



MINUTES OF THE COUNCIL MEETING  
HELD IN THE  
WEST DALY REGIONAL COUNCIL  
1/4 ALBATROSS STREET WINNELLIE NT 0820  
ON THURSDAY 17 MARCH 2022  
AT 10:00 AM

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**MEETING OPENED** by Acting Mayor Ralph Narburup 9:56am

**ELECTED MEMBERS PRESENT**

Ralph Narburup	Acting Mayor
Wilfred Harris	Deputy Mayor
Jake Clark	Councillor
Terry Sams	Councillor
Mark Tunmuck-Smith	Councillor
John Wilson	Councillor

**STAFF PRESENT**

Matthew Eastham	Chief Executive Officer
Andrew Everingham	Chief Operations Officer via ZOOM
James Cartwright	Chief Financial Officer
Rebecca Fauntleroy	EA to CEO and Mayor
Sharon Binns	Governance and Quality Assurance Officer (Minute taker)

**GUESTS**

Colvin Crowe	NT Government - Chief Minister
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**APOLOGIES AND LEAVE OF ABSENCE**

No apologies and leave of absence

**DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF**

There were no declarations of interest at this meeting.

## **CONFIRMATION OF MINUTES**

### **1) Minutes of the Finance Committee Meeting held on 16 February 2022**

017/2022 **Motion:**

**That the minutes be taken as noted for the Finance Committee meeting held on 16 February 2022.**

Moved: Cr. Harris

Seconded: Cr. Sams

Resolution: Unanimously

### **2) Minutes of the Ordinary Council Meeting held on 20 January 2022 and Special Ordinary Council meeting held on 10 February 2022.**

018/2022

Councillor Clark informed a change to his comments at page 11 of the Agenda of 20 January 2022, regarding the paths. He stated the rain had levelled out the walkways making it difficult for people to negotiate.

**Motion:**

**1. That Council accepts the minutes of the Ordinary Council meeting held on 20 January 2022 to be taken as read and accepted as a true record of the Meeting noting the amendment.**

**2. That Council accepts the minutes of the Special Council meeting held on 10 February 2022 to be taken as read and accepted as a true record of the Meeting.**

Moved: Cr. Tunmuck-Smith

Seconded: Cr. Sams

Resolution: Unanimously

## **BUSINESS ARISING FROM PREVIOUS MINUTES**

### **3) Action items of Council**

019/2022

The CEO spoke to Action item from 23 November 2021, Agenda item 16 regarding the Local Authority Vaccination certificates. Cr Clarke stated that he would ask LA members to confirm their vaccination certificates for the Local Authority meeting. Boosters will be rolled out in region in the coming weeks.

**Motion:**

**1. That Council notes and accepts the Action report.**

Moved: Cr. Harris

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

## **AGENDA ACCEPTANCE AND DECLARATION OF CONFLICTS**

### **4) Acceptance of Agenda**

**020/2022 Motion:**

- 1. That the agenda papers for the Ordinary Council meeting held on 17 March 2022 as circulated prior to the meeting in accordance with the Local Government Act 2019 be received for consideration at the meeting.**
- 2. That Council note there are no conflict of interest.**

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

**10:25am James cartwright left meeting**

**10:27am James Cartwright returned to meeting**

### **CALL FOR ITEMS OF GENERAL BUSINESS**

There are no items of General Business.

### **REPORTS**

### **5) Attendance of Elected Members at Council Meetings**

**021/2022 Motion:**

- 1. That Council notes and receives the report and acknowledge the legislative requirements of attending Council meetings.**

Cr Sams asked if an elected member doesn't attend 2 meetings, then action can be taken by Council to determine membership.

Colvin Crowe stated it is a decision of Council to accept the apology or to take further action.

Cr Clark stated that the notice of meetings can be a communication challenge, with community unrest and the long delays caused by the Telstra outage.

Cr Harris confirmed the internet connection is a real problem. For the Wadeye region we need to approach government about the blackout. It was dangerous, health staff, police and a there was no backup plan to mitigate.

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

**6) Swearing in of Elected Member**

022/2022 Terry Sams spoke the West Daly Regional Council Oath of Office and signed the certificate.

**Motion:**

1. **That the elected member Terry Sams cites his declaration and signs the Swearing in Certificate.**

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

**Cr Jake Clark left the meeting, the time being 10:33 AM**  
**Cr Jake Clark returned to the meeting, the time being 10:34 AM**

**7) Ballot for the Position of Mayor**

023/2022 The CEO spoke to his report.

The CEO as Returning Officer asked for nominations for position of Mayor.

The following candidates nominated themselves:

1. John Wilson
2. Ralph Narburup
3. Terry Sams

Everyone accepted the three nominations for Mayor and each party spoke to why they wanted to be Mayor of West Daly Regional Council.

