



MINUTES OF THE ORDINARY MEETING HELD IN THE ALICE  
SPRINGS ON FRIDAY, 9 OCTOBER 2015 AT 9:05AM

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**ATTENDANCE AND APOLOGIES**

**Present:**

*Councillors*

Cr Adrian Dixon (President), Cr Norbert Patrick (Deputy President), Cr James Glenn, Cr Benedy Bird, Cr Jacob Spencer, Cr Louis Schaber, Cr Liz Bird (phone), and Cr Cecilia Alfonso (phone).

*Council Officers*

Cathryn Hutton (CEO), Glenn Marshall (DWI), Victoria Leontios (Acting DCS)

**OC132/2015 RESOLVED (Cr Dixon/ Cr Spencer)**

**That Council:**

- 1. Accept the apologies of Cr William Johnson; and**
- 2. Note the absences of Cr Marlene Tilmouth; Cr Georgina Wilson; Cr April Martin.**

Cr Patrick arrived at 9:12am

**ACCEPTANCE OF AGENDA**

**2.1 ACCEPTANCE OF AGENDA**

**SUMMARY:** The agenda of this Council meeting is being tabled. Councillors decide whether they wish to accept the agenda as it stands or whether they wish to make changes and add items.

**OC133/2015 RESOLVED (Cr Patrick/ Cr B Bird)**

**That Council accept the draft agenda of the Council Meeting.**

**CODE OF CONDUCT MATTERS**

**4.1 CONSIDERATION OF CODE OF CONDUCT**

**SUMMARY:** The Council endorsed a revised Code of Conduct at its October 2013 meeting. To ensure that the Council is familiar with the Code of Conduct it is presented at every meeting. The Council can use

this item as an opportunity to discuss any concerns.

**OC134/2015 RESOLVED (Cr Patrick/ Cr B Bird)**

**That Council confirm their commitment to the Code of Conduct.**

## **CONFIRMATION OF PREVIOUS MINUTES**

### **5.1 CONFIRMATION OF PREVIOUS MINUTES**

**SUMMARY:** Council reviews the minutes of the previous Ordinary Council Meeting and Special Council meeting and confirms that they are a true and correct record.

**OC135/2015 RESOLVED (Jacob Spencer/Norbert Patrick)**

**That the tabled minutes of the previous Ordinary Council Meeting held on 7 August 2015 and the Special Council meeting held on the 11 September 2015, be received and confirmed as a true and correct record of the proceedings of that meeting.**

## **ACTIONS FROM PREVIOUS MINUTES**

### **6.1 ACTIONS FROM PREVIOUS MINUTES**

**SUMMARY:** The Action Item report is presented to the Council so that the Council can monitor progress against resolutions from previous meetings.

**OC136/2015 RESOLVED (Cr Glenn/ Cr Spencer)**

**That progress reports on actions from the minutes of previous Ordinary Council Meetings be received and noted.**

## **LOCAL AUTHORITY MINUTES**

### **7.1 LOCAL AUTHORITY MEETING MINUTES**

**SUMMARY:** This report tables the minutes of Local Authority meetings since the last Council meeting. Any action items that arise from these minutes are raised at the following Ordinary Council meeting.

**OC137/2015 RESOLVED (Cr Patrick/ Cr Glenn)**

**That Council receive and note the minutes of Local Authority meetings that have occurred since the last Ordinary Council meeting.**

## **LOCAL AUTHORITY REPORTS**

### **8.1 ABANDONED CARS IN COMMUNITY**

**SUMMARY:** The Anmatjere Local Authority have requested that the Council consider options to deal with abandoned vehicles left in community and in the general Council region.

**OC138/2015 RESOLVED (Cr Spencer/ Cr Patrick)**

**That Council:**

- 1. Note the recommendation from the Anmatjere Local Authority; and**
- 2. Adopt the Abandoned Vehicle Policy with effective date 1 January, 2016; and**

**3. Recommend the Policy is circulated to community members and Local Authorities immediately.**

## **8.2 COMMUNITY SAFETY PATROL AND MORNING SCHOOL PROGRAM**

**SUMMARY:** The Willowra Local Authority have provided feedback and advice on how Community Safety Patrol is running within their community and have recommended two interim Community Safety Patrol Officers.

Yuelamu Local Authority have requested Council investigate options to provide a morning program with Community Safety Patrol that assists in getting children to school.

