



**MINUTES OF THE COUNCIL MEETING**  
**HELD IN THE WEST DALY REGIONAL COUNCIL CHAMBERS**  
**WINNELLIE NT**  
**ON THURSDAY, 27 APRIL 2023**  
**AT 10:00 AM**

Before the Council meeting, the Elected Members had another meeting that went over time. The CEO considered attendance and declared the meeting delayed in compliance with the *Local Government Act* s100.

Due to the Mayors late arrival, Deputy Mayor Harris declared the meeting opened at 10:40am.

**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	Late arrival at 12:41pm		
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		
Sharon Binns	Governance	X		
Julianne Wylie	EA to CEO and Mayor	X		

**Guest:**

Colvin Crowe – Department of Chief Ministers and Cabinet

## **CONFIRMATION OF MINUTES**

### **1) Confirmation of previous minutes**

020/2023 Sharon read the report.

#### **Motion:**

- 1. That Council approve the Ordinary Council Meeting Minutes of 29 March 2023 as a true and correct record of the meeting.**

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

## **DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF**

There were no declarations of interest at this Council Meeting.

## **GENERAL BUSINESS**

Matthew Eastham	-	Meeting dates for 2023-2024
Cr Wilson	-	Rubbish at Peppimenarti
Cr Tunmuck-Smith	-	Civil workers
	-	Mechanic Workshop services
	-	Dumping ground - TDC

## **REPORTS**

### **2) Local Authority Minutes and Recommendations**

021/2023 Sharon spoke to the report.

The CEO will speak to the Mayor with regards to his attendance at all Local Authority meetings.

Councillor Tunmuck-Smith advised that calling Local Authority meetings off due to unrest is not a good look for Council. The CEO advised that it is the Chairperson of the Local Authority with guidance from Elected Members who make the decision about cancelling the meetings. It is Elected Members responsibility to ensure they engage with their Local Authority Chairperson and inform of the importance of meeting as there is a risk of losing government funding.

#### **Motion:**

- 1. That Council notes the cancellation of the Wadeye Local Authority meeting scheduled 12 April 2023.**
- 2. That Council notes the cancellation of the Palumpa Local Authority meeting scheduled for 13 April 2023.**
- 3. That Council notes the meeting minutes of the Peppimenarti Local Authority meeting scheduled for 13 April 2023.**

**4. That Council supports that Local Authority meetings in future be changed to 4 times a year to be confirmed with Local Authority membership.**

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

Cr Mark Tunmuck-Smith left the meeting, the time being 11:15 AM  
Cr Mark Tunmuck-Smith returned to the meeting, the time being 11:21 AM

Cr Jake Clark left the meeting, the time being 11:20 AM  
Cr Jake Clark returned to the meeting, the time being 11:22 AM

**3) Finance Report - March 2023**

022/2023 Matt spoke to the report with Dale providing expert advice on the financial matters.

As introduction Dale stated at this point of the year, there is some catch up with grant funding and the challenges of having no handover from the previous CFO, therefore there will be changes from the last report.

Cr Tunmuck-Smith asked if the finance snapshot report could be explained and interpreted better.

The CEO explained the information provided and stated with the abrupt exit of the CFO, a number of matters manifested and were identified as issues affecting the finance area. With the new Executive Director of Corporate Services beginning in the last week of May 2023, his wealth of experience will provide the finance team stability whilst working towards a better way to report to Councillors.

Cr Tunmuck-Smith asked about Current Operating Result figure and why in the red. The CEO advised that we are currently waiting on the overdue rates to be paid and other payments that will see an increase in revenue and cash flow. To further explain, if rates are in arrears with organisations that provide Council a service we have implemented a contingency of not paying for services until the debt is remedied.

The forecast is for break even or surplus.

A plan is also in place to review and acquit a number Grants that will see funding released to Council.

It was discussed the benefit of a Pre-OCM to go over the finances for better understanding and advised that it has been a challenge to coordinate in the past and for Elected Members to attend. In moving forward, we will begin the Pre-OCM again and advise of the dates.

Elected Members can contact CEO and CFO prior to the OCM and work through the papers as per previous discussions around accessing information.

**Motion:**

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

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

Cr John Wilson left the meeting, the time being 11:34 AM  
Cr John Wilson returned to the meeting, the time being 11:45 AM

Cr Wilfred Harris left the meeting, the time being 11:58 AM  
Cr Wilfred Harris returned to the meeting, the time being 12:00 PM

Cr Mark Tunmuck-Smith left the meeting, the time being 12:00 PM  
Cr Mark Tunmuck-Smith returned to the meeting, the time being 12:03 PM

Cr Mark Tunmuck-Smith left the meeting, the time being 12:09 PM  
Cr Mark Tunmuck-Smith returned to the meeting, the time being 12:11 PM

Cr Jake Clark left the meeting, the time being 12:16 PM  
Cr Jake Clark returned to the meeting, the time being 12:18 PM

**4) 2022 - 2023 Budget Reforecast**

023/2023 Matt spoke to the report with Dale providing expert advice.

**Motion:**

- 1. That Council approves and adopts the attached revised 2022-2023 Financial Year Budget.**

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

**5) 2023 - 2024 Draft Budget**

024/2023 Matt spoke to the report with Dale providing expert advice.

Cr Tunmuck-Smith asked about fees and charges and informed that these will be updated and provided for the Regional Plan.

**Motion:**

- 1. That Council resolves to approve the Draft 2023-24 Budget.**

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

Cr Terry Sams left the meeting, the time being 12:33 PM  
Cr Terry Sams returned to the meeting, the time being 12:35 PM

**6) Elected Member Allowances 2023-2024**

025/2023 Matt spoke to the report.

