



Minutes of the West Arnhem Regional Council Ordinary Meeting
Wednesday, 8 February 2023 at 09:00
Council Chambers, Jabiru

Chairperson Williams declared the meeting open at 09:14, welcomed all in attendance and did an Acknowledgement of Country.

ELECTED MEMBERS PRESENT

Chairperson	Elizabeth Williams (Acting Mayor)
Councillor	Ralph Blyth
Councillor	Otto Dann
Councillor	James Marrawal
Councillor	Julius Don Kernan (Video Conference)
Councillor	Henry Guwiyul
Councillor	Donna Nadjamerrek

STAFF PRESENT

Chief Executive Officer	Paul Hockings
Chief Corporate Officer	David Glover
Chief Corporate Officer (Acting)	Fiona Ainsworth
Director of Organizational Growth (Acting)	Peter Ryan
Governance and Risk Advisor	Jessie Schaecken
Travel and Executive support	Jasmine Mortimore
Finance Manager	Andrew Shaw
Communications & Public Relations Coordinator	Heidi Walton

APOLOGIES

3.1 APOLOGIES AND LEAVE OF ABSENCE

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

OCM25/2023 RESOLVED:

On the motion of Councillor James Marrawal

Seconded Councillor Henry Guwiyul

That Council approved Elected Member apologies for Cr Catherine Ralph, Cr Phillips, Cr Woods and noted previously granted leave for Mayor Ryan for the Ordinary Council meeting held on 8 February 2023.

CARRIED

ABSENT WITHOUT NOTICE

4.1 ABSENT WITHOUT NOTICE

The Council considered a report on Absent without Notice.

OCM26/2023 RESOLVED:

On the motion of Councillor Henry Guwiyul

Seconded Deputy Mayor Elizabeth Williams

That Council noted nil Elected Member absences without notice for the Ordinary Council meeting held on 8 February 2023.

CARRIED

ACCEPTANCE OF AGENDA

5.1 ACCEPTANCE OF AGENDA

The Council considered a report on Acceptance of Agenda.

OCM27/2023 RESOLVED:

On the motion of Councillor Ralph Blyth

Seconded Councillor Donna Nadjamerrek

That the agenda papers for the Ordinary Council meeting held on 8 February 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.

OCM28/2023 RESOLVED:

On the motion of Councillor Henry Guwiyul

Seconded Councillor Otto Dann

That Council received nil declarations of interest for the meeting held on 8 February 2023.

CARRIED

CONFIRMATION OF PREVIOUS MINUTES

7.1 CONFIRMATION OF PREVIOUS MINUTES - ORDINARY COUNCIL MEETING HELD ON 18 JANUARY 2023

The Council considered a report on Confirmation of Previous Minutes - Ordinary Council Meeting held on 18 January 2023.

OCM29/2023 RESOLVED:

On the motion of Councillor James Marrawal

Seconded Councillor Otto Dann

That the minutes of 18 January 2023 Ordinary Council meeting are confirmed as a true and correct record of the meeting.

CARRIED

CHIEF EXECUTIVE OFFICER'S REPORTS

8.1 REVIEW OF ACTION ITEMS LIST

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

OCM30/2023 RESOLVED:

On the motion of Councillor Ralph Blyth

Seconded Councillor James Marrawal

That Council:

1. Received and noted report entitled *Review of Action items list*; and
2. Reviewed the outstanding resolutions, and gave approval for completed items to be removed from the list.

CARRIED

8.2 MEETINGS AND EVENTS ATTENDED BY THE ACTING MAYOR

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

OCM31/2023 RESOLVED:

On the motion of Councillor Donna Nadjamerrek

Seconded Councillor James Marrawal

That Council:

1. Received and noted the report entitled *Meetings and Events Attended by the Acting Mayor*.
2. Nominated Mayor Ryan, Acting Mayor Cr Williams and Paul Hockings Chief Executive Officer to attend the State Funeral for the Late Member for Arafura, in Darwin on 1 March 2023.
3. Investigate associated costs for selected Councillors to attend the burial for the Late Member of Arafura in Tiwi Islands on 3 March 2023.
4. Approve associated travel cost to attend the listed meetings and events.

