



WEST DALY
Regional Council

MINUTES

ORDINARY COUNCIL MEETING

10:00AM

2 DECEMBER 2015

PALUMPA OFFICE

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Glenda Teede
Chief Executive Officer

WEST DALY REGIONAL COUNCIL

Minutes for Ordinary Council Meeting 2 December 2015

MINUTES
ORDINARY COUNCIL MEETING
TO BE HELD AT THE PALUMPA COUNCIL OFFICE
ON 2 DECEMBER 2015
COMMENCING AT 10:00AM

1.	Persons Present
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ELECTED MEMBERS PRESENT

Mayor	Harold Wilson
Deputy Mayor	Andrew Brown
Councillor	Wally Minjin
Councillor	Ralph Narburup
Councillor	Mark Martin

STAFF PRESENT

Chief Executive Officer	Glenda Teede
Finance Manager	Clem Barrett

ABSENT

Councillor	Tobias Nganbe
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The Mayor of the West Daly Regional Council declared the meeting open at 10:00 am and welcomed all in attendance.

2.	Mayor	Apologies and Leave of Absence
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SUMMARY

For Council's record, any apologies and requests for leave of absence received from Elected Members are tabled for consideration by Council for the Ordinary Council Meeting held 2 December 2015.

APOLOGIES / REQUESTS FOR LEAVE OF ABSENCE

The Mayor advised that no apologies / requests for leave of absence were received.

ABSENTEE

It was noted that this is Clr. Tobias Nganbe's second consecutive absence from an Ordinary Council Meeting of Council, without permission.

RECOMMENDATION

THAT it be noted that Council does not accept the absence of Clr. Nganbe, without permission from the second consecutive Ordinary Council Meeting. The first absence was on 15 October 2015 with the second absence noted 2 December 2015.

RESOLUTION 02.12.001

THAT Council notes Councillor Tobias Nganbe was absent, without permission of the Council for the second consecutive Ordinary Council Meeting held on 2 December 2015, with the first absence on 15 October 2015 respectively.

Moved: **Clr. Minjin**

Seconded: **Clr. Narburup**

Carried unanimously

STATUTORY ENVIRONMENT

As per the Local Government Act s39(1), a person ceases to hold office as a member of a council if the person:

(d) is absent, without permission of Council, from 2 consecutive ordinary meetings of the Council.

RECOMMENDATION

THAT Council, in accordance with s39(1)(d) notes that Clr Nganbe now ceases to hold office as a member of Council due to absenteeism, without permission of the Council, from two (2) consecutive Ordinary Council Meetings, the first absence being 15 October with the second being 2 December 2015 respectively. Membership is to cease as at the close of business, Friday, 4 December 2015.

RESOLUTION 02.12.002

(a) THAT Council notes that Clr Nganbe ceases to hold office as a member of Council in accordance with s39(1)(d).

(b) THAT Council, in accordance with s39(4)(c) notify the Electoral Commissioner and Council.

(c) THAT Council, in accordance with s39(5)(b) acknowledge and note that a by-election will be now called as the next election occurs more than 18 months before the next general election. A by-election will be held to fill the vacancy.

(d) THAT Council, notify Clr. Nganbe that he ceases to hold office as a member of Council in accordance with s39(1)(d), by way of formal letter as signed by the Mayor.

Moved: **Clr. Minjin**

Seconded: **Clr. Narburup**

Carried unanimously

3.	Chief Executive Officer	Petitions and Deputations
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No items tabled.

4.	Personal Assistant to CEO / Finance Manager	Confirmation of Minutes
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SUMMARY

Minutes of the Special Council Meeting held on 10 November 2015 are submitted to Council for noting and acceptance that those minutes are a true and correct record of the meeting.

RESOLUTION 02.12.003

THAT Council, note and accept the Special Council Minutes of 10 November 2015 as a true and correct record of the meeting.

