



MINUTES OF THE COUNCIL MEETING
HELD IN THE WEST DALY REGIONAL COUNCIL CHAMBERS
WINNELLIE NT
ON THURSDAY, 5 OCTOBER 2023
AT 10:00 AM

Meeting Postponements

Meeting scheduled to be held on the 27 September was postponed as quorum was not achieved.

Meeting time was postponed to 11:30 am.

Meeting formally postponed to 2 October at 10:00 am.

Meeting scheduled to be held on the 2 October was postponed as quorum was not achieved.

Meeting time was postponed to 11:30 am.

Meeting formally postponed to 3 October at 10:00 am.

Meeting scheduled to be held on the 3 October was postponed as quorum was not achieved.

Meeting formally postponed to 4 October at 10:00 am.

Meeting scheduled to be held on the 4 October was postponed as quorum was not achieved.

Meeting formally postponed to 5 October at 10:00 am.

MEETING OPENED

10:11 am

Acknowledgement of Traditional Owners

West Daly Regional Council acknowledges the Traditional Owners and custodians of the lands on which we live and work, paying our respect to Elders past, present and in the future.

PERSONS PRESENT AND APOLOGIES

<u>Name</u>	<u>Title</u>	<u>Present</u>	<u>Apology</u>	<u>Absent</u>
Ralph Narburp	Mayor			X It is noted that the Mayor is medically unwell.
Wilfred Harris	Deputy Mayor	X		
Mark Tunmuck-Smith	Councillor	X		
John Wilson	Councillor	X		
Terry Sams	Councillor		X	
Jake Clark	Councillor	X		

<u>Name</u>	<u>Title</u>	<u>Present</u>	<u>Apology</u>	<u>Absent</u>
Matthew Eastham	Chief Executive Officer	X		
Andrew Everingham	Chief Operations Officer	X		
David Glover	Executive Director Corporate Services	X		
Julieanne Wylie	Executive Officer		X	
Caitlyn Moulds	Corporate Services Officer	X		

GUESTS

Chris Moore, Community Development Officer, Northern Territory Government.

LEAVE OF ABSENCE

Nil

DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF

There were no declarations of interest at this Council Meeting.

CONFIRMATION OF PREVIOUS MINUTES

Confirmation of previous minutes

069/2023 **Motion:**

- 1. That Council approve the Ordinary Council Meeting Minutes of 27 July 2023 as a true and correct record of the meeting.**

Moved: Cr. Clark

Seconded: Deputy. Harris
Resolution: Unanimously

MAYORAL REPORT

Nil

CEO REPORT

Nil

REPORTS

2) Finance Report - August 2023

Cr. Tunmuck-Smith queried how much the Wadeye Local Authority have. Executive Director Corporate Services David Glover took the question on notice.

070/2023 **Motion:**

- 1. That Council receives and approves the West Daly Regional Council Financial report for August 2023.**

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

3) Service Delivery

Cr. Jake Clark left the meeting, the time being 10:48 AM. Quorum not achieved and meeting stopped.

Cr. Jake Clark returned to the meeting, the time being 10:50 AM meeting commenced.

Cr. Clark noted his apology for the Manthathpe Walkway opening as there was a death in the family.

071/2023 **Motion:**

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

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

Deputy. Harris left the meeting, the time being 11:19 AM. Quorum not achieved and meeting stopped.

Deputy. Harris returned to the meeting, the time being 11:23 AM meeting commenced.

4) Local Authority Review Report and Implementation

Motion:

- 1. That Council note the attached reports, updates to guidelines**

and funding arrangements for Local Authorities.

072/2023 **Amendment:**

1. That Council note the attached reports, updates to guidelines and funding arrangements for Local Authorities.
2. That Linda Weatherhead from the Chief Ministers Office to be invited to the next Ordinary Council Meeting and Local Authority Meetings

Moved: Deputy. Harris
Seconded: Cr. Wilson
Resolution: Unanimously

5) **Local Authority Minutes and Recommendations**

Cr. Tunmuck-Smith left the meeting, the time being 11:38 AM. Quorum not achieved and meeting stopped.

Cr. Mark Tunmuck-Smith returned to the meeting, the time being 11:39 AM meeting commenced.

073/2023 **Motion:**

1. That Council notes the minutes of the Wadeye Local Authority meeting (provisional) 30 August 2023, the minutes of the Palumpa Local Authority meeting 17 August 2023 and the minutes of the Peppimenarti Local Authority meeting 18 August 2023.
2. The Council approves for the Wadeye Local Authority to commit to the following projects and to progress with expenditure not to exceed the following approved amounts:
 - a. Wadeye Main Street (strip) beautification to the value of \$120K
 - b. Installation of additional solar street lights across various sites to be determined in consultation with LA members to the value of \$60K
 - c. An additional playground for Wadeye – site to be determined – to the value of \$150K
 - d. Mature tree plantings to the value of \$20K
 - e. Animal management program to the value of \$30K
3. That Council approves the Palumpa Local Authority to commit to the following projects and to progress with expenditure not to exceed the following approved amounts:
 - a. Abandoned car removal program conducted by the WDRC for Palumpa supported to the value of \$10K
4. That Council approves for the dates of the Local Authority Meetings to be moved as proposed for November.

