

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

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Mayor Wilson declared the meeting opened at 10:05am and welcomed all in attendance.

**PRESENT**

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

Staff:

Shaun Hardy	Chief Executive Officer
Steve Horton	Director of Council and Community Services
Rebecca Purser	Manager Corporate
Ramesh Pudasaini	Senior Financial Consultant (CouncilBiz)
Deanne Nankivell	Community Services Manager Nganmariyanga
Steve Loring	Community Services Manager Peppimenarti

Guests:

Anjali Palmer	Department of Local Government Housing and Community Development
Terry Coghlan	National Indigenous Australians Agency (NIAA)
Edward Spelt	Department of Infrastructure Planning and Logistics
Jay Brewster-O'Brien	Department of Infrastructure Planning and Logistics

**APOLOGIES AND LEAVE OF ABSENCE**

Nil

**DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF**

Mayor Wilson declared a conflict of interest in agenda Item 21 as he is the Chairperson for Deewin Kirrim.

**CONFIRMATION OF MINUTES**

**Minutes of the Council Meeting held on 25 September 2019**

**119/2019 RECOMMENDATION:**

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

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

**CALL FOR ITEMS OF GENERAL BUSINESS**

CEO called for Confidential Item regarding Thamarrurr Aged Care Facility.

## **PRESENTATIONS**

### **1) Presentation - Port Keats Road Corridor Planning**

Edward Smelt conducted a Power Point Presentation and matters to note were as follows:

- Proposed early works – Saddle Rail Creek.
  - Seal 11.2km or road from end of current seal (Daly River Bridge) to Saddle Rail Creek;
  - Construction of 45m three span bridge over Saddle Rail Creek;
  - Construction of 4 floodways and 5 culverts.
  
- Future Planning
  - In 2020 an Investment Strategy will be developed that will guide future funding on the Adelaide River to Wadeye corridor. Investment Strategy will include:
    - \* Road Corridor Assessment
    - \* Stakeholder Engagement
    - \* Options Analysis
  
- Complete planning, design and procurement for constructions works to be finalised next dry season.

Councillors advised that during the future planning in 2020, Stakeholder engagement is imperative. Whilst the works at Saddle Rail are welcome, it does not assist the West Daly Region at all during the wet season when roads are cut between each community leaving residents from Peppimenarti, Nganmarriyanga and surrounding homelands unable to access the medical clinic and the barge for food and supplies in Wadeye. On the completion of Saddle Rail, the priority works should be concentrated on the corridor between Wadeye and Emu Point.

#### **Motion:**

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- 1. That Council receives and notes the information provided regarding the Port Keats Road Corridor Planning.**

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

### **2) Presentation - Residential Managed Alcohol Program**

Manager Corporate spoke to the written report prepared by Dr. Catherine Holmes.

Council supports the Residential Managed Alcohol Program and consultations with stakeholders is encouraged, particularly with the health clinic in Wadeye.

#### **Action:**

Correspondence from the Mayor to Catherine Holmes Consulting confirming Council's support for the program.

#### **Motion:**

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- 1. That Council receives and notes the Residential Managed Alcohol Program and supports the consultation process for the implementation of same.**

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

## **REPORTS TO COUNCIL**

### **3) Chief Executive Officer's Report**

Chief Executive Officer spoke to his written report.

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**Motion:**

- 1. That Council receives and notes the Chief Executive Officer's report.**

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

### **4) Director of Council and Community Service's 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.**
- 2. That Council close the swimming pool and make an offer to the local school to take over the operation of the pool. Should the school decline then the site will be handed back to the Northern Land Council.**

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

### **5) Financial Report - Sept 2019**

Senior Financial Officer spoke to his written report.

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**Motion:**

- 1. That Council receives and notes the Financial Report – Sept 2019.**

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

### **6) General Purpose Financial Statement 2018-19**

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**Motion:**

- 1. That Council receives and notes the West Daly Regional Council's Audited Financial Statements for 2018-19 and authorises the CEO to sign the report.**

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

12:00pm – Mayor Wilson closed for meeting for lunch.  
12:50pm – Mayor Wilson declared the meeting reopen.

**7) Annual Report 2018/19**

**12 Motion:**

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- 1. That Council approves the Annual Report 2018/19 for publishing and gives authority to the Chief Executive Officer to make minor editing amendments where required prior to submitting the report to the Minister.**

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

**8) Human Resources Update**

**12 Motion:**

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- 1. That Council receives and notes the Human Resources report.**

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

**9) Proposed Local Government Bill - Changes to the Local Government Act 2008**

Department of Local Government Housing and Community Development representative advised that the Cemeteries Bill is on hold pending further consultation processes.

**12 Motion:**

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- 1. That Council receives and notes the updates regarding the proposed Local Government Bill – Changes to the Local Government Act 2008.**

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

**10) Records Management Policies**

**12 Motion:**

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- 1. That Council approves and adopts the Information Privacy Policy and the Records Management Policy**

Moved: Cr. Minjin  
Seconded: Cr. Martin

Resolution: Unanimously

**11) Wadeye Fuel Pod**

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**Motion:**

- 1. That Council accepts and notes the Director of Council and Community services business case.**
- 2. That Council agrees to the installation of the Self Bundled Fuel Tank (SBFT) and entering into a contract with an appropriate supplier for the supply of the SBFT and ongoing fuel costs.**

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

**12) Fire Fighting Equipment - Gift from Deewin Kirrim**

Mayor Wilson declared a conflict of interest due to his position as Chairperson of Deewin Kirrim and did not participate in the conversation.