*OC139/2015* **RESOLVED** (Cr Patrick/ Cr Spencer)

**That Council:**

- 1. Note the recommendations from Willowra and Yuelamu Local Authorities;**
- 2. Note the recommendation from the Willowra Local Authority that Cecilia Martin and Alex Long as suitable as interim Willowra Community Safety Patrol Officers;**
- 3. Investigate options to provide a 'Yellow Shirt' type program in Willowra; and**
- 4. Investigate options to provide a morning program in all communities to assist in getting children to school.**

## **8.3 LOCAL AUTHORITY MEMBERSHIP**

**SUMMARY:** The Council will open up nominations for vacant Local Authority positions to ensure the ongoing engagement with community members to provide a voice to Council.

- Anmatjere Local Authority will remove one member to be replaced;
- Engawala will replace all seven members;
- Lajamanu will replace two vacant positions;
- Nyirripi Local Authority will remove one member to be replaced;
- Willowra will replace one vacant position;
- Yuendumu will replace one vacant position.

*OC140/2015* **RESOLVED** (Jacob Spencer/James Glenn)

**That Council:**

- 1. Note the recommendations from Nyirripi and Yuendumu;**
- 2. Write a letter thanking members for their contribution;**
- 3. Revoke the membership of members who have not performed as per the Local Authority Policy; and**
- 4. Open nominations for all available positions on Local Authorities.**

## **PRESIDENT'S REPORT**

## **9.1 PRESIDENT'S REPORT**

**SUMMARY:** The President reports to Council on his activity and any items of importance that have arisen since the last Council meeting. The President noted that in addition to the items mentioned in his report he had also attended Atitjere and Laramba Local Authority meetings, a briefing with PM&C regarding CDP and the Remote Engagement Coordination Strategy launch.

*OC141/2015* **RESOLVED (Cr L Bird/ Cr Spencer)**

**That Council note the report from the President covering his activities.**

## **9.2 STRATEGY TO ADDRESS DRINKING AND DRUG ABUSE IN COMMUNITIES**

**SUMMARY:** Council is being asked to speak up strongly against drinking and illicit drug use in communities.

*OC142/2015* **RESOLVED (Cr Dixon/ Cr Patrick)**

**That Council work with the NT Police and other relevant agencies to develop a strategy to address the increased levels of drinking, drug use and domestic violence in communities.**

## **CHIEF EXECUTIVE REPORTS**

### **10.1 CHIEF EXECUTIVE'S REPORT**

**SUMMARY:** The Chief Executive Officer reports on items of importance for the Council.

*OC143/2015* **RESOLVED (Cr Dixon/ Cr Spencer)**

**That Council note the report from the Chief Executive.**

### **10.2 RATIFICATION OF COMMON SEAL**

**SUMMARY:** The Common Seal Register lists all agreements that have had the Common Seal applied since the last Council Meeting for Council's ratification.

*OC144/2015* **RESOLVED (Cr L Bird/ Cr Alfonso)**

**That Council ratify the use of the Common Seal.**

### **10.3 CORPORATE GOVERNANCE**

**SUMMARY:** This report provides information on the major activities and outcomes for the Human Resources and Governance areas.

*OC145/2015* **RESOLVED (Cr Glenn/ Cr Spencer)**

**That Council receive and note the report from the Human Resources and Governance sections.**

### **10.4 COUNCIL POLICY REVIEW**

**SUMMARY:** The Council adopts policies to provide guidance to the community and or Council staff. Policy is reviewed to ensure that they reflect current circumstances, changes in terminology and changes in

legislation.

**OC146/2015 RESOLVED (Cr Patrick/ Cr B Bird)**

**That Council adopt the following revised policies:**

- 1. Investment Policy;**
- 2. Borrowing Policy;**
- 3. Fraud Protection Policy; and**
- 4. General Debtors Policy.**

## **10.5 UPDATE ON SECTION 19 LEASES**

**SUMMARY:** The Council and CLC have nearly finalised the lease process for Section 19 leases. This report provides an update on the current status.

**OC147/2015 RESOLVED (Cr Glenn/ Cr Spencer)**

**That Council note the current status of the Section 19 Lease negotiations.**

## **10.6 REVISIONS TO GUIDELINE 8 - LOCAL AUTHORITIES**

**SUMMARY:** Guideline 8 refers to the operations of Local Authorities. A number of changes to Guideline 8 were flagged by the Department. The draft guideline is provided to the Council for their information and comment.

**OC148/2015 RESOLVED (Cr Glenn/ Cr Patrick)**

**That Council note the draft Guideline 8 and approve feedback to the Department of Local Government as outlined in the agenda item.**

## **10.7 ADVICE FROM DEPARTMENT REGARDING CONFLICT OF INTEREST**

**SUMMARY:** The CEO has recently received a letter reminding officers of their conflict of interest responsibilities. The Council is being asked to consider a policy which clearly states responsibilities for Elected Members and staff.

