

MINUTES OF THE ORDINARY MEETING # 51 OF THE ROPER GULF REGIONAL
COUNCIL MEETING HELD AT THE KATHERINE TOWN COUNCIL CIVIC
CHAMBERS ON WEDNESDAY, 28 MAY 2014 AT 8.42AM

1. PRESENT/STAFF/GUESTS

1.1 Elected Members

Mayor, Tony Jack
Deputy Mayor Judy MacFarlane
Councillor, Daphne Daniels
Councillor, Anne-Marie Lee
Councillor, Donald Garner
Councillor, Eric Roberts
Councillor, Stan Allen
Councillor, Kathy-Anne Numamurdirdi
Councillor, John Dalywater
Councillor, Selina Ashley

1.2 Staff

CEO, Michael Berto
Director Corporate Governance, Greg Arnott
Director Technical Service & Infrastructure, Sharon Hillen
Director Community Services, Catherine Proctor
Director Contracts & Economic Development, Marc Gardner
Finance Manager, Lokesh Anand
Financial Accountant, Raju Koirala
Governance & Corporate Planning Manager, Jyoti Pudasaini
Council & Local Authority Coordinator, Bobbi Hynes
Governance Communications Officer, Stephen Roper

1.3 Guests

Kate Ganley and Nathanael Knapp, Department of Local Government and Regions

2. MEETING OPENED

Meeting opened at 8.42am by Mayor Tony Jack who read the pledge with Councillor's and staff.

3. WELCOME TO COUNTRY

Mayor Tony Jack welcomed Guests, Councillor's and Staff to the meeting.

4. APOLOGIES AND LEAVE OF ABSENCE

4.1 COUNCILLOR APOLOGY FOR OCM 28 MAY 2014

87/2014 RESOLVED (Anne-Marie Lee/Selina Ashley)

CARRIED

- (a) **That Council receive and note the apology from Councillor Timothy Baker for the Ordinary Meeting of Council on 28th May 2014.**

5. CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF MINUTES FOR ORDINARY MEETING OF COUNCIL ON 26 MARCH 2014

88/2014 RESOLVED (Donald Garner/Anne-Marie Lee)

CARRIED

- (a) **That Council confirm the minutes from the Ordinary Meeting of Council on the 26th March 2014 as a true and accurate record of that meeting.**
- (b) **That Council accept the apology from Deputy Mayor Judy MacFarlane for the Ordinary Meeting of Council on 26th March 2014 which was omitted from the minutes.**

6.1 CONFIRMATION OF MINUTES OF FINANCE AND AUDIT COMMITTEE MEETING 30 APRIL 2014

89/2014 RESOLVED (Eric Roberts/John Dalywater)

CARRIED

- (a) **That Council confirm the minutes from the Finance and Audit Committee meeting held on 30th April 2014 as a true and accurate record of that meeting.**

7. CALL FOR ITEMS OF GENERAL BUSINESS

- Disposal of Assets: 31st May 2014
- Apply First Aid course training for Councillor's with Decisive Training – sales Quotation.
- Funding offer for Indigenous Women in Sport Program.
- Funding Agreement – Youth In Communities 2014-15 funding.
- Mataranka Better Half Club – MOU displayed on Mataranka Community Hall wall and storing of Age Care fridge/freezer and furniture belonging to Council in the hall.
- CEO/Mayor report to Council when representing Council at other forum's.
- Budget Update.
- Borroloola – Variation to Budget.
- Tenancy Officer's in community who's the employer.
- Entertainment centre in Ngukurr handed back – condemned building.
- Councillor travel in single engine planes.
- RGRC agency services.
- Advertising and recruiting to RGRC positions and involving Local Authority members. on the selection panel.
- Barunga Age Care services and compactus system on truck breaking down.
- Ngukurr drainage on Rainbow Street – update.
- Borroloola and Gulf regions permit system for recreational and commercial fishing.
- Beswick single men's quarters and age care.
- SNP Bulman School: Deed of Variation.

- CNP – Variation to Standard Funding Agreement – May 2014.
- Barunga buffalo problems.
- Beswick BRACS.

8. QUESTIONS FROM THE PUBLIC

Nil

9. DISCLOSURES OF INTEREST

Deputy Mayor Judy MacFarlane declared an interest in relation to the report on the mechanical workshop at this Ordinary Council Meeting.

