



MINUTES OF THE COUNCIL MEETING
HELD IN THE WEST DALY REGIONAL COUNCIL CHAMBERS
WINNELLIE NT
ON WEDNESDAY, 28 JUNE 2023
AT 10:00 AM

Due to Elected Members advising they will be late, the Mayor determined that the meeting will be delayed for another 45 minutes to allow attendance in accordance with the *Local Government Act* s100.

Meeting opened by Mayor Narburup at 10:36am

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 On phone		

Staff:

Name	Title	Present	Apology	Absent
Matthew Eastham	Chief Executive Officer	X		
Andrew Everingham	Chief Operations Officer		X	
David Glover	Executive Director Corporate Services	X		
Sharon Binns	Governance	X		
Julieanne Wylie	EA to CEO and Mayor	X		
Dorothea Janczewska	People and Culture Manager	X		

Guest:

Colvin Crowe – Department of Chief Minister and Cabinet

DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF

There were no declarations of interest at this Council Meeting.

CALL FOR ITEMS OF GENERAL BUSINESS

GENERAL BUSINESS

Cr Mark Tunmuck-Smith – Homelands issues as grievances that they are not visited. Fossil Head traditional owners not approached and Homelands staff are speaking to the wrong people there. Recommends advertising for a local person to work beside.

The CEO informed that by agreement with traditional owners there is a plan for each Homelands that has been signed off. The Works program is what is worked on throughout the year. Feedback is taken on.

Action: CEO will speak to the team regarding traditional owners to be identified and spoken to regarding activities on Homelands.

CONFIRMATION OF MINUTES

1) Confirmation of previous minutes

045/2023 Sharon read to the report.

Motion:

- 1. That Council approve the Ordinary Council Meeting Minutes of 25 May 2023 as a true and correct record of the meeting.**

Moved: Cr. Wilson

Seconded: Cr. Clark

Resolution: Unanimously

REPORTS

2) CEO Rates Certification 2023

046/2023 Matt spoke to the report.

Motion:

- 1. That Council receives and accepts the attached signed CEO Rates Certification.**

Moved: Cr. Tunmuck-Smith

Seconded: Mayor Narburup

Resolution: Unanimously

3) Declaration of Rates and Charges 2023/34

047/2023

David spoke to the report. Rates notices will be going on in the next month or so and will need to be paid by September 2023.

Motion:

- 1. That Council notes and approves the attached West Daly Regional Council Declaration of Rates and Charges 2023/24.**
- 2. That Council approves for the Rates and Charges to be included in the West Daly Regional Council Regional Plan 2023/24.**

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

4) 2023 - 2024 Budget

048/2023

David spoke to the report.

Cr Tunmuck-Smith asked how many full time employees at the Civil Yard. Cr Wilson stated that there are employees there that have been there for 15 years and still on the same pay as always.

The CEO advised that we are to comply with the *Fair Work Act* and our Enterprise Agreement which covers recruitment and wages. The CEO explained that employees on beginning a role will start out at a level and the lowest increment. Every year until they reach the capped increment level, the wages will stay the same, other than CPI increase. Employees do accrue long service leave and other entitlements.

Action: CEO to discuss with elected members the Enterprise Agreement at the next Pre-OCM.

Action: Good things that happen in West Daly should go into TDC Newsletter which should be started again.

Motion:

- 1. Following the conclusion of the 21 day consultation period that Council resolves to approve this 2023-24 Budget for inclusion in the West Daly Regional Council Regional Plan 2023-24.**
- 2. That Council approves the transfer of \$381,110 from reserves to balance the budget.**

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

5) Regional Plan and Budget 2023-24

049/2023 Julieanne spoke to the report.

We have received valuable input into the Regional Plan. Directing Elected Members to the Commitment Statement and the Vision and Mission of Council.

The CEO advised that Julieanne has worked extremely hard to compile this and job well done.

Action: CEO to provide Regional Plan to the Minister of Local Government.