CARRIED

8.3 MEETINGS ATTENDED BY THE CEO

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

OCM32/2023 RESOLVED:

On the motion of Councillor Henry Guwiyul

Seconded Councillor James Marrawal

That Council received and noted the report entitled *Meetings attended by the CEO*.

CARRIED

8.4 LOCAL GOVERNMENT ASSOCIATION NORTHERN TERRITORY'S (LGANT) APRIL 2023 GENERAL MEETING

The Council considered a report on Local Government Association Northern Territory's (LGANT) April 2023 General Meeting.

OCM33/2023 RESOLVED:

On the motion of Councillor Julius Kernan

Seconded Councillor James Marrawal

That Council:

1. received and noted the report entitled '*Local Government Association Northern Territory's (LGANT) April 2023 General Meeting*',
2. nominated Mayor Ryan, Cr Blyth, Cr Nadjamerrek, Cr Dann and Paul Hockings Chief Executive Officer to attend the LGANT General Meeting in Alice Springs from 19 – 20 April 2023; and
3. did not provide any feedback to LGANT on the proposed programme.

CARRIED

8.5 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY 2023

The Council considered a report on Australian Local Government Association National General Assembly 2023.

OCM34/2023 RESOLVED:

On the motion of Councillor James Marrawal
Seconded Councillor Otto Dann

That Council:

1. received and noted the report entitled '*Australian Local Government Association National General Assembly 2023*',
2. Nominated Mayor Ryan, Cr Kernan and Paul Hockings Chief Executive Officer to attend the ALGA National General Assembly in Canberra from 13 – 15 June 2023; and
3. Elected not to submit a motion to the ALGA National General Assembly.

CARRIED

Minute note: The meeting broke for morning tea at 10:47 and resumed 11:21. Cr James Marrawal left the meeting, at 11:21 and returned 11:25.

8.6 2023 ASIA PACIFIC CITIES SUMMIT (2023APCS) AND MAYORS' FORUM BRISBANE

The Council considered a report on 2023 Asia Pacific Cities Summit (2023APCS) and Mayors' Forum Brisbane.

OCM35/2023 RESOLVED:

On the motion of Councillor Henry Guwiyul
Seconded Councillor Donna Nadjamerrek

That Council:

1. received and noted the report entitled '*2023 Asia Pacific Cities Summit (2023APCS) and Mayors' Forum Brisbane*'; and
2. did not nominate a councillor or officer to attend the 2023 Asia Pacific Cities Summit (2023APCS) and Mayors' Forum in Brisbane from 11 to 13 October 2023.

CARRIED

8.7 PUBLIC HEARING FOR THE INQUIRY INTO COMMUNITY SAFETY, SUPPORT SERVICES AND JOB OPPORTUNITIES IN THE NORTHERN TERRITORY RESCHEDULED TO 9 FEBRUARY 2023

The Council considered a report on Public Hearing for the Inquiry into Community Safety, Support Services and Job Opportunities in the Northern Territory rescheduled to 9 February 2023.

OCM36/2023 RESOLVED:

On the motion of Councillor Ralph Blyth
Seconded Councillor Henry Guwiyul

That Council:

1. Received and noted the report entitled *Public Hearing for the Inquiry into Community Safety, Support Services and Job Opportunities in the Northern Territory rescheduled to 9 February 2023*,
2. appointed Mayor Ryan, Cr Woods and Brooke Darmanin, Executive Manager Strategy & Advocacy to attend the Senate Inquiry in Canberra and speak on behalf of West Arnhem Regional Council at the hearing; and
3. approved all travel related expenses.

