



WEST DALY
Regional Council

MINUTES
ORDINARY COUNCIL MEETING
11.16 am
20 May 2015
DARWIN PARAP OFFICE

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CONFIRMED

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Signed: Chief Executive Officer

MINUTES

ORDINARY COUNCIL MEETING

TO BE HELD AT THE DARWIN COUNCIL OFFICE

ON 20 May 2015

COMMENCING AT 11.16 AM

Mayor of the West Daly Regional Council Harold Wilson declared the meeting open at 11.16 am and welcomed all in attendance.

1	Persons Present
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Elected members present

Mayor	Harold Wilson
Deputy Mayor	Andrew Brown
Councillor	Wally Minjin
Councillor	Tobias Nganbe
Councillor	Ralph Narburup
Councillor	Mark Martin

Staff present

Chief Executive Officer	Glenda Teede
Director of Financial Services	Peter Carter
Director of Financial Services	Clem Barret
Administration Officer	Tahlia Cleary
Human Resources Officer	Jade Hamilton

Persons present

Director, CL Rowe & Associates	Craig Rowe
Project Director Regional Government	Shaun Hardy

2	Chief Executive Officer	Apologies and Leave of Absence
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SUMMARY

This report is to table, for Council’s record, any apologies and requests for leave of absence received from Elected Members for the Ordinary General Meeting held 20 May 2015.

RESOLUTION 20/5 001		
That Council receive and notes that there are no apologies for the Ordinary General Meeting held 20 May 2015.		
Moved:	Clr Brown	
Seconded:	Clr Nganbe	Carried

Meeting closed at 12:17 pm and reopened at 2:50 pm. Meeting closed at 3:06 pm and adjourned to Thursday 21st May at 8:00 am due to Conflict Resolution training.

Meeting opened at 8:16 am.

3	N/A	Petitions and Deputations
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4	Administration Officer	Confirmation of Previous Minutes
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SUMMARY

Minutes of the Ordinary General Meeting held on 18 March 2015 are submitted to Council for confirmation that those minutes are a true and correct record of the meeting.

RESOLUTION 20/5 002		
That the minutes of the Ordinary General Meeting held 18 March 2015 be confirmed by Council as a true and correct record of the meeting.		
Moved:	Clr Brown	
Seconded:	Clr Nganbe	Carried

5	N/A	Declaration of interest of members and staff
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SUMMARY

Elected members are required to disclose an interest in a matter under consideration by Council at a meeting of the Council or a meeting of a Council committee.

RESOLUTION 20/5 003		
Clr Brown disclosed an interest in a matter to be considered in the Confidential Section of the Council Agenda.		
Moved:	Clr Narburup	
Seconded:	Clr Martin	Carried

6	Chief Executive Officer	Chief Executive Officer's Report
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SUMMARY

Chief Executive Officer's report for the Ordinary General Meeting held 20 May 2015.

RESOLUTION 20/5 004		
a) That the Council accepts and notes this report.		
Moved:	Clr Nganbe	
Seconded:	Clr Martin	Carried
b) That the Council approve the outstanding issues to be added to the Board Items for Action for further progress.		
Clr Brown requested that Item B is moved to a Confidential Session for further discussion.		
Moved:	Clr Nganbe	
Seconded:	Clr Narburup	Carried

7	Regional Services Managers Reports	
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7.1	Regional Services Manager	Regional Manager's Report – Wadeye
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SUMMARY

Wadeye Regional Service Manager's report for the Ordinary General Meeting being held on Wednesday 18th March 2015.

RESOLUTION 20/5 005		
That Council receives and notes the Wadeye Regional Services Manager's Report.		
Moved:	Clr Brown	
Seconded:	Clr Narburup	Carried

7.2	Regional Services Manager	Regional Manager's Report – Palumpa
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SUMMARY

Palumpa Regional Service Manager's report for the Ordinary General Meeting being held on Wednesday 20th May 2015.

RESOLUTION 20/5 006		
That Council receives and notes the Palumpa Regional Services Manager's Report.		
Moved:	Clr Martin	
Seconded:	Clr Minjin	Carried

7.3	Regional Services Manager	Regional Manager's Report - Peppimenarti
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SUMMARY

Peppimenarti Regional Service Manager's report for the Ordinary General Meeting being held on Wednesday 20th May 2015.

RESOLUTION 20/5 007

That Council received and notes the Peppimenarti Regional Services Manager's Report.

