



## MINUTES OF THE ORDINARY MEETING HELD IN THE ENGAWALA COUNCIL OFFICE ON THURSDAY, 27 SEPTEMBER 2018 AT 1:30

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The meeting opened at 1:33pm.

### 1 ATTENDANCE AND APOLOGIES

#### **Present:**

##### *Councillors*

Cr Adrian Dixon (President), Cr Warren Williams, Cr Robert George, Cr James Glenn, , Cr April Martin, Cr David McCormack, Cr Norbert Patrick (Deputy President), Cr Audrey Inkamala, Cr R Webb Williams

##### *Apologies*

Cr William Liddle

##### *Absences*

Cr Jacob Spencer, Cr Freddy

##### *Council Officers*

Diane Hood (CEO), Chris Kendrick (DCORP), John Gaynor (DCS), Greg Buxton (DA&I), Libby Nuss (Governance Manager)

### **1.1 ACCEPTANCE OF APOLOGIES**

**OC090/2018 RESOLVED (Cr James Glenn/Cr Norbert Patrick) That Council accept the apology of Cr William Liddle on medical grounds.**

## **2 ACCEPTANCE OF AGENDA**

### **2 CHANGE TO THE AGENDA**

*OC091/2018* **RESOLVED** (Cr Robert George/Cr April Martin)

**That agenda Item 12.7 Local Decision Making and Item 13.1 Deputation from the Office of Aboriginal Affairs are moved to follow Item 8.2 Election of the Deputy President.**

### **3 DECLARATIONS OF CONFLICT OF INTEREST**

Cr Warren Williams declares a conflict of interest in relation to item 16.3 in the Closed Agenda as he works as a mediator for Southern Tanami Kurdiji Indigenous Corporation (STKIC).

### **4 CODE OF CONDUCT MATTERS**

#### **ACCEPTANCE OF THE CODE OF CONDUCT**

*OC092/2018* **RESOLVED** (Cr James Glenn/Cr Adrian Dixon)  
**That Council confirm their commitment to the Code of Conduct.**

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

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

*OC093/2018* **RESOLVED** (Cr Robert George/Cr Norbert Patrick)  
**That the minutes of the previous meetings listed below be received and confirmed as a true and correct record:**

- **26 July 2018**                      **Failed Ordinary Meeting**
- **30 July 2018**                      **Failed Special Meeting 9am**
- **30 July 2018**                      **Special Meeting 3pm**
- **13 August 2018**                   **Ordinary Council Meeting**

### **6 ACTIONS FROM PREVIOUS MINUTES**

## 6.1 ACTIONS FROM PREVIOUS MINUTES

**OC094/2018 RESOLVED (Cr April Martin/Cr David McCormack)**  
**That Council:**

1. Note progress reports on outstanding actions from the minutes of previous Ordinary Council meetings, and
2. Approve the removal of completed action items.

## 7 LOCAL AUTHORITY REPORTS

### 7.1 LOCAL AUTHORITY MEETING MINUTES

**OC095/2018 RESOLVED (Cr Norbert Patrick/Cr April Martin)**  
**That Council note the minutes of the Local Authority meetings which have occurred since the last Ordinary Council meeting on 13 August 2018, and approve the following LA project subject to operational costs being scoped and funded:**

#### **Atitjere 21 August 2018**

- Atit013/2018 – Construction of a public toilet in community park

### **YUENDUMU GRANDSTAND FOR FOOTBALL OVAL**

**OC096/2018 RESOLVED (Cr Renita Webb/Cr Robert George)**  
**That Council endorse the recommendation from the failed meeting of Yuendumu Local Authority of 4 September 2018 to purchase grand stands for their football oval upgrade project.**

### **. 7.1(A) MERGING OF YUENDUMU AND NYIRRIPI LOCAL AUTHORITIES - Councillor Warren Williams**

Cr Warren Williams suggested that Yuendumu and Nyirripi local authorities should be merged to assist with achieving quorum for meetings.

Cr George suggests that both Local Authorities be asked before the Minister is approached.

**OC097/2018 RESOLVED (Cr Warren Williams/Cr Adrian Dixon)**

That Council request the CEO:

- a) ask the next meeting of the Yuendumu and Nyirripi Local Authorities if they are happy to have one combined Local Authority, and
- b) the CEO write to the NT Government requesting that they approve having one combined Local Authority for Yuendumu and Nyirripi.

