council received and noted the report entitled *Guideline 7 – Procedural Fairness in Deciding Code of Conduct Complaints*.

CARRIED

Minute note: The meeting broke at 15:21 and resumed at 15:41.

12.4 NORTHERN TERRITORY GOVERNMENT REVIEW OF LOCAL AUTHORITIES

The Council considered a report on Northern Territory Government Review of Local Authorities.

OCM20/2023 RESOLVED:

On the motion of Cr Ralph Blyth

Seconded Cr James Woods

That Council;

- 1. Received and noted the report entitled *Northern Territory Government Review of Local Authorities*,**
- 2. Considered the feedback and recommendations received from each of West Arnhem Regional Council Local Authorities,**
- 3. Approved the delegation to each Local Authority to commit and spend funds up to the value of their annual grant funding allocation,**
- 4. Directed the administration to create a place in each Local Authority Agenda which details the code of conduct, number and names of elected members, appointed members including the chair, the number of members required to reach a quorum and the number of members necessary to hold a provisional meeting, and investigate leadership training appropriate to Local Authority members.**
- 5. Directed the administration to invite Linda Weatherhead Director Policy & Projects, Local Government, Chief Minister and Cabinet to conduct code of conduct and Governance training for each Local Authority on the day prior to the upcoming February 2023 round of Local Authority meetings,**
- 6. Supported the findings from each Local Authority consultation that communication between Council and the Local Authorities requires improvement; and**
- 7. Directed the administration to work with each Local Authority and their respective Council Services Manager to improve communication.**

CARRIED

ELECTED MEMBER QUESTIONS WITH OR WITHOUT NOTICE

13.1 ELECTED MEMBER QUESTIONS WITH OR WITHOUT NOTICE

The Council considered a report on Elected Member Questions With or Without Notice.

OCM21/2023 RESOLVED:

On the motion of Cr Otto Dann

Seconded Cr Henry Guwiyul

The following has been taken on notice by council staff;

- 1. Cr Jacqueline Phillips – requested the Wellbeing Team work with the Youth, Sport and Recreation Officers and other relevant stakeholders to focus on promoting sportsmanship to eliminate violence at sporting events. This could be via education on sportsmanship at future programmes and clinics, a code of conduct which players agree to prior to the event or the referee / umpire has a system to manage violence e.g. red or yellow cards.**
- 2. Cr Otto Dann – noted that concerns had been raised in the Gunbalayna community around rubbish not being picked up, long grass, snakes due to the wet season rains and problems with staffing.**
- 3. Cr Julius Kernan – asked that Council educate the Maningrida community not to chuck clothes from deceased family members into the saltwater.**

4. Cr Jacqueline Phillips – asked for an update on the Maningrida Cemetery. Further she suggested that several laneways needed to be maintained in Maningrida.
5. Cr James Marrawal – noted that several crocodiles had been observed in the wet season stream that runs past the market garden at Warruwi, and asked could Council officers liaise with NLC Rangers.

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.

OCM22/2023 RESOLVED:

On the motion of Cr Ralph Blyth

Seconded Cr Catherine Ralph

That pursuant to section 99(2) and 293(1) of the *Local Government Act 2019* and section 52 of the *Local Government (General) Regulations 2021* the meeting be closed to the public to consider the confidential items of the agenda.

CARRIED

Minute note: The open section of the meeting closed at 16:05 for the discussion of confidential matters.

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 (Administration) Regulations 2021*.

- 15.1 Council Property agreements and Contracts
The report will be dealt with under Section 99(2) of the *Local Government Act 2019* and Clause 51(ci) of the *Local Government (General) Regulations 2021*. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.
- 15.2 Council Property agreements and Contracts
The report will be dealt with under Section 99(2) of the *Local Government Act 2019* and Clause 51(ci) of the *Local Government (General) Regulations 2021*. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.
- 15.3 Confirmation of Previous Minutes - Confidential Ordinary Council Meeting held on 14 December 2022 .. The report will be dealt with under Section 99(2) of the *Local Government Act 2019* and Clause 51(e) of the *Local Government (General) Regulations 2021*. It contains information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest.
- 15.4 Disclosure of Confidential Resolutions and Re-admittance of the Public
The report will be dealt with under Section 99(2) of the *Local Government Act 2019* and Clause 51(e) of the *Local Government (General) Regulations 2021*. It contains information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest.
- 15.5 Supplementary report – Review of Confidential Matters
The report will be dealt with under Section 99(2) of the *Local Government Act 2019* and Clause 51(e) of the *Local Government (General) Regulations 2021*. It contains information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest.

CONFIDENTIAL ITEMS MOVED INTO OPEN

Crs Jacqueline Phillips, Julius Kernan and Otto Dann declared a conflict of interest in relation to Item 15.1 and 15.2 as they are elected members of the Northern Land Council (NLC) Full Council.

15.1 CURRENT STATUS OF OUTSTANDING REGIONAL LAND USE AGREEMENTS FROM THE NORTHERN LAND COUNCIL

The Council considered a report on Current Status of outstanding Regional Land Use Agreements from the Northern Land Council.

OCM23/2023 RESOLVED:

On the motion of Cr Henry Guwiyul

Seconded Cr James Marrawal

That Council:

1. Received and noted the report entitled *Current Status Of Outstanding Regional Land Use Agreements From The Northern Land Council*; and
2. Provided feedback on current reporting status of listed proposed agreements.

CARRIED

15.2 ACCEPTANCE OF PROPOSED LEASES - WARRUWI

The Council considered a report on Acceptance of proposed leases - Warruwi.

OCM24/2023 RESOLVED:

On the motion of Cr James Marrawal

Seconded Cr Catherine Ralph

That Council:

1. Received and noted report entitled *Acceptance of Proposed Leases - Warruwi* and,
2. Accepted the proposed MEA Lease and Licences to Maintain Land Use Agreements in Warruwi for:
 - Lot 1 Warruwi Football/Sporting Oval,
 - Mineral Extraction Agreement - Warruwi Gravel Pits x 3
3. Directed the CEO to sign the above leases; and
4. Approved the use of the Common Seal.

CARRIED

NEXT MEETING

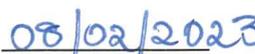
The next meeting is scheduled to take place on Wednesday, 8 February 2023 at 9:00 in the Council Chambers, Jabiru.

MEETING DECLARED CLOSED

Chairperson Deputy Mayor Elizabeth Williams declared the meeting closed at 16:41.

This page and the preceding 8 pages are the minutes of the Ordinary Council Meeting held on 18 January 2023.


Chairperson


Date Confirmed