Moved: **Clr. Martin**

Seconded: **Clr. Narburup** **Carried unanimously**

5.	Chief Executive Officer	Declaration of Interest of Members or Staff
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SUMMARY

Elected members are required to disclose an interest in a matter under consideration by Council at a meeting of the Council or a meeting of a Council committee by:

- (1) In the case of a matter featured in an officer's report or written agenda item, by disclosing the interest to the Council by disclosure as soon as possible after the matter is raised.

- (2) In the case of a matter raised in general debate or by any means other than the printed agenda of the Council, by disclosure as soon as possible after the matter is raised. Under disclosure, the Member must abide by the decision of Council on whether he/she shall remain in the Chambers and/or take part in the vote on the issue. The council may elect to allow the Member to provide further and better particulars of the interest prior to requesting him/her to leave the Chambers.

RESOLUTION 02.12.004

THAT Council, notes there were no declarations of interest tabled for Council to consider.

Moved: **Clr. Brown**

Seconded: **Clr. Martin** **Carried unanimously**

6. LOCAL AUTHORITY – WADEYE | PALUMPA | PEPPIMENARTI

RECOMMENDATION

THAT the Local Authority Meetings (a minimum of four (4) meetings) for the 2016 year be scheduled by the Chief Executive Officer (or delegate) as per Resolution 02.12.029 and cl.62(1) of the *Local Government Act* (NT).

ITEM TO NOTE

THAT Council agrees that the Chief Executive Officer (or delegate) is to schedule the four (4) Local Authority meetings for the 2016 year.

6.1 Local Authority – Wadeye

REPORTING

The Minutes of the last Local Authority Meeting held in Wadeye on 9 November 2015 are tabled for Council to note – no quorum.

RESOLUTION 02.12.006

THAT Council receive the minutes of the Wadeye Local Authority meeting held on 9 November 2015.

THAT Council notes there are no recommendations to be adopted due to there being no quorum.

Moved: Clr. Martin

Seconded: Clr. Minjin

Carried unanimously

6.2 Local Authority – Peppimenarti

REPORTING

The Minutes of the last Local Authority Meetings held in Peppimenarti on 27 October 2015 are tabled and action items noted.

RESOLUTION 02.12.007

THAT Council receives the minutes of the Peppimenarti Local Authority meeting held on 27 October 2015.

Moved: Clr. Brown

Seconded: Clr. Minjin

Carried unanimously

RECOMMENDATION

THAT Council notes and accepts the rescinding of Resolution 15/10 LAP 006 (2) and Council acknowledges the initial request and apologises for the delay in actioning. LA Peppi requested Council draft a letter to the Minister regarding the revision of the Local Authority Area boundary for the Peppimenarti Area; Council is to provide a copy of the letter to the Local Authority Peppimenarti for co-signing by the Peppimenarti Local Authority Members.

RESOLUTION 15/10-LAP-006

¶

THAT Council:

¶

(1) → Would like an updated list on street names for reviewing and consultation.

¶

(2) → Would like the Local Authority to provide more information on what areas they would like to include.

¶

Moved: → Clr Minjin

¶

Seconded: → → Clr Narburup

¶

Carried Unanimously

THAT Council acknowledges the initial request put forth to Council on 26 August 2015, whereby the area was defined by the Local Authority Peppimenarti

Motion:

That the Peppimenarti Local Authority members recommend to Council that the Peppimenarti Local Authority Area be defined to include the Homeland residents of;

1. Wudicupildiyerr, Emu Point, Kelerrk, Wudaduk, Leichardt and Un-marr that are currently serviced by the Yantjarrwu Outstation Resource Centre Aboriginal Corporation;
2. That the smaller outstations of Delye, Mulingi & Uminyuluk are to also be included.
3. That Council write to the Minister for Local Government and Community Services advising of this decision of Council and request that future allocation and distribution of Local Authority Project Funding take into account the addition of these Homeland populations.
4. That this letter be signed by the Mayor, Chairperson and all members of the LA Peppimenarti.