Community Services Manager in Peppimenarti advised that the cost to fix the trailer has been reduced from \$4000 as originally advised to \$400.

**Action:**

Community Services Manager to contact Bushfires NT to set up a volunteer group and to arrange appropriate training.

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**Motion:**

- 1. That Council accepts the offer from Deewin Kirrim to gift the Fire Fighting Trailer to West Daly Regional Council under an appropriate agreement with Bush Fires NT.**

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

**13) Towards Zero Road Safety Grants Program**

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**Motion:**

- 1. That Council accepts the grant funding from Department of Infrastructure, Planning and Logistics for West Daly Regional Council's Road Safety Community Project amounting to \$4,558.84.**

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

**14) Move It AUS - Community Sport Infrastructure Grant, CSI021522018 Peppimenarti Softball Pitch and Football Oval Irrigation and Improvements**

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**Motion:**

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1. That Council accepts the grant funding from Australian Sports Commission for Peppimenarti Softball Pitch and Football Oval Irrigation and Improvements amounting to \$191,550.

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

- 15) **Commonwealth Home Support Programme (CHSP) - Deed of Variation in relation to Agreement ID 4-7SAKDR9**

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**Motion:**

1. That Council accepts the Deed of Variation and approves the use of the common seal on Deed of Variation in relation to Agreement ID 4-7SAKDR9 from the Commonwealth, as represented by Department of Health.

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

- 16) **Northern Territory Jobs Package (NTJP) - Deed of Variation in relation to Agreement ID 4-8KJDR6C**

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**Motion:**

1. That Council accepts the Deed of Variation and approves the use of the common seal on the Deed of Variation in relation to Agreement ID 4-8KJDR6C from the Commonwealth, as represented by Department of Health.

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

- 17) **Funding Offer under the 2019-2020 Homelands Extra Allowance (HEA) Program**

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**Motion:**

1. That Council accepts the funding for the three (3) approved Homelands Extra Allowance applicants and approves the use of the common seal on the 2019-2020 HEA Funding Agreement reference number NR10056R.

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

- 18) **Action Items Update**

Councillors requested that with regards to the Homelands Residents Meetings, an invitation also be sent to Johnathon McLeod, Marion Scrymgour and Samuel Bush-Blanasi to attend.

It was also noted that monthly meetings are not achievable. The next Homelands Residents Meeting will be in February with the date yet to be confirmed and are to be held quarterly thereafter.

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**Motion:**

**1. That Council receives and notes the Action Items Update**

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

**19) Upcoming Meetings and Travel Arrangements**

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**Motion:**

**1. That Council approves:**

- a) **CEO Travel Allowance to attend the Australia Day Council NT Conference Awards in Alice Springs; and**
- b) **CEO, Mayor, Deputy Mayor and Cr. Minjin travel allowance, airfares and accommodation to attend the LGANT Mayors and Presidents Form, General Meeting and AGM in Alice Springs.**
- c) **20 November 2019 Ordinary Council Meeting is to be held in Darwin.**

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

**20) Elected Members Attendance Records**

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**Motion:**

**1. That Council receives and notes the Elected Members attendance records.**

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

**21) Section 19 Application for Lot 88**

Mayor Wilson declared a conflict of interest due to his position as Chairperson of Deewin Kirrim and did not participate in the conversation.

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1. That Council notes that Deewin Kirrim will seek approval from Northern Land Council under s.71(63)(a) for the use of the site for a Sporting Hub and not proceed with the proposal to obtain a s.19 Lease over Lot 88.

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

## **COMMUNITY REPORTS**

### **22) Community Services Manager's Report - Peppimenarti**

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#### **Motion:**

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

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

### **23) Community Services Manager's Report - Nganmarriyanga**

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#### **Motion:**

1. That Council receives and notes the Community Services Manager Report.
2. That Council advise the Department of Tourism, Sport and Culture that Council will commit to the construction of a Softball Oval at Nganmarriyanga and accepts their offer to provide a grant which will cover the cost of same.

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

### **24) Homelands Report**

#### **Action:**

Transportable power trailer to be sourced through grant funding so that during an emergency the trailer can be transported to homeland affected as a temporary measure until power is restored.

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#### **Motion:**

1. That Council accept the Homelands Report for October 2019.

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



## **CORRESPONDENCE IN & OUT**

### **25) Incoming and Outgoing Correspondence**

14 **Motion:**

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#### **1. That Council accept the correspondence**

Moved: Cr. Narburup

Seconded: Cr. Martin

Resolution: Unanimously

## **GENERAL BUSINESS - Nil**

Meeting closed to the public at 3:30pm

## **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:-

- 26 CEO Performance Review** - *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.*
- 27 Exemption Approval - Wadeye Internal Roads** - *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.*

Late Item:

- 28 Thamarrurr Aged Care** - *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.*

The meeting closed at 3:30pm.

THIS PAGE AND THE PRECEEDING 8 PAGES ARE THE MINUTES OF THE Meeting of Council HELD ON Wednesday, 30 October 2019 AND CONFIRMED 20 November 2019.