Moved: Cr. Tunmuck-Smith
Seconded: Deputy Harris
Resolution: Unanimously

6) 2023-2024 Waste and Resource Management (WaRM) Grant Program

074/2023 **Motion:**

- 1. That Council acknowledges 2023-24 Waste and Resource Management Grant Program funding and approves the use of WaRM funding for the projects listed 1- 4**

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

7) Administrative Process - Update to existing signed Deed of Surrender for Northern Land Council.

075/2023 **Motion:**

- 1. That Council approves the use of the common seal to sign the existing Deed of Surrender for Lot 75, Peppimenarti and Lot 487, Wadeye with the Northern Land Council.**

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

8) LGANT 2022-23 Member Value Proposition Report

Cr. Tunmuck-Smith left the meeting, the time being 11:52 AM. Quorum not achieved and meeting stopped.

Cr. Tunmuck-Smith returned to the meeting, the time being 11:52 AM meeting commenced.

076/2023 **Motion:**

- 1. That Council note the LGANT 2023-24 Member Value Proposition report.**

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

9) Chief Executive Officer Report

Cr. Tunmuck-Smith left the meeting, the time being 12:01 PM. Quorum not achieved and meeting stopped.

Cr. Tunmuck-Smith returned to the meeting, the time being 12:07 PM

meeting commenced.

It is noted that the following elected members would like to attend the LGANT conference pending commitments.

John Smith
Mark Tunmuck-Smith
Deputy Wilfred Harris
Jake Clark

077/202
3

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 and other matters of interest.**

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

10) Elected Member meeting Agendas

065/2023 **Motion:**

1. **That Council note the notification periods for convening meetings.**
2. **That Council note that Elected Members have a dedicated West Daly Regional Council email address for communication purposes.**
3. **That Council note that the Agendas for meetings can be accessed through the West Daly Regional Council website, via WDRC email, by visiting a West Daly Regional Council Office or by contacting the CEO directly via phone which complies with the notification period.**
4. **That Council note that Elected Members will access the Agenda for meetings via one of the means noted in this paper.**
5. **That Elected Members understand their responsibilities and will prepare for meetings by being well informed with the appropriate notification.**
6. **The all Elected Members have specifically requested that their business papers be emailed to their West Daly Regional Council email address.**

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

CORRESPONDENCE IN & OUT

11) Remuneration Tribunal Letter to Elected Members

066/2023 **Motion:**

- 1. That Council notes and accepts the correspondence from the Remuneration Tribunal.**

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

12) Incorporation of the Cox-Daly and Marrakai-Douglas Unincorporated Areas

067/2023 **Motion:**

- 1. That Council notes the correspondence received from the NT Government regarding the incorporation of the Cox-Daly and Marrakai-Douglas Daly unincorporated areas.**

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

13) Correspondence Report

068/2023 **Motion:**

- 1. That Council notes and accepts the correspondence report for the period July-Sept 2023.**

Moved: Deputy. Harris
Seconded: Cr. Wilson
Resolution: Unanimously

GENERAL BUSINESS

1 MEMBERS PRESENT DISCUSSIONS

069/2023
3 That the discussion noted in the members present area of the minutes be moved to confidential.

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

2 ADDITIONAL MEETING ALLOWANCE

070/2023 That council approve the Meeting Training and Information Session held 26 September 2023 for extra meeting allowance.

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

DECISION TO MOVE TO CLOSED SESSION

RECOMMENDATION:

The open portion of the meeting was closed at 12:26 pm.

Moved: Deputy. Harris
Seconded: Cr. Wilson
Resolution: Unanimously

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 Wadeye Pool Management** - *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).*
- 16 Council progress toward replacement Enterprise Resource Planning (ERP) Software** - *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..*
- 17 Titian Plant Hire - Procurement** - *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).*
- 18 Deleye Homeland - Removal From Program** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(b) of the Local Government (General) Regulations 2021. It contains information about the personal circumstances of a resident or ratepayer (Homelands Residents).*
- 19 Budget Variance - Administration Revenue and Capital Expenditure.** - *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 Update the Current Grant Situation to the Council** - *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. (Grants update).*
- 21 Letter of Variation for Housing, Municipal and Essential Services FY 2023-2025** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(s99(2) (c)(iv) of the Local Government (General) Regulations 2021. It contains the public may be excluded while business of a kind prescribed by regulation as confidential business is being considered.; AND information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person. (Commercial Agreement).*
- 22 Aerodrome Inspection and Maintenance contract** - *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. (Commerical in confidence).*
- 23 Waste and Resource Management Certificate for FY 2022-2023** - *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. (Financials included).*
- 24 Local Authority Funding Certification** - *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. (Financial included).*
- 25 Funding Agreement FY 2023-2025 for Safety and Wellbeing Programme** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(s99(2) of the Local Government (General) Regulations 2021. It contains the public may be excluded while business of a kind prescribed by regulation as confidential business is being considered. (Financials included).*
- 26 Local Government Funding Levels 2023-2024** - *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. (Financials).*
- 27 Updated: 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).*

This page and the preceding pages are the Minutes of the Meeting of Council held on Monday, 2 October 2023 and are to be confirmed on the Thursday, 30 November 2023.