



MINUTES OF THE COUNCIL MEETING
HELD IN THE WEST DALY REGIONAL COUNCIL CHAMBERS
WINNELLIE NT
ON WEDNESDAY, 27 JULY 2022
AT 9:00 AM

MEETING OPENED

With the attendance of Councillors Terry Sams and Jake Clark, it was decided with the CEO to declare the meeting opened at 9:17am for a decision on how to proceed.

In compliance with the *Local Government Act* s100(1) it was discussed that due to the Mayor and other members of Council delayed, the meeting will be postponed until 10:30am which Councillors Sams and Clark agreed.

Mayor Narburup and other Councillors arrived. Mayor Narburup declared the meeting opened at 10:29am.

PRESENT APOLOGY 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	

GUESTS

Bilal Abbas – Compliance Manager - Department of the Chief Minister and Cabinet
 Owain Dunn – 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

061/2022 **Motion:**

- 1. That Council approve the Minutes of 19 May 2022 as a true record of the meeting.**
- 2. That Council approve the Special Ordinary Council Minutes of 27 May 2022 as a true record of the meeting.**
- 3. That Council approve the Minutes of 23 June 2022 as a true record of the meeting.**

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

CALL FOR ITEMS OF GENERAL BUSINESS

No matters of general business to discuss that are not on this agenda.

BUSINESS ARISING FROM PREVIOUS MINUTES

2) Action items of Council

062/2022 Sharon spoke to the report.

Amendment – Change Work experience to future apprenticeships and trainees.

Discussion around the Splash pads which are no longer considered and the need for Wadeye Pool for the health and wellbeing of the people of West Daly region.

Motion:

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

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

AGENDA ACCEPTANCE AND DECLARATION OF CONFLICTS

There were no conflicts to declare on matters on this agenda for staff and Councillors.

3) Acceptance of Agenda

063/2022 Sharon spoke to the report.

Motion:

- 1. That the agenda papers for the Ordinary Council meeting held on 27 July 2022 as circulated prior to the meeting in accordance with the *Local Government Act 2019* be received for consideration at the meeting.**

Moved: Cr. Tunmuck-Smith

Seconded: Cr. Clark

Resolution: Unanimously

REPORTS

4) Local Authority Minutes and Recommendations

064/2022 Sharon spoke to the report.

Councillors asked about Orange Sky to clarify how they service the community. They provide washing machines and dryers for the community members who do not have the capability to clean their clothes. It has been reported that the woman who looks after the service was injured when she was hit in the head with a rock while working in community.

It was recommended by Councillors to have a cultural person to attend with Orange Sky to ensure their safety.

Action: CEO to contact TDC to suggest.

Discussion occurred where the potential for washing machines in community is something that could be worked on in the background but consideration should be given as to whether people will pay the gold coin to use the equipment.

Motion:

- 1. That Council receives and notes the minutes of the Palumpa Local Authority meeting held on 29 June 2022.**
- 2. That Council notes the request from Palumpa Local Authority and approves the amount of \$20,000 towards the purchase of a Kubota zero turn mower.**
- 3. That Council receives and notes the minutes of the Peppimenarti Local Authority meeting held on 30 June 2022.**

4. That Council notes the minutes of the Wadeye Local Authority that was cancelled due to lack of quorum.
5. That Council notes the minutes of the Wadeye Local Authority dated 8 December 2021 General Business and approve the amount of \$10,000 towards Orange Sky.

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

Cr Terry Sams left the meeting, the time being 11:05 AM
Cr Terry Sams returned to the meeting, the time being 11:08 AM
Cr Mark Tunmuck-Smith left the meeting, the time being 11:08 AM
Cr Mark Tunmuck-Smith returned to the meeting, the time being 11:09 AM

REPORTS

5) Finance Report - June 2022

065/2022

James spoke to his report.

Elected member expenses increased due to meetings being held in town a lot more and the expenses related to Canberra trip.

Cr Tunmuck Smith asked about Manthathpe walkway and informed that the contractor is finding it a high risk to work in community, so this information to be shared with community traditional owner.

Action: CFO write to Debtor from Peppimenarti to meet with them about their outstanding rates.

Motion:

1. That Council receives and notes the Financial report for June 2022.

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

6) Statement of Major Initiatives

066/2022 James spoke to his report.

Motion:

- 1. That Council approves the statement of the major initiatives over the period of the current Long-Term Financial Plan.**

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

7) CEO Discretionary Capital Fund

067/2022 James spoke to his report. With a reporting process for Council to update them on spending. Normal procurement rules will apply.