Motion:

- 1. That Council approves and adopts the West Daly Regional Council – Regional Plan 2023-24 and all contents contained therein in accordance with section 35(1) of the *Local Government Act 2019* (the Act) and its statutory instruments including:
 - a. Elected Member Allowances in accordance with clause 7 of Ministerial Guideline 2A;**
 - b. Declared Rates in accordance with sections 237 and 238 of the Act;**
 - c. Schedule of fees and charges;**
 - d. Budget for Financial Year 2023-2024 in accordance with section 203 of the Act.****

- 2. That Council authorises the Chief Executive Officer to submit the approved and adopted version of the West Daly regional Council - Regional Plan 2023-24 to the Minister for Local Government.**

Cr Mark Tunmuck-Smith left the meeting, the time being 11:32 AM

Cr Mark Tunmuck-Smith returned to the meeting, the time being 11:34 AM

Moved: Cr. Tunmuck-Smith

Seconded: Cr. Wilson

Resolution: Unanimously

6) Finance Report - May 2023

050/2023 David spoke to the report.

Cr Tunmuck-Smith asked if Council was financially well off. The CEO confirmed that we are doing well with the new team.

Motion:

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

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

7) Policy approval

051/2023 Sharon spoke to the report.

Motion:

- 1. That Council approves GOV07 Mayor Work Entitlement Policy which will come into effect from 1 July 2023.**

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

8) Councillors attendance at conferences

052/2023 Sharon spoke.

Motion:

- 1. That Council approve the requirement for Elected Members to provide a report on conferences and activities performed as part of their duties as representatives of the West Daly region.**

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

9) Local Authority - What are Elected Members to do?

053/2023 Sharon spoke to the report.

Cr Clark advised that Stephen Pultchen is spelt Steven. Amendment will be made.

Motion:

- 1. That Council note the attendance report for all Local Authorities**
- 2. That Councils elected members will promote Local Authorities to the community so their voice is heard**

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

10) Do's and Dont's on Social Media

054/2023 Sharon spoke to the report.

Motion:

- 1. That Council note the information provided regarding Social Media usage.**
- 3. That each Elected Member understands their behavioural obligations in order to protect themselves from unavoidable risks associated with the use of Social Media.**

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

11) The voice to Parliament

Sharon spoke to the report.

The CEO advised that at the event in Canberra Linda Burnie asked all Councils how much interest there is in the Northern Territory.

Action: Defer this motion until next meeting when all elected members are present.

Motion:

- 1. That Council agrees / does not agree with the First Nations Voice to Parliament and the proposed law to alter the Constitution to recognise the First Peoples of Australia.**
- 2. That Council supports / does not support the active engagement of Council, Local Authorities and Communities for a better understanding of the Referendum and the Voice to Parliament.**

12) Chief Executive Officer Report

055/2023 The CEO spoke to his report.

Action: The CEO will update Council on CouncilBiz activities and Enterprise Resource Platform system at the next Pre-OCM.

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.**
- 2. That Council notes the serious issues regarding the safety and wellbeing of WDRC staff and the health and wellbeing impacts the ongoing environmental situation in the West Daly communities is having on staff.**
- 3. That Council agrees and accepts that stronger leadership for the West Daly Regional Council from Elected Members is required relating to all matters affecting the West Daly region.**

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

MEETING PAUSED AT 12:35PM FOR LUNCH

MEETING RE-OPENED 12:42PM

CORRESPONDENCE IN & OUT

13) Correspondence Report

056/2023 Julieanne spoke to the report.

Motion:

- 1. That Council notes and accepts the correspondence report for the period May-June 2023.**

Moved: Cr. Wilson

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

GENERAL BUSINESS

To be discussed in the Confidential session.

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 Confidential Council business** - *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. (Confidentiality breach).*
- 16 Wadeye Homelands Emergency Capital Grant Program 2022-23** - *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 grant documents).*
- 17 Update Councils current Grants situation** - *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 Grants).*

- 18 Urgent - Peppimenarti Office** - *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).*
- 19 Elected member movements** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(iv) (d) (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 subject to an obligation of confidentiality at law, or in equity.; 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. (Confidential).*
- 20 ALGA Attendance** - *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. (Elected Member confidential matter).*