

MINUTES OF THE ORDINARY MEETING OF THE ROPER GULF REGIONAL  
COUNCIL MEETING HELD AT THE MANYALLALUK  
COUNCIL SERVICES OFFICE ON WEDNESDAY 29 MARCH 2017 AT 9:00AM

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**1. PRESENT/STAFF/GUESTS**

**1.1 Elected Members**

Mayor Tony Jack  
Deputy Mayor Judy MacFarlane  
Councillor Don Garner  
Councillor Eric Roberts  
Councillor Selina Ashley  
Councillor Annabelle Daylight  
Councillor Kathy-Anne Numamurdirdi  
Councillor John Dalywater  
Councillor Daphne Daniels  
Councillor Daniel Mulholland

**1.2 Staff**

Michael Berto, Chief Executive Officer (CEO)  
Greg Arnott, Director Corporate Governance (DCG)  
Sharon Hillen, Director Council and Community Services (DCCS)  
Marc Gardner, Director Commercial Services (DCS)  
Lokesh Anand, Manager Finance  
Amanda Haigh, Manager Governance and Corporate Planning  
Stewart Innes, Governance Officer (Minute Taker)  
Lyndon Keane, Governance Communications Officer  
David Calleja, Local Authority Coordination Officer  
Devi Karki, Aged Care Administration  
Rachel Kendino, Community Services Coordinator

**1.3 Guests**

Kallum Peckham-Mckenzie, Department of Housing and Community Development  
Solomon Gaturu, Department of Housing and Community Development  
Nathanael Knapp, Department of Housing and Community Development  
Anthony Burridge, Department of Housing and Community Development  
Kristy Bennett, Department of Housing and Community Development  
Darryl Kalakala,

## **2. MEETING OPENED**

Meeting opened at 9:20am.

## **3. WELCOME TO COUNTRY**

Mayor Tony Jack welcomed all members, staff and guests to the meeting and the Roper Gulf Regional Council Pledge was read.

## **4. APOLOGIES AND LEAVE OF ABSENCE**

### **4.1 APOLOGIES AND LEAVE OF ABSENCES.**

96/2017 RESOLVED (Judy MacFarlane/Annabelle Daylight) **Carried**

- (a) That Council accept the apology of Councillor Anne Marie Lee for the Ordinary Meeting of Council to be held on 29<sup>th</sup> March 2017.

### **4.2 APOLOGIES AND LEAVE OF ABSENCES**

97/2017 RESOLVED (Judy MacFarlane/Donald Garner) **Carried**

- (a) That Council do not accept the apology from Cr Timothy Baker for the Ordinary Meeting of Council to be held on 29<sup>th</sup> March 2017.

## **5. CONFIRMATION OF PREVIOUS MINUTES**

### **5.1 CONFIRMATION OF PREVIOUS ORDINARY MEETING OF COUNCIL MINUTES**

98/2017 RESOLVED (Donald Garner/Selina Ashley) **Carried**

- (a) That Council approve the minutes as a true and accurate report of the Ordinary Meeting of Council held on Thursday 2 March 2017.

## **6. DEPUTATIONS & PETITIONS**

### **Cemetery Act – Local Government Compliance**

Department of Housing and Community Development gave a presentation on the proposed changes to the Cemeteries Law.

- The new law is expected to start next year - 2018.
- Recognising cemeteries on Aboriginal land.
- Regional Councils will continue to manage and look after Community Cemeteries.
- Only Cemeteries under the new law will be funded.

The Regional Council in consultation with Local Authority will manage public cemeteries, develop cemetery plans, keep cemetery records, put up signs and develop cemetery policies.

Local Authorities will help make decisions about Cemetery plans and policies and Burials in Cemeteries within their Local Authority areas.

Traditional Owners will be consulted to seek permission for a cemetery to be recognised as a Public Cemetery.

The Council CEO will be responsible for giving permission to bury in the Council managed cemeteries.

DCCS informed that Ngukurr and Numbulwar need new cemeteries and this should be also considered.

