



MINUTES OF THE COUNCIL MEETING
HELD IN THE WEST DALY REGIONAL COUNCIL CHAMBERS
WINNELLIE NT
ON WEDNESDAY, 29 MARCH 2023
AT 10:00 AM

Meeting opened by Mayor Narburup at 10:15am

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

PRESENT APOLOGY AND LEAVE OF ABSENCE

Elected Members:

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	Chief Executive Officer		X	
Andrew Everingham	Chief Operations Officer	X		
James Cartwright	Chief Financial Officer			X
Sharon Binns	Governance	X		
Julianne Wylie	EA to CEO and Mayor		X	

Guests:

Council was informed that the Electoral Commission will be attending to discuss electoral matters. Maryanne Walley, Michelle Connelly and Ms J Hale from the NT Electoral Commission will be arriving at 1pm to chat to elected members.

DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF

There were no declarations of interest at this Council Meeting.

CONFIRMATION OF MINUTES

1) Confirmation of previous minutes

007/2023 Sharon spoke to the report.

Motion:

- 1. That Council approve the Ordinary Council Meeting Minutes of 31 January 2023 as a true and correct record of the meeting.**
- 2. That Council approve the Ordinary Council Meeting Minutes of 16 March 2023 as a true and correct record of the meeting.**

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

CALL FOR ITEMS OF GENERAL BUSINESS

Are there any matters that are not on the agenda for general business to be discussed?

Cr Wilson – Peppimenarti Local Authority

Cr Sams - CDP in community

Sharon – Saluting their service commemorative grants

There were further general business matters to deal with in confidential business.

REPORTS

2) Local Authority Minutes and Recommendations

008/2023 Sharon spoke to the report.

Motion:

- 1. That Council notes the minutes of the Wadeye Local Authority meeting 8 February 2023.**
- 2. The Council approves for the Wadeye Local Authority to commit to the following projects, to progress with expenditure not to exceed the following approved amounts:**
 - a. Development of Chicken Oval - \$160,000**
 - b. Development of the Footpath Nilinh - \$100,000**
 - c. Two Walkway/Path towards 100 man camp - \$160,000**
 - d. Playground - \$80,000**
- 3. That Council approves the Wadeye Local Authority to commit \$105,000 towards the Diminin Traditional Owner Proposal for Cemetary upgrade which will include seating, shelter and water.**
- 4. The Council approves the Wadeye Local Authority approves \$10,000 towards to the Marda Pek Pek project proposal.**
- 2. That Council notes the cancellation of the Palumpa Local Authority meeting scheduled for 9 February 2023.**
- 3. That Council notes the cancellation of the Peppimenarti Local Authority meeting scheduled for 10 February 2023.**

Moved: Deputy Mayor Harris

Seconded: Cr. Sams

Resolution: Unanimously

Cr Mark Tunmuck-Smith left the meeting, the time being 10:20 AM

Cr Mark Tunmuck-Smith returned to the meeting, the time being 10:31 AM

3) Finance Committee minutes

009/2023 Sharon spoke to the report.

Motion:

- 1. That Council note the Finance Committee meeting minutes for 22 February 2023.**

Moved: Cr. Wilson

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

4) Finance Report - February 2023

010/2023 Andrew spoke to the report.

Motion:

- 1. That Council notes and the Finance report for month ending February 2023.**

Moved: Cr. Clark

Seconded: Cr. Sams

Resolution: Unanimously

5) Remuneration Tribunal Determination for Elected Members

011/2023 Sharon spoke to the report.

Motion:

- 1. That the Council note that this paper was presented to the Finance Committee on 22 February 2023.**
- 2. That the Council note the Remuneration Tribunal's Determination No. 1 of 2023 – Allowances for Members of Local Councils.**
- 3. That the Council note the changes in allowances do not come into effect until 1 July 2023.**

Moved: Cr. Clark

Seconded: Cr. Wilson

Resolution: Unanimously

6) Remuneration Determination - Allowances for Members of Local Authorities.

012/2023 Sharon spoke to the report.

Motion:

- 1. That the Council note that this paper was presented to the Finance Committee on 22 February 2023.**
- 2. That the Council note the Remuneration Tribunal's Determination No. 1 of 2023 of Allowances for members of Local Authorities.**
- 3. That the Council note the changes in allowances do not come into effect until 1 July 2023.**

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

7) Council's Pay As You Go withholding (PAYG) income tax system

013/2023 Sharon spoke to the report.

Councillors confirmed they are currently paid through the PAYG and agreed that paying their own tax would be a disadvantage.

Motion:

- 1. That Council Elected Members will continue to be paid through the Council's Pay As You Go withholding (PAYG) income tax system.**

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

8) Insurance premium increase by 10% for 2023/2024 budget period

014/2023 Sharon spoke to the report

Motion:

- 1. That Council note that there will be an increase in insurance premiums in the financial year 2023/2024 estimated to be in the vicinity of 10% as an indicator for the budget.**

Moved: Cr. Clark
Seconded: Cr. Wilson
Resolution: Unanimously

9) Circular Resolution Policy reversal

015/2023 Sharon spoke to the report.

