



**MINUTES OF THE COUNCIL MEETING**  
**HELD IN THE WEST DALY REGIONAL COUNCIL**  
**1/4 ALBATROSS STREET WINNELLIE NT 0820**  
**ON THURSDAY, 19 MAY 2022**  
**AT 10:00 AM**

Mayor Ralph Narburup opened the meeting at 9:54am

**PRESENT, APOLOGY AND LEAVE OF ABSENCE**

**Elected members:**

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	11:02am	X Late	

**Staff:**

Name	Title	Present	Apology	Absent
Matthew Eastham	CEO	X		
Andrew Everingham	COO		X	
James Cartwright	CFO	X		
Renae McGarvie	CPSO		X	
Rebecca Fauntleroy	EA to CEO and Mayor	X		
Sharon Binns	Minute taker	X		
Migari Wijayasekara	Senior Accountant	X		

**GUESTS**

Sean Holden                                      CEO LGANT  
 Jocelyn Cull                                      Senior Governance Advisor LGANT  
 Peter McLinden                                      Director Member Services and Infrastructure LGANT

**DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF**

There were no declarations of interest at this Council Meeting.

## **CONFIRMATION OF PREVIOUS MINUTES**

### **1) Confirmation of previous Ordinary Council meeting minutes**

039/2022

#### **Motion:**

- 1. That Council approve the Minutes of 17 March 2022 as a true record of the meeting.**
- 2. That Council approve the Special Ordinary Council Minutes of 10 May 2022 as a true record of the meeting.**

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

### **Confirmation of Finance Committee meeting minutes**

040/2022

#### **Motion:**

- 1. That Council note and accept the Finance Committee meeting minutes for 28 April 2022.**

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

## **BUSINESS ARISING FROM PREVIOUS MINUTES**

### **2) Action items of Council**

041/2022

The Local Authorities vaccination certificates is still outstanding with Elected Members to speak to members.

CPSO will speak to school about work experience opportunities for students.

Of note, the normal service delivery business is under increasing stress due to community unrest, therefore actions may be delayed.

#### **Motion:**

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

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

## AGENDA ACCEPTANCE

### 3) Acceptance of Agenda

042/2022

Sharon spoke to her report.

#### **Motion:**

- 1. That the agenda papers for the Ordinary Council meeting held on 19 May 2022 as circulated prior to the meeting in accordance with the *Local Government Act 2019* be received for consideration at the meeting.**

Moved: Cr. Wilson

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

## REPORTS

### 4) Financial Report - April 2022

043/2022

Migari spoke to the report.

Discussion around cost of insurance, workers compensation, mental health and wellbeing of our people with issues in community.

#### **Motion:**

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

Moved: Cr. Tunmuck-Smith

Seconded: Cr. Wilson

Resolution: Unanimously

### 5) Reforecast Budget - 2021-22

044/2022

James spoke to the report.

Discussion occurred around the figures with Council being in a good financial position.

#### **Motion:**

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

Cr Mark Tunmuck-Smith left the meeting, the time being 10:35 AM

Cr Mark Tunmuck-Smith returned to the meeting, the time being 10:40 AM

Moved: Cr. Sams

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

**6) Council Fees & Charges 2022-23**

045/2022

James spoke to the report.

Amendment on page 54 Commercial Waste - **change** from hour to load or unit.

Community stakeholders who wish to use the waste management facility will have to complete a form and notified in the new financial year of charges for using the facility.

**Motion:**

- 1. That Council approves the draft Schedule of Fees and Charges for the 2022-23 financial year subject to amendment.**
- 2. That Council approves the inclusion of the Schedule of Fees and Charges in the Draft 2022-23 Regional Plan.**

Moved: Cr. Sams

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

**7) CEO Rates Certification 2022**

046/2022

James spoke to his report.

**Motion:**

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

Moved: Cr. Wilson

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

**Cr Jake Clark arrived and joined the meeting 11:02am**

**8) Australian Local Government Association National General Assembly 2022**

047/2022

The CEO spoke to his report.

The Mayor informed Council that he nominates Councillor John Wilson to attend along with the Deputy Mayor due to illness.

Discussion occurred and Council agreed.

**Motion:**

- 1. That Council approves Mayor Councillor John Wilson, Deputy Mayor, CEO and members of the Executive (CEO discretion) to attend the Australian Local Government Association National General Assembly to be held in Canberra on 19-22 June 2022**

Moved: Cr. Sams

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

**9) LGANT Constitution**

048/2022

Rebecca spoke to the report.

The CEO Sean Holden spoke about the Constitution changes.

