

Confirmed at Ordinary Council Meeting
Held on 25 January 2017



MINUTES

SPECIAL COUNCIL MEETING

15 December 2016 at 10:00am

CouncilBiz Office

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WEST DALY REGIONAL COUNCIL

Minutes for Special Council Meeting 15 December 2016

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Michael Freeman
Acting Chief Executive Officer

MINUTES
SPECIAL COUNCIL MEETING
TO BE HELD AT THE DARWIN COUNCIL OFFICE
ON 15 DECEMBER 2016
COMMENCING AT 10.00AM

Mayor of the West Daly Regional Council Harold Wilson declared the meeting open at 10:00 and welcomed all in attendance and moved to confidential matters first. Special Meeting resumed at 12:57pm.

1 PERSONS PRESENT

ELECTED MEMBERS PRESENT

Mayor	Harold Wilson
Deputy Mayor	Andrew Brown (Via telephone link up)
Councillor	Wally Minjin
Councillor	Mark Martin
Councillor	Ralph Narburup

STAFF PRESENT

Acting Chief Executive Officer	Michael Freeman
Deputy Acting Chief Executive Officer	Ramesh Pudasaini
Governance Officer	Rebecca Purser

PERSONS PRESENT

Director Sustainability and Compliance – Department of Housing and Community Development	Meeta Ramkumar
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2 CONFIDENTIAL ITEMS

1. Compliance Report – Protection of Privacy
CONFIDENTIAL: Section 65(2), regulations part 4 8(a) 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.

2. Storage Tanks – Commercial
CONFIDENTIAL: Section 65(2), regulations part 4 8(c)(i) cause commercial prejudice to, or confer an unfair commercial advantage on any person

3. Audit Costs – Commercial
CONFIDENTIAL: Section 65(2), regulations part 4 8(c)(i) cause commercial prejudice to, or confer an unfair commercial advantage on any person
4. Lease Agreements – Protection of Privacy
CONFIDENTIAL: Section 65(2), regulations part 4 8(b) information about the personal circumstances of a resident or rate payer.
5. Service Agreements – Commercial
CONFIDENTIAL: Section 65(2), regulations part 4 8(c)(i) cause commercial prejudice to, or confer an unfair commercial advantage on any person
6. Wadeye Waste Facility – Commercial
CONFIDENTIAL: Section 65(2), regulations part 4 8(c)(i) cause commercial prejudice to, or confer an unfair commercial advantage on any person
7. Staff List – Protection of Privacy
CONFIDENTIAL: Section 65(2), regulations part 4 8(a) 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.
8. Housing List – Protection of Privacy
CONFIDENTIAL: Section 65(2), regulations part 4 8(b) information about the personal circumstances of a resident or rate payer.
9. Media Broadcasting – Interests
CONFIDENTIAL: Section 65(2), regulations part 4 8(c)(iv) prejudice the interests of the council or some other person.

3 APOLOGIES AND LEAVE OF ABSENCE

Author:	Michael Freeman, Acting Chief Executive Officer
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Nil apologies received.

4 DECLARATION OF INTEREST OF MEMBERS OR STAFF

Author:	Rebecca Purser, Governance Officer
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Nil declarations of interest noted.

5 CONFIRMATION OF MINUTES

Author: Rebecca Purser, Governance Officer

Minutes of the Ordinary Council Meeting held on 24th November 2016 were submitted to Council for approval.

Recommendation:

THAT the minutes of the Ordinary Council Meeting held on 24 November 2016 be confirmed as a true and correct record.

Moved: Clr. Ralph Narburup
Second: Clr. Wally Minjin
Carried: Unanimously

6 CEO REPORT

Author: Michael Freeman, Acting CEO

Acting CEO advised that he attended the LGANT AGM. There were some announcements around funding. There were also lengthy discussions around local authorities having more delegation however the council would have to develop a local authority policy.

Acting CEO advised he attend a meeting with the Northern Territory Government regarding Sport and Recreation and this is covered in an agenda item 10 below.

An Executive meeting was held with the four (4) Community Services Managers, Human Resource Advisor and Governance Officer to provide an update on certain matters and for direction to take back to relevant staff members.

Acting CEO met with the CEO of Thamurrurr Development Corporation.