## 7.2 CHANGES TO LOCAL AUTHORITIES

*OC098/2018* **RESOLVED** (Cr Warren Williams/Cr David McCormack)

That Council

- a) accept the resignation of Deb Williams from the Laramba Local Authority bringing the LA numbers to 6 appointed and 4 elected members, and
- b) accept the resignation of Joe Marshall from the Lajamanu Local Authority bringing the LA number to 8 appointed and 2 elected members.

## 7.3(A) ROAD FROM ATITJERE ROAD TO STORE

*OC099/2018* **RESOLVED** (Cr James Glenn/Cr Warren Williams)

That Council request the CEO to investigate with the NT Government, Central Land Council and the community store the issues and risks around installation of a service road to Atitjere Store to determine the feasibility.

## 7.4 NYIRRIPI LA ELECTION

*OC100/2018* **RESOLVED** (Cr Warren Williams/Cr Norbert Patrick)

**That Council amend OC082/2018 to endorse the election of the following 8 members of the Nyirripi community to their local authority as appointed members:**

**Christine Ellis  
Kenneth Martin  
Lance Turner**

**Ben Gallagher  
Leston Spencer  
Desmond Williams**

**Judith Martin  
Alastair Turner**

**Bringing the total number of members to 12 appointed and elected members.**

## **7.5(A) NYIRRIPI COMMUNITY ENGAGEMENT**

*OC101/2018* **RESOLVED (Cr Robert George/Cr April Martin)**  
**That Council seek engagement with the Nyirripi community stakeholders and that at the next Nyirripi Local Authority meeting, two competitions be announced;**

- a) a community level “Tidy Towns” award, and**
- b) a “Community Employee” award to be nominated to an employee of any local employer.**

**And that at the next Local Authority meeting, a BBQ be held to announce the winners**

## **8 PRESIDENT'S REPORT**

### **8.1 PRESIDENT'S REPORT**

*OC102/2018* **RESOLVED (Cr James Glenn/Cr David McCormack)**  
**That Council receive the President’s report.**

### **8.2 ELECTION OF THE DEPUTY PRESIDENT**

Councillor Norbert Patrick was elected Deputy President.

*OC103/2018* **RESOLVED (Cr James Glenn/Cr Robert George)**  
**The Council:**

- 1) Undertake a secret ballot for election of the Deputy President under Section 61 (8) of the *Local Government Act*, and
- 2) Submit their individual ballot for their preferred candidate for Council's Deputy President valid from September 27 2018 to September 27 2019.

## 12.7 LOCAL DECISION MAKING

*OC104/2018* **RESOLVED** (Cr James Glenn/Cr Norbert Patrick)  
The Council note the information on the NT Government Local Decision Making initiative and endorse moving forward with a workshop with NT Government to identify potential places and projects in the Central Desert region.

## 13.1 DEPUTATION - OFFICE OF ABORIGINAL AFFAIRS, DEPARTMENT OF THE CHIEF MINISTER

**SUMMARY:** Mischa Cartwright, Executive Director of the Office of Aboriginal Affairs discussed the NT Government Aboriginal Affairs Strategy and provided information on various elements of the strategy including the development of a treaty.

## 9 CHIEF EXECUTIVE REPORTS

### 9.1 CEO REPORT

*OC105/2018* **RESOLVED** (Cr Robert George/Cr David McCormack)  
The Council note the report from the Chief Executive Officer.

### 9.2 RATIFYING THE USE OF THE COMMON SEAL

*OC106/2018* **RESOLVED** (Cr James Glenn/Cr Renita Webb)  
The Council ratify the use of the Common Seal for the grants listed in the agenda associated with this meeting.

## **10 CORPORATE SERVICES REPORTS**

### **10.1 FINANCE COMMITTEE REPORTS**

*OC107/2018* **RESOLVED** (Cr April Martin/Cr Renita Webb)  
The Council note the minutes of the Finance Committee meeting held on 30 August 2018.

3:17 Cr Dixon returned to the meeting

### **10.2 AUDIT AND RISK COMMITTEE REPORT**

*OC108/2018* **RESOLVED** (Cr David McCormack/Cr Adrian Dixon)  
That Council note the minutes of the Audit and Risk Committee meeting held on 30 Aug 2018.

### **10.3 FINANCE REPORT**

*OC109/2018* **RESOLVED** (Cr Norbert Patrick/Cr James Glenn)  
That Council note the financial reports for the period ending 31 August 2018.

### **10.4 REVISED VERSION OF THE FINANCE REPORT**

*OC110/2018* **RESOLVED** (Cr April Martin/Cr Audrey Inkamala)  
That Council approve the revision to the format of the monthly Finance Report.