10. BUSINESS ARISING FROM PREVIOUS MINUTES

10.1 ACTION LIST

14 RESOLVED (Judy MacFarlane/Donald Garner) CARRIED

- (a) That Council receive and note the Action List as at 28th May 2014.

11. INCOMING CORRESPONDENCE

11.1 INCOMING CORRESPONDENCE

91/2014 RESOLVED (Donald Garner/Eric Roberts) CARRIED

- (a) That Council accept the Incoming correspondence from 26 March 2014 to the 13 May 2014.

12. OUTGOING CORRESPONDENCE

12.1 OUTGOING CORRESPONDENCE

92/2014 RESOLVED (Kathy-Anne Numamurdirdi/Anne-Marie Lee) CARRIED

- (a) That Council accept the outgoing correspondence from the 26 March 2014 to the 13 May 2014.

- (b) That Council receive and note the media release from 18 March to 19 May 2014.

13. WARD REPORTS

13.1 NEVER NEVER WARD REPORT

93/2014 RESOLVED (Judy MacFarlane/Eric Roberts) CARRIED

- (a) That Council receive and note the Never Never Ward Report.
- (b) That Council receive and accept the nomination of Leah Niehus to the Mataranka Regional Local Authority.
- (c) That Council receive and accept the resignation of Jody Hocking from the Mataranka Regional Local Authority.

13.2 YUGAL MANGI WARD

94/2014 RESOLVED (Kathy-Anne Numamurdirdi/Eric Roberts) CARRIED

- (a) That Council receive and note the Yugal Mangi Ward Report.
- (b) That Council accept the recommendation from the Ngukurr Local Authority to revoke the following Ngukurr Local Authority Memberships; Sammy Ponto, Robert Roberts, Derek Thompson and Jonathon Farrell.
- (c) That Council receive and accept the recommendation from the Ngukurr Local Authority to accept the following nominations for membership to the Ngukurr Local Authority; Olga Daniels, Keith Rogers, Grant Thompson and Peter Daniels.

13.3 NUMBULWAR NUMBURINDI WARD

95/2014 RESOLVED (John Dalywater/Stan Allen) CARRIED

- (a) That Council receive and note the Numbulwar Numburindi Ward Report.
- (b) That Council rescind the Numbulwar Local Authority membership for the following members John Manggura, Faith Numamurdirdi, Mildred Numamurdirdi, Bob Nundhirribala, Langayina Rami, Daisy Wurramara

13.4 NYIRRANGGULUNG WARD

96/2014 RESOLVED (Kathy-Anne Numamurdirdi/Selina Ashley) CARRIED

- (a) That Council receive and note the Nyirranggulung Ward Report.
- (b) That Council receives and accepts the nominations to the Bulman Local Authority of Garret Lofty, Darilyn Martin, Margaret Lindsay, Maggie Chikappa and Jerry Martin.

13.5 SOUTH WEST GULF WARD

97/2014 RESOLVED (Donald Garner/Stan Allen) CARRIED

- (a) That Council receive and note the South West Ward Report.
- (b) That Council receives and accepts the Local Authority nominations for Annie Roberts, Alison Doyle and Shaun Cairns.

14. EXECUTIVE DIRECTORATE REPORTS

Nil

15. CORPORATE GOVERNANCE DIRECTORATE REPORTS

15.1 BOUNDARY AREA FOR LOCAL AUTHORITIES

98/2014 RESOLVED (Judy MacFarlane/Anne-Marie Lee) CARRIED

- (a) That Council accepts the boundary area for local authorities as proposed.

15.2 CEO PERFORMANCE REVIEW

99/2014 RESOLVED (Daphne Daniels/Donald Garner)

CARRIED

- (a) That the Council nominate the panel of members to be on the review panel for the CEO performance review:-
Mayor Tony Jack, Deputy Mayor Judy MacFarlane, Councillor Anne-Marie Lee, Councillor Eric Roberts and Councillor Daphne Daniels.

ACTION: Director of Corporate Governance to arrange training with Sue Davy for Councillor's participating in the CEO performance review.

15.3 MOTION TO NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

100/2014 RESOLVED (Eric Roberts/John Dalywater)

CARRIED

- (a) That Council receive and note report on Motion to National General Assembly of Local Government.

