



MINUTES OF THE ORDINARY MEETING HELD IN THE ON FRIDAY,
10 APRIL 2015 AT 9:04AM

ATTENDANCE AND APOLOGIES

Present:

Councillors

Cr Adrian Dixon (President), Cr Norbert Patrick (Deputy President), Cr Marlene Tilmouth, and Cr Benedy Bird, Cr Georgina Wilson, Cr Robert Robertson, Cr Jacob Spencer, Cr April Martin, Cr William Johnson, Cr Louis Schaber, Cr Liz Bird

Council Officers

Cathryn Hutton (CEO), Edward Fraser (DFC), Glenn Marshall (DW), John Gaynor (DCS), Daniel Teudt (Governance Manager)

Absent:

Cr James Glenn

OC027/2015 RESOLVED (Cr L Bird/Cr Martin)
That Council accepts apology for Cr Jacob Spencer leaving the meeting at 10 am..

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.

OC028/2015 RESOLVED (Cr Patrick/Cr Robertson)
That Council accept the draft agenda of the Council Meeting with the inclusion of two items in a Supplementary Agenda.

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.

OC029/2015 RESOLVED (Cr Dixon/Cr Wilson)

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 Ordinary Council Meeting held on the 6 February 2015 and confirms that they are a true and correct record.

OC030/2015 RESOLVED (Cr Patrick/Cr Spencer)

That the tabled minutes of the previous Ordinary Council Meeting held on Friday, 6 February 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.

OC031/2015 RESOLVED (Cr Spencer/Cr B Bird)

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.

OC032/2015 RESOLVED (Cr L Bird/Cr Tilmouth)

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 LOCAL AUTHORITY PRIORITY PROJECTS

SUMMARY: Attached is an updated running list of each of the Local Authority Priority Projects and their status of approval by Council. In this instance there are four to be approved by Council.

OC033/2015 RESOLVED (Cr Robertson/Cr Martin)

That the Council approve the Local Authority Priority Projects as attached and authorise expenditure as required for:

- 1. Atitjere - \$27,986**
- 2. Nyirripi - \$32,065**

- 3. Yuendumu - \$103,941
- 4. Anmatjere - \$114,651

8.2 APPOINTMENT OF WILLOWRA LOCAL AUTHORITY

SUMMARY: The Willowra Local Authority Nominations have taken place and one member nomination was received.

OC034/2015 **RESOLVED** (Cr Martin/Cr Spencer)

That Council appoint Freddy Williams to the Willowra Local Authority.

8.3 LOCAL AUTHORITY UPDATE ANMATJERE

SUMMARY: The Anmatjere Local Authority members have recommended to Council to remove Jarvis Downs and Robert Janima from the Anmatjere Local Authority due to continued absences from planned Local Authority meetings.

OC035/2015 **RESOLVED** (Cr Dixon/Cr B Bird)

That Council revoke the membership of Jarvis Downs and Robert Janima from the Anmatjere Local Authority.

8.4 WILLOWRA LOCAL AUTHORITY UPDATE - NIGHT PATROL

SUMMARY: Due to cultural issues within the Willowra community, the Local Authority have recommended to Council that they assist in the selection of Night Patrol employees within the community. The Recommendation from the Willowra Local Authority is as follows:

OC036/2015 **RESOLVED** (Cr Martin/Cr Spencer)

That Council:

1. **Remind the Willowra Local Authority that the employment of staff is an operational procedure and not within the duties of a Local Authority.**
2. **Agree to consult with the Local Authority on potential applicants for the Night Patrol positions.**

8.5 YUENDUMU POST OFFICE

SUMMARY: The Yuendumu Local Authority has advised that the Yuendumu Post Office is not delivering a reliable service and has put forward a recommendation at their March, 2015 meeting to advise Council that the Post Office appears not to be following their due diligence of the transfer.

OC037/2015 **RESOLVED** (Cr Robertson/ Cr Patrick)

That Council:

1. **Note the update from the Yuendumu Local Authority regarding the service of the Post Office.**
2. **Remind the Yuendumu Local Authority of Council Resolution**

- 041/2014 regarding the transfer of the Post Office licence.
3. Provide an update of the transfer of licence for the Yuendumu Post Office to Indervon.

8.6 YUENDUMU LOCAL AUTHORITY REQUEST TO SEE FIVE YEAR ROADS PLAN

SUMMARY: Yuendumu Local Authority have requested to view the Council's Five Year Road Maintenance and Upgrade plan at their next Local Authority meeting in May, 2015.

OC038/2015 **RESOLVED (Cr L Bird/ Cr Spencer)**

That Council present the Council's Five Year Roads and Maintenance Plan to the Yuendumu Local Authority.