### **10.5 ADOPTION OF ANNUAL REPORT**

*OC111/2018* **RESOLVED** (Cr Robert George/Cr April Martin)  
That Council:

- (a) adopt the draft 2017/2018 Annual Report, excluding the Audited Financial Statements;
- (b) delegate to the Finance Committee authority to approve the inclusion of the Audited Financial Statements in the Annual Report;
- (c) approve the final Annual Report to then be sent to the Minister.

## **10.6 COUNCIL, LOCAL AUTHORITY AND COMMITTEE MEMBER TRAVEL POLICY**

*OC112/2018* **RESOLVED** (Cr Norbert Patrick/Cr April Martin)  
That Council adopt changes to P68 Council, Local Authority and Committee Member Travel Policy as detailed in the agenda associated with this meeting.

## **10.7 REVIEW OF WORK HEALTH & SAFETY (WHS) POLICY**

*OC113/2018* **RESOLVED** (Cr David McCormack/Cr Warren Williams)  
That Council adopt the revised policy on Work Health and Safety.

## **10.8 COUNCILLOR MEETING ATTENDANCE**

*OC114/2018* **RESOLVED** (Cr Warren Williams/Cr Adrian Dixon)  
That Council

- (a) endorse apologies and absences for the last six meetings as being reasonable and accepted;
- (b) agree the listed acceptable reasons for apology are as follows;
  - Medical grounds (a medical certificate may be required) for the councillor or a family member for whom they are caring – either known in advance or due to circumstances on the day;
  - Sorry business, or
  - Urgent personal or work related issues that are clearly unavoidable
- (c) agree to provide future apologies in writing in keeping with P41;
- (d) request the CEO to review on the basis of this resolution and bring an updated P41 back to Council for further discussion;
- (e) agree that apologies will be formally resolved to be accepted for this and future meetings; and



**(f) note the CEO must advise of any casual vacancies that occur due to non-attendance at two Council meetings with no accepted apology.**

## **11 DIRECTORATE REPORTS**

### **11.1 DIRECTOR COMMUNITY SERVICES REPORT**

**OC115/2018 RESOLVED (Cr James Glenn/Cr Robert George)  
That Council note the report from the Director of Community Services.**

### **11.2 DIRECTOR CORPORATE SERVICES' REPORT**

**OC116/2018 RESOLVED (Cr Norbert Patrick/Cr David McCormack)  
That Council note the report from the Director Corporate Services.**

### **11.3 REMOTE COUNCIL SERVICES**

**OC117/2018 RESOLVED (Cr Robert George/Cr James Glenn)  
That Council note the report from the Director of Remote Council Services.**

### **11.4 DIRECTOR INFRASTRUCTURE AND ASSETS REPORT**

**OC118/2018 RESOLVED (Cr Norbert Patrick/Cr Robert George)  
That Council note the report from the Director Infrastructure and Assets.**

## **12 GENERAL BUSINESS**

### **12.1 BIRTH OF CR INKAMALA'S BABY**

**OC119/2018 RESOLVED (Cr Warren Williams/Cr Adrian Dixon)**

**That the Council note the birth of Cr Inkamala's first child and endorse a letter of congratulations be sent to Cr Inkamala and family.**

## **12.2 NATIONAL ELECTION ADVOCACY**

*OC120/2018* **RESOLVED** (Cr Warren Williams/Cr April Martin)  
**That Council endorse the Australian Local Government Association (ALGA) federal advocacy campaign of '1% plus partnership programs' and confirm Central Desert Regional Council's support by completing the form at <http://bit.ly/SupportALGAAadvocacy>.**

## **12.3 AUGUST UPDATE - NTG ALCOHOL POLICY AND LEGISLATION REVIEW**

*OC121/2018* **RESOLVED** (Cr Norbert Patrick/Cr Robert George)  
**That Council note the August update from the NT Government on its Alcohol Policy and Legislation Review.**

CONFIRMED

**. 12.3(A) SIGN AT 10 MILE BOUNDARY REGARDING ALCOHOL -**  
*Councillor Warren Williams*

**SIGN AT 10 MILE BOUNDARY REGARDING ALCOHOL**

*OC122/2018* **RESOLVED (Cr Warren Williams/Cr Adrian Dixon)**  
That Council request the CEO write to the NT Government regarding the reinstatement of the “Restricted Community” sign at the 10 mile boundary outside Yuendumu which has been lost due to the road works.