DCS asked whether the changes had considered burials outside a cemetery. Response that the CEO (Department of Community Development and Housing) is delegated authority to approve with permission being sought for these circumstances.

Deputy Mayor asked how a current burial site being used could be registered? For example Larrimah. The Act can recognise the site as a closed cemetery if not still in use or if still in use the site will need to be recognised and registered for Council to manage the cemetery.

CEO queried concern over the cost to manage cemeteries and will NTG fund Councils?

DCCS commented that assistance with education on the changes to the Act would be needed.

The next round of LA meetings will have a presentation specific to the area and cemetery sites. This will identify any new sites to capture. Community education meetings will happen in the future.

## **7. CONFIRMATION OF PREVIOUS FINANCE COMMITTEE MEETING MINUTES**

NIL

## **8. CALL FOR ITEMS OF GENERAL BUSINESS**

1. Town Camp and Community Roads in Borroloola – Cr Daniel Mulholland
2. Waiver of Fees request – Deputy Mayor
3. Authorised Persons – Director of Corporate Governance
4. Late Incoming Correspondence - Aircraft landing fees, Cave Creek Station – Mayor
5. Late Outgoing Correspondence – Indigenous Advancement Strategy, Gerry McCarthy- CEO
6. Borroloola Pool – Mayor
7. Community grants – Mayor
8. Cyclone in Queensland, Support letter from RGRC - Mayor

## **9. QUESTIONS FROM THE PUBLIC**

Darryl Kalakala questioned Council if the access road to Manyallaluk could be repaired with more gravel (Re-sheeted). DCS advised that RGRC has sort quotes to complete maintenance of the road in the dry season and is currently in the planning stages with consultant for a full upgrade of the road.

## **10. DISCLOSURES OF INTEREST**

There were no declarations of interest at this Ordinary Meeting of Council.

## **11. BUSINESS ARISING FROM PREVIOUS MINUTES**

### **10.1 ACTION LIST**

DCCS advised Council that she had been in contact with Alawa CEO and he is taking the MOU to the Alawa Board meeting next week.

99/2017 RESOLVED (Donald Garner/Selina Ashley)

Carried

(a) That Council receive and note the Action List.

## **12. INCOMING CORRESPONDENCE**

### **11.1 INCOMING CORRESPONDENCE**

*100/2017* RESOLVED (Judy MacFarlane/Daniel Mulholland)

**Carried**

- (a) That Council accept the Incoming correspondence.

## **13. OUTGOING CORRESPONDENCE**

### **12.1 OUTGOING CORRESPONDENCE**

*101/2017* RESOLVED (Eric Roberts/Annabelle Daylight)

**Carried**

- (a) That Council accept the Outgoing correspondence.

## **14. WARD REPORTS**

### **13.1 NEVER NEVER WARD**

Suggested to invite Government Engagement Coordinators and Indigenous Engagement Officers to all Local Authority meetings.

Hodgson Downs meeting is now rescheduled for the 12<sup>th</sup> April 11.00am at the Alawa Office Conference Room.

*102/2017* RESOLVED (Annabelle Daylight/Judy MacFarlane)

**Carried**

- (a) That Council receive and note the Never Never Ward Report.

### **13.2 NUMBULWAR NUMBIRINDI WARD**

Numbulwar LA meeting is now rescheduled for the 19<sup>th</sup> April at 10.00am at the Numbulwar Council Services Office.

Cr Daniels suggested that a Road Closed sign should be erected when the road is closed during the wet season due to flooding to stop people trying to drive through flooded water.

The Housing issue was discuss.

*103/2017* RESOLVED (Kathy-Anne Numamurdiridi/Annabelle Daylight)

**Carried**

- (a) That Council receive and note the Numbulwar Numburindi Ward Report.  
(b) That Council rescind the membership of Timothy Wurramarra from the Numbulwar Local Authority.

### **13.3 NYIRRANGGULUNG WARD REPORT**

Cr Ashley asked for an update on the drainage in Beswick 'New Subdivision.' DCCS informed Council that each driveway will have a culvert installed. The culverts have been purchased and the Project Engineer will work with Council to ensure that the

culverts are installed correctly.