Terry Sams stated he lives on his grandfathers and grandmothers land and would like to represent all the people in the region. He was elected as Deputy Mayor in the previous Council and felt it important to be on Council to represent the people of West Daly.

John Wilson stated he lives in Peppimenarti and a member of the mens council. He was elected as Mayor in the previous Council for 4 years. Working with building bridges with West Daly Regional Council and the community.

Ralph Narburup stated he lives and was born Wadeye, moved to Palumpa and in 2019 came back to Wadeye. As a Traditional Owner he wants to represent his people on Council.

The CEO as Returning Officer thanked the Councillors for their pitch and asked Councillors to vote for West Daly Regional Council Mayor.

Each Councillor wrote on pieces of paper provided, folded and placed in the ballot box held by the CEO as Returning Officer.

Returning Officer and Observer of Count took the ballot box out of the chambers and returned shortly thereafter to announce the results.

**Acting Mayor Narburup declared a break for the counting of votes at 10:45am.**

**Acting Mayor Narburup reopened the meeting at 10:54am.**

A majority of votes for Ralph Narburup to act as Mayor for a 4 year term. Councillors applauded and congratulated Mayor Ralph Narburup.

**Motion:**

- 1. That Council approves of the rules and procedures and noted in this paper.**
- 2. That Council notes the election results and that Ralph Narburup is appointed to the position of Mayor of the West Daly Regional Council for the term of office and will cease at the conclusion of the next Northern Territory Local Government Election**
- 3. That Council directs the administration to inform the following organisations of the result of the ballot for the Mayor:**
  - 1. The Northern Territory Electoral Commission**
  - 2. All relevant government departments in the Northern Territory**
  - 3. West Daly Regional Council staff**
  - 4. The Local Government Association of the Northern Territory.**
- 4. That Council directs the administration to update the Councils website.**
- 5. Directs the administration to destroy the ballot papers for the election of the Mayor.**

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

## 8) **Ballot for the Position of Deputy Mayor**

As Deputy Mayor Wilfred Harris was not voted in as Mayor, this motion is not required.

### **Procedural Motion**

**The motion is disposed due to not required.**

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

### **Motion:**

- ~~1. That Council approves of the rules and procedures and noted in this paper.~~
- ~~2. That Council notes the election results and that ..... is appointed to the position of Deputy Mayor of the West Daly Regional Council for the term of office and will cease at the conclusion of the next Northern Territory Local Government Election~~
- ~~3. That Council directs the administration to inform the following organisations of the result of the ballot for the Deputy Mayor:
  - ~~1. The Northern Territory Electoral Commission~~
  - ~~2. All relevant government departments in the Northern Territory~~
  - ~~3. West Daly Regional Council staff~~
  - ~~4. The Local Government Association of the Northern Territory.~~~~
- ~~4. That Council directs the administration to update the Councils website.~~
- ~~5. Directs the administration to destroy the ballot papers for the election of the Deputy Mayor.~~

## 9) **Overview - Responsibilities of Council**

024/2022

CEO spoke to his report and confirmed the government training session.

Cr Clark asked how the CEO thought the Councillors were doing and the CEO stated that we have made excellent progress.

### **Motion:**

- 1. That Council notes the information contained in the reported titled: Overview – Responsibilities of Council**

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

**10) Annual Return of Interests - Elected Members**

025/2022

The Governance and Quality Assurance Officer spoke to her report. With Elected member Terry Sams new to Council, the form is to be completed. Any Elected member that has any updates to provide, this is an opportunity to update.

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

**11) Chief Executive Officer Report**

026/2022 The CEO spoke to his report.

During the Telstra outage Council supported employees by providing financial assistance and food vouchers.

Local Authority meetings were postponed due to COVID and community unrest.

Our new Chief People and Strategy Officer has been appointed. Renae McGarvin begins 1 April 2022.

The CEO asked if there was any questions from Council.

Cr Clark asked if the CEO will be meeting with the organisations in community and whether there is a schedule.

The CEO stated he is open to meeting with organisations and ask Councillors to assist with coordinating and let him know through the Executive Assistant to CEO and Mayor.

**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

**James Cartwright left meeting 11:24am  
James Cartwright re-joined meeting 11:25am**

**Cr Mark Tunmuck-Smith left the meeting, the time being 11:45 AM**

**12) Service Delivery**

027/2022 The Chief Operation Officer spoke to his report.

The Chief Operations Officer wanted to acknowledge MacDonnell Regional Council for their assistance with the guidelines mentioned in his report.

The Rubbish Compactor truck, there will be training provided.