**12.4 CORRESPONDANCE FROM ALCOHOL REVIEW  
IMPLEMENTATION TEAM**

*OC123/2018* **RESOLVED (Cr April Martin/Cr Renita Webb)**  
That Council note the correspondence from the NTG Alcohol Review Implementation team and agree to provide the following observations relating to alcohol:

- People are going interstate to get alcohol more cheaply (Mt Isa and South Australia),
- The NT Government needs to do more to shut down private sales of alcohol in Alice Springs,
- Community consultations needed to happen more quickly and cover possible permit systems, drinking areas and use of local mediation teams,
- There is potential discrimination with people being asked their address and refused service (without checking names and licenses against the Banned Drinkers Register) based on their coming from community.

**12.5 UPDATE ON ANIMAL BY-LAWS**

*OC124/2018* **RESOLVED (Cr April Martin/Cr Renita Webb)**  
That Council:

- (a) determine to cease pursuing the creation of a Dog Control By-Law, due to the need to have financial penalties; and
- (b) proceed by developing and adopting a Council policy covering Dog Management and Control on communities.

## **12.6 (A) VEHICLE AND SCRAP METAL RECYCLING PROJECT**

*OC125/2018* **RESOLVED** (Cr April Martin/Cr Renita Webb)

**That Council:**

**(a) endorse in principle the creation of a subsidiary, through a shared service with MacDonnell and Barkly Regional Councils, for the purpose of providing sustainable waste management in relation to vehicle bodies and scrap metal on the communities; and**

**(b) endorse the development of the Charter, Plans and Policies required for that shared service.**

## **13 QUESTIONS FROM MEMBERS**

## **14 QUESTIONS FROM THE PUBLIC**

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

*OC126/2018* **RESOLVED** (Cr James Glenn/Cr April Martin)

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 listed come within the following provisions:-

## **15 CLOSED SESSION**

**16.1 Confirmation of Previous Confidential Minutes - *The report will be dealt with under Section 65(2) of the Local Government Act and Regulation 8 (ciii) of the Local Government (Administration) Regulations. It contains information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person (Matters have been previously dealt with under Section 65(A).).***

**16.2 CDP Progress Report** - *The report will be dealt with under Section 65(2) of the Local Government Act and Regulation 8 (ci) of the Local Government (Administration) Regulations. 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 Information being shared with Council).*

**16.3 STKIC Transition of Business Funding Arrangements** - *The report was dealt with under Section 65(2) of the Local Government Act and Regulation 8 (ci) of the Local Government (Administration) Regulations. It contained information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.*

During the closed meeting it was resolved to move item 16.3 into open.

### **16.3 (A) STKIC TRANSITION OF BUSINESS FUNDING ARRANGEMENTS**

**OC127/2018 RESOLVED (Cr Adrian Dixon/Cr April Martin)**  
**That Council**

- (a) approve the relinquishing of funding for the Yuendumu and Willowra Night Patrol Services effective as of the close of business 31 December 2018;**
- (b) Note that Southern Tanami Kurdiji Indigenous Corporation (STKIC) will assume responsibility for the delivery for both mediation and justice services and Community Safety Patrol services in both Yuendumu and Willowra from 1 January 2019;**
- (c) Approve the CEO to review and negotiate any changes in leasing arrangements for staff accommodation at the two locations; and**
- (d) Move this resolution into open.**

**16.4 Special Purpose Grant - Financial Acquittal** - *The report was dealt with under Section 65(2) of the Local Government Act and Regulation*

8 (ci) of the Local Government (Administration) Regulations. It contained information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

During the closed meeting it was resolved to move item 16.4 into open.

#### **16.4 SPECIAL PURPOSE GRANT - FINANCIAL ACQUITTAL**

**OC128/2018 RESOLVED (Cr Robert George/Cr Warren Williams)**  
**That:**

- a) Council note the Department of Housing and Community Development Financial Acquittals for Special Purpose Grants, and**
- b) this resolution and attachment 1 & 3 be moved into open business.**

**16.5 Homelands Contracts** - *The report will be dealt with under Section 65(2) of the Local Government Act and Regulation 8 (d) of the Local Government (Administration) Regulations. It contains information subject to an obligation of confidentiality at law, or in equity.*

#### **MOVE TO OPEN AGENDA**

**OC129/2018 RESOLVED (Cr Adrian Dixon/Cr Audrey Inkamala)**

**That Council return to the open agenda.**

#### **16 CLOSE OF MEETING**

The meeting terminated at 4:13pm.

**THIS PAGE AND THE PRECEEDING 15 PAGES ARE THE MINUTES OF THE ORDINARY COUNCIL HELD ON THURSDAY, 27 SEPTEMBER 2018 AND CONFIRMED.**