15.4 NEW POLICY: LA002 LOCAL AUTHORITY MEETING PROCEDURES POLICY

101/2014 RESOLVED (Judy MacFarlane/Eric Roberts)

CARRIED

- (a) That Council approve LA002 Local Authority Meeting Procedures Policy.

Notes:

The Local Authority Meeting Procedures Policy has been developed to provide a structure for the orderly and efficient proceedings of meetings for Local Authorities in the Roper Gulf Regional Council local government area.

15.5 POLICY UPDATE: FIN005 CORPORATE CREDIT CARD POLICY

102/2014 RESOLVED (Daphne Daniels/Selina Ashley)

CARRIED

- (a) That Council approve that any two delegates authorised by CEO are to approve each individual requiring a corporate credit card.
(b) That Council approve to make necessary changes in the FIN005 Corporate Credit Card Policy to include authority as (a) above.

15.6 POLICY UPDATE: REVIEWED POLICIES

103/2014 RESOLVED (Eric Roberts/Donald Garner)

CARRIED

- (a) That Council approved the following reviewed policies:
- ADM005 Communication Policy
 - ADM006 Computer, Telephones, Internet and Email Use Policy
 - WS003 Work Health and Safety Policy

Notes:

ADM005 Communication Policy has been developed to provide direction and guidance for the delivery of high quality, relevant, accessible and transparent communication to Roper Gulf Regional Council's stakeholders, residents, Elected Members and Staff.

ADM006 Computer, Telephones, Internet and Email Use Policy clarifies the standard of behaviour expected during the use of RGRC computers and phone lines for all RGRC employees, Elected

Members, volunteers and contractors.

WS003 Work Health and Safety Policy ensures RGRC's commitment towards providing a healthy and safe workplace environment for all employees, visitors and contractors.

15.7 FIRST DRAFT: RECONCILIATION ACTION PLAN

104/2014 RESOLVED (Stan Allen/Anne-Marie Lee) CARRIED

- (a) That Council receive and note draft Reconciliation Action Plan.

15.8 FINANCE AND AUDIT COMMITTEE

105/2014 RESOLVED (Anne-Marie Lee/Eric Roberts) CARRIED

- (a) That the Council accepts name change of Finance and Audit Committee to Finance Committee.
- (b) That the Council accepts to establish Audit committee and nominate and appoint Councillor's Donald Garner, Selina Ashley and Anne-Marie Lee and seek two (2) independent members.

15.9 FINANCE - DRAFT FEES & CHARGES SCHEDULE 2014-15

106/2014 RESOLVED (Anne-Marie Lee/Donald Garner) CARRIED

- (a) That Council approve the Draft Fees & Charges Schedule for 2014-15.

Absent: Councillor Kathy-Anne Numamurdirdi from 9:43am and returned to meeting at 9:45am

15.10 RATES - RATES DECLARATION 2014-15

107/2014 RESOLVED (Donald Garner/Kathy-Anne Numamurdirdi) CARRIED

- (a) That Council approves the Rates Declaration for 2014-15.
- (b) That Council approve the publishing of the Rates Declaration in accordance with s158 of the Local Government Act.

Morning tea Break: 10am, meeting resumed at 10:25am

Absent: Councillor Eric Roberts and Councillor Anne-Marie Lee returned to meeting at 10:28am

15.11 RGRC REGIONAL PLAN 2014-2015

108/2014 RESOLVED (Eric Roberts/Kathy-Anne Numamurdirdi) CARRIED

- (a) That Council allow the draft Roper Gulf Regional Council Regional Plan 2014-2015 to be distributed for public comment.

15.12 FINANCE - RGRC FINANCIAL REPORT AS AT 30TH APRIL 2014

109/2014 RESOLVED (Eric Roberts/Donald Garner) CARRIED

- (a) That Council receive and note the financial reports for the period ending 30th April 2014.

ACTION: CEO to provide information on Numbulwar fuel account to Council at June OCM.