CARRIED

Cr Kernan declared an interest in item 8.8 as a representative of Northern Land Council and left the meeting at 11:35.

8.8 THE THREE YEAR REVIEW OF THE LIQUOR ACT 2019

The Council considered a report on The Three Year Review of the Liquor Act 2019.

OCM37/2023 RESOLVED:

On the motion of Councillor James Marrawal
Seconded Councillor Ralph Blyth

That Council do not provide a written submission to the three year review of the NT Liquor Act 2019.

CARRIED

Cr Kernan returned to the meeting at 11:38.

8.9 INCOMING AND OUTGOING CORRESPONDENCE

The Council considered a report on Incoming and Outgoing Correspondence.

OCM38/2023 RESOLVED:

On the motion of Councillor Ralph Blyth

Seconded Councillor Otto Dann

That Council received the attached items of incoming and outgoing correspondence during the month of January 2023.

CARRIED

CORPORATE SERVICES REPORTS

9.1 FINANCE REPORT FOR THE PERIOD ENDED 31 DECEMBER 2022

The Council considered a report on Finance Report for the period ended 31 December 2022.

OCM39/2023 RESOLVED:

On the motion of Councillor Henry Guwiyul

Seconded Councillor Julius Kernan

That Council approve the Financial Management Report for the period ending 31 December 2022.

CARRIED

9.2 STAGES TO COMPLETION OF THE 2ND REVISED BUDGET 2022-23 AND 1ST BUDGET FOR 2023-24

The Council considered a report on Stages to Completion of the 2nd Revised Budget 2022-23 and 1st Budget for 2023-24.

OCM40/2023 RESOLVED:

On the motion of Councillor James Marrawal

Seconded Councillor Otto Dann

That Council received and noted the report entitled '*Stages to Completion of the 2nd Revised Budget 2022-23 and 1st Budget for 2023-24*'.

CARRIED

9.3 ORGANISATIONAL GROWTH UNIT REPORT

The Council considered a report on Organisational Growth Unit Report.

OCM41/2023 RESOLVED:

On the motion of Councillor Henry Guwiyul

Seconded Councillor Otto Dann

That Council received and noted the report entitled '*Organisational Growth Unit Report*'.

CARRIED

COMMITTEE AND LOCAL AUTHORITY REPORTS

11.1 REPORT FOR THE WARRUWI LOCAL AUTHORITY MEETING HELD ON 29 JANUARY 2023

The Council considered a report on Report for the Waruwi Local Authority Meeting held on 29 January 2023.

OCM42/2023 RESOLVED:

On the motion of Councillor Ralph Blyth
Seconded Councillor Henry Guwiyul
That Council received and noted the unconfirmed minutes of the Warruwi Local Authority meeting held on 9 January 2023.

CARRIED

11.2 REPORT FOR THE MINJILANG LOCAL AUTHORITY WORKSHOP HELD ON 11 JANUARY 2023.

The Council considered a report on Report for the Minjilang Local Authority workshop held on 11 January 2023..

OCM43/2023 RESOLVED:

On the motion of Councillor Henry Guwiyul
Seconded Councillor Otto Dann
That Council received and noted the unconfirmed minutes of the Minjilang Local Authority workshop held on 11 January 2023.

CARRIED

11.3 REPORT FOR THE GUNBALANYA LOCAL AUTHORITY MEETING HELD ON 10 JANUARY 2023.

The Council considered a report on Report for the Gunbalanya Local Authority Meeting held on 10 January 2023.

OCM44/2023 RESOLVED:

On the motion of Councillor James Marrawal
Seconded Councillor Otto Dann
That Council:
1. Received and noted the unconfirmed minutes of the Gunbalanya Local Authority meeting held on 10 January 2023; and
2. Endorse the recommendations arising from the Gunbalanya Local Authority meeting held on 10 January 2023.