Andrew explained the reasoning behind having the policy balanced with having to comply with the Local Government Act where Council must meet as a collective for a decision.

Motion:

- 1. That Council approve to rescind the Circular Resolution policy on advice from the Chief Minister and Cabinet.**

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

10) Independent Commissioner Against Corruption - Research report

016/2023 Sharon read from the report.

Motion:

- 1. That Council note the Independent Commissioner Against Corruption research report being a longitudinal analysis of reports of suspected improper conduct.**
- 2. That Council endorses the CEO to invite the Independent Commissioner Against Corruption to meet Council and provide an overview of their role and responsibilities and discuss improper conduct.**

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

11) Service Delivery

017/2023 Andrew spoke to the report.

Cr Wilson stated that at the moment Peppimenarti Civil team is split and provided details. Andrew stated he would note and investigate.

Motion:

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

Moved: Cr. Clark
Seconded: Cr. Harris
Resolution: Unanimously

12) Chief Executive Officer Report

018/2023 Andrew as the Acting CEO spoke to the report.

There were matters that Councillors wanted to bring up and address which will be dealt with in confidential general business.

Motion:

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

Moved: Cr. Clark
Seconded: Cr. Harris
Resolution: Unanimously

CORRESPONDENCE IN & OUT

13) Correspondence Report

019/2023 Sharon spoke to the report.

Councillor Clark stated he would like to see the correspondence provided as part of the meeting and on the table to review.

Motion:

- 1. That Council notes and accepts the correspondence report for the period November 2022 through to March 2023.**

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

GENERAL BUSINESS

Cr Wilson – Peppimenarti Local Authority

Cr Wilson stated he spoke to the Chairperson of the Peppimenarti Local Authority and informed him that the next LA meeting is to go ahead. Cr Wilson confirmed that he may be able to attend the meeting.

Cr Sams - CDP

Cr Sams expressed his frustration for his people as they are unable to get equipment for maintenance and there is a 6 weeks wait for fuel, which is unacceptable. Councillors discussed and advised that Council will need to look at getting CDP. In response there may be a challenge as Council is not an aboriginal organisation but will look into it.

Cr Sams - Professional development

Cr Sams advised that when he was Deputy Mayor, the Councillors would visit other Council meetings to network and invite Elected Members from other Councils to attend. West Daly should look at starting this again.

Cr Sams – Pre-OCM days to return

Cr Sams with the agreement of other Councillors discussed the issue and didn't know why the CEO had stopped the pre-OCM. They expressed they would like it to commence again in order to go over the complex issues such as finance, ask questions and to get clear information on matters before the meeting. The next pre-OCM is scheduled for 24 May 2023 with the OCM is scheduled for 25 May 2023.

Sharon – Saluting their service commemorative grants

Sharon informed Council that she comes from a military family background and has done some research in regards to the military history of the West Daly region. What was found is that during the Japanese invasion of the Top End the RAAF had a military installation being the No. 39 RAAF Radar station. Sharon asked Councillors to consider if this is something that they wanted in community and provided each with a research document to review. Cr Clark informed that there is a contingency in place for NORFORCE to recommence activities in the region and a memorial would be an excellent thing to consider. Councillors will discuss with their constituents further and to follow up next meeting.

Mayor Narburup declared a break for lunch at 12:13pm asking Councillors to return to the meeting and continue through the agenda.

Mayor Narburup declared the meeting re-opened and to move to the confidential agenda at 12:34pm

Meeting **suspended at 1:09pm** as guests have arrived from the Northern Territory Electoral Commission to discuss engagement with remote communities, fines and working with Birth, Deaths and Marriages for identification. The members were thanked by Council for attending and clarifying some issues for the Elected Members.

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:-

- 14 Confirmation of previous confidential minutes** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(e) of the Local Government (General) Regulations 2021. It contains information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest. (Confidential matters).*
- 15 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).*
- 16 Elected Members absent or apology by resolution of Council** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(iv) (e) 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.; AND information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest. (Deputy Mayor absenteeism from Council).*
- 17 Licence to maintain - Peppimenarti Cemetary A** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(e) of the Local*

Government (General) Regulations 2021. It contains information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest. (Confidential).

- 18 Mayors vehicle costs** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(e) of the Local Government (General) Regulations 2021. It contains information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest. (Confidential).*
- 19 Organisational Chart / Structure** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(s99(2) of the Local Government (General) Regulations 2021. It contains the public may be excluded while business of a kind prescribed by regulation as confidential business is being considered. (Regional Planning / Confidential Draft of Organisational Structure for Discussion).*

The meeting closed at 2:56pm.

This page and the preceding pages are the unconfirmed Minutes of the Meeting of Council held on Wednesday, 29 March 2023 and are to be confirmed on the Thursday, 27 April 2023.