



MINUTES OF THE COUNCIL MEETING HELD IN THE DARWIN ON
WEDNESDAY, 30 JANUARY 2019 AT 10:00AM

PRESENT

John Wilson	Mayor
Terry Sams	Deputy Mayor
Ralph Narburup	Councillor
Wally Minjin	Councillor
Mark Tunmuck-Smith	Councillor

Staff

Steve Horton	Director of Council and Community Services
Rebecca Purser	Manager Corporate
Ramesh Pudasaini	Senior Financial Consultant (CouncilBiz)

Guests

Lee Williams, Department of Local Government Housing and Community Development
Anthony Burrige, Department of Local Government Housing and Community Development

APOLOGIES AND LEAVE OF ABSENCE

Apologies received from:

Shaun Hardy	Chief Executive Officer
Michael Fitisemanu	Community Services Manager Wadeye
Scott Page	Community Services Manager Nganmariyanga
Steve Loring	Community Services Manager Peppimenarti
Anjali Palmer	Department of Local Government Housing and Community Development.

Motion:

- 1. That** Councillor Mark Martin be recorded as absent.

Moved: Cr. Narburup
Seconded: Cr. Sams
Resolution: Unanimously

DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF

Mayor Wilson declared an interest in Agenda Item 25 in the Confidential Agenda and left the meeting during discussion.

CONFIRMATION OF MINUTES

Minutes of the Council Meeting held on 5 December 2018

001/2019 RECOMMENDATION:

That the minutes be taken as read and be accepted as a true record of the Meeting.

Moved: Cr. Minjin
Seconded: Cr. Sams
Resolution: Unanimously

PRESENTATION BY DEPARTMENT OF LOCAL GOVERNMENT HOUSING AND COMMUNITY DEVELOPMENT – CONSULTATION DRAFT BURIAL AND CREMATION BILL

Lee Williams conducted a power point presentation regarding the Draft Burial and Cremation Bill. She communicated to Council that the new laws will ensure that burial records are kept and cemeteries on Aboriginal Lands are recognised by law.

- Council will be required to:
 - Have a basic cemetery plan and general information available on Council website.
 - Have a sign at the cemetery.
 - Issue burial permits
 - Keep burial records
- Cemeteries which will come under the new laws (noting permission from Traditional Owners is still required) are:
 - Wadeye Cemeteries A and B (*Councillors advised should be combined into one*)
 - Peppimenarti Cemeteries A and B
 - Nganmariyanga Cemetery
 - Fossil Head Cemetery
 - Merrepen Cemetery
 - Woodycupaldiya
 - Wudapuli

Councillors advised that there are cemeteries also located at:

- Kuy
- Old Mission
- Emu Point

The Department will attend WDRC's next Local Authority meetings to present the Draft Burial and Cremation Bill.

Lee Williams and Anthony Burrige left the meeting at 10:20am

CALL FOR ITEMS OF GENERAL BUSINESS

Rebecca Purser, Manager Corporate, called for a late Item – CHSP Growth Funding Grant Agreement

REPORTS TO COUNCIL

1) Chief Executive Officer's Report

Director of Council and Community Services spoke to the written report prepared by the Chief Executive Officer.

Matters to Note:

- Sims Metal will be in Wadeye in June and have requested an extension of contract.
Deputy Mayor queried whether Sims Metal will be attending Emu Point.
DOCCS will liaise with Big Rivers Waste Management and request inclusion of

Emu Point however it was noted that another option is for Council to collect the vehicles with the tilt tray from the homelands and transport back to Wadeye, Nganmarriyanga and Peppimenarti.

Action	Person Responsible
Request to Big Rivers Waste Management seeking inclusion of the removal of car bodies from Emu Point by Sims Metal	DOCCS

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Motion:

- 1. That Council receives and notes the Chief Executive Officer's Report.**
- 2. That Councillors Narburup and Minjin also attend the Audit and Risk Committee Meeting at the request of Mayor Wilson as part of their professional development.**

Moved: Deputy Mayor Sams
Seconded: Cr. Narburup
Resolution: Unanimously

2) Director of Council and Community Services Report

Director of Council and Community Services spoke to his written report.

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Motion:

- 1. That Council receives and notes the Director of Council and Community Services report.**

Moved: Deputy Mayor Sams
Seconded: Cr. Minjin
Resolution: Unanimously

3) Financial Report - December 2018

Senior Financial Consultant (CouncilBiz) spoke to his written report.