There is a tender available that closes on the 4th January 2017 - Department of Infrastructure, Planning and Logistics Darwin Region - Wadeye - Lot 528 - Upgrade Works Community Morgue T16-1808A.

Regional and Remote Services Unit requested an update regarding the number of people/houses on each of the homelands that council is responsible for and this has been provided to the Regional and Remote Services Unit.

RECOMMENDATION

THAT Council receive the report from the Acting CEO

Moved: Deputy Mayor Andrew Brown
Seconded: Clr. Mark Martin
Carried: Unanimously

7 COUNCIL VACANCY

Author: Michael Freeman, Acting CEO

DISCUSSIONS

Mr Melpi resigned from Council effective 23rd November 2016. The next general election is scheduled for August 2017. Council does not have a policy on co-opting persons. Therefore, a policy would need to be developed before a person could be co-opted. The ward Mr Melpi represented has other representatives. A by-election is not required and is not cost effective.

RECOMMENDATION

THAT Council declines to seek a by-election, and declines to co-opt a person to fill the casual vacancy on Council.

Moved: Deputy Mayor Andrew Brown
Seconded: Clr. Mark Martin
Carried: Unanimously

8 CORRESPONDENCE

Author: Rebecca Purser, Governance Officer

The incoming and outgoing correspondence register was presented to Councillors for perusal and comments.

The correspondence from NTG – Department of Housing and Development regarding Special Purpose Grants Round 1 – 2016/17 and the unsuccessful applications were discussed.

There are two rounds of the SPG and the second round will be in April or March. We are able to reframe and submit a more defined application for consideration by the Department of Housing and Development.

RECOMMENDATION

THAT Council receives and notes the correspondence received and sent on behalf of Council.

Moved: Clr. Ralph Narburup
Seconded: Clr. Mark Martin
Carried: Unanimously

9 FINANCIAL REPORTS

Author: Ramesh Pudasaini, Acting Deputy CEO / Senior Financial Consultant

The current liabilities include the s.19 leases.

Out of \$5.3 million cash we have \$3.5 million in short term deposits for higher interest rates.

Wherever possible we are trying to save money and put the “brakes” on spending.

Some of the rate payers can not be found and the rates may not be recoverable. Question was asked how much will it cost for us to chase them and is it viable? The credit agency charges only 10% of what they actually recover. There is approximately two years worth of rates to recover so it is recommended that we continue to seek payment of outstanding rates.

Page 35 - \$50,516 is for funding programs/grants that have already closed and we need to refund that money.

Budget assistance of \$700,000 is yet to be received from the Department of Housing and Community Development local government unit.

Local Authorities – there is a significant amount of money sitting there and if we do not spend it then we have to give it back.

- Wadeye we have \$400,000
- Palumpa we have \$60,000.00; and
- Peppimenarti we have \$31,000.00.

Local Authorities (especially in Wadeye) need to attend the meetings. It was recommended that the Councillor’s encourage the LA members to attend. Local authorities have to recommend where they would like the money spent and then it has to be approved by Council so procedurally it takes time.

Financial consultant has provided the CSM’s with their budgets for them to review

Councillor Ralph Narburup was asked to have a talk to the Traditional Owners in Palumpa regarding the gravel and the issue regarding the extraction. If we can get the permission soon then we can start after the wet season.

Consultancy fees were discussed and councillors were advised that we have put a stop on the two main consultants.

Recommendation:

THAT Council accepts the financial report for the November 2016 period.

Moved: Clr. Ralph Narburup

Second: Clr. Wally Minjin

Carried: Unanimously

10 SPORTS AND RECREATION FUNDING

Author: Michael Freeman, Acting CEO

Clyde Summers has been employed as the Sport & Recreation Team Leader and has been given a copy of all the funding agreements

Out of the \$116,000.00 offered from Northern Territory Government Department of Tourism and Culture, \$20,000 has been allocated to encourage people to participate in the sports voucher schemes. Fourth sport nominated was swimming. Question was asked if we can use part of the \$116,000 to be able to run the pool if the vouchers are used for swimming. We need to put in a plan and submit to the department for review.

Recommendation:

THAT Council gives approval to the CEO to accept the Northern Territory Government Funding of \$116,000.00 for Sports and Recreation.

