



Minutes of the West Arnhem Regional Council an Ordinary Meeting
Wednesday, 10 May 2023 at 9:00 am
Council Chambers, Jabiru

Chairperson Mayor Ryan declared the meeting open at 0914, welcomed all in attendance and did an Acknowledgement of Country.

Council took a minute silence to acknowledge the passing of much loved members of the Maningrida Community, old lady – Cr Jacqueline Phillips mum and Mr Roy

ELECTED MEMBERS PRESENT

Chairperson	Matthew Ryan (Mayor)
Deputy Mayor	Elizabeth Williams
Councillor	Ralph Blyth
Councillor	Otto Dann (video conference)
Councillor	James Woods (video conference)
Councillor	Donna Nadjamerrek (video conference)
Councillor	Gabby Gumurdul (video conference)

STAFF PRESENT

Chief Executive Officer	Paul Hockings
Chief Corporate Officer	David Glover (video conference)
Chief Corporate Officer	Deirdre O’Sullivan
Chief Operating Officer(acting)	Fiona Ainsworth (video conference)
Director of Organizational Growth(acting)	Peter Ryan
Governance and Risk Advisor	Jessie Schaecken (video conference)
Finance Manager	James Stockdale
Executive Assistant to CEO	Jasmine Mortimore
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.

<p>OCM50/2023 RESOLVED: On the motion of Mayor Matthew Ryan Seconded Deputy Mayor Elizabeth Williams</p>

That Council received and noted Elected Member apologies from Crs Guwiyul, Marrawal, Phillips and Ralph for the Ordinary Council meeting held on 10 May 2023.

CARRIED

ABSENT WITHOUT NOTICE

4.1 ABSENT WITHOUT NOTICE

The Council considered a report on Absent without Notice.

OCM51/2023 RESOLVED:

On the motion of Mayor Matthew Ryan

Seconded Deputy Mayor Elizabeth Williams

That Council noted Elected Member absences without notice for Cr Kernan the Ordinary Council meeting held on 10 May 2023.

CARRIED

ACCEPTANCE OF AGENDA

5.1 ACCEPTANCE OF AGENDA

The Council considered a report on Acceptance of Agenda.

OCM52/2023 RESOLVED:

On the motion of Cr Ralph Blyth

Seconded Cr James Woods

That the agenda papers for the Ordinary Council meeting held on 10 May 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.

OCM53/2023 RESOLVED:

On the motion of Cr James Woods

Seconded Cr Gabby Gumurdul

That Council received declarations of interest for the meeting held on 10 May 2023 from:

- 1. Cr Woods for item 8.6 LGANT Councillor Representation given he is a Regional and Shire Board Member of LGANT; and**
- 2. Cr Gumurdul for confidential item 15.5 Proposed Resolution for the Sublease of Lot 385 Gunbalanya given he is a director of the Gunbalanya Economic Development Aboriginal Corporation ICN 8029 which is proposing to sublease this lot.**

CARRIED

CONFIRMATION OF PREVIOUS MINUTES

7.1 CONFIRMATION OF PREVIOUS MINUTES - ORDINARY COUNCIL MEETING HELD ON 12 APRIL 2023

The Council considered a report on Confirmation of Previous Minutes - Ordinary Council Meeting held on 12 April 2023.

OCM54/2023 RESOLVED:

On the motion of Mayor Matthew Ryan

Seconded Cr Ralph Blyth

That the minutes of 12 April 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.

OCM55/2023 RESOLVED:

On the motion of Cr Ralph Blyth

Seconded Cr James Woods

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

Council took a short break at 10:40 and resumed at 11:07.

Department of Chief Minister and Cabinet, Local Government Unit represented by Doreen Alusa Milena Mathie and Susan Langoya joined the meeting at 11:12 to 11:52 and presented on the Burial and Cremation Act 2022 including the draft guideline for the management of human remains.