**Motion:**

- 1. That Council receives and notes the Chief Operations Officer report.**

Moved: Cr. Sams

Seconded: Cr. Clark

Resolution: Unanimously

**Migari Wijayasekara Senior Accountant joined the meeting 11:45am.**

**Cr Mark Tunmuck-Smith returned to the meeting, the time being 11:47 AM**

**Cr Jake Clark left the meeting, the time being 11:52 AM**

**Cr Jake Clark returned to the meeting, the time being 11:53 AM**

**Cr Wilfred Harris left the meeting, the time being 11:54 AM**

**Colvin Crowe left meeting 11:58am.**

**Colvin Crowe returned to meeting 12:01pm.**

**Cr Wilfred Harris returned to the meeting, the time being 12:01 PM**

**Cr Mark Tunmuck-Smith left the meeting, the time being 12:11 PM**

**Cr Mark Tunmuck-Smith returned to the meeting, the time being 12:12 PM**

**Cr John Wilson left the meeting, the time being 12:24 PM**

**Cr John Wilson returned to the meeting, the time being 12:27 PM**



**13) Financial Report - February 2022**

028/2022

The CFO spoke to his report.

NTG has a new format of reporting that will be available for next OCM.

Cr Clark informed with fuel prices that things will be more expensive to do in community and this was acknowledged.

The CEO stated that there will be challenges with variations in costs of projects with fuel prices and it is a wait and see.

The CFO informed in April there will be a Finance training session for Councillors to better understand the papers in the new government format.

**Motion:**

- 1. That Council receives and notes the Financial Report for February 2022.**

Moved: Cr. Sams

Seconded: Cr. Harris

Resolution: Unanimously

**14) Regional Plan 2022-2023**

029/2022

The Governance and Quality Assurance Officer spoke to her report.

Cr Harris advised the Council would like to discuss a number of issues and will seek Local Authority member feedback.

A copy of the Regional Plan 2021-2022 was provided to Councillors.

**Motion:**

- 1. That Council notes and accepts the report, acknowledging community engagement is required for the Regional Plan 2022-2023 within the timeframe legislated.**

Moved: Cr. Sams

Seconded: Cr. Harris

Resolution: Unanimously

**15) Policy Approval**

030/2022 The CEO spoke to the report informing these are the first suite of policies that are required with the transitional period of the *Local Government Act 2019*

**.Motion:**

1. That Council approves the follow polices:
  - a) GOV01 – Casting Vote (Elected Member, Local Authority and Council Committee) Policy.
  - b) GOV02 – Code of Conduct (Elected Member, Local Authority and Council Committee) Policy.
  - c) GOV03 – Conflict of Interest (Elected Member, Local Authority and Council Committee) Policy.
  - d) GOV04 – Conduct of Council Meetings (Elected Member, Local Authority and Council Committee) Policy.
  - e) GOV05 – Allowances and Expenses (Elected Member) Policy.
  - f) GOV06 – Gifts, Benefits and Hospitality (Elected Member) Policy.
  - g) GOV07 – Mayor’s Work Entitlements Policy
  - h) GOV08 – Induction and Training (Elected Member, Local Authority and Council Committee) Policy.
  - i) GOV09 – Code of Conduct (CEO) Policy.

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

**16) LGANT General Meeting**

031/2022

The CEO spoke to his report.

**Motion:**

1. That Council considers submitting motions to the Local Government Association of the Northern Territory General meeting to be held in Darwin on the 6<sup>th</sup> and 7<sup>th</sup> April 2022.
2. That Council supports the Mayor, Deputy Mayor, CEO and Executive (CEO discretion) attending the Local Government Association of the Northern Territory General meeting to be held in Darwin on the 6<sup>th</sup> and 7<sup>th</sup> April 2022 – cost \$100 per person plus Travel Allowance (as applicable).

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

## **CORRESPONDENCE IN & OUT**

### **17) Incoming and outgoing correspondence report**

032/2022

The Executive Assistant to the CEO and Mayor spoke to her report.

#### **Motion:**

- 1. That Council notes and accepts the management of incoming and outgoing mail correspondence and the correspondence report for the period 21 January to 28 February 2022.**

Moved: Cr. Tunmuck-Smith

Seconded: Cr. Sams

Resolution: Unanimously

## **GENERAL BUSINESS**

No general business.

**Cr Mark Tunmuck-Smith left the meeting, the time being 12:45 PM**

**Mayor Ralph Narburup closed the meeting at 12:45pm for lunch and come back 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:-

- 18 CEO - Key Result Areas (KRA) -** *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).*
- 19 MP 1 -** *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 prejudice).*
- 20 MP2 -** *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 prejudice).*
- 21 Purchase of new Demountable -** *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).*

- 22 Executive Staff Member - Appointment** - *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 (Appointment of Chief People and Strategy Officer).*
- 23 CEO 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 3:05 pm.**

THIS PAGE AND THE PRECEDING PAGES ARE THE MINUTES OF THE  
Meeting of Council  
HELD ON Thursday 17 March 2022  
AND TO BE CONFIRMED  
Thursday, 19 May 2022.