The Bulman LA meeting has been rescheduled for 3<sup>rd</sup> April 2017, 3pm at the Council Services Office.

An update on the Weemol sewage project – The Project Manager needs to survey the site and geo tech. it has to been too wet to access the site so as soon as it is dry enough the survey consultants will be on site. Once this is completed, gain NLC consent and works to start in the dry season.

104/2017 RESOLVED (Eric Roberts/Selina Ashley)

Carried

(a) That Council receive and note the Nyirrangulung Ward Report.

#### 13.4 SOUTH WEST GULF WARD REPORT

Mayor asked about the dump being messy, DCCS informed Council due to the wet; people are dumping inside the entry not at the dump face. Council have put to tender for a sweeper to push the rubbish up into the dump.

105/2017 RESOLVED (Donald Garner/Daphne Daniels)

Carried

(a) That the Council receive and note South West Gulf Ward Report.

*Morning tea break at 10:34am,*

*Meeting Resume 10:59am*

*Cr Kathy Anne Numamurdirdi and Cr Daphne Daniels returned the meeting at 11.00am*

#### 13.5 YUGUL MANGI WARD

The Ngukurr LA meeting has been rescheduled for the 5<sup>th</sup> April 10.30 am at the Council Services Office.

Training for LA members was requested and Governance will develop training for LA Member responsibilities, review policies, financial, meeting procedures and implement to occur at the first half hour of each scheduled meeting.

In reference to the Staff within the report it was queried about the information about the only 2 staff having driving licences and in discussion it was pointed out that this may only be for the Municipal Service Team, not all services.

106/2017 RESOLVED (Kathy-Anne Numamurdirdi/Annabelle Daylight)

Carried

(a) That Council receive and note the Yugul Mangi Ward Report.

### 15. EXECUTIVE DIRECTORATE REPORTS

#### 14.1 MAYOR'S REPORT

107/2017 RESOLVED (Judy MacFarlane/Selina Ashley)

Carried

(a) That Council receive and note the Mayor's Report.

#### 14.2 CEO REPORT

2/2017 RESOLVED (Eric Roberts/Daphne Daniels)

Carried

- (a) That Council receive and note the CEO's Report.

## **16. CORPORATE GOVERNANCE DIRECTORATE REPORTS**

### **15.1 CONSULTATION ON DENGUE VACCINE.**

1093/2017 RESOLVED (Selina Ashley/Donald Garner)

Carried

- (a) That Council receive and note the report on dengue vaccine from the Australian Government, Department of Health.

### **15.2 2017 NATIONAL GENERAL ASSEMBLY CALL FOR MOTION**

410/2017 RESOLVED (Donald Garner/Selina Ashley)

Carried

- (a) That Council receive and note 2017 National General Assembly Call for Motions.

### **15.3 KING ASH BAY EASTER FISHING CLASSIC 2017, SPONSORSHIP REQUEST.**

5/2017 RESOLVED (Kathy-Anne Numamurdirdi/Annabelle Daylight)

Carried

- (a) That Council decline the offer for sponsorship from King Ash Bay Fishing Club due to the Council Community grants program being currently closed.

### **15.4 FINANCE - RGRC FINANCIAL REPORT AS AT 28 FEBRUARY 2017**

Mayor requested an Interest Report at the next meeting.

112/2017 RESOLVED (Donald Garner/Eric Roberts)

Carried

- (a) That Council accept the financial reports as at 28<sup>th</sup> February 2017.

### **15.5 GRANTS: DEPARTMENT OF COMMUNITY DEVELOPMENT AND HOUSING - HOME EXTRA ALLOWANCE - 2016-17 FUNDING AGREEMENT**

113/2017 RESOLVED (Judy MacFarlane/Annabelle Daylight)

Carried

- (a) That Council accept the funding offer from the Department of Housing and Community Development – Homeland Program for the 2016-17 Home Extra Allowance.