8.7 YUENDUMU LOCAL AUTHORITY OUTSTATIONS REPORT

SUMMARY: The Yuendumu Local Authority have requested a report on Roads and Water maintenance on Outstations in the Yuendumu area.

OC039/2015 **RESOLVED (Cr Dixon/ Cr Wilson)**

That Council provide a report on Outstations in the Yuendumu area to the Yuendumu Local Authority.

8.8 YUENDUMU REQUEST FOR TERRITORY HOUSING AND ZODIAC REPRESENTATIVES

SUMMARY: The Yuendumu Local Authority have identified numerous issues in the delivery of Housing Services within the community and have requested that Council contact both Territory Housing and Zodiac Services to attend their next Local Authority meeting.

OC040/2015 **RESOLVED (Cr L Bird/ Cr Martin)**

That Council invite Territory Housing and Zodiac Services to the next Yuendumu Local Authority meeting to discuss housing issues within Yuendumu.

8.9 LOCAL AUTHORITY FINANCE REPORTS

SUMMARY: Local Authorities have requested revenue details to be included on the Finance Reports presented at Local Authority meetings. Most recently from Yuendumu at their March, 2015 meeting.

OC041/2015 **RESOLVED (Cr Patrick/ Cr Spencer)**

That Council remind Local Authorities that Legislation requires the Council to provide expenditure against budget finance reports to the Local Authority to inform and include them in budgeting requirements in the community; however Council will investigate options to provide community revenue on the Finance Reports presented to Local Authorities.

8.10 LARAMBA ROAD SIGNAGE

SUMMARY: The Laramba Local Authority have requested the Council

investigate options to supply suitable road signage within the community to make the community safer for pedestrians.

OC042/2015 RESOLVED (Cr Dixon/ Cr Robertson)

That Council present the Traffic Management manual to the Laramba Local authority and consult with the Laramba Local Authority to determine specific signage for Laramba community.

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.

OC043/2015 RESOLVED (Cr B Bird/ Cr Patrick)

That Council note the report from the President covering his activities and any items he wishes to highlight since the last Council meeting.

CHIEF EXECUTIVE REPORTS

10.1 CHIEF EXECUTIVE'S REPORT

SUMMARY: The CEO reports to the Council on matters of significance since the last Council meeting.

OC044/2015 RESOLVED (Cr Dixon/ Cr Martin)

That Council note the report from the Chief Executive Officer.

10.2 RATIFICATION OF COMMON SEAL

SUMMARY: The Common Seal Register lists all funding agreements signed since the last Council Meeting for Council's approval.

OC045/2015 RESOLVED (Cr L Bird/ Cr Patrick)

That Council ratify the use of the Common Seal.

10.3 PROGRESS REVIEW OF 2014/2015 CORPORATE PLAN

SUMMARY: To ensure accountability against the Corporate Plan, a report is provided to Council at each Council Meeting showing progress being made with actions contained in the Annual Corporate Plan.

OC046/2015 RESOLVED (Cr Spencer/ Cr Wilson)

That Council receive and note the Progress Against the Corporate Plan Report for March 2015.

10.4 REVIEW OF THE DELEGATIONS REGISTER

SUMMARY: The delegations register establishes delegations adopted by Council under S32 of the Act and is reviewed annually. The delegation register provides Councillors and staff with a clear statement of delegation and authority.

OC047/2015 RESOLVED (Cr L Bird/ Cr Robertson)

That Council note the 2015 Delegations Register and adopt the delegations made to the Chief Executive Officer.

CORPORATE SERVICES REPORTS

11.1 DIRECTOR FINANCE AND CORPORATE SERVICES REPORT

SUMMARY: The Finance and Corporate directorate provides a report on key performance and developments since the last report to the Council.

OC048/2015 **RESOLVED (Cr Patrick/ Cr B Bird)**

That Council receive and note the report from the Director Finance and Corporate.

11.2 FINANCE REPORTS

SUMMARY: The financial reports provide the Council with information on the financial position of the Council for the period ended 28 Feb 2015

OC049/2015 **RESOLVED (Cr Johnson/ Cr Spencer)**

That Council receive and note the Financial Reports for the period ending 28 February, 2015.

11.3 GRANTS RECEIVED

SUMMARY: A list of grants received since the last Ordinary Council meeting is provided to the Council for its information.

OC050/2015 **RESOLVED (Cr Martin/ Cr Patrick)**

That Council note the grants received since the last Ordinary Council Meeting.

11.4 POLICY UPDATES

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.

