



CENTRAL DESERT REGIONAL COUNCIL

two ways :: one outcome

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE
ALICE SPRINGS COUNCIL OFFICE ON THURSDAY, 30 SEPTEMBER
2021 AT 10:00AM

Before the meeting opened, Councillors were welcomed by Chanston Paech, Minister for Local Government. Swearing in ceremony took place.

The meeting opened at 10.00 am.

1 ATTENDANCE AND APOLOGIES

Present:

Councillors

Cr Adrian Dixon (President), Cr Warren Williams (Deputy President), Cr Cyril Tasman, Cr James Glenn, Cr William Liddle, Cr Andrew Johnson, Cr April Martin, Cr Nathaniel Dixon, Cr Jacob Spencer, Cr Freddy Williams and Cr Jeff Iversen

Apologies

Nil

Absences

Nil

Council Officers

Diane Hood (CEO), Leslie Manda (Deputy CEO), Jacob Khumalo (GM Commercial) Sally Langton (Director, Agency Services), Irene McCreevy (GM Organisational Development), Nicole Neilson (Program Manager Operations), Samadhi Nisansala (Governance Officer)

2 ACCEPTANCE OF AGENDA

Council accepted the agenda and the tabled deputation from the Department of health regarding covid-19 and availability of the vaccine bus. It was agreed the deputation would take place at 11am.

3 DECLARATIONS OF CONFLICT OF INTEREST

Nil

4 CODE OF CONDUCT MATTERS

Nil

4.1 4. CODE OF CONDUCT

OC120/2021 **RESOLVED** (Cr Freddy Williams/Cr William Liddle)
That Council note and confirm their adherence to the Elected Members Code of Conduct.

5 CONFIRMATION OF PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES

SUMMARY: This report presents the confirmed minutes from the Ordinary Council meeting on 30 July 2021.

OC121/2021 **RESOLVED** (Cr Jacob Spencer/Cr April Martin)
That the Council confirm the minutes from the Ordinary Council Meeting held on 30 July 2021.

6 ACTIONS FROM PREVIOUS MINUTES

6.1 ACTIONS FROM PREVIOUS MINUTES

SUMMARY: Council monitors progress its' resolutions and actions.

OC122/2021 **RESOLVED** (Cr Adrian Dixon/Cr April Martin)
That Council note progress reports on outstanding actions from the minutes of previous Ordinary Council Meetings.

7 PRESIDENT'S REPORT

Nil

8 CHIEF EXECUTIVE REPORTS

8.1 ELECTION OF PRESIDENT AND DEPUTY PRESIDENT

SUMMARY: The Council is being asked to elect the Principal member (the President) and deputy principal member.

OC123/2021 RESOLVED (Cr William Liddle/Cr Adrian Dixon)
The Council determine that the title of the Principal member under Section 58 (3) of the Local Government Act to be "President".

OC124/2021 RESOLVED (Cr Jeff Iversen/Cr James Glenn)
That Council determine the period for the Deputy Presidency will be for the term of the Council.

OC125/2021 RESOLVED (Cr Jeff Iversen/Cr Cyril Tasman)
That Council decide unanimously that a secret ballot will be used for the election of the President and Deputy President.

Elections for President were held.

Nominations for the following were received:

- Adrian Dixon
- Warren Williams
- Jeff Iversen

A ballot was held. Cr Adrian Dixon was elected as President.

The President then took the Chair of the meeting.

Elections for Deputy President were held.
Nominations for the following were received:

- Nathaniel Dixon
- Warren Williams
- Jeff Iversen
- James Glenn

A ballot was held. Cr Warren Williams was elected as Deputy President.

8.2 CASTING VOTE BY CHAIR

SUMMARY: Under section 95 (6) (a) it states that Council should decide at its first meeting whether to allow the Chairperson of a Council Meeting to exercise a casting vote.

OC126/2021 **RESOLVED (Cr Jeff Iverson/Cr Cyril Tasman)**
That Council decide to allow a casting vote by the Chair.

Meeting break 10.53am / Resumed 10.58am It was noted Health were arriving for their deputation and it was agreed to commence as soon as set up.

Deputation from Department of Health Start 11.19am / Finish 11.38am. Representatives were David Reeve, General Manager Central Australian Health and with him were Gail Turner and Doctor PD.

Councillors and the Health representatives discussed the importance of vaccination and the issues arising on communities that were impacting take up of the vaccine.