### **15.6 CDP TRAINING CENTRE - LOT 341 BARUNGA**

114/2017 RESOLVED (Judy MacFarlane/Selina Ashley)

Carried

- (a) That Council approve to relinquish to the NLC, the property known as the CDP Training Centre at Lot 341 in Barunga.

## **17. COUNCIL & COMMUNITY SERVICES DIRECTORATE REPORT**

## **16.1 LA PROJECTS UPDATE**

The attachment to the report was discarded and the new Local Authority Funding Report from Finance was presented as a handout and attached to these minutes.

**6/2017 RESOLVED (Judy MacFarlane/Selina Ashley) Carried**

- (a) That Council receive and note the LA projects update.**

*Cr Daniel Mulholland left the meeting, the time being 11:23 am*

*Cr Daniel Mulholland returned to the meeting, the time being 11:25 am*

## **16.2 COUNCIL & COMMUNITY SERVICES DIRECTORATE UPDATE**

It was clarified that Kung Fu Enterprises will be back in the dry season to build.

**116/2017 RESOLVED (Selina Ashley/Donald Garner) Carried**

- (a) That Council receive and note the Council and Community Services directorate update.**

## **16.3 20 LOT SUBDIVISION IN NGUKURR**

**117/2017 RESOLVED (Eric Roberts/Daniel Mulholland) Carried**

- (a) That Council receive and note the Report regarding Development Assessment Application PA 2017\_0096 on Lot 01646 NT Portion (22730 Central Arnhem Rd, West Arnhem) in the Town of Ngukurr for the sub-division of 20 housing lots.**
- (b) That Council provide a submission in support of the subdivision emphasising the need for consultation with Council during the design phase to ensure adequate attention of sub-divisional guidelines.**

## **16.4 BARUNGA OVAL LIGHTS**

Discussions included:

- LA contributing project funds for R&M/ replacement costs,
- Possibility of approaching Bagala to contribute to the operational costs,
- Implementing a user pay system
- Land Tenure will need to be confirmed with NLC

**118/2017 RESOLVED (Judy MacFarlane/Selina Ashley) Carried**

- (a) That Council receive and note the report of the proposed supply and installation of oval lighting at the Barunga Oval on Portion 3629 by the Northern Territory Government.**
- (b) That Council in principle support the ongoing responsibility of the Barunga Oval Lights.**

ACTION: CEO to investigate options for ongoing operational funding and report back to Council.

## **16.5 FUNDING APPLICATION - BORROLOOLA PLAYGROUND EQUIPMENT**

DCCS confirmed that Borroloola LA are contributing \$50,000 towards the project aswell.



119/2017 RESOLVED (Judy MacFarlane/Daniel Mulholland)

Carried

- (a) That Council receive and note the report on the funding agreement for the Alcohol Action Initiative for the Borroloola Playground Equipment for \$70,000.
- (b) That Council sign and affix the Common Seal to the Alcohol Initiative for Borroloola Play Equipment for \$70,000 in partnership with the Australian Government.

#### **16.6 FUNDING APPLICATION - BORROLOOLA RECONNECTING YOUTH TO COUNTRY CATTLE WORKSHOP**

120/2017 RESOLVED (Daniel Mulholland/Eric Roberts)

Carried

- (a) That Council receive and note the report on the proposed funding agreement from the Northern Territories Alcohol Initiative Project for Borroloola Reconnecting Youth to Country Cattle Workshop.
- (b) That Council sign and affix the Common Seal to the funding agreement from the Northern Territories Alcohol Initiative Project for Borroloola Reconnecting Youth to Country Cattle Workshop to the value of \$44,000.

#### **16.7 FUNDING APPLICATION - BORROLOOLA RECONNECTING YOUTH TO SCHOOL THROUGH NUTRITIOUS COOKING PROGRAM**

121/2017 RESOLVED (Daphne Daniels/Daniel Mulholland)

Carried

- (a) That Council receive and note the report on the proposed funding agreement for the Alcohol Action Initiative for the Borroloola Reconnecting Youth to School through Nutritious Cooking Programs.
- (b) That Council sign and affix the Common Seal to the funding agreement for the Alcohol Action Initiative for the Borroloola Reconnecting Youth to School through Nutritious Cooking Programs for \$16,500.