**OC149/2015 RESOLVED (Cr Alfonso/ Cr Patrick)**

**That Council note the correspondence from the Department of Local Government and Community Services regarding Conflict of Interest obligations and adopt the Conflict of Interest Policy tabled.**

Meeting recess 10:15 AM

Meeting resumed 10:38 AM

## **10.8 BUDGET VARIATIONS**

**SUMMARY:** Since the budget was adopted there have been a number of significant changes to program funding. The Council is being asked to approve a budget variation to bring these changes into account within the published budget.

**OC150/2015 RESOLVED (Cr Patrick/ Cr Spencer)**

**That Council approve the budget variations to the following services as outlined in the attached revised budget:**

- 1. Local Road Maintenance;**
- 2. Aged and Disability Services;**
- 3. Children's Services (School Nutrition);**
- 4. Outstation Services;**
- 5. Community Development Program (formerly RJCP);**
- 6. Road Upgrade and Construction;**
- 7. Capital Project Management; and**
- 8. Revenue Growth.**

## **10.9 PROGRESS ON 2015/2016 CORPORATE PLAN**

**SUMMARY:** The Corporate Plan progress report is tabled to the Council at every Council meeting to ensure that the Council is aware of progress and issues as able to ask questions.

*OC151/2015* **RESOLVED (Cr Spencer/ Cr Patrick)**

**That Council note the progress against the 2015/2016 Corporate Plan as detailed in the Progress Report tabled.**

## **CHIEF EXECUTIVE REPORTS**

### **S.1 RESPONSIBILITY FOR MORGUE MANAGEMENT**

**SUMMARY:** The Department of Local Government & Community Services (DLGCS) has advised that the NT and Commonwealth Governments will provide \$5 million for morgue upgrades throughout the Territory and \$120,000 per annum for repairs and maintenance of all morgues for 3 years.

The DLGCS is seeking advice from the CDRC on whether Council is willing to continue to be responsible for morgue repairs and maintenance and morgue operational management.

*OC152/2015* **RESOLVED (Cr Spencer/ Cr Patrick)**

**That Council clarify that their position on the responsibility for the management of morgues in the CDRC region is as follows:**

- 1. Council does not recognise a formal responsibility for morgue management;**
- 2. Council will undertake repairs and maintenance and monitor operations if funded to do so;**
- 3. Council will NOT undertake operational management or handle bodies; and**
- 4. Council will seek full cost recovery for operational expenses through users of the morgue.**

## **FINANCE REPORTS**

### **11.1 FINANCE REPORTS**

**SUMMARY:** The financial reports provide the Council with information on the financial position of the Council for the period ended 30 June,

2015.

**OC153/2015 RESOLVED (Cr Glenn/ Cr Spencer)**

**That Council receive and note the Financial Reports for the period ending 31 August, 2015.**

## **COMMUNITY SERVICES REPORTS**

### **12.1 DIRECTOR OF COMMUNITY SERVICES REPORT**

**SUMMARY:** The Director of Community Services reports to Council about matters of significance since the last Council meeting.

**OC154/2015 RESOLVED (Cr L Bird/ Cr Patrick)**

**That Council receive and note the report from the Director of Community Services.**

### **12.2 SUPPORT FOR DOMESTIC VIOLENCE PREVENTION PROGRAM**

**SUMMARY:** The “NO MORE” Campaign is designed to put a stop to domestic and family violence across our community. It is using sporting organisations as a vehicle to achieve this with a strong focus on men taking a stand.

**OC155/2015 RESOLVED (Cr Patrick/ Cr B Bird)**

**That Council note the current NO MORE campaign to stop family and domestic violence and approve Council’s public support for the campaign.**

## **COMMUNITY SERVICES REPORTS**

### **S.1 INCREASE IN AGED CARE CLIENT CONTRIBUTION FEE**

#### **SUMMARY:**

Aged Care Reform changes that came into effect on 1 July 2015 have resulted in changes to the way Central Desert Regional Council (CDRC) delivers Home Care Packages. The ‘client reimbursement fee’ is the amount each client pays to the Aged Care Program for food that is bought, prepared and delivered on their behalf. This is the first increase to Aged Care Fees in 7 years.