OC051/2015 **RESOLVED (Cr Spencer/ Cr Robertson)**

- 1. That Council adopt the following new Policies:**
 - a) Customer Service Charter**
 - b) Records Management Policy**
- 2. That Council adopt the amended policies:**
 - a) Engagement of Independent Contractors/Consultant Policy.**
 - b) Councillor Allowance Income Tax Liability Policy**
 - c) Professional Development Policy (Cr & LA)**
 - d) Staff Housing Policy**
 - e) Fraud Protection Policy**
 - f) General Debtor Management Policy**
- 3. That Council rescinds the Parental Leave Policy.**

11.5 COUNCIL MEMBER ALLOWANCES

SUMMARY: The purpose of the attached report is to clarify certain

issues concerning the setting of levels of Council Members allowances.

OC052/2015 RESOLVED (Cr Patrick/ Cr Wilson)
That Council note the DLG update on Council Member Allowances

11.6 ACCEPTANCE OF TENDER

SUMMARY: Two skidsteers are required for two communities. This is funded by a Special Purpose Grant (SPG) and was put out to tender.

OC053/2015 RESOLVED (Cr L Bird/ Cr Martin)
That Council accept the tender from JCB and approve the purchase of two Skidsteers for \$51,550 Ex. GST per skidsteer (total \$103,100 Ex. GST).

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.

OC054/2015 RESOLVED (Cr Martin/ Cr Spencer)
That Council receive and note the report from the Director of Community Services.

WORKS REPORTS

13.1 DIRECTOR WORK'S REPORT

SUMMARY: The Director Works report provides information on the activities undertaken at Service Delivery Centres since the last report to Council.

OC055/2015 RESOLVED (Cr L Bird/ Cr Johnson)
That Council receive and note the request from the Director Works.

13.2 WORKS MATRIX 6-MONTH UPDATE

SUMMARY: The Works Matrix 6 monthly update shows progress made in capital works in each community since September 2014.

OC056/2015 RESOLVED (Cr Wilson/ Cr Tilmouth)
That Council note the updated Works Matrix for March 2015.

13.3 YUENDUMU AND LAJAMANU OVAL LIGHTING UPDATE

SUMMARY: Original funding by the NT Government for oval lighting at Yuendumu and Lajamanu ovals is not enough to complete both jobs. An alternative is proposed.

OC057/2015 RESOLVED (Cr Patrick/ Cr Robertson)
That Council note the update on funding for oval lighting at Yuendumu and Lajamanu ovals.

13.4 LOT 251 LAJAMANU STAFF HOUSE UPGRADE APPROVAL REQUIRED

SUMMARY: Council's Lot 251 staff house is run down. RJCP is willing to rent it for 3 years if upgraded. \$70,000 is needed to complete necessary upgrades.

OC058/2015 **RESOLVED (Cr Patrick/ Cr Martin)**

That Council approve \$70,000 investment to upgrade Lot 251 Lajamanu staff house and rent the house for minimum 3 years to RJCP provider.

13.5 BUDGET VARIATION - NYIRRIPI CEMETERY UPGRADE AND CHURCH IMPROVEMENTS

SUMMARY: The Council has been asked to undertake a project on behalf of the Nyirripi Community. Council is required to approve a budget amendment under S14 Local Government (Accounting) Regulations.

OC059/2015 **RESOLVED (Cr Martin/ Cr Robertson)**

That Council approve a budget amendment of \$34,605 in respect of capital upgrades to the Nyirripi Cemetery and Church funded by CLC.

Cr Marlene Tilmouth left the meeting, the time being 10:03 AM

13.6 BUDGET VARIATION REQUEST - HOMELANDS EXTRA ALLOWANCE

SUMMARY: Council has been granted \$104,000 (ex gst) to undertake minor works to a number of outstation dwellings as part of the Homelands Extra Allowance. Council is required to approve a budget amendment under S14 Local Government (Accounting) Regulations.

OC060/2015 **RESOLVED (Cr L Bird/ Cr Dixon)**

That Council approve a budget amendment of \$104,000 (ex gst) for maintenance and minor upgrades to identified dwellings.

Cr Marlene Tilmouth returned to the meeting, the time being 10:05 AM

Cr April Martin left the meeting, the time being 10:10 AM

Cr Jacob Spencer left the meeting, the time being 10:07 AM

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 5 March, 2015 is attached for the Council's information.

OC061/2015 **RESOLVED (Cr Patrick/ Cr Wilson)**

That Council receive and note the Minutes of the Finance Committee Meeting held on 5 March, 2015.

AUDIT AND RISK COMMITTEE REPORTS

15.1 AUDIT AND RISK COMMITTEE REPORT

SUMMARY:

The Audit & Risk Committee meets at least three times a year to carry out the audit & risk functions of the Council. The minutes of the meeting held on 5 March, 2015 are attached for the Council's information.