### **18. COMMERCIAL SERVICES DIRECTORATE REPORTS**

#### **17.1 CDP PERFORMANCE REPORT**

The Mayor, on behalf of Council, congratulated CDP.

122/2017 RESOLVED (Donald Garner/Selina Ashley)

Carried

- (a) That Council receive and note the CDP Performance report.

#### **17.2 REVIEW OF POST OFFICE BOX CHARGES**

123/2017 RESOLVED (Eric Roberts/Kathy-Anne Numamurdiridi)

Carried



(a) That Council accepts the following new charges for post office box rental as part of Council's schedule of fees and charges:

- Small post office box \$ 36.00
- Medium post office box \$ 57.00
- Large post office box \$ 82.00
- Establishment fee \$ 25.00
- New lock \$ 30.00
- Extra keys \$ 12.00
- Cancellation \$ 30.00
- Reactivation \$ 30.00

## **19. GENERAL BUSINESS**

### **18.1 TOWN CAMP AND COMMUNITY ROADS IN BORROLOOLA - COUNCILLOR DANIEL MULHOLLAND**

It has been an ongoing issue for many years on who owns and is responsible for the Town Camp roads. The law states that the landholder is responsible.

Mabunji are the funded Service Provider for the town camps.

DCCS will provide the plans and documentation about the road repairs required to the Mayor and Cr Garner to assist other stakeholders to apply for funding.

**124/2017 RESOLVED (Donald Garner/Daphne Daniels)**

(a) That Council receive and note the verbal report on Town camp and community roads in Borroloola.

Action: CEO to send a letter to Department of Chief Minister in regards to road repairs in town camps in Borroloola.

### **18.2 WAIVER OF FEES REQUEST - DEPUTY MAYOR JUDY MACFARLANE**

The waiver of fees would equate to \$155 x 2=\$310/month.  
A User Hire Agreement will need to be in place.

**125/2017 RESOLVED (Selina Ashley/Daniel Mulholland)**

**Carried**

(a) That Council receive and note the verbal report for waiver of fees in Mataranka.

(b) That Council approve the waiver of fees for a craft group to use the Mataranka hall twice a month.

### **18.3 AUTHORISED PERSONS – DIRECTOR OF CORPORATE GOVERNANCE**

#### **BACKGROUND**

So as to remove any confusion pertaining to the currency of previous appointments of Authorised Persons who may no longer be Roper Gulf Regional Council (RGRC) staff-members, or, who may have been Authorised with limitations on their appointments, it is recommended that Council passes a resolution which revokes all current and previous appointments (s112(3)(b) *Local Government Act*).

A s112(3)(b) *Local Government Act* resolution only revokes the appointment of persons Authorised for the purposes of the *Local Government Act*, and its statutory instruments including by-laws.

The current appointment, management and revocation is handled by Council Resolution. It is recommended that pursuant to Section 101(h)(i) of the *Local Government Act*, Council delegates this matter be delegated to the CEO for more efficient management.

So as to facilitate ease of management, it is suggested that Council passes a resolution which delegates the Authorised Persons management to the CEO.

126/2017 RESOLVED (Judy MacFarlane/Donald Garner)

Carried

- (a) That Council revokes all current and previous Authorised Person appointments for the *Local Government Act* and applicable by-laws.
- (b) That Council appoints the CEO as an Authorised Person with full powers under the *Local Government Act* and all Roper Gulf By-laws.
- (c) That Council delegates its function pursuant to Section 112 of the *Local Government Act* – the appointment, management, and revocation of Authorised persons, to the Chief Executive Officer. All future appointments, amendments, and revocations of Authority will be matters handled by the Chief Executive Officer.

#### 18.4 LATE INCOMING CORRESPONDENCE - AIRCRAFT LANDING FEES, CAVE CREEK STATION - MAYOR

Incoming correspondence from Cave Creek Station, Rohan Sullivan. Received 25 March 2017.

