



MINUTES OF THE COUNCIL MEETING
HELD IN THE WEST DALY REGIONAL COUNCIL CHAMBERS
WINNELLIE NT
ON WEDNESDAY, 21 SEPTEMBER 2022
AT 10:00 AM

MEETING OPENED by Mayor Narburup at 10:14am

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

West Daly Regional Council acknowledges the Traditional Owners and custodians of the lands on which we live and work, paying our respect to Elders past, present and in the future.

PERSONS PRESENT APOLOGIES AND LEAVE OF ABSENCE

Name	Title	Present	Apology	Absent
Ralph Narburup	Mayor	X		
Wilfred Harris	Deputy Mayor	X		
Mark Tunmuck-Smith	Councillor	X		
John Wilson	Councillor		X	
Terry Sams	Councillor	X		
Jake Clark	Councillor		X	

Staff:

Name	Title	Present	Apology	Absent
Matthew Eastham	CEO	X		
Andrew Everingham	COO		X	
James Cartwright	CFO	X		
Renae McGarvie	CPSO		X	
Sharon Binns	Minute taker	X		
Migari Wijayasekara	Senior Accountant	X		

Guest

Colvin Crowe – Department of the Chief Minister and Cabinet.

DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF

There were no declarations of interest at this Council Meeting.

CONFIRMATION OF MINUTES

1) Confirmation of previous minutes

017/2022 Sharon spoke to the report.

Cr Tunmuck-Smith asked about Mathathpe Walkway and informed that the contractor is delayed due to community unrest, antisocial behaviour and violence. We will continue to work with the contractor and attempt to get the work done.

Motion:

- 1. That Council approve the Minutes of 27 July 2022 as a true and correct record of the meeting.**

Moved: Deputy Mayor Harris

Seconded: Cr. Sams

Resolution: Unanimously

BUSINESS ARISING FROM PREVIOUS MINUTES

2) Action items of Council

018/2022 Sharon spoke to the report.

Motion:

- 1. That Council notes and accepts the Action items of Council report.**

Moved: Cr. Sams

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

AGENDA ACCEPTANCE AND DECLARATION OF CONFLICTS

3) Acceptance of Agenda

019/2022 Sharon spoke to the report.

Motion:

- 1. That the agenda papers for the Ordinary Council meeting held on 21 September 2022 as circulated prior to the meeting in accordance with the *Local Government Act 2019* be received for consideration at the meeting.**

Moved: Cr. Sams

Seconded: Cr. Harris

Resolution: Unanimously

GENERAL BUSINESS

Deputy Mayor Harris informed he wishes to discuss the region of Daly River.

REPORTS

4) Local Authority Minutes and Recommendations

020/2022 Sharon spoke to the report.

Councillors spoke about the challenges of membership.

Motion:

- 1. That Council notes the cancellation of the Wadeye Local Authority meeting scheduled for 17 August 2022.**
- 2. That Council receives and notes the minutes from the Palumpa Local Authority meeting held on 18 August 2022.**
- 3. The Palumpa Local Authority asks Council to approve to commit \$30,000 towards veterinary and education programs provided by AMRRIC in partnership with Council.**
- 4. That Council notes the cancellation of the Peppimenarti Local Authority meeting scheduled for 19 August 2022.**

Moved: Deputy Mayor Harris

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

5) **Finance Committee minutes**

021/2022 **Motion:**

1. **That Council note and accept the Finance Committee meeting minutes for 24 August 2022.**

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

6) **Annual return of interests**

022/2022 Sharon spoke to the report.

Motion:

1. **That Council receives and understands Elected Members obligations in relation to Annual Return of Interests.**
2. **That all Elected Members fill in the attached Declaration of Interest form.**

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

7) **Elected Member Behaviour Statement**

023/2022 Julieanne spoke to the report.

The CEO spoke further and a statement that actions should be reflective of behaviour statement.

Motion:

1. **That Council approve further development of the Elected Member Behaviour Statement and make a commitment to signing the Behaviour Statement.**

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

Mayor Narburup closed the meeting for a break at 11am
Reopened the meeting again 11:08 am

8) LGANT nomination for service

024/2022

Sharon spoke to the report.

Sharon will check with HR to ascertain if anyone is eligible for nomination.

Motion:

- 1. That Council notes the LGANT Elected Member Long Service Award and eligibility.**
- 2. That Council notes the Local Government Officer Long Service Award and eligibility.**
- 3. That Council notes the Public Service Officers Award and eligibility.**

Moved: Cr. Tunmuck-Smith

Seconded: Cr. Sams

Resolution: Unanimously

9) Local Government Compliance Review - WDRC

025/2022

Matt spoke to the report.

James our CFO is our contact for the review.

Motion:

- 1. That Council notes the Local Government Compliance Review of the WDRC to be conducted by the Chief Minister and Cabinet.**

Moved: Cr. Sams

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

Cr Terry Sams left the meeting, the time being 11:20 AM

Mayor Narburup asked for the meeting to be paused until Councillor Sams returns for a quorum.

Cr Terry Sams returned to the meeting, the time being 11:23 AM

Mayor Narburup reopened the meeting at 11:23 AM.

10) General Instruction 2: Annual Financial Statement (General Instruction 2)

026/2022 Sharon spoke to the report.