15.13 COUNCILBIZ UPDATE

110/2014 RESOLVED (Donald Garner/Eric Roberts)

CARRIED

- (a) **That Council note this report.**
- (b) **That Council appoint the Director of Corporate Governance, Gregory Arnott as Nominated Representative for CouncilBiz.**

Absent: Councillor Anne-Marie Lee from 11:18am and returned to meeting at 11:22am

15.14 SUBLEASE BETWEEN ROPER GULF REGIONAL COUNCIL AND THE NORTHERN TERRITORY LAND CORPORATION

111/2014 RESOLVED (Donald Garner/Eric Roberts)

CARRIED

- (a) **That Council agree to submit the form “Application to Diminish a Registered Interest” to NLC for LTO No. 800562 by signing and affixing common seal.**

Common Seal: Authorised Signatories: Mayor Tony Jack and CEO Michael Berto

*Absent: Mayor Tony Jack from 11:23am and returned to meeting at 11:26am
Councillor Anne-Marie Lee from 11:26am and returned to meeting at 11:30am*

16. INFRASTRUCTURE AND TECHNICAL SERVICES REPORTS

16.1 DIRECTORATE OF INFRASTRUCTURE AND TECHNICAL SERVICES THIRD QUARTER REPORT 2013/14

112/2014 RESOLVED (Judy MacFarlane/Donald Garner)

CARRIED

- (a) **That Council receive and note the Third Quarter Report 2013/14 of the Directorate of Infrastructure and Technical Services.**

16.2 POTENTIAL IMPACTS ON HYDRAULIC FRACTURING

113/2014 RESOLVED (Anne-Marie Lee/Stan Allan)

CARRIED

- (a) **That Council receive and note the report on Hydraulic Fracturing Potential Impact on Drinking Water**

17. COMMUNITY SERVICES DIRECTORATE REPORTS

17.1 COMMUNITY SERVICES 3RD QUARTER REPORT AND KPIS

114/2014 RESOLVED (Anne-Marie Lee/Kathy-Anne Numamurdirdi)

CARRIED

- (a) **That Council receive and note the Community Services 3rd Quarter Report and KPIS.**

Absent: Councillor Eric Roberts from 11:53am and returned to the meeting at 11:56am

18. CONTRACTS & ECONOMIC DEVELOPMENT DIRECTORATE REPORTS

Nil

19. DEPUTATIONS & PETITIONS

Nil

20. GENERAL BUSINESS

Lunch break: from 12:16pm, meeting resumed at 13:07pm

*Absent: Councillor Stan Allen returned to the meeting at 13:25pm
Mayor Tony Jack returned to the meeting at 13:26pm*

20.1 DISPOSAL OF ASSETS: 31 MAY 2014

115/2014 RESOLVED (Donald Garner/Eric Roberts) CARRIED

- (a) That Council approves the disposal of the additional assets detailed in the report and approves sale by auction, to be held 31st May 2014, as the method of disposal for those assets.

20.2 BORROLOOLA - VARIATION TO BUDGET

116/2014 RESOLVED (Donald Garner/Kathy-Anne Numamurdirdi) CARRIED

- (a) That Council approves the variation of Budget for Borroloola Community.

20.3 APPLY FIRST AID COURSE FOR COUNCIL MEMBERS

117/2014 RESOLVED (Anne-Marie Lee/Donald Garner) CARRIED

- (a) That Council approves the sales quotation from Decisive Training to provide Apply First Aid course.

20.4 FUNDING OFFER - INDIGENOUS WOMEN IN SPORT PROGRAM

118/2014 RESOLVED (Daphne Daniels/Selina Ashley) CARRIED

- (a) That Council accept the funding offer for the Indigenous Women in Sport Program from the Department of Sport, Recreation and Racing by two signatures, dating and affixing the Common Seal to both copies of the funding agreement.

*Common Seal: Council Member:: Mayor Tony Jack
Chief Executive Officer: Michael Berto*

20.5 FUNDING AGREEMENT - YOUTH IN COMMUNITIES 2014-15

119/2014 RESOLVED (Donald Garner/Anne-Marie Lee) CARRIED

- (a) That Council accept the funding offer of \$995,680.00 for Youth In Communities for 2014-15.
- (b) That Council accept the variation to increase Youth in Communities funding by \$20,000 in 2013/14.
- (c) That Council approves for the CEO to accept the funding agreement on their behalf and present to Council for signing at the Ordinary Meeting of Council on 25th June 2014.