Moved: Clr Nganbe

Seconded: Clr Narburup **Carried**

Ordinary Council Meeting closed at 9.27 am and reopened at 9.41 am.

8	Director of Corporate Services	Finance Report
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SUMMARY

As part of the monthly reporting procedures the finance report is submitted to the Finance Committee for review and the presented to the Council for adoption.

RESOLUTION 20/5 008

- a) That Council receives and notes the finance report for the period 1 July 2014 to 30 April 2015.
- b) That Council adopts the attached policy 1.2.3 Procurement.

Moved: Clr Narburup

Seconded: Clr Martin **Carried**

9	Grants Officer	Grants Officer's Report
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SUMMARY

Discussions continue to take place on a few remaining grants from Victoria Daly Regional Council. It is unknown when a resolution will be found. Reports are underway for April. The common seal has been applied to two grant or variation agreements. Grant opportunities continue to be researched.

RESOLUTION 20/5 009

That Council receives and notes the Grants Officers Activity Report for March and April 2015.

Moved: Clr Nganbe

Seconded: Clr Narburup **Carried**

10	Human Resource Officer	Human Resource Officer's Report
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SUMMARY

Human Resources Officer's report for the Ordinary General Meeting being held on Wednesday 20th May, 2015.

RESOLUTION 20/5 010		
That Council receives and notes the Grant Officers Activity Report for March & April 2015.		
Moved:	Clr Martin	
Seconded:	Clr Nganbe	Carried

Clr Narburup returned to the meeting 1.31pm

11	N/A	Councillor Reports
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12	N/A	Late Reports
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13	Administration Assistant	Incoming & Outgoing Correspondance
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SUMMARY

Mail Register and Correspondence for the Ordinary General Meeting held 20th May 2015.

RESOLUTION 20/5 011		
That Council receives and notes the Correspondence Received and Sent.		
Moved:	Clr Minjin	
Seconded:	Clr Nganbe	Carried

14	Administration Assistant	Action Items
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SUMMARY

Outstanding action items to be completed from the previous Council Meeting.

RESOLUTION 20/5 012		
That Council receives and notes the Action list tabled.		
Moved:	Clr Nganbe	
Seconded:	Clr Minjin	Carried

15	General Business
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15.1	Chief Executive Officer	Policy framework
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SUMMARY

The Report proposes the adoption of a Policy Framework Policy setting out Council’s expectations in relation to the creation of policies and informs Council of a number of policies that are should be adopted a soon as practicable.

RESOLUTION 20/5 013		
a) That the Policy Framework Policy attached to this Report be adopted		
b) That the CEO be delegated authority to amend, rescind and/or replace the following existing policies adopted by Council relating to Human Resource Management on 19 th November 2014 when and if the need arises.		
Moved:	Clr Narburup	
Seconded:	Clr Martin	Carried

15.2	Chief Executive Officer	Delegation Report
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SUMMARY

To provide for the efficient operation of the Council and the effective performance of its powers and duties it is necessary for the Council to formally delegate authority to the CEO. This is because the Council can only act by making a decision at a Council meeting whilst the daily business of the Council must be handled by Council staff.

RESOLUTION 20/5 014		
That Council formalise the necessary delegations to the CEO.		
Moved:	Clr Nganbe	
Seconded:	Clr Martin	Carried

15.3	Chief Executive Officer	Public Interest Disclosure Policy
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SUMMARY

The NT Public Protection Interest Disclosure Act provides protection for individuals who disclose information about improper conduct and maladministration on the part of public officials.

This Policy briefly outlines the relevant parts of that Act to help ensure that Elected Members, management and other employees are aware of its existence and their legislative obligations.

RESOLUTION 20/5 015		
That the Public Interest Disclosure Policy attached to this report be adopted until otherwise amended.		
Moved:	Clr Nganbe	
Seconded:	Clr Martin	Carried

15.4	Chief Executive Officer	Records Management Policy
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SUMMARY

The Report proposes adoption of a policy to provide a framework for the creation and management of complete and accurate records of the business of the West Daly Regional Council.

RESOLUTION 20/5 016

- a) That the Records Management Policy attached to this report be adopted until otherwise amended.
- b) That the acquisition of a suitable electronic records management system be considered during the 2015-16 Budget deliberations.