**OC156/2015 RESOLVED (Cr Patrick/ Cr Glenn)**

**That Council approve an increase to the Client Reimbursement Fee charged to Aged Care Program clients from \$90.00 per fortnight to \$140.00 per fortnight.**

## **WORKS AND INFRASTRUCTURE REPORTS**

### **13.1 DIRECTOR WORKS AND INFRASTRUCTURE'S REPORT**

**SUMMARY:** The Director Works and Infrastructure report provides information on the activities undertaken in the Directorate since the last report to Council.

**OC157/2015 RESOLVED (Cr Patrick / Cr Spencer)**

**That Council receive and note the Director Works and Infrastructure's Report.**

### **13.2 UPGRADE OF LOT 65 NYIRRIPI STAFF HOUSE**

**SUMMARY:** Council has insufficient staff housing at Nyirripi. Lot 65 is a 2 bedroom staff house that can be subdivided into a duplex, creating two by one-bedroom self-contained flats. This will allow housing of a new Senior Administration Officer, required to ensure the SFNT Housing Upgrade program is properly delivered whilst allowing Council's basis Municipal Services program to be delivered as well. CDP participants will be encouraged to assist the upgrades.

*OC158/2015* **RESOLVED (Cr Spencer/ Cr Patrick)**

**That Council allocate up to \$120,000 (ex gst) to upgrade Lot 65 Nyirripi staff house to a duplex.**

### **13.3 UPDATE ON HOUSING MANAGEMENT PROGRAM - FENCING**

**SUMMARY:** Fencing is progressing in allotted communities, and is on track for completion by 30 June, 2016.

*OC159/2015* **RESOLVED (Cr Dixon/ Cr Patrick)**

**That Council note the update on actions to complete the Housing Management Program – Fencing.**

### **13.4 WORKS MATRIX UPDATE SEPTEMBER 2015**

**SUMMARY:** The Works Matrix six monthly update shows progress made in capital works in each community since March 2015.

*OC160/2015* **RESOLVED (Cr Spencer/ Cr Glenn)**

**That Council note the updated Works Matrix for September 2015.**

### **13.5 TENDER APPROVAL FOR NDRRA ROAD RECONSTRUCTION AT ENGAWALA, IRRLIRRE AND TI TREE**

**SUMMARY:** A public tender was called for the reconstruction of flood-damaged roads at Engawala, Irrelirre and Ti Tree.

*OC161/2015* **RESOLVED (Cr Glenn/ Cr B Bird)**

**That Council approve the entry into contract with MKT Civil Pty Ltd for the contract sum of \$702,390.00 (ex gst) to reconstruct flood-damaged roads at Engawala, Irrelirre and Ti Tree (Nturiya Rd).**

### **13.6 DISPOSAL OF COUNCIL VEHICLES**

**SUMMARY:** In the 2014/15 financial year, Council disposed of 5 fleet items valued at more than \$20,000. These should have been pre-approved by Council, as per Council's Delegations Register requirements. Ratification is now sought.

*OC162/2015* **RESOLVED (Cr L Bird/ Cr Patrick)**

**That Council ratify the disposal of Council fleet in 2014/15, above the value of \$20,000 each.**



Cr Benedy Bird left the meeting, the time being 12:03 PM

## **FINANCE COMMITTEE REPORTS**

### **14.1 FINANCE COMMITTEE REPORT**

**SUMMARY:** The Finance Committee convenes on a bimonthly basis to carry out the financial functions of the Council. The minutes of the Finance Committee meeting held on 03 September, 2015 is attached for the Council's information.

*OC163/2015* **RESOLVED** (Adrian Dixon/Jacob Spencer)

**That Council:**

- 1. Receive and note the Minutes of the Finance Committee Meeting held on 3 September, 2015.**
- 2. Adopt the revised Finance Committee Terms of Reference as tabled.**

Cr Benedy Bird returned to the meeting, the time being 12:05 PM

## **AUDIT AND RISK COMMITTEE REPORTS**

### **15.1 AUDIT AND RISK COMMITTEE REPORT**

**SUMMARY:**

The Audit and Risk Committee meets at least three times a year to carry out the audit and risk functions of the Council. The minutes of the meeting held on 3 September, 2015 are attached for the Council's information.

*OC164/2015* **RESOLVED** (Cr Dixon/ Cr Patrick)

**That the Council receive and note the minutes of the Audit and Risk Committee Meeting held on 3 September, 2015.**

### **15.2 REVISION OF AUDIT AND RISK TERMS OF REFERENCE**

**SUMMARY:** The Audit and Risk committee has been carrying a vacancy since its inception. At the September meeting the Audit and Risk committee considered an application received. The committee is recommending to Council that instead of filling the vacancy, the Council approves a reduction in the membership of the Committee.