20.6 Mataranka Better Half Club – MOU displayed on Mataranka Community Hall wall and storing of Age Care fridge/freezer and furniture belonging to Council in the hall and the building of disable toilets.

- **ACTION:** CEO to arrange a meeting with the Better Half Club and refer the correspondence to the Mataranka Local Authority.

20.7 CEO/MAYOR REPORT TO COUNCIL WHEN REPRESENTING COUNCIL AT OTHER FORUM'S.

120/2014 RESOLVED (Donald Garner/Stan Allan) CARRIED

- (a) **That Council receive and note the request for CEO and Mayor to report back to Council when representing Council at other forums**

20.8 SNP BULMAN SCHOOL: DEED OF VARIATION

121/2014 RESOLVED (Anne-Marie Lee/Selina Ashley) CARRIED

- (a) **That council accept the variation of \$30,000 increase to School Nutrition Program funding agreement in 2013-2014 Budget.**

Common Seal: *Name of Director:* *Mayor Tony Jack*
Witness: *CEO Michael Berto*

20.9 CNP - VARIATION TO STANDARD FUNDING AGREEMENT - MAY 2014

122/2014 RESOLVED (Judy MacFarlane/Anne-Marie Lee) CARRIED

- (a) **That council accept a variation to the standard funding agreement (SFA) for the delivery of community night patrol services in the Northern Territory to adjust the value to \$2598013.**

Common Seal: *Committee Member:* *Mayor Tony Jack*
Public Officer: *CEO Michael Berto*

20.11 TENANCY OFFICER'S IN COMMUNITY

123/2014 RESOLVED (Judy MacFarlane/Eric Roberts) CARRIED

- (a) **That Council receive and note the update on Tenancy Officer's position in communities.**

- Tenancy Officer's in community who's the employer, information provided by Director of Contracts and Economic Development (CED).

20.12 ENTERTAINMENT CENTRE - NGUKURR

124/2014 RESOLVED (Eric Roberts/Anne-Marie Lee) CARRIED

- (a) **That council receive and note the update on the Ngukurr entertainment centre.**

20.13 COUNCILLOR TRAVEL IN SINGLE ENGINE PLANES

125/2014 RESOLVED (Judy MacFarlane/Daphne Daniels)

CARRIED

- (a) **That Council receive and note the update on Councillor travel on single engine planes.**

ACTION: CEO to write a letter to Katherine Aviation and Chartair regarding their service and safety standards.

20.14 LOCAL AUTHORITY MEMBERS ON RGRC SELECTION PANELS

126/2014 RESOLVED (Donald Garner/Eric Roberts)

CARRIED

- (a) **That Council receive and note the update the report on Local Authority members on RGRC selection panels.**

20.15 BARUNGA AGE CARE SERVICES AND RUBBISH TRUCK COMPACTUS SYSTEM

127/2014 RESOLVED (Selina Ashley/Daphne Daniels)

CARRIED

- (a) **That Council receive and note the update on the Barunga Age Care services and the rubbish truck compactus system.**

20.16 NGUKURR DRAINAGE ON RAINBOW STREET

128/2014 RESOLVED (Eric Roberts/John Dalywater)

CARRIED

- (a) **That Council receive and note the update on the Ngukurr drainage on Rainbow Street.**

ACTION: Yugal Mangi Ward Councillor's to discuss with local Aboriginal Corporations with assistance from the Director of ITS.

20.17 BORROLOOLA AND GULF REGIONS PERMIT SYSTEM FOR RECREATIONAL AND COMMERCIAL FISHING

123/2014 RESOLVED (Donald Garner/Selina Ashley)

CARRIED

- (a) **That Council receive and note the update on the permit system for recreational and commercial fishing.**

ACTION: CEO to write to the Minister of Fisheries and the CEO to seek a brief on the impacts on recreational and commercial fishing as a result of the Blue Mud Bay decision.

20.18 BORROLOOLA MCARTHUR RIVER BRIDGE

124/2014 RESOLVED (Judy MacFarlane/Selina Ashley)

CARRIED

- (a) **That Council receive and note the update on the Borroloola McArthur River bridge.**

ACTION: CEO write to Department of Infrastructure on redesigning of the downstream railing on the walk way of the McArthur River Bridge to reduce the resources required to clean up after flood events.