Moved: Malcolm Wilson

Seconded: Kayla Hodgson

Resolution: Carried Unanimously

RESOLUTION 02.12.008

THAT Council notes and accepts the rescinding of Resolution 15/10 LAP 006 (2) and Council acknowledges the initial request and the proposal put forth for Council. Council apologises for the delay in actioning. The proposed Local Authority Area boundary will be reviewed by Council and defined by Council, as per legislation for the Peppimenarti Area. Council will provide a copy of correspondence to the Local Authority Peppimenarti.

Moved: Clr. Martin

Seconded: Clr. Narburup

Carried unanimously

RESOLUTION 02.12.009

THAT Council have requested an updated list on street names for review and consultation as noted in Resolution 15/10 LAP 006 (1). Local Authority Peppimenarti, as requested by Council, is to undertake a review of street names and provide Council with an updated list of the proposed street names for consideration.

The Mayor has advised that cultural consultation will occur with the Traditional Land Owners of the Pindi Pindi Ward.

Moved: Clr. Brown

Seconded: Clr. Martin **Carried unanimously**

6.3 Local Authority – Palumpa

REPORTING

The Minutes of the last Local Authority Meeting held in Palumpa on 3 November 2015 are tabled for Council to note.

RESOLUTION 02.12.010

THAT Council receive the minutes of the Palumpa Local Authority meeting held on 3 November 2015.

Moved: Clr. Narburup

Seconded: Clr. Minjin **Carried unanimously**

7. Chief Executive Officer

CEO Report

SUMMARY

The last West Daly Regional Ordinary Council Meeting was held on 15 October 2015. This current Report is to inform Council as to the actions since the last meeting.

RESOLUTION 02.12.011

THAT Council receives and notes the Chief Executive Officer's report.

Moved: Clr. Brown

Seconded: Clr. Narburup **Carried unanimously**

8. Director of Council Services

Report

SUMMARY

The last West Daly Regional Ordinary Council Meeting was held on 15 October 2015. This current Report is to inform Council as to the actions since the last meeting.

RESOLUTION 02.12.012

THAT Council receives and notes the Director of Council Service's report.

Moved: Clr. Minjin

Seconded: Clr. Martin **Carried unanimously**

9.	REGIONAL SERVICE MANAGERS
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9.1	Regional Service Manager – Wadeye	Monthly Report - November
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SUMMARY

The last West Daly Regional Ordinary Council Meeting was held on 15 October 2015. This current Report is to inform Council as to the actions since the last meeting.

RESOLUTION 02.12.013

THAT Council receives and notes the Regional Service Manager – Wadeye monthly report for November.

Moved: **Clr. Minjin**

Seconded: **Clr. Martin** **Carried unanimously**

9.2	Regional Service Manager – Palumpa	Monthly Report - November
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SUMMARY

The last West Daly Regional Ordinary Council Meeting was held on 15 October 2015. This current Report is to inform Council as to the actions since the last meeting.

RESOLUTION 02.12.014

THAT Council receives and notes the Regional Service Manager – Palumpa monthly report for November.

Moved: **Clr. Martin**

Seconded: **Clr. Minjin** **Carried unanimously**

9.3	Regional Service Manager – Peppimenarti	Monthly Report - October
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SUMMARY

The last West Daly Regional Ordinary Council Meeting was held on 15 October 2015. This current Report is to inform Council as to the actions since the last meeting.

RESOLUTION 02.12.015

THAT Council receives and notes the Regional Service Manager – Peppimenarti monthly report for October.

Moved: **Clr. Brown**

Seconded: **Clr. Narburup** **Carried unanimously**

10.	Grants Officer	Report
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SUMMARY

The last West Daly Regional Ordinary Council Meeting was held on 15 October 2015. This current Report is to inform Council as to the actions since the last meeting.

RESOLUTION 02.12.016

THAT Council receives and notes the Grants Officer Report.