*OC165/2015* **RESOLVED** (Cr Dixon/ Cr Glenn)

**That Council adopt the revised Terms of Reference for the Audit and Risk committee that modifies the membership of the Audit and Risk committee from four to three members comprising two Councillors and an independent chair-person.**

## **GENERAL BUSINESS**

### **16.1 CESSATION OF NT JOBS PACKAGE OUTSTATION STAFF FUNDING AT 31 DEC 2015**

**SUMMARY:** The NT Government has confirmed that NT Jobs Package

funding by the Australian Government ceased on 30 June 2015. The NT Government is providing funds through to 31 Dec 2015 but this will also then cease.

**OC166/2015 RESOLVED (Jacob Spencer/Norbert Patrick)**  
**That Council write to the Northern Territory and Australian Governments expressing grave concerns that the end of NT Jobs Package funding will have a major impact on i) local Indigenous employment; and ii) outstation servicing.**

## **16.2 MEN'S SHED - SIX MILE - Councillor James Glenn**

**SUMMARY:** Cr Glenn raised as general business the issue of the old Men's Shed at Six Mile. The Council discussed options with the Council Officers present as to what options to reopen the shed were available.

**OC167/2015 RESOLVED (Cr Glenn/ Cr Dixon)**  
**That Council investigate options for the reopening of the Men's Centre in Six Mile for use as a Men's Shed.**

Meeting break 12:25 PM  
Meeting resumed 1:30 PM

Cr Cecilia Alfonso left the meeting at 12:35PM  
Cr April Martin joined the meeting at 1:30PM

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

**OC168/2015 RESOLVED (Adrian Dixon/James Glenn)**  
**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 CEO Performance Review - August 2015 –** *This item 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.*

**20.2 Contract for Consultancy to facilitate CEO Performance Review** – *This item 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**

**OC169/2015 RESOLVED (James Glenn/Norbert Patrick)**  
**That the decisions of Closed Session be noted as follows:-**

## **CLOSED SESSION**

### **20.1 CEO PERFORMANCE REVIEW - AUGUST 2015**

**SUMMARY:** The CEO Performance Review Committee meets every six months to review the CEO's performance. The Committee meet on the 19 August 2015 to undertake an annual performance review.

*OC170/2015* **RESOLVED** (Cr L Bird/ Cr Martin)

**That Council:**

- 1. Note the outcomes of the CEO's annual performance review as recorded on the attached CONFIDENTIAL Performance Review - August 2015 and note the consultants' summary that "The CEO has achieved the objectives set by the Councillors. The CEO has continued to maintain a strong working relationship with all Councillors and works diligently to achieving community service delivery outcomes."**
- 2. Approve a \$2,000 per annum increase to the CEO's Total Remuneration Package effective from 8 August 2015.**

### **20.2 CONTRACT FOR CONSULTANCY TO FACILITATE CEO PERFORMANCE REVIEW**

**SUMMARY:** Council appointed McArthur to assist the CEO Performance Review Committee to undertake performance reviews of the CEO for a two year period. The term of this agreement has expired. The Council needs to determine whether a consultant will be engaged and for what period.

*OC171/2015* **RESOLVED** (Cr L Bird/ Cr Spencer)

**That Council:**

- 1. Determine that the CEO Performance Review Committee will utilise the services of a consultant to undertake CEO performance reviews on a six monthly basis; and**
- 2. Appoint McArthur (Michael Archella) to assist the CEO's Performance Review Committee undertake the CEO's Performance Review for a period of three years.**

## **QUESTIONS FROM MEMBERS**

Nil

## **QUESTIONS FROM THE PUBLIC**

Nil

## **PETITIONS AND DEPUTATIONS**

Council received a deputation from Arafura Resources providing an update of the project at Nolan's Bore.

Council received a deputation from the NT Police (Commander Bacon and Senior Sargent Potts) to discuss how the Council can assist local police to deal with grog running and domestic violence issues in community. Commander Bacon discussed the importance of community assistance and encouraged Councillors to become involved in the Community Safety committees in each community.

Council received a deputation from Sabine Wedemeyer, Project Manager - Domestic Violence Directorate from Department of the Attorney-General and Justice talking about the "Safety is Everyone's Right" - Domestic and Family Violence Reduction Strategy 2014-2017.

Information from these deputations has been posted on the Council's website under this meeting.

The meeting terminated at 2:45 pm.

**THIS PAGE AND THE PRECEDING 10 PAGES ARE THE MINUTES OF THE Ordinary Council Meeting HELD ON Friday, 9 October 2015 AND CONFIRMED Friday, 4 December 2015.**

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President