20.19 BESWICK AND NGUKURR SINGLE MEN'S QUARTERS AND AGE CARE.

125/2014 RESOLVED (Donald Garner/Selina Ashley) **CARRIED**

- (a) That Council receive and note the update on the Beswick and Ngukurr single men's quarters and age care.

ACTION: CEO to write to the Minister of Housing and Chairperson of NLC and cc CEO of Sunrise Health and local aboriginal corporations regarding the Beswick/Ngukurr single men's quarters.

20.20 BARUNGA BUFFALO PROBLEMS

126/2014 RESOLVED (Anne-Marie Lee/Selina Ashley) **CARRIED**

- (a) That Council receive and note the update on the buffalo problems in RGRC townships.

ACTION: CEO to write to NLC regarding the buffalo problems in all townships

20.21 BESWICK OLD BRACS LOT 161

127/2014 RESOLVED (John Dalywater/Selina Ashley) **CARRIED**

- (a) That Council receive and note the update on the Beswick old BRACS building on Lot 161.

20.22 MATARANKA FISHING, SPORTING AND RECREATIONAL CLUB

128/2014 RESOLVED (Anne-Marie Lee/Kathy-Anne Numamurdirdi) **CARRIED**

- (a) That Council approve the waiver of the fee for the Mataranka Hall and Sport and Recreational grounds for a year.

Late correspondence regarding Mataranka Hall/sporting and fishing events from Mataranka Fishing, Sporting and Recreational Club seeking permission to use hall and sport and recreational grounds to have the hire fee waived.

- **ACTION:** CEO to write to Mataranka Fishing, Sporting and Recreational Club and outline the conditions of use.

21. CLOSED SESSION

Afternoon Tea Break: 2:34pm, meeting resumed at 2:46pm

DECISION TO MOVE TO CLOSED SESSION

129/2014 RESOLVED (John Dalywater/Donald Garner) **CARRIED**

- (a) That Council agrees to move into the confidential session at 2:46pm of the Ordinary Council Meeting.

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, 2008 as the items lists come within the following provisions:-

21.1 Changes to Civil Works Operations - *The report will be dealt with under Section 65(2) (a) (d) (e) of the Local Government Act 2008 and Regulation 8 of the Local Government (Administration) Regulations 2008. 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; AND information subject to an obligation of confidentiality at law, or in equity; AND information provided to the council on condition that it be keep confidential.*

21.2 Changes to Mechanical Workshops - *The report will be dealt with under Section 65(2) (a) (d) (e) of the Local Government Act 2008 and Regulation 8 of the Local Government (Administration) Regulations 2008. 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; AND information subject to an obligation of confidentiality at law, or in equity; AND information provided to the council on condition that it be keep confidential.*

21.3 Changes to Contracts and Economic Development Structure - *The report will be dealt with under Section 65(2) (cii) (ciii) (d) (e) of the Local Government Act 2008 and Regulation 8 of the Local Government (Administration) Regulations 2008. It contains information that would, if publicly disclosed, be likely to prejudice the maintenance or administration of the law; AND information that would, if publicly disclosed, be likely to prejudice the security of the council, its members or staff; AND information subject to an obligation of confidentiality at law, or in equity; AND information provided to the council on condition that it be keep confidential.*

RESUMPTION OF MEETING

130/2014 RESOLVED (Donald Garner/Selina Ashley)

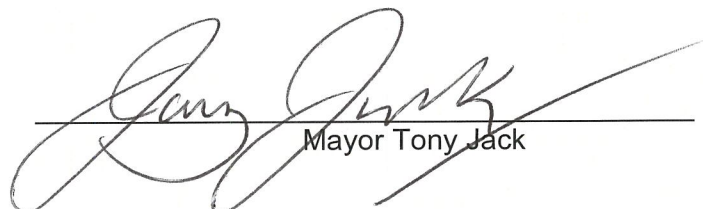
CARRIED

- (a) **That Council move out of confidential session at 3.45pm of the Ordinary Council Meeting.**

CLOSE OF MEETING

The meeting terminated at 3.46 pm.

THIS PAGE AND THE PRECEEDING 11 PAGES ARE THE MINUTES OF THE Ordinary Council Meeting HELD ON Wednesday, 28 May 2014 AND CONFIRMED Wednesday, 25 June 2014.



Mayor Tony Jack