Moved: **Clr. Brown**

Seconded: **Clr. Martin**

Carried unanimously

11. Human Resources Advisor

Monthly Report

SUMMARY

The last West Daly Regional Ordinary Council Meeting was held on 15 October 2015. This current Report is to inform Council as to the actions since the last meeting.

RESOLUTION 02.12.017

THAT Council receives and notes the Human Resource Advisor's report as provided to the best of the CEO's ability and knowledge and with the information available at the time.

Moved: **Clr. Brown**

Seconded: **Clr. Narburup**

Carried unanimously

12. FINANCE

12.1 Finance Manager

Finance Reports

SUMMARY

As part of the reporting procedures the finance report for the period 1 October to 31 October 2015 is submitted to Council.

RESOLUTION 02.12.018

(a) THAT Council receives and notes the finance report for the period 1 October to 31 October 2015.

(b) THAT Council receives and accepts the replacement and insertion of Addendum 1 relating to Item 4 b) Cash and Investments.

Moved: **Clr. Brown**

Seconded: **Clr. Martin**

Carried unanimously

12.2 Chief Executive Officer -

Item 5 – Northern Territory Grants Commission Allocation 2015-16

SUMMARY

The Finance Committee makes the recommendation to Council to note and accept the 2015-16 Grant allocations.

RESOLUTION 02.12.019

THAT Council receives and notes the 2015-16 Grant allocations as recommended by the Finance Committee through the unconfirmed minutes from the meeting held on 6 November 2015.

RECOMMENDATION

The CEO recommends that \$200,000 be allocated to engage a Consultant to assist Council with the development of and revision of Plans in consultation with the Regional and Services Plan.

RESOLUTION 02.12.020

THAT Council agrees with the recommendation made by the CEO to engage a Consultant to assist Council with the development of and revision of Plans in consultation with the Regional and Services Plan

RECOMMENDATION

The remainder of the funds \$1.1M are to be allocated towards roads. Council has recommended that this be discussed at the next Ordinary Council Meeting in January 2016. Council will identify the roads the funding is to be allocated to.

RESOLUTION 02.12.021

THAT Council will discuss, identify roads and allocate funds at the next Ordinary Council Meeting in January 2016.

Moved: Clr. Brown

Seconded: Clr. Minjin

Carried unanimously

The Mayor declared a break for Morning Tea at 11:50am.

The Meeting reconvened at 12:00pm.

13.	Councillor Reports
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No items to be tabled.

14.	Late Reports
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No items to be tabled.

15.	Personal Assistant to CEO	Incoming / Outgoing Correspondence
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SUMMARY

Mail Register and Correspondence for the Ordinary Council Meeting held on 2 December 2015.

RESOLUTION 02.12.022

THAT Council receives and notes the correspondence received and sent on behalf of Council.

Moved: Clr. Brown

Seconded: Clr. Narburup

Carried Unanimously

16. ACTION LIST

SUMMARY

The updated Action List is provided to Council for discussion / progression. The last West Daly Regional Ordinary Council Meeting was held on 15 October 2015. This update Action List is to inform Council as to the actions since the last meeting.

RESOLUTION 02.12.023

THAT Council receives and notes the updated Action List Items from the previous Council Meeting held 15 October 2015 and incorporating updates as discussed and minuted on 2 December 2015.

Moved: Clr. Brown

Seconded: Clr. Martin

Carried unanimously

17. GENERAL BUSINESS

17.1 Self Management of the Aged Care Service

SUMMARY

The previous Service Provider went into administration on the 11 November 2015, in which Hall and Chadwick were appointed as receivers and managers. On or around the 24 November 2015 Hall & Chadwick varied their appointment to appoint Ernst & Young (EY) as voluntary administrators. EY is now the nominated entity which will be directly communicating with key stakeholders and making decisions regarding the on-going provision of the aged care services (the 'Services').

Council implemented the Emergency Plan to immediately allocate resources to semi-self manage the Aged Care Services in conjunction/consultation with the appropriate departments to try to minimize interruption to the delivery of services being provided to the aged care patients. Council has now engaged lawyers to due to the legalities of contractual terms and conditions.