Cr Freddy Williams left the meeting, the time being 11:42 AM
Cr Freddy Williams returned to the meeting, the time being 11:46 AM

8.3 APPOINTMENT OF CDRC AUDIT COMMITTEE MEMBERS

SUMMARY: Council committees are an important part of Council and assist Council to undertake specific roles and functions. The new *Local Government Act 2019* specifies that council must establish and maintain an audit committee. The functions and role of this committee overlap and combine the functions previously attributed to two separate committees.

OC127/2021 RESOLVED (Cr Jeff Iversen/Cr Jacob Spencer)

That Council:

- 1. Abolish its Finance Committee established May 2012.**
- 2. Abolish its Audit and Risk Committee established October 2015.**
- 3. Establish the CDRC Audit Committee under section 86 (7) of the *Local Government Act 2019*.**
- 4. Appoint the following elected members to form the CDRC Audit Committee:**
 - Cllr April Martin**
 - Cllr Warren Williams**
 - Cllr William Liddle**
- 5. Endorse the CEO to continue the appointment of two sitting external members of previous committees until the end of their term.**
- 6. Accept and endorse Terms of Reference for Audit Committee with suggestions to change working in TOR for Section 4 to state CEO and other relevant staff are required to attend.**

LUNCH Meeting break 11:56am / Resumed 12:32pm

8.4 APPOINTMENT OF THE CEO PERFORMANCE COMMITTEE

OC128/2021 RESOLVED (Cr April Martin/Cr James Glenn)

That Council appoints the following members of the CEO Performance Committee:

President Adrian Dixon
Deputy President Warren Williams
Cllr Jeff Iversen
Cllr Nathaniel Dixon

Cr Cyril Tasman left the meeting, the time being 12:57 PM
Cr Cyril Tasman returned to the meeting, the time being 1:01 PM

8.5 NOMINATION FOR LGANT DELEGATES

SUMMARY: Each Council has delegates to LGANT who vote at general and annual general meetings. Under the LGANT Constitution it states that 'councils shall be represented at meetings of the Association by nominated delegates'.

OC129/2021 **RESOLVED (Cr Jacob Spencer/Cr Jeff Iversen)**
That the Council nominate the President Adrian Dixon and Cr Cyril Tasman as delegates to represent Council at meetings of the Association.

8.6 NOMINATIONS TO THE LGANT EXECUTIVE

SUMMARY: LGANT has called for the nomination of office bearers due to casual vacancies. In accordance with clause 14.9 of the LGANT Constitution, LGANT calls for nominations to the three (3) casual vacancies on the LGANT Executive Board. Election for these positions on the LGANT Executive Board will be held on Friday 5 November 2021 at the LGANT Annual General Meeting in Alice Springs. Persons elected to the casual vacancies shall serve on these positions until the election of a new Executive Board in November 2022.

OC130/2021 **RESOLVED (Cr Andrew Johnson/Cr April Martin)**
That Council do not nominate a Councillors for the casual vacancies on the LGANT Executive.

Council would like to invite LGANT to the next meeting as a deputation to discuss the functionality of LGANT

8.7 NOMINATIONS FOR LGANT COMMITTEES

SUMMARY: Nominations being called for the NT Heritage Committee. This position is by Ministerial appointment and is open to elected members. The term of the appointment is up to 31 January 2023.

OC131/2021 **RESOLVED (Cr Jeff Iversen/Cr April Martin)**
That Council do not nominate a Councillor for the NT Heritage Council.

8.8 CEO REPORT

SUMMARY: An overview of the previous two months and the CEO's work.

OC132/2021 RESOLVED (Cr Jeff Iversen/Cr Adrian Dixon)
That Council note the CEO report.

Cr Andrew Johnson left the meeting, the time being 1:32 PM
Cr Andrew Johnson returned to the meeting, the time being 1:34 PM

8.9 FINANCE REPORT

SUMMARY: This is a regular report to Council which provides detail of actual expenditure against budget for the previous month, or year to date up to the preceding month of the meeting date. The report has been updated to meet the *Local Government Act 2019* and associated regulations.

OC133/2021 RESOLVED (Cr Jeff Iversen/Cr Andrew Johnson)
That Council notes the financial reports for the period ending 31st August 2021.

8.10 CORRESPONDENCE IN

SUMMARY: Correspondence comes into Council from emails to staff, emails to Info Council, formal letters and hand delivery. Correspondence dealing with operational matters is not included in this report, except where it overlaps with Council's strategy or is to do with open resolutions.

OC134/2021 RESOLVED (Cr Adrian Dixon/Cr April Martin)
The Council notes the correspondence in covering:

- addressed to the President or Councillors;
- political matters; or
- strategic advice and information in relation to CDRC.

9 