8.2 MEETINGS AND EVENTS ATTENDED BY THE MAYOR

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

OCM56/2023 RESOLVED:

On the motion of Cr Ralph Blyth

Seconded Deputy Mayor Elizabeth Williams

That Council:

- 1. Received and noted the report entitled '*Meetings and Events Attended by the Mayor*'; and**
- 2. Approved associated travel cost to attend the listed meetings and events.**

CARRIED

Clem Beard declared a conflict of interest in the topic of CouncilBiz that was discussed within item 8.3 as his wife Wendy Beard is a CouncilBiz employee and left the room at 11:57 and returned at 12:00.

8.3 MEETINGS AND EVENTS ATTENDED BY THE CEO

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

OCM57/2023 RESOLVED:

On the motion of Cr Ralph Blyth

Seconded Cr Otto Dann

That Council:

- 1. received and noted the report entitled '*Meetings and Events Attended by the CEO*'; and**
- 2. requested the CEO investigate sharing the minutes of the Top End Regional Coordination Committee meetings.**

CARRIED

8.4 INCOMING AND OUTGOING CORRESPONDENCE

The Council considered a report on Incoming and Outgoing Correspondence.

OCM58/2023 RESOLVED:

On the motion of Deputy Mayor Elizabeth Williams

Seconded Cr James Woods

That Council received and noted the items of incoming and outgoing correspondence during the month of April 2023.

CARRIED

8.5 PRESENTATIONS AND VISITORS

The Council considered a report on Presentations and Visitors.

OCM59/2023 RESOLVED:

On the motion of Mayor Matthew Ryan

Seconded Cr James Woods

That Council:

1. noted the presentation on draft Guideline for the Management of Human Remains which is drafted under section 194 of the Burial and Cremation Act 2022; and;
2. Requested the administration respond to the Department of Chief Minister and Cabinet that greater consultation occur within the communities of WARC on these guidelines including:
 - a. timeliness and sense of urgency around implementing the Burial and Cremation Act 2022 without the proper consultation
 - b. with particular mention to the transportation of human remains from outstations,
 - c. the cost associated with the new specifications of transport,
 - d. the lack of morgues and resources and where the responsibility falls to which authority and associated costs; and
3. Proposed that the Department of Chief Minister and Cabinet invite the Attorney General and Justice to attend community consultation regarding the coronial matters and lack of resources and facilities.

CARRIED

CHIEF EXECUTIVE OFFICER'S REPORTS

Cr Woods raised his position as LGANT Regional and Shire Board Member, declared a conflict of interest regarding Item 8.6. Council agreed to note the declaration and that Cr Woods remain in the meeting.

8.6 LGANT CR REPRESENTATION

The Council considered a report on LGANT Councillor Representation.

OCM60/2023 RESOLVED:

On the motion of Cr Ralph Blyth

Seconded Mayor Matthew Ryan

That Council:

1. Received and noted the report entitled '*LGANT Councillor Representation*',
2. Send correspondence to LGANT raising Cr Blyth's concerns with the General Meeting protocols and meeting governance.

CARRIED

Council determined that the following points of resolution be laid on the table to return to a future meeting with all Councillors present;

1. Concurred with Cr Blyth's preference to step away from future opportunities to represent Council at LGANT General Meetings; and
2. Approved generally Council would nominate the Mayor, 2 x Councillors and the CEO to attend future LGANT General Meetings.

8.7 CEO LEAVE

The Council considered a report on CEO Leave.

OCM61/2023 RESOLVED:

On the motion of Deputy Mayor Elizabeth Williams

Seconded Cr Otto Dann

That Council:

- 1. Received and noted the report entitled 'CEO leave',**
- 2. Acknowledged that the CEO has notified Mayor Ryan of the nomination of Fiona Ainsworth as Acting CEO under section 165(3)(b) of the *Local Government Act 2019*; and**
- 3. Agreed the CEO has notified all Council members that he will be on leave from 26 to 30 May 2023 in accordance with section 165 (5) of the *Local Government Act 2019*.**

CARRIED

8.8 DRAFT OF THE 2023-2024 WEST ARNHEM REGIONAL COUNCIL PLAN

The Council considered a report on Draft of the 2023-2024 West Arnhem Regional Council Plan.