Moved: Clr. Wally Minjin

Second: Clr. Mark Martin

Carried: Unanimously

11 LEASE RENT PAYMENT TO NORTHERN LAND COUNCIL

Author: Ramesh Pudasaini, Acting Deputy CEO / Senior Financial Consultant

It was noted that there were no recorded minutes regarding the s.19 leases. The Mayor advised that the Leases were definitely discussed and that they were agreed on.

Council will have financial impact each year, for this year council need to pay \$244,922.94. WDRC also need to pay backdated lease rent for 2014 and 2015 and in this regard we have asked for a payment plan over a period of 5 years.

When we calculate the rental amount for the residential and commercial tenancy agreements, we have to take into consideration how much we are paying for the s.19 and then calculate the rental figure accordingly.

Recommendation:

1. THAT Council acknowledge the lease agreement signed between Northern Land Council and West Daly Regional Council.
2. THAT Council authorise Acting Chief Executive Officer to release payment for 2016-17 lease rent payment.
3. THAT Council acknowledge the Northern Land Council's response dated 25 November 2016 in regards to backdated lease rent payment.

Moved: Clr. Ralph Narburup
Second: Clr. Mark Martin
Carried: Unanimously

1:48pm – Wally Minjin left the meeting.

1:53pm – Wally Minjin returned to the meeting.

12 POLICIES

Author: Rebecca Purser, Governance Officer

Part of the compliance report was the lack of policies that WDRC have. There will be a full policy manual which will be presented at the next Council Meeting. In the interim however, there are three policies which need to be implemented immediately.

Recommendation:

THAT Council adopts the following policies with immediate effect:

1. Workplace Bullying and Harassment;
2. Caretaker Period;
3. Staff Travel.

Moved: Clr. Mark Martin
Second: Clr. Ralph Narburup
Carried: Unanimously

13 POWER METERS

Author: Ramesh Pudasaini, Acting Deputy CEO / Senior Financial Consultant

Currently WDRC have 1 power meter for multiple users and there is approximately \$47,000.00 in electricity costs that we have paid for and that we have not been able to obtain reimbursement.

We need to put Pre Paid Meters on each unit and this will cost council around \$13,000 (\$524 each for PPM). There will be no additional future cost to council as staff will be buying their own charge cards.

WDRC Staff Housing	Common Electricity Meter
363 Pultchen St Wadeye	Yes
363/1 Pultchen St Wadeye	
363/2 Pultchen St Wadeye	
372 Thanpa Crt Wadeye	Yes
372/1 Thanpa Crt Wadeye	
372/2 Thanpa Crt Wadeye	
372/3 Thanpa Crt Wadeye	
372/4 Thanpa Crt Wadeye	
381 Banthan St Wadeye	Yes
381/1 Banthan St Wadeye	
381/2 Banthan St Wadeye – used by TDC	
459 Banthan St Wadeye	Yes
459/1 Banthan St Wadeye	
459/2 Banthan St Wadeye	
459/3 Banthan St Wadeye	
459/4 Bathnan St Wadeye	
497 Ngumink St Wadeye	
497/1 Ngumink St Wadeye – Used by TDC	
497/2 Ngumink St Wadeye	
602 Nguluyguy St Wadeye	Yes
602/1 Nguluyguy St Wadeye	
602/2 Nguluyguy St Wadeye	
606 Bem St Wadeye	Yes
606/1 Bem St Wadeye	
606/2 Bem St Wadeye	
Lot 14 Peppimenart	Yes
Lot 14 (A) Peppimenart St.	
Lot 14 Peppimenart St.	

Recommendation:

THAT Council has authorised to change / add new meters in listed property

Moved: Clr. Mark Martin
Second: Clr. Ralph Narburup
Carried: Unanimously

14 AGREEMENTS REQUIRING THE COMMON SEAL

Author: Rebecca Purser, Governance Officer

Recommendation:

THAT Council receive and notes and allow the use of the Common Seal for Emu Point Creche – Budget Based Funding Deed of Variation.

Moved: Clr. Ralph Narburup
Second: Clr. Wally Minjin
Carried: Unanimously

15 CLOSE OF MEETING

Time: 2:23pm

16 NEXT MEETING

There will be a Special Meeting on 10th January 2017 in Darwin

The next Ordinary Council Meeting of West Daly Regional Council will be held on 25th January 2017 in Darwin.