RECOMMENDATION

Various options were discussed and a decision was made by Council to take over the Aged Care Services in the interim with the view to engaging a sub-contractor as soon as possible.

RESOLUTION 02.12.024

THAT Council notes and accepts the unanimous decision that Council is to take over the Aged Care Services in the interim with a view to engaging a sub-contractor as soon as possible.

NOTE

The Chief Executive Officer will continue to work closely with our lawyers and with the Department of Health.

Moved: Clr. Narburup

Seconded: Clr. Martin

Carried unanimously

17.2 Latitude 12

Workplace, Health & Safety Report

SUMMARY

The WHS Advisor visited West Daly Regional Council Communities with the purpose of implementing schedules and conducting training for facilitating Safety Toolbox Meetings, Safety Inspections and Risk Assessments from 1st to 4th September 2015.

RESOLUTION 02.12.025

THAT Council notes and acknowledges the WHS Report from Latitude 12.

Moved: Clr. Brown

Seconded: Clr. Martin

Carried unanimously

17.3 Chief Executive Officer

Allocation of Mayor's Vehicle

SUMMARY

The Mayor has received a new vehicle in accordance with the terms of appointment. As a result of the upgrade there is now a vehicle available for allocation to WDRC. This vehicle will be transferred to Aged Care on Monday, 21 December 2015.

RECOMMENDATION

The Mayor advised his recommendation is for the vehicle to move across to Aged Care, Peppimenarti.

RESOLUTION 02.12.026

THAT Council have decided that the vehicle is to be allocated to Aged Care Peppimenarti. This vehicle will be transferred to Aged Care on Monday, 21 December 2015.

Moved: Clr. Brown

Seconded: Clr Martin

Carried unanimously

17.4 Chief Executive Officer

Legal Services

SUMMARY

A list of legal work that WDRC had undertaken this year was tabled. While most items have multiple factors and 'back and forth' communication is required, this is an overall synopsis which does not include the detail of work involved.

RESOLUTION 02.12.027

THAT Council accept and note the report on Legal Services as provided to WDRC from the engaged law firm.

Moved: Clr. Brown

Seconded: Clr. Narburup

Carried unanimously

17.5 Chief Executive Officer

Financial Delegation

SUMMARY

The procurement policy stipulates the Chief Executive officer has authority to authorise payments up to \$100,000. Payments above this amount need to be approved by Council and this may necessitate the holding of a Special Council Meeting.

Several payments occur over \$100,000 and it will be more practical to increase the CEO authority to \$500,000.

RECOMMENDATION

On 6 November 2015, the Finance Committee adopted the recommendations - Resolution FIN 06/11 003, extract of minutes below:

RESOLUTION 06/11 003

That the Chief Executive Officer has her delegation level increased to \$500,000.

Moved: Deputy Mayor Andrew Brown

Seconded: Mayor Harold Wilson **Carried**

RESOLUTION 02.12.028

THAT Council notes the recommendation made by the Finance Committee on 6 November 2015 to increase the Chief Executive Officer Financial Delegation to \$500,000.00.

Moved: Clr. Brown

Seconded: Clr. Narburup **Carried unanimously**

17.6 Chief Executive Officer

Council Meeting Dates

SUMMARY

A lot of preparation goes into the scheduling of meetings and workloads for staff are worked around delivery dates for reports etc to compile the Agenda.

A proposal to set the dates for the Council Meetings in the 2016 Calendar Year is tabled for discussion / confirmation.