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Motion:

- 1. That Council receives and notes Financial Report for December 2018.**

Moved: Cr. Narburup
Seconded: Deputy Mayor Sams
Resolution: Unanimously

4) Revised Budget 2018-2019

Senior Financial Consultant (CouncilBiz) spoke to his written report.

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Motion:

- That the Council receives and adopts the revised budget for FY2018-19.**

Moved: Cr. Minjin
Seconded: Cr. Tunmuck-Smith
Resolution: Unanimously

5) Wadeye Swimming Pool

Director of Council and Community Services spoke to the written report.

It was suggested that with continuing vandalism of the pool that Council could arrange a meeting with Traditional Owners, families and children of the community and present to the group (in Murin Patha and with pictures) the affects resulting from vandalism including the cost to council and the reduction of associated health benefits that a swimming pool brings to community.

Action	Person Responsible
Presentation to be drafted to present to community members and Traditional Owners regarding the affects resulting from vandalism including the cost to council and the reduction of associated health benefits that a swimming pool brings to community.	DOCCS / Manager Corporate

00 **Motion:**

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- 1. That Council receives and notes the current status and short term plans for the operation of the Wadeye Swimming Pool.**

Moved: Deputy Mayor Sams
Seconded: Cr. Narburup
Resolution: Unanimously

6) Tender Committee re Softball Oval Irrigation

Director of Council and Community Services spoke to his written report.

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- 1. That Council approves the formation of a Tender Committee for the purpose of obtaining Tenders for the supply of irrigation to the Wadeye Softball Oval**
- 2. That Council advertise for Tenders via the online Tender process as soon as practicable.**
- 3. That Council appoints Steve Horton, Director of Council and Community Services, Michael Fitisemanu, Community Services Manager and Ramesh Pudasaini, Senior Financial Consultant (CouncilBiz) as the Tender Committee Members.**
- 4. That the Tender Committee present to Council their recommendation at the next available Council meeting following the expiry date of the Tender.**

Moved: Cr. Minjin
Seconded: Cr. Narburup
Resolution: Unanimously

7) Assets Disposal

Director of Council and Community Services spoke to his written report. Change from the original recommendation to include Honda Quadbike registration number 997967 and remove Case Loader registration number SC1895

00 **Motion:**

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- 1. That Council approves the recommendation for the sale and sending the following items to auction and removal from the asset register.**

- 2. Details of the equipment for sale and the process to bid for the equipment should be made available to local residents who may interested in purchasing/bidding for the equipment.**
 - **Caterpillar BP118C Pick Up Sweeper.**
 - **Komatsu Grader, reg no SV1893.**
 - **2016 Toyota Hilux, reg no CC36UO.**
 - **2011 Toyota Hilux, reg no, CD46QS.**
 - **2002 Toyota Troopy, reg no, CA60WI.**
 - **Honda Quadbike reg: 997967.**
 - **2014 Tractor Kubota, reg no, CA75JM.**

Moved: Cr. Tunmuck-Smith
Seconded: Deputy Mayor Sams
Resolution: Unanimously

8) Australia Day Community Grant

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- 1. That Council accepts the funding for 2019 Australia Day celebrations in Wadeye, Nganmarriyanga and Peppimenarti from Australia Day Council Northern Territory.**

Moved: Cr. Tunmuck-Smith
Seconded: Cr. Narburup
Resolution: Unanimously

9) Victims of Crime Remote Communities Programme - Wadeye Solar Lights Installation

01 **Motion:**

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- 1. That Council acknowledges the project completion of Wadeye Solar Lights at Manthathpe Playground from Victims of Crime Community Safety Projects.**

Moved: Cr. Narburup
Seconded: Cr. Tunmuck-Smith
Resolution: Unanimously

10) Victims of Crime - Community Safety Projects - Speed humps for Nganmarriyanga (Palumpa)

01 Motion:

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- 1. That Council acknowledges the project completion for Nganmarriyanga (Palumpa) speed humps, funding from Victims of Crime Community Safety Projects and co-funded by our Local Authority.**

Moved: Cr. Narburup

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

11) 2018-2019 Funding Agreement for Facility and Equipment Purchases for Nganmarriyanga and Peppimenarti

01 Motion:

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- That Council approves the use of the common seal on 2018-2019 Facility and Equipment Purchases for Nganmarriyanga and Peppimenarti Funding Agreement.**

Moved: Deputy Mayor Sams

Seconded: Cr. Minjin

Resolution: Unanimously

12) Policies

Manager Corporate spoke to her written report regarding Policies.