James our CFO spoke further to explain the General instruction 2.

Motion:

- 1. That the Council note and adopt the General Instruction 2: Annual Financial Statement.**

Moved: Cr. Tunmuck-Smith

Seconded: Cr. Sams

Resolution: Unanimously

Cr Terry Sams left the meeting, the time being 11:28 AM

Cr Terry Sams returned to the meeting, the time being 11:31 AM

Deputy Mayor Wilfred Harris left the meeting, the time being 11:29 AM

Deputy Mayor Wilfred Harris returned to the meeting, the time being 11:31 AM

11) Remuneration Tribunal

027/2022 Sharon spoke to the report.

A submission will be prepared and shared with Councillors for feedback.

Motion:

- 1. That Council note the inquiry from the Remuneration Tribunal in regards to Council and Local Authority Allowances.**

Moved: Deputy Mayor Harris

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

12) Finance Report - August 2022

028/2022

James spoke to the report.

Motion:

- 1. That Council receives and accepts the Finance report for August 2022.**

Moved: Deputy Mayor Harris

Seconded: Cr. Sams

Resolution: Unanimously

13) Council Fees & Charges

029/2022

James spoke to the report.

This has been updated to reflect increased costs.

Remove fee of \$220 dumping fee.

Motion:

- 1. That Council approves the updated Schedule of Fees and Charges for the 2022-23 financial year.**

Moved: Deputy Mayor Harris

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

Cr Mark Tunmuck-Smith left the meeting, the time being 12:22 PM
Mayor Narburup closed the meeting until a quorum.

Cr Mark Tunmuck-Smith returned to the meeting, the time being 12:24 PM
Mayor Narburup reopened the meeting at 12:24 PM.

14) Technical Services-Vehicle

030/2022 Andrew spoke to the report.

Motion:

- 1. That Council approve the purchase of a vehicle for the Technical Services area in support of the Technical Services Managers travel as unbudgeted expenditure to the value of \$55,000.**

Moved: Deputy Mayor Harris

Seconded: Cr. Sams

Resolution: Unanimously

Cr Wilfred Harris left the meeting, the time being 12:46 PM
Mayor Narburup paused the meeting until a quorum

Cr Wilfred Harris returned to the meeting, the time being 12:46 PM
Mayor Narburup opened the meeting at 12:46 PM

15) Service Delivery Report

031/2022 Andrew spoke to the report.

Motion:

- 1. That Council receive and note the Service Delivery report.**

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

Mayor Narburup paused the meeting for lunch 12:47pm

Mayor Narburup reopened the meeting after lunch 1:18pm

16) Chief People and Strategy Report

032/2022

The CEO spoke to the report on behalf of Renae.

Motion:

That Council notes the information contained in the report titled Chief People and Strategy Report.

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

17) Chief Executive Officer Report

033/2022

The CEO spoke to his report.

Motion:

- 1. That Council notes and accepts the CEO report and acknowledges the invitation for Councillors to ask questions of the CEO regarding the report.**

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

18) ALGA Submission to the inquiry by Australian Competition and Consumer Commission into Regional Mobile Infrastructure

034/2022 The CEO spoke to the report.

Motion:

- 1. That Council note the ALGA Submission to the inquiry by Australian Competition and Consumer Commission into Regional Mobile Infrastructure.**

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

CORRESPONDENCE IN & OUT

19) Incoming and outgoing correspondence report

035/2022

Julieanne spoke to the report.

Motion:

- 1. That Council notes and accepts the management of incoming and outgoing mail correspondence and the correspondence report for the period July through to August 2022.**

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

GENERAL BUSINESS

Deputy Mayor – Daly River

The question was asked as to why Daly River is not part of Council. The CEO spoke and advised that the representation and boundaries has been discussed.

Meeting closed at 2:00 PM to move to confidential business.

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:-

- 20 Confidential Meeting Minutes 27 July and 2 September 2022** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(d) of the Local Government (General) Regulations 2021. It contains information subject to an obligation of confidentiality at law, or in equity. (Confidential minutes).*
- 21 Finance Committee minutes - Confidential** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(iii) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to prejudice the security of the council, its members or staff. (Confidential).*
- 22 Community Security and Safety Patrol** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(i) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person. (Commercial in-confidence, sensitive information.).*
- 23 Verandah and security works at Kudantiga Grant** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(i) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person. (grant agreement).*
- 24 Solar Upgrade at Fossil Head Grant** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(i) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person. (Grant agreement attached).*
- 25 Local Government Funding Levels 2022-23** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(i) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person. (Legal agreements attached).*
- 26 Budget Variance - Administration Revenue and Capital Expenditure.** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(i) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person. (Commercial in confidence.).*
- 27 Conference - National Local Roads and Transport Congress** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(iv) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person. (Internal Business).*
- 28 Disposal of Asset** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(i) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person. (Commercial in Confidence).*

- 29 CEO Personal Leave** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(a) of the Local Government (General) Regulations 2021. 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 (Employment in confidence).*

The meeting closed at 2:47 PM.

This page and the preceding pages are the
Minutes of the Meeting of Council
held on
Wednesday, 21 September 2022
and are to be confirmed on the
Thursday, 24 November 2022.

Unconfirmed