OCM62/2023 RESOLVED:

On the motion of Cr Donna Nadjamerrek

Seconded Cr Otto Dann

That Council:

- 1. Accepts the draft Regional Plan 2023-24,**
- 2. Directs that the 2023-24 draft of the Regional Plan be accessible on Council's website and copies made available for public inspection at Council's offices; and**
- 3. Directs that a notice be published on Council's website, in the NT News and on Council notice boards inviting written submissions on the draft Plan within a period of 21 days from the date of the notice.**

CARRIED

Council broke lunch at 13:12 and returned at 13:44.

CORPORATE SERVICES REPORTS

9.1 WEST ARNHEM REGIONAL COUNCIL - BUDGET 2022-23 - 2ND REVISION

The Council considered a report on West Arnhem Regional Council - Budget 2022-23 - 2nd Revision.

OCM63/2023 RESOLVED:

On the motion of Deputy Mayor Elizabeth Williams

Seconded Cr James Woods

That Council adopted the 2nd Revised Operating and Capital Budget for 2022-23 as presented in accordance with Section 203(2) of the *Local Government Act 2019*.

CARRIED

9.2 PROPOSED RATES AND CHARGES FOR 2023-24

The Council considered a report on Proposed Rates and Charges for 2023-24.

OCM64/2023 RESOLVED:

On the motion of Cr James Woods

Seconded Cr Donna Nadjamerrek

That Council approved the Draft Rates Declaration 2023-24 for public consultation.

CARRIED

9.3 FINANCE REPORT FOR THE PERIOD ENDED 31 MARCH 2023

The Council considered a Finance Report for the period ended 31 March 2023.

OCM65/2023 RESOLVED:

On the motion of Deputy Mayor Elizabeth Williams

Seconded Cr James Woods

That Council received and noted the report entitled '*Finance Report for the period ended 31 March 2023.*'

CARRIED

9.4 ELECTED MEMBER AND LOCAL AUTHORITY ALLOWANCES 2023-2024

The Council considered a report on Elected Member and Local Authority Allowances 2023-2024.

OCM66/2023 RESOLVED:

On the motion of Cr James Woods

Seconded Cr Donna Nadjamerrek

That Council received and noted the report entitled "*Elected Member and Local Authority Allowances for the 2023-2024 financial year*".

CARRIED

9.6 WEST ARNHAM REGIONAL COUNCIL OPERATING AND CAPITAL BUDGET 2023-2024

The Council considered a report on West Arnhem Regional Council Operating and Capital Budget 2023-2024.

OCM67/2023 RESOLVED:

On the motion of Mayor Matthew Ryan

Seconded Cr Otto Dann

That Council approved the proposed 2023-2024 Operational and Capital Budget for:

- 1. referral to the Local Authorities for comment; and**
- 2. public advertising for comment.**

CARRIED

9.7 SCHEDULE OF FEES AND CHARGES 2023-24

The Council considered a report on Schedule of Fees and Charges 2023-24.

OCM68/2023 RESOLVED:

On the motion of Cr James Woods

Seconded Cr Ralph Blyth

That Council:

- 1. Adopted the proposed Schedule of Fees and Charges for the financial year 2023-24, noting that pricing for water supply and sewerage is to be adopted at a later date in July 2023 once the pricing order is issued.**
- 2. Authorised the CEO to develop a cost recovery fee for any goods or services provided that are not listed in the above schedule.**

CARRIED

TECHNICAL SERVICES REPORTS

Council noted a potential conflict of interest given the next report is making a decision to purchase the Mayor's vehicle in line with the 'Allowances and Expenses (Elected, Local Authority and Council Committee Members)' Policy. Council agreed that Mayor Ryan remain in the meeting.