01 Motion:

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- 1. That Council adopt the following policies subject to any feedback provided to the CEO by 15 February 2019 and authorises the CEO to apply amendments as required:**

Elected Members Policies

Policy Number	Policy Name
EM01	Casting Vote Policy
EM02	Code of Conduct
EM03	Conflict of Interest
EM04	Council Meeting Procedures
EM05	Elected Member Allowance
EM06	Elected Members Gifts and Benefits
EM07	Elected Members Policy
EM08	Mayor's Work Entitlements

Governance Policies

Policy Number	Policy Name
GOV01	Caretaker Period
GOV02	Common Seal Policy

GOV03	Community Events
GOV04	Cultural Business Policy
GOV05	Dealing with Public Complaints
GOV06	Elections - Staff Policy
GOV07	Entertainment and Hospitality
GOV08	Gifts and Benefits - Staff
GOV09	Information Technology
GOV10	Local Authorities
GOV11	Media
GOV12	Natural Disasters
GOV13	Privacy and Confidentiality
GOV14	Security - Personnel and Assets
GOV15	Whistle Blowing

Finance Policies:

Policy Number	Policy Name
FIN01	Accounting Business System
FIN02	Annual Financial Statement
FIN03	Borrowings
FIN04	Chart Accounts
FIN05	Cost Allocation
FIN06	Credit Cards
FIN07	Debt Management
FIN08	Financial Delegation Policy
FIN09	Financial Management Reporting
FIN10	Fraud Protection Plan
FIN11	Fuel Cards
FIN12	Internal Controls
FIN13	Introduction to Accounting Policy
FIN14	Investments
FIN15	Leases
FIN16	Principal Accounting Policies
FIN17	Procurement
FIN18	Rates Management
FIN19	Rating Principle
FIN20	Receipt and Banking of Monies
FIN21	Tendering Process
FIN22	Vehicle Hire Policy

Human Resources Policies:

Policy Number	Policy Name
HR01	Abandonment of Employment
HR02	Asset Management
HR03	Children in the Workplace
HR04	Code of Conduct Employee Contractor
HR05	Conferences and Seminars

HR06	Conflict of Interest
HR07	Discipline
HR08	Drugs and Alcohol at Work
HR09	Employee Farewell, Gifts, Benefits, Favours, Retirement and Events
HR10	Equal Employment Opportunity
HR11	Fatigue
HR12	Grievance Resolution
HR13	Motor Vehicle Policy
HR14	Organisational Chart
HR15	Personal Tax Liability
HR16	Plane Charters
HR17	Redeployment and Redundancy Policy
HR18	Relocation Assistance
HR19	Risk Management and Framework
HR20	Smoke Free Workplace and Environment
HR21	Staff Housing
HR22	Staff Travel
HR23	Study Leave and Assistance
HR24	Telephone, Internet and Computer & Social Media Usage Policy
HR25	Uniforms and Protective Clothing
HR26	Work Health and Safety
HR27	Workplace Bullying & Harassment

Moved: Cr. Narburup
 Seconded: Deputy Mayor Sams
 Resolution: Unanimously

13) Australian Institute of Company Directors Course (AICD) - Katherine

Mayor and Councillors expressed interest that as part of their professional development they would like to visit Maningrida (Park Facility), Central Desert (Tidy Towns) and Roper Gulf (Hodgson Downs Water Park).

Action	Person Responsible
Proposed schedule of visits for Elected Members Professional Development to be drafted and presented to Council for consideration	Manager Corporate

01 Motion:

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- 1. That Council nominates Mayor Wilson, Deputy Mayor Sams, Councillors Martin, Minjin, Narburup and Tunmuck-Smith to attend the AICD Course in Katherine.**

Moved: Deputy Mayor Sams
Seconded: Cr. Narburup
Resolution: Unanimously

14) LGANT - Call for Nominations

01 **Motion:**

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- 1. That Council declines to nominate a member for the NT Planning Commission; and**
- 2. That Council declines to nominate for the NT Grants Commission.**

Moved: Deputy Mayor Sams
Seconded: Cr. Tunmuck-Smith
Resolution: Unanimously

15) LGANT Call for Policy and Action Motions

Councillors requested that this item be deferred until next Ordinary Council Meeting when Chief Executive Officer is present.

Deferred to Ordinary Council Meeting due on 20 February 2019.