CARRIED

11.4 REPORT FOR THE MANINGRIDA LOCAL AUTHORITY MEETING HELD ON 13 JANUARY 2023

The Council considered a Report for the Maningrida Local Authority Meeting held on 13 January 2023.

OCM45/2023 RESOLVED:

On the motion of Councillor Julius Kernan
Seconded Councillor Henry Guwiyul
That Council:
1. Received and noted the unconfirmed minutes of the Maningrida Local Authority meeting held on 12 January 2023; and
2. Endorse the recommendations arising from the Maningrida Local Authority meeting held on 12 January 2023.

CARRIED

GENERAL ITEMS

12.1 OPERATIONS REPORT - JANUARY 2023

The Council considered a report on Operations Report - January 2023.

OCM46/2023 RESOLVED:

On the motion of Councillor Ralph Blyth
Seconded Councillor Henry Guwiyul
That Council received and noted the report entitled *Operations Report – January 2023*.

CARRIED

NORTHERN TERRITORY GOVERNMENT REVIEW OF LOCAL AUTHORITIES

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

OCM47/2023 RESOLVED:

On the motion of Councillor Donna Nadjamerrek

Seconded Councillor Ralph Blyth

That Council:

1. Received and noted report entitled *Northern Territory Government Review of Local Authorities*; and
2. Endorsed attachment *West Arnhem Regional Council Submission- Review of Local Authorities 2022-2023*.

CARRIED

Minute note: The meeting broke for lunch 13:31 and resumed at 13:56.

13.1 ELECTED MEMBER QUESTIONS WITH OR WITHOUT NOTICE

The Council

OCM48/2023 RESOLVED:

On the motion of Councillor Henry Guwiyul

Seconded Councillor Ralph Blyth

That Council raised the following;

1. Cr Kernan raised the void in available historic information about and acknowledgement of past Councillors and would like administration to investigate.
2. Cr Marrawal raised the need for informative or educational brochures about culturally appropriate practices for each location.

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.

OCM49/2023 RESOLVED:

On the motion of Councillor Ralph Blyth

Seconded Councillor Henry Guwiyul

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

Minutes note: The open section of the meeting closed at 14:14 for the discussion of confidential matters.

CONFIDENTIAL ITEMS

15.1 Confirmation of Previous Minutes – Confidential Ordinary Council Meeting held 18 January 2023

15.2 Employment

The report will be dealt with under Section 99(2) of the *Local Government Act 2019* and Clause 51(a) of the *Local Government (General) Regulations 2021*. 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.

- 15.3 Compliance review
 The report will be dealt with under Section 99(2) of the *Local Government Act 2019* and Clause 51(a) of the *Local Government (General) Regulations 2021*. 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.
- 15.4 Leases
 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
- 15.5 Leases
 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
- 15.6 Disclosure of Confidential Resolutions and Re-admittance of the public

CONFIDENTIAL ITEMS MOVED INTO OPEN

15.2 INDEPENDENT MEMBER TO THE RISK MANAGEMENT AND AUDIT COMMITTEE

The Council considered a report on Independent Member to the Risk Management and Audit Committee.

OCM50/2023 RESOLVED:

**On the motion of Councillor Ralph Blyth
 Seconded Councillor James Marrawal**

That Council:

1. Received and noted the report entitled '*Independent Member to the Risk Management and Audit Committee*',
2. Appointed Warren Jackson to the position of Independent Member to the Risk Management and Audit Committee for a one year appointment with a three year extension of term in accordance with Clause 6 of the Terms of Reference,
3. Requested Warren Jackson attend the next meeting of the Risk Management & Audit Committee on 28 March 2023; and
4. Moved this confidential resolution to the open section of the agenda.

CARRIED

15.3 NOTIFICATION OF COMPLIANCE REVIEW AND CLOSURE

The Council considered a report on Notification of Compliance Review and Closure.