Moved: Clr Nganbe

Seconded: Clr Narburup **Carried**

15.5	Chief Executive Officer	Acceptance of Gifts & Benefits by Elected Members Policy
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SUMMARY

To promote public confidence in the governance of the Council it is proposed to establish clear rules for handling the offer or receipt of gifts and other benefits. The proposed Policy deals with gifts and benefits which may be offered or received from time to time. The Policy will apply to all Elected Members, Local Authority Members, employees and Council contractors.

RESOLUTION 20/5 017

That the Council adopt the Gifts and Benefits Policy.

Moved: Clr Minjin

Seconded: Clr Nganbe **Carried**

15.6	Chief Executive Officer	Investment Policy
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SUMMARY

The Report proposes the adoption of an Investment Policy. This Policy deals with the management of Council's investments and includes the principles that the Council requires its administration to follow in relation to balancing investment risk and return, identification of approved and prohibited investments and reporting requirements.

RESOLUTION 20/5 018

The Council adopt an investment policy.

Moved: Clr Narburup

Seconded: Clr Minjin **Carried**

15.7	Chief Executive Officer	Fraud Protection Policy
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SUMMARY

The Council has statutory responsibility as well as a responsibility to the community to protect its revenue, property, information and other assets from fraud by members of the public, contractors, suppliers, elected members and employees. A Fraud Protection Policy is proposed for adoption.

RESOLUTION 20/5 019

The Council adopt a Fraud Protection Policy as an important internal control measure.

Moved: Clr Nganbe

Seconded: Clr Martin **Carried**

15.8	Chief Executive Officer	Fees & Charges - Landfill
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SUMMARY

It is proposed to introduce fees for the use of Council landfill sites. Fees in place in other Councils have been considered. Non-residential users of landfills will be required to obtain a permit and pay a fee prior to dumping.

RESOLUTION 20/5 020

That Council approves the proposal to introduce fees for use of the Council operated landfill sites at Wadeye, Peppimenarti and Palumpa.

Moved: Clr Narburup

Seconded: Clr Brown **Carried**

15.9	Chief Executive Officer	Credit Card Policy
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SUMMARY

It is proposed to adopt a policy setting out WDRC's requirements for the use of corporate credit cards. The responsibilities of cardholders and Council's expectations in regard to the use of credit cards are covered by the policy.

RESOLUTION 20/5 021

That Council adopt a credit card policy.

Moved: Clr Brown

Seconded: Clr Nganbe **Carried**

SUMMARY

The Council is required to appoint an Audit Committee which must have an independent Chair. The Report addresses the Committee's Terms of Reference and the appointment of Members.

RESOLUTION 20/5 022

That Council:

- a) Establish an Audit Committee with effect from October 1st 2015 comprising an independent Chair and two (2) Elected Members.
- b) Instruct the CEO to immediately seek expressions of interest from professional persons suitably qualified in the Finance or Accounting fields to act as Chair of the Committee for a three year term and recommend an appointment to Council.
- c) That two Councillors be appointed to the Committee for a term expiring on the day of the next general election.
- d) Adopt the following Draft Charter and Terms of Reference for the Committee.

Moved: Clr Minjin

Seconded: Clr Narburup

Carried

SUMMARY

The Council leases Unit 3, 21 Parap Road, for its Darwin Office. The initial term of the lease expires on August 31st 2015. Council has the option to renew the lease until June 30th 2019. The Report recommends seeking a 12 month extension.

RESOLUTION 20/5 023

That Council approves a 12 month extension be sought for the lease of Unit 3, 21 Parap Road and if granted the CEO be authorised to execute any necessary documentation and with the Mayor affix the common seal if required.

If a 12 month extension is not acceptable to the landlord that the question of the lease be referred to the Finance Committee for determination at its June meeting.

Moved: Clr Martin

Seconded: Clr Nganbe

Carried

15.12**Chief Executive Officer****Animal Management****SUMMARY**

Council support is sought for a proposal by AMRRIC to run a community and school based education program within the Region. Approval is recommended. The project would be part funded by the Council.

RESOLUTION 20/5 024

That Council Seek a written report from AMRRIC including costing's on proposed program outcomes.

Moved: Clr Martin**Seconded: Clr Nganbe****Carried****15.13****Chief Executive Officer****Financial Assistance Grants to Local Government****SUMMARY**

LGANT have written to WDRC seeking Council pass a resolution to acknowledge the importance of the contribution of FAG funding for the continued delivery of council services and infrastructure.