**Motion:**

- 1. That Council approves the payment of the maximum allowances to Elected Members as determined by the Remuneration Tribunal for the 2023-24 financial year.**
- 2. That the Council note the changes in allowances do not come into effect until 1 July 2023.**
- 3. Council approves the inclusion of the maximum approved allowances in the 2023-24 Regional Plan.**

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

**7) Local Authority Allowance 2023-24**

026/2023 Matt spoke to the report.

**Motion:**

- 1. That Council set the maximum allowance to Local Authority members for the 2023-24 financial year.**
- 2. That the Council note the changes in allowances do not come into effect until 1 July 2023.**
- 3. Council approves the inclusion of the approved maximum allowance for Local Authority allowances in the 2023-24 Regional Plan.**

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

**8) Elected Member meeting Agenda and Responsibilities**

027/2023 Sharon spoke to the report.

**Motion:**

1. That Council note the notification periods for convening meetings.
2. That Council note that Elected Members have a dedicated West Daly Regional Council email address for communication purposes.
3. That Council note that the Agendas for meetings can be accessed through the West Daly Regional Council website, via WDRC email, by visiting a West Daly Regional Council Office or by contacting the CEO directly via phone which complies with the notification period.
4. That Council note that Elected Members will access the Agenda for meetings via one of the means noted in this paper.
4. That Elected Members understand their responsibilities and will prepare for meetings by being well informed with the appropriate notification.

Moved: Deputy Mayor Harris

Seconded: Cr. Sams

Resolution: Unanimously

**Meeting is closed for lunch break at 1:05pm to reconvene at 1:30pm**

**Deputy Mayor Harris declared the meeting reopened 1:38pm**

**9) Policy Approval**

028/2023 Sharon read from the report.

**Motion:**

1. That Council approves the following policies that have been endorsed by the CEO:
  - a) GOV05 Allowances and Expenses (EM) policy with

**effect 1 July 2023**  
**b) GOV14 Annual Return of Interest policy**

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

**10) Local Government Immediate Priority Grants 2021-2022**

029/2023 Sharon spoke to the report.

**Motion:**

1. **That Council note the acquittal for the Local Government Immediate Priority Grant 2021-2022 being for a Tipper Truck and skid steer compact track loader.**

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

**11) Australian Local Government Association (ALGA) National General Assembly 2023**

030/2023 Sharon spoke to the report.

**Motion:**

1. **That Council approves the Deputy Mayor Wilfred Harris, Councillors John Wilson and Councillor Mark Tunmuck-Smith, CEO and at CEO discretion selected members of the Senior Leadership team, to attend the Australian Local Government Association National General Assembly to be held in Canberra on 13-16 June 2023.**

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

**12) Organisational culture, leadership and change**

031/2023 Matt spoke to the report.

**Motion:**

1. **That Council note the report provided by Driftwood Life and Leadership regarding West Daly Regional Councils organisational culture, leadership and change.**
2. **That Council supports the ongoing leadership development of staff within the West Daly Regional Council.**

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

**13) Service Delivery**

032/2023 Andrew spoke to the report.

Cr Wilson asked with Peppimenarti community being closed down, what about Peppimenarti rubbish collection. Informed that it was scheduled for the morning of the meeting and will continue until unable to do so due to the health and safety of our employees.

**Motion:**

- 1. That Council acknowledges the opportunity to discuss matters with the COO and notes the information discussed with the COO.**

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

**14) Chief Executive Officer Report**

033/2023 Matt 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. Sams  
Seconded: Cr. Wilson  
Resolution: Unanimously

**15) GENERAL BUSINESS**

034/2023 Matthew Eastham - meeting dates for 2023-2024

The current schedule will require amendment and requires a decision on changes to meeting dates as follows:

**25 May 2023** - Councillors confirmed they would like the OCM in Palumpa.

**14-16 June 2023** - Local Authority meetings will need to be rescheduled due



to the ALGA conference.

**21 June 2023** - scheduled as Finance Committee, will need to be changed to OCM in order to deal with matters for the Regional Plan.

**19 July 2023** - Councillors confirmed they would like the OCM in Wadeye.

**25 July 2023** - The CEO will discuss with the new CFO regarding the ARMC to be scheduled at this time.

Overall it was decided that future Council meetings (OCM) will be held the last Thursday of every 2<sup>nd</sup> month (where possible) with the Finance Committee to convene the alternative months at the same time.

The CEO will work on the future meeting dates and provide this to Councillors via their WDRC email address.

**Recommendation:**

**That Council note the new dates and accept the CEO will advise Elected members of 2023-2024 schedule when provided.**

Moved: Cr. Sams

Seconded: Cr. Wilson

Resolution: Unanimously

Cr Wilson

- Rubbish at Peppimenarti has been dealt with in Service Delivery report.

Cr Tunmuck-Smith left the meeting at approximately 2:45pm due to personal reasons therefore his General Business matters cannot be discussed.

- Civil workers and their paygrades
- Mechanic Workshop services
- Dumping ground – TDC dumping fish and their rubbish

**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:-

- 15 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).*

- 16 Councils Asset Policy and Audit Requirements** - *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. (Infrastructure and Asset Management - Internal Council Policy for Discussion/Approval).*
- 17 Outstanding Insurance Claims Snapshot - Nganmariyanga Flooding** - *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. (Internal Council Operations - Civil Works - Flood Recovery).*
- 18 Organisation Observations - Leadership Report** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(iv) (a) 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 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 (Executive Leadership).*
- 19 LGANT 2023 April Conference and General Meeting** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(f) of the Local Government (General) Regulations 2021. It contains information in relation to a*