PROPOSED MEETING DATES 2016 / 2017

Month	Date	Day	Location
January (wet)	20 th	Wednesday	Darwin
March (wet)	15 th	Wednesday	Darwin
May	18 th	Wednesday	Wadeye / Palumpa / Peppimenarti
July	20 th	Wednesday	Wadeye / Palumpa / Peppimenarti
September	21 st	Wednesday	Wadeye / Palumpa / Peppimenarti
November	23 rd	Wednesday	Wadeye / Palumpa / Peppimenarti
January (wet)	25 th	Wednesday	Darwin
March (wet)	22 nd	Wednesday	Darwin
May	24 th	Wednesday	Wadeye / Palumpa / Peppimenarti
July – last meeting before Elections 2017	19 th	Wednesday	Wadeye / Palumpa / Peppimenarti

FINANCE COMMITTEE MEETINGS

Meetings will be held on a monthly basis.

LOCAL AUTHORITY MEETINGS

Meetings will be scheduled by Chief Executive Office (or delegate) to meet the minimum number of meetings / year – four (4).

RECOMMENDATION

THAT Council advises on the following for the 2016 / 2017 period:

- (a) which Community will host the meetings; and
- (b) the proposed meeting dates.

RESOLUTION 02.12.029

- (a) THAT the meeting locations for the 2016 / 2017 period have been agreed upon. Please refer to the table below.
- (b) THAT Council notes and approves the proposed meeting dates for the 2016 / 2017 period.

Moved: Clr. Minjin

Seconded: Clr. Narburup

Carried Unanimously

ORDINARY COUNCIL MEETINGS - 2016/2017

Month	Date	Day	Location
2016			
January (wet)	20 th	Wednesday	Darwin
March (wet)	16 th	Wednesday	Darwin
May	18 th	Wednesday	Peppimenarti
July	20 th	Wednesday	Wadeye

WEST DALY REGIONAL COUNCIL

Minutes for Ordinary Council Meeting 2 December 2015

September	21 st	Wednesday	Palumpa
November	23 rd	Wednesday	Peppimenarti
2017			
January (wet)	25 th	Wednesday	Darwin
March (wet)	22 nd	Wednesday	Darwin
May	24 th	Wednesday	Wadeye
July – last meeting before Elections 2017	19 th	Wednesday	Palumpa
LOCAL AUTHORITY MEETINGS – 2016 – subject to change			
Feb	23 rd	Tuesday	Peppimenarti
Feb	25 th	Thursday	Palumpa
Feb	29 th	Tuesday	Wadeye
May	3 rd	Tuesday	Wadeye
May	4 th	Wednesday	Palumpa
May	5 th	Thursday	Peppimenarti
August	29 th	Monday	Wadeye
August	30 th	Tuesday	Palumpa
August	31 st	Wednesday	Peppimenarti
October	24 th	Monday	Wadeye
October	25 th	Tuesday	Palumpa
October	26 th	Wednesday	Peppimenarti
FINANCE COMMITTEE MEETINGS – 2016			
January	18 th	Monday	Darwin
February	25 th	Thursday	Darwin
April	20 th	Wednesday	Darwin
June	22 nd	Wednesday	Darwin
August	17 th	Wednesday	Darwin
October	19 th	Wednesday	Darwin
December	7 th	Wednesday	Darwin

18. Confidential Items

The Chief Executive Officer would like to discuss one (1) item identified as 'Confidential' and requiring discussion with Council in a closed meeting

RESOLUTION 02.12.030

That Council close the meeting to the general public in accordance with section 65(2) of the Local Government Act to enable Council to discuss in a Confidential Session an item described under Local Government (Administration) regulations 8 (a, b, c, d or e)

Moved: Clr. Minjin

Seconded: Clr. Martin

Carried Unanimously



WEST DALY REGIONAL COUNCIL Minutes for Ordinary Council Meeting 2 December 2015

The information is classed as confidential under Clause 9(c) of the Local Government (Administration) Regulations 2008.

19.	Mayor	Close of Meeting
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The Meeting was closed by the Mayor at 1:42pm.

20.	Next Meeting
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The next Ordinary General Meeting of West Daly Regional Council will be held in Darwin on Wednesday, 20 January 2016 with a briefing on 19 January 2016.

A handwritten signature in black ink, appearing to read "H. Wilson", is written over a horizontal dashed line.

Mayor Harold Wilson