RESOLUTION 20/5 025

That the Council:

- a) Acknowledges the importance of federal funding through the Financial Assistant Grants Project for the continue delivery of councils service sand infrastructure;
- b) Acknowledges that the council will receive \$1,165,098 in 2014-15; and
- c) Will ensure that this Federal funding, and other funding provided by the Federal government under relevant grant programs, is appropriately identified as Commonwealth grant funding in Council publications, including annual reports.

Moved: Clr Narburup**Seconded: Clr Martin****Carried**

SUMMARY

The Council is asked to make decisions in relation to the Periodic Review of Elector Representation (Section 23 of the Local Government Act). A Report has been received from CL Rowe and Associates which recommends changing the ward boundaries and increasing the number of elected members by one.

RESOLUTION 20/5 026

That Council:

1. Note and receives the C.L. Rowe and Associates *Electoral Representation Review Report*.
2. Note and receives the two submissions received in response to the initial public consultation
3. Agree to the following:
 - The name of Council not be changed at this time;
 - The principal member of Council continues to bear the title of mayor and be appointed by Council;
 - The elected members (excluding the principal member) continue to bear the title of Councillor;
 - The future Council Elected body of West Daly Regional Council comprises a total of six (6) elected members;
 - The council area be divided into three (3) wards, as per the current ward structure;
 - The existing ward names be retained;
 - The proposed Thamarrurr/Pindi Pindi ward be represented by four elected members and both the proposed Nganmarriyanga and Tyemirri wards each be represented by a single councillor; and
 - Council not pursue any changes to its external boundaries at this time.
4. Not undertake any further public consultation with the community and authorise Council administration to prepare the necessary report to the Minister for Local Government and Community Services.

Moved: Clr Narburup

Seconded: Clr Martin

Carried

15.15	Chief Executive Officer	Finance Committee
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SUMMARY

Because the Council meets bi-monthly it is required to appoint a Finance Committee. The Report addresses the Committee's Terms of Reference and the appointment of Members.

RESOLUTION 20/5 027

That Council:

- a) Establish a Finance and Executive Committee comprising three (3) Elected Members
- b) That three Councillors be appointed to the Committee for a term expiring on the day of the next general election. Note: the Mayor is an ex-officio member of the Committee.
- c) Adopt the following terms of reference for the Committee to:
 - Ensure the annual budget is aligned with the Business Plan.
 - Monitor and report on financial performance against the annual budget and the Business Plan.
 - Formulate strategies to improve the Council's financial position.

Moved: Clr Martin

Seconded: Clr Narburup Carried

15.16	Regional Service Manager - Peppimenarti	Gifting of Hi Ace Commuter Bus
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SUMMARY

To seek approval from Council to gift the Hi Ace Commuter Bus to the local Indigenous Association, Deewin Kirim, in Peppimenarti.

RESOLUTION 20/5 028

That Council gift the 2008 Toyota Hi-Ace Commuter Bus to the Deewin Kirim Aboriginal Corporation.

Moved: Clr Martin

Seconded: Clr Minjin Carried

15.17	Chief Executive Officer	LGANT Local Authority Video
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SUMMARY

Angela Pattison from LGANT has proposed to put together a video depicting the thoughts, feelings and actions of Local Authority members within the West Daly region in order to raise the profile of the Local Authority role in remote communities.

RESOLUTION 20/5 029

That Council approves the proposal to produce a video within the communities of Peppimenarti and Palumpa.

Moved: Clr Wilson

Seconded: Clr Martin Carried

16	Local Authority Coordinator	Peppimenarti, Palumpa and Wadeye Local Authorities
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SUMMARY

Local Authority Coordinator report for the Ordinary General Meeting being held on Wednesday 20th May 2015.

RESOLUTION 20/5 030

That Council do not accept the Local Authority Coordinators Report in its current format and request resubmission at the next Council meeting.

Moved: Clr. Nganbe

Seconded: Clr. Brown **Carried**

17	Confidential Items
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RESOLUTION 20/5 030

That Council close the meeting to the general public in accordance with section 65(2) of the Local Government Act to enable Council to discuss in a Confidential Session an item described under Local Government (Administration) regulations 8 (a, b, c, d or e).

Moved: Clr Nganbe

Seconded: Clr Brown **Carried**

18	Close of Meeting
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The Ordinary General Meeting of West Daly Regional Council was closed at 12.11 pm.

19	Next Meeting
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The next Ordinary General Meeting of West Daly Regional Council will be held at Wadeye on Wednesday 17th June 2015 with a briefing on 16th June 2015.

Mayor Harold Wilson