OCM51/2023 RESOLVED:

**On the motion of Councillor Donna Nadjamerrek
 Seconded Councillor Otto Dann**

That Council:

1. Received and noted report entitled '*Notification and Closure of Compliance Review*',
2. Moved the decision and attachment 2; letter 16 Jan 2023 Outgoing letter to CEO - WARC - Closure of Compliance Review into the open minutes of meeting 8 February 2023.

CARRIED



**NORTHERN
TERRITORY**
GOVERNMENT

Department of
**THE CHIEF MINISTER AND
CABINET**

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47 Mitchell Street Darwin NT 0800

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T 08 8999 8868

File reference 2022/175-39

Mr Paul Hocking
Chief Executive Officer
West Arnhem Regional Council
GPO Box 721
JABIRU NT 0886

Dear Mr Hocking

Re: CLOSURE OF COMPLIANCE REVIEW – WEST ARNHEM REGIONAL COUNCIL

In March 2022, Local Government inspectors conducted a special purpose compliance review on the West Arnhem Regional Council's (Council) operations under the *Local Government Act 2008* (2008 Act) and *Local Government Act 2019* (2019 Act). Upon completion of the review, a compliance review report was provided to the Council detailing areas where action was required.

For your information the compliance review was authorised as the Local Government Compliance team of the Department of the Chief Minister and Cabinet (CM&C) had received several allegations that the Council did not comply with legislated requirements in all instances in the following areas:

- Council's procurement processes were not conducted in accord with legislated requirements
- Council's recruitment practices did not follow legislated requirements and/ or Council's Human Resource (HR) policies
- Undeclared conflicts of interest by staff while making recruitment and procurement decisions
- Confidentiality breaches by council employees
- Council did not follow legislated requirements and/ or its own HR policies to address staff bullying and harassment claims.


A compliance review report was sent to the Council on 15 June 2022 with a copy also sent to the mayor. Please advise via email at lg.compliance@nt.gov.au if you would like a copy of the Compliance Review report regarding the outcome of the compliance review.

The inspectors have worked closely with council staff to address the recommendations from the compliance review report and ensure the appropriate implementation of these recommendations. Upon receiving confirmation that the remaining recommendations had been completed in December 2022, the inspectors were satisfied that all issues raised in the compliance review had been adequately addressed.

I am therefore pleased to inform you that the compliance review conducted by Local Government inspectors is now officially closed.

I would like to thank the Council and staff for their cooperation and dedication to meeting their legislated requirements. If you have any further questions regarding this matter, please do not hesitate to contact me at lg.compliance@nt.gov.au or by phone at 8999 8868.

Yours sincerely



Meeta Ramkumar

Director Sustainability and Compliance
16 January 2023

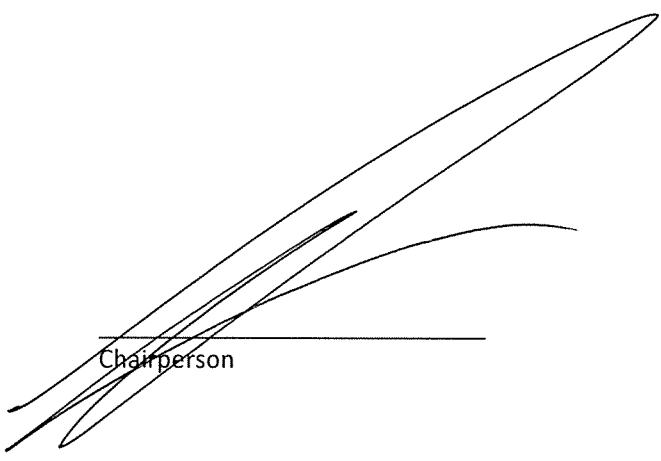
NEXT MEETING

The next meeting is scheduled to take place on 8 March 2023.

MEETING DECLARED CLOSED

Chairperson Williams declared the meeting closed at 14:33.

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



Chairperson

8/3/2023
Date Confirmed