16) Calendar of Events and Meetings 2019

01 **Motion:**

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- 1. That Council receives and notes the calendar of events and requests that the location for the Ordinary Council Meeting on 20 February 2019 be changed from Wadeye to Darwin.**

Moved: Cr. Narburup
Seconded: Cr. Tunmuck-Smith
Resolution: Unanimously

12.20pm – Mayor Wilson closed the meeting for lunch

12:45pm – Mayor Wilson resumed the meeting

17) Action Items

Deputy Sams requested an update regarding the homelands visits. Director of Council and Community Services advised that the Department of Housing and Community Development visited in November/December 2018 and that we are currently awaiting their report.

All completed Action Items over one month old are to be removed from the schedule when presenting to Council.

01 **Motion:**

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- 1. That Council receives and notes the updated action items.**

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Seconded: Cr. Sams
Resolution: Unanimously

18) Attendance Records

01 **Motion:**

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- 1. That Council receives and notes the attendance records.**

Moved: Deputy Mayor Sams
Seconded: Cr. Narburup
Resolution: Unanimously

19) Aged Care Manager's Report

Manager Corporate spoke to the Aged Care Manager's written report.

01 **Motion:**

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- 1. That Council receives and notes the Aged Care Manager's Report.**

Moved: Cr. Minjin
Seconded: Deputy Mayor Sams
Resolution: Unanimously

COMMUNITY REPORTS

20) Community Services Manager's Report - Peppimenarti

Quotations to be resubmitted for the staff housing refurbishment works noting that CDP will be assisting with the project reducing labour costs and creating local participation.

02 **Motion:**

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- 1. That Council receives and notes the Peppimenarti Community Services Manager's Report.**

Moved: Deputy Mayor Sams
Seconded: Cr. Narburup
Resolution: Unanimously

21) Community Services Manager's Report - Nganmarriyanga

It was noted that there are 3 lights on the causeway which are not working.

Action	Person Responsible
3 Lights on Causeway to be repaired	CSM Nganmarriyanga

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Motion:

- 1. That Council receives and notes the Community Services Managers report for Nganmariyanga.**

Moved: Deputy Mayor Sams
Seconded: Cr. Narburup
Resolution: Unanimously

22) Community Services Manager's Report - Wadeye

Matters to note:

- There are 70 street lights not working.

Action	Person Responsible
Street lights to be repaired	CSM Wadeye

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Motion:

- 1. That Council receives and notes the Community Services Manager's Report, Wadeye.**

Moved: Cr. Narburup
Seconded: Cr. Tunmuck-Smith
Resolution: Unanimously

23) Senior Team Leader Community Patrol

Action	Person Responsible
Review of Community Night Patrol staff PPE to be undertaken	DOCCS/CSM's

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Motion:

- 1. That Council receives and notes the Community Patrol Reports.**

Moved: Cr. Tunmuck-Smith
Seconded: Cr. Minjin
Resolution: Unanimously

CORRESPONDENCE IN & OUT

24) Incoming and Outgoing Correspondence

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Motion:

- 1. That Council accept the correspondence**

Moved: Cr. Tunmuck-Smith
Seconded: Cr. Narburup

Resolution: Unanimously

GENERAL BUSINESS

Late Item:

Australian Government Deed of Variation – Agreement ID 4-7SAKDR9 – CHSP Growth Funding

02 **Motion:**

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That Council approves the use of the common seal on Australian Government Deed of Variation – Agreement ID 4-7SAKDR9 – CHSP Growth Funding

Moved: Deputy Mayor Sams

Seconded: Cr. Narburup

Resolution: Unanimously

DECISION TO MOVE TO CLOSED SESSION

RECOMMENDATION:

Members of the press and public be excluded from the meeting of the Closed Session and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld. This action is taken in accordance with Section 65(2) of the *Local Government Act* as the items lists come within the following provisions:-

- 25 Expression of Interest - Demountable at Lot 109 Nganmarriyanga** - *The report will be dealt with under Section 65(2) (ci) of the Local Government Act 2008 and Regulation 8 of the Local Government (Administration) Regulations 2008. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.*
- 26 Staffing Matters** - *The report will be dealt with under Section 65(2) (a) of the Local Government Act 2008 and Regulation 8 of the Local Government (Administration) Regulations 2008. 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.*

The meeting closed at 2:00pm.

THIS PAGE AND THE PRECEEDING 11 PAGES ARE THE MINUTES OF THE Meeting of Council HELD ON Wednesday, 30 January 2019 AND CONFIRMED 20 February 2019.