10.1 APPROVAL OF CAPITAL EXPENDITURE TOYOTA LANDCRUISER

The Council considered a report on Approval of Capital Expenditure Toyota Landcruiser.

OCM69/2023 RESOLVED:

**On the motion of Cr Ralph Blyth
Seconded Deputy Mayor Elizabeth Williams
That Council:**

1. received and noted the report entitled '*Approval of Capital Expenditure Toyota Landcruiser*'; and
2. approved the necessary capital expenditure to be included in the 2024/25 budget with a purchase order to be raised in May 2023.

CARRIED

GENERAL ITEMS

12.1 ORGANISATIONAL GROWTH UNIT REPORT

The Council considered a report on Organisational Growth Unit Report.

OCM70/2023 RESOLVED:

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

1. That Council received and noted the report on the activity and progress made by the Organisational Growth unit pursuit of the strategic goals; and
2. Council requested the new WHS Advisor attend the next Ordinary Council Meeting.

CARRIED

9.5 COUNCILLOR EMAIL AND TECHNOLOGY PROVISION

The Council considered a report on Councillor Email and Technology Provision.

OCM71/2023 RESOLVED:

**On the motion of Cr Ralph Blyth
Seconded Cr James Woods**

That Council:

1. Received and noted report entitled "*Councillor Email and Technology Provision*".
2. Supported the creation of Councillor email addresses for each Councillor in the format of firstname.lastname@westarnhem.nt.gov.au .
3. Endorsed the purchase of technology up to the amount of \$20,000.
4. Requested the review of *Allowances and Expenses, Elected, Local Authority and Council Committee Members Policy* to include the above provisions, with the changes be presented to Council at its next meeting.

CARRIED

12.2 OPERATIONS REPORT - APRIL 2023

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

OCM72/2023 RESOLVED:

**On the motion of Deputy Mayor Elizabeth Williams
Seconded Cr James Woods**

That Council received and noted the report entitled '*Operations Report – April 2023*'.

CARRIED

12.3 ELECTED MEMBER PAYMENTS

The Council considered a report on Elected Member Payments.

OCM73/2023 RESOLVED:

**On the motion of Deputy Mayor Elizabeth Williams
Seconded Cr Donna Nadjamerrek**

That Council:

1. pay Councillor allowances through the Council's Pay As You Go withholding (PAYG) income tax system (as if they were Council employees) commencing 1 July 2023; and
2. make no other changes to payment dates or frequency.

CARRIED

12.4 COUNCIL DELEGATIONS MANUAL

The Council considered a report on Council Delegations Manual.

OCM74/2023 RESOLVED:

On the motion of Cr James Woods

Seconded Cr Otto Dann

That Council:

1. received and noted the report entitled "*Council Delegations Manual*"; and
2. requested this manual be presented to the next Council workshop.

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.

OCM75/2023 RESOLVED:

On the motion of Deputy Mayor Elizabeth Williams

Seconded Cr James Woods

That the Chairperson invited questions with or without notice from Elected Members:

1. Cr Blyth - Requested Mr Manuel Brown MLA be invited to attend the next Ordinary Council Meeting. Further Cr Blyth noted that he had spoken with Mr Manuel Brown MLA and he would be visiting Jabiru around 22 May 2023.
2. Mayor Ryan
 - a. recounted that the Maningrida Community Government Council had laid a plaque in a Maningrida Park to commemorate the start of Maningrida. He suggested that plaques be laid in all WARC remote communities to memorialise the Missions commencement.
 - b. noted an email of even date from the CEO of LGANT regarding the NT Remuneration Tribunal Determination of Allowances for Member of Local Government Councils and Local Authorities on 24 January 2023, being Determination No.1 of 2023. It was decided that the CEO would email in support of the determination, strongly requesting that superannuation be paid for elected members and whilst Council supports Victoria Daly Regional Council in its plight to increase the travel allowance above \$5K per annum, the travel allowance seems sufficient to cover travel of WARC Councillors.
 - c. raised concerns around the height of pest weeds in and around Maningrida particularly Mission Grass which is drying off and presents a fire risk. He suggested the administration liaise with the Maningrida Ranger Group to spray these weeds before they become a problem.
 - d. asked that the administration advocate to Territory Families, Community and Housing to provide Mrs Barbara Wauchope with a proper house given the state of the present temporary housing being provided by WARC.
 - e. questioned the installation of a new power pole on the intersection of Malabam and Gunbalanya Roads near Dhukurrdji Lodge.

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.

OCM76/2023 RESOLVED:

On the motion of Cr Ralph Blyth

Seconded Deputy Mayor Elizabeth Williams

That Council approved 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

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	CONFIRMATION OF PREVIOUS MINUTES - CONFIDENTIAL ORDINARY COUNCIL MEETING HELD ON 12 APRIL 2023 The Council considered a report on Confirmation of Previous Minutes - Confidential Ordinary Council Meeting held on 12 April 2023.
	OCM76/2023 RESOLVED: On the motion of Mayor Matthew Ryan Seconded Deputy Mayor Elizabeth Williams That the minutes of 12 April 2023 Confidential Council meeting are confirmed as a true and correct record of the meeting. CARRIED
15.2	WEST ARNHEM REGIONAL COUNCIL -- COMMERCIAL 2ND REVISED BUDGET 2022-23 The Council considered a report on West Arnhem Regional Council -- Commercial 2nd Revised Budget 2022-23.
	OCM77/2023 RESOLVED: On the motion of Councillor James Woods Seconded Deputy Mayor Elizabeth Williams That Council: 1. → received and noted the report entitled 'Commercial 2nd revised budget 2022-23'; and 2. → adopted the Revised Operating and Capital Budget 2022-23 for the Commercial Activities in accordance with Section 203(2) of the Local Government Act 2019. 3. → moved the resolution into the open section of the minutes. CARRIED
15.3	WEST ARNHEM REGIONAL COUNCIL COMMERCIAL BUDGET 2023-24 The Council considered a report on West Arnhem Regional Council Commercial Budget 2023-24.
	OCM78/2023 RESOLVED: On the motion of Mayor Matthew Ryan Seconded Councillor Donna <u>Nadjamerrek</u> That Council approved the West Arnhem Regional Council Commercial Budget 2023-24 for: 1. referral to the Local Authorities for comment; and 2. public advertising for comment. Approve this be moved to the open section of the minutes CARRIED

15.3	<p>WEST-ARNHEM-REGIONAL-COUNCIL-COMMERCIAL-BUDGET-2023-24</p> <p>The Council considered a report on West Arnhem Regional Council Commercial Budget 2023-24.</p>
15.4	<p>OCM78/2023-RESOLVED:</p> <p>On the motion of Mayor Matthew Ryan</p> <p>Seconded Councillor Donna Nadjamerrek</p> <p>That Council approved the West Arnhem Regional Council Commercial Budget 2023-24 for:</p> <ol style="list-style-type: none"> 1. → referral to the Local Authorities for comment. 2. → public advertising for comment; and 3. → approved this resolution be moved into the open section of the minutes. <p style="text-align: right;">CARRIED</p>

NEXT MEETING

The next meeting is scheduled to take place on 23 June 2023, with the location to be confirmed, Council would like to take this meeting to Gunbalanya.

MEETING DECLARED CLOSED

Chairperson Ryan declared the meeting closed at 17:09.

This page and the preceding pages are the minutes of the Ordinary Council Meeting held on 10 May 2023.

Chairperson

Date Confirmed