**Motion:**

- 1. That Council note the constitutional briefing from the LGANT CEO.**

Moved: Cr. Sams

Seconded: Cr. Wilson

Resolution: Unanimously

**10) Local Authority Minutes and Recommendations**

049/2022 Sharon spoke to the report.

**Motion:**

1. That Council receives and notes the minutes from the Wadeye Local Authority Meeting held on 21 April 2022.
2. That Council approves the amount of \$40,000 to assist with the purchase of an All-Terrain Vehicle as requested in the Wadeye Local Authority meeting.
3. That Council approves the amount of \$15,000 to assist with the purchase and planting of mature trees as requested in the Wadeye Local Authority meeting.
4. That Council approves the amount of \$30,000 to assist with the purchase and installation of a 'Big Ass Fan' and flood lighting for the recreation hall as requested in the Wadeye Local Authority meeting.
5. That Council receives and notes the minutes from the Palumpa Local Authority Provisional Meeting held on 22 April 2022.

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

**11) Local Authority membership numbers and meetings decline**

050/2022 Sharon spoke to the report.

**Motion:**

1. That Council notes the report on Local Authority membership.
2. That Council approve the Wadeye Local Authority having 14 Members.
3. That Council approve the Peppimenarti Local Authority having 14 Members.
4. That Council approve the Palumpa Local Authority having 14 Members.
5. That Council notes the Local Authority meetings report identifying meetings that are cancelled, provisional or had a quorum due to COVID or community unrest.

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

**12) Audit and Risk Management Committee membership**

051/2022 Sharon spoke to the report.

**Motion:**

- 1. That Council appoints Terry Sams as an Elected Member to the Audit and Risk Management Committee.**

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

**13) Peppimenarti and Palumpa-Wadeye Splash Pads - ABA Funding**

052/2022 James spoke to the report.

Change title from **Peppimenarti and Wadeye Splash pads** not Palumpa.

It is not feasible to continue due to the increased costs.

Swimming pool was discussed and recreation for kids in community.

Cr Mark Tunmuck-Smith left the meeting, the time being 11:25 AM

Cr Mark Tunmuck-Smith returned to the meeting, the time being 11:26 AM

**Motion:**

- 1. That Council approves the CEO to write to NIAA declining the funding for the Peppimenarti and Wadeye Water Park.**
- 2. That Council approves the CEO to negotiate with NIAA to renegotiate the funding.**

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

**14) Service Delivery**

053/2022

The CEO spoke to the report on behalf of the COO.

Cr. Wilson asked about the Causeways built by Roads to Recovery fund. The CEO advised we got emergency relief with Council being asked to fund a portion; to be negotiated.

To clarify for Council the Airport is checked twice a day, being morning and evening.

Cr Jake Clark left the meeting, the time being 11:41 AM

Cr Jake Clark returned to the meeting, the time being 11:43 AM

Cr John Wilson left the meeting, the time being 11:43 AM

Cr John Wilson returned to the meeting, the time being 11:46 AM

**Motion:**

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

Moved: Cr. Harris

Seconded: Cr. Sams

Resolution: Unanimously

**15) Chief Executive Officer Report**

054/2022

The CEO spoke to his report and stated that he appreciates the work done outside of normal hours to help with the transitional matters and end of financial year tasks. Well done team.

**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. Clark

Resolution: Unanimously



## **GENERAL BUSINESS**

CEO recommend that the Mayor puts forward to Council to pass the Draft Regional Plan.

### **15) Chief Executive Officer Regional Plan**

055/2022

The CEO spoke to his report and stated that he appreciates the work done outside of normal hours to help with the transitional matters and end of financial year tasks. Well done team.

#### **Motion:**

- 1. That Council requests a Special Ordinary Council meeting next Friday 27 June 2022 to pass the Draft Regional Plan.**

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

**Mayor Narburup closed the meeting for lunch at 12:03pm where Council will move to Confidential matters.**

## **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:-

- 16 Confirmation of previous minutes** - *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).*
- 17 Unincorporated regions of the Cox-Daly and Marrakai-Douglas Daly** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(iv) 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. (Confidential matter).*
- 18 Peppimenarti and Palumpa Solar Street Light Project** - *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 Community Night Patrol Vehicle Upgrade** - *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).*

- 20 CEO - Key Result Areas (KRA) / CEO Remuneration Review / Contract of Employment** - *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).*
- 21 Papangala Outstation - Community Planning & Development Project** - *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 Outgoing Correspondence - Reply to Local Authority Review / Letter to Chief Minister** - *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 Correspondence).*
- 23 Sunday Territorian media article - Local Government Association of NT (LGANT)** - *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).*