Motion:

- 1. That Council authorises the creation of a CEO Discretionary Capital Fund of \$200,000 by a transfer from our existing cash reserves.**

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

Cr Jake Clark left the meeting, the time being 12:06 PM

Mayor Narburup closed the meeting for lunch at 12:06 PM
Mayor Narburup opened the meeting after the lunch 12:43 PM

8) Victoria Daly Regional Council - Resignation from CouncilBIZ

068/2022 James spoke to his report.

WDRC conducted an audit and removed all inactive users that have left the Council, therefore we no longer pay as much per user.

Motion:

- 1. That Council note VDRC's resignation from CouncilBIZ and the increased costs to Council.**

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

9) Community Suicide Intervention Skills Workshop Grant

069/2022

Sam spoke to his report.

Cr Sams asked if this sort of workshop is extended to Homelands as an initiative. Training is funded for internal staff and not for community members. An option may be to self-fund as the program is open to everyone.

Action: CSPO to assist Cr Sams with connecting to the service provider to see if possible to go to Homelands where people are suffering mental health issues.

Motion:

- 1. That Council notes the successful grant application towards the Northern Territory Suicide Prevention Community Grants 2022/23 Program**

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

10) Chief People and Strategy Report

070/2022

Renaë spoke to her report.

Motion:

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

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

11) Service Delivery Report

071/2022 Andrew spoke to his report.

Cr Clark asked if WDRC can do house repairs and was informed that it is the NT Government who oversee with TDC having the contract to do the work.

Action: DIPL - Need signage about depth height of water near Emu Point.

Motion:

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

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

12) Call for Council members nominations

072/2022 Sharon spoke to the report.

Motion:

- 1. That Council note the LGANT Administered Disciplinary Panel Charter.**
- 2. That Council nominates Councillor Terry Sams who has agreed to be nominated as a member of the Prescribed Corporation Panel to be called the Code of Conduct Panel Pool (CCP).**

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

13) Ministerial Guideline 7 - Procedural Fairness in deciding Code of Conduct Complaints

073/2022 Sharon spoke to the report.

Motion:

- 1. That Council note the Draft Ministerial Guideline 7 Procedural Fairness in deciding Code of Conduct complaints.**

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

14) Key Result Areas aligned with Regional Plan 2022-2023

074/2022 Sharon spoke to the report.

Motion:

- 1. That Council note the Key Result Areas 2022-2023 aligned with the Regional Plan 2022-2023.**

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

15) CEO Appointments - CouncilBIZ Board and Executive Committee

075/2022 CEO spoke to the report.

Motion:

- 1. That Council notes the appointment of the CEO as the Deputy Chair of the CouncilBIZ Board and the CouncilBIZ Executive Committee for a period of twelve months from 01 July 2022 to 30 June 2023.**

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

16) Chief Executive Officer Report

076/2022 The CEO spoke to the 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

17) **LGANT Nomination of office bearers**

077/2022

Action: Governance to assist Councillor Clark with administration.

Motion:

1. **That Council nominates Councillor Jake Clark for the LGANT Executive Board and Vice President Regional Shire and directs them to complete the nomination form by Thursday 7 August 2022.**

Or

- ~~2. That Councillors do not want to nominate for election to LGANT Executive board.~~

Moved: Cr. Tunmuck-Smith

Seconded: Cr. Sams

Resolution: Unanimously

18) **Confirmation of Finance Committee minutes**

078/2022 Sharon spoke to the report.

Motion:

1. **That Council note and accept the Finance Committee meeting minutes for 15 June 2022.**

Moved: Cr. Clark

Seconded: Cr. Sams

Resolution: Unanimously

CORRESPONDENCE IN & OUT

19) **Incoming and outgoing correspondence report**

079/2022 Sharon 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 March through to June 2022.**

Moved: Cr. Sams

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

GENERAL BUSINESS

No General Business issues to raise.

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 19 May 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 Audit and Risk Management Committee Confidential Minutes** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(s99(4) of the Local Government (General) Regulations 2021. It contains information of auditing nature and is to be conducted in private. (Private meeting).*
- 22 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)(ii) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to prejudice the maintenance or administration of the law (Contains confidential minutes).*
- 23 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).*
- 24 Mutchirr Local Decision Making Agreement** - *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 matter).*
- 25 Local Roads and Community Infrastructure Program 2022-23 Grant Agreement** - *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).*
- 26 Community Night Patrol 2022-23 Extension** - *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. (Contains legal agreement).*
- 27 Conflict of Interest Disclosure - Peppimenarti Conference Facility** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(i) (c)(iv) (a) 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.; AND 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 (CEO and CFO Conflict of Interest).*

- 28 CEO Annual 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).*
- 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 2:00 pm.

This page and the preceding pages are the unconfirmed Minutes of the Meeting of Council held on Wednesday, 27 July 2022 and are to be confirmed on the Thursday, 22 September 2022.