OC062/2015 RESOLVED (Cr Robertson/ Cr Tilmouth)

That the Council:

- 1. Receive and note the minutes of the Audit & Risk Committee Meeting held on 05 March 2015.**
- 2. Approve the inclusion of a table for Uncommitted Cash Reserves in the Finance Reports.**
- 3. Note the recommendation that the financial variance tolerance limit for Council Finance Reports is now at 10% or \$50,000 which ever is higher.**

S.1 WORK FOR THE DOLE SCHEME CHANGES

SUMMARY: Changes to employment services policy for people living in remote communities compared to those announced for people living in urban areas will encourage people to leave remote communities and relocate to urban settings.

Under new rules announced by the Commonwealth Government from RJCP reforms, participants aged between 18 & 49 years who are living in remote communities will be required to participate in a work for the dole program for 25 hours per week for 52 weeks per year.

OC063/2015 RESOLVED (Cr Dixon/ Cr Robertson)

That Council writes to the Prime Minister, the Minister for Indigenous Affairs, the NT Chief Minister, LGANT and neighbouring Municipal and Regional Councils raising its concern that the mutual obligation policy difference between the reformed RJCP "Work for the Dole Scheme" and those for the "Jobactive" program may result in a mass exodus from remote communities to urban settings such as Alice Springs, Tennant Creek and Katherine.

Cr April Martin returned to the meeting, the time being 10:15AM

S.2 FLOOD DAMAGE REPORT

SUMMARY: Large rains in January 2015 caused widespread damage to Council's road network.

A Flood Damage Report is attached detailing damage to Council roads, and the cost of repairs.

Council is awaiting a decision on the level of funding that NTG will offer.

OC064/2015 RESOLVED (Cr Patrick/ Cr Tilmouth)

That Council note the Roads Flood Damage Report submitted to Northern Territory Government seeking \$5,376,368 repair funds

through the National Disaster Relief and Recovery Arrangements (NDRRA) fund.

DECISION TO MOVE TO CLOSED SESSION

OC065/2015 RESOLVED (Cr L Bird/Cr Tilmouth)

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 Appointment of External Auditor - *The report will be dealt with under Section 65(2) of the Local Government Act 2008 and Regulation 8 (ci) 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.*

20.2 External Auditor Management Letter - *The report will be dealt with under Section 65(2) of the Local Government Act 2008 and Regulation 8 (ci) 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.*

20.3 CEO's Mid-Year Performance Monitoring for the six months to February 2015 - *The report will be dealt with under Section 65(2) of the Local Government Act 2008 and Regulation 8 (ci) 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

OC066/2015 RESOLVED (Cr L Bird/Cr Tilmouth)

That meeting is moved to open session and that the decisions of Closed Session be noted as follows:-

CLOSED SESSION

20.1 APPOINTMENT OF EXTERNAL AUDITOR

SUMMARY: Council is required to fix the term for the appointment of the external auditor.

OC067/2015 RESOLVED (Cr Patrick/Cr L Bird)

That Council approve Deloitte as the external auditor for two years to progress the external audit as recommended by the Audit and Risk Committee.

20.2 EXTERNAL AUDITOR MANAGEMENT LETTER

SUMMARY: The External Auditor prepared a Management Letter with recommendations to Council following the 2013/14 Financial Statements Audit which is attached. CDRC has provided a response and action plan to address the risks raised by the external auditor.

OC068/2015 **RESOLVED (Cr L Bird/Cr Patrick)**

That Council note the recommendations from the External Auditor following the 2013/14 Financial Statements Audit as approved by the Audit and Risk Committee.

20.3 CEO'S MID-YEAR PERFORMANCE MONITORING FOR THE SIX MONTHS TO FEBRUARY 2015

SUMMARY: The Council is being provided the outcomes of the CEO Performance Review Committee for their information.

OC069/2015 **RESOLVED (Cr Dixon/Cr L Bird)**

That Council note the outcomes of the CEO's mid-term monitoring recorded on the attached CONFIDENTIAL Performance Review Summary – Mid Year Monitoring February 2015 and note the consultants summary that “The CEO has a positive attitude and works collaborative with both staff and Councillors. The CEO is dedicated to the Council's future and is focused on achieving the best outcomes for both the Council and the community. At the six month review, the CEO is on track to achieving the performance objectives set out late last year.”

The meeting terminated at 10:30AM.

THIS PAGE AND THE PRECEDING 11 PAGES ARE THE MINUTES OF THE Ordinary Council Meeting HELD ON Friday, 10 April 2015 AND CONFIRMED Friday, 5 June 2015.

President