Infoexpert #690659

Enquiry on aircraft landing fees charged at community airstrips managed by the RGRC.

127/2017 RESOLVED (Judy MacFarlane/Selina Ashley)

Carried

- (a) That Council receive and note incoming correspondence from Cave Creek Station.

Action: CEO to respond to Cave Creek Station incoming correspondence.

#### 18.5 LATE OUTGOING CORRESPONDENCE - INDIGENOUS ADVANCEMENT STRATEGY, GERRY MCCARTHY- CEO

Outgoing correspondence to Gerry McCarthy. Sent 27 March 2017.

Infoexpert #690660

Request for support for application to Indigenous Advancement Strategy Funding for Youth Services and Indigenous Sport and Recreation Program.

128/2017 RESOLVED (Daphne Daniels/Daniel Mulholland)

Carried

- (a) That Council accept the late outgoing correspondence from the CEO seeking funding support for the Indigenous Advancement Strategy Funding for Youth Services and Indigenous Sport and Recreation Program.

## **18.6 BORROLOOLA POOL - MAYOR**

Discussion on funding for operation of the pool. Further consultation required. Item to be placed on agenda for next Borroloola Local Authority meeting.

129/2017 RESOLVED (Eric Roberts/Donald Garner)

Carried

- (a) That Council receive and note the verbal report on the Borroloola pool.**

Action: CEO to write to the Department of Education seeking further agreement with respect to operation of the Borroloola pool.

*Cr Annabelle Daylight left the meeting, the time being 12:22pm*

*Cr Eric Roberts left the meeting, the time being 12:24pm*

*Cr Annabelle Daylight returned to the meeting, the time being 12:265m*

*Cr Eric Roberts returned to the meeting, the time being 12:26pm*

## **18.7 COMMUNITY GRANTS - MAYOR**

Discussion on Community grant funding program. As we are coming out of the wet season and into the dry season with lots of events planned and the program usually runs 3 rounds each financial year depending on available funds. All funds were allocated in the 2 rounds early this financial year.

Question to Council should more funding be allocated to the RGRC 2016-17 Community Grants Program so a third round could occur? After discussion of Council it was declined.

130/2017 RESOLVED (Donald Garner/Eric Roberts)

Carried

- (a) That Council receive and note the verbal report on Community Grants.**

## **18.8 CYCLONE IN NORTH QUEENSLAND, SUPPORT LETTER FROM RGRC - MAYOR**

131/2017 RESOLVED (Daniel Mulholland/Daphne Daniels)

- (a) That Council send a letter to Whitsunday Regional Council showing Councils support and concern after the destruction caused by Cyclone Debbie.**

*Lunch commenced at 12:49 pm*

*Meeting resumed at 1:22pm*

## **20. CLOSED SESSION**

## **DECISION TO MOVE TO CLOSED SESSION**

**132/2017 RESOLVED (Judy MacFarlane/Daniel Mulholland)**

**Carried**

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:-

### **20.1 Confirmation of Previous Closed Session Ordinary Council Meeting Minutes -**

*The report will be dealt with under Section 65(2) (ci) 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 cause commercial prejudice to, or confer an unfair commercial advantage on any person.*

## **RESUMPTION OF MEETING**

**134/2017 RESOLVED (Judy MacFarlane/Daniel Mulholland)**

**Carried**

That the decisions of Closed Session be noted as follows:-

### **20.1 CONFIRMATION OF PREVIOUS CLOSED SESSION ORDINARY COUNCIL MEETING MINUTES**

**133/2017 RESOLVED (Donald Garner/Annabelle Daylight)**

**(a) That Council approve the minutes as a true and accurate record of the Closed Session of Ordinary Meeting of the Council held on Thursday 2 March 2017.**

## **CLOSE OF MEETING**

The meeting terminated at 1:25pm.

THIS PAGE AND THE PRECEEDING 11 PAGES ARE THE MINUTES OF THE Ordinary Meeting of Council HELD ON Wednesday, 29 March 2017 AND CONFIRMED Wednesday, 31 May 2017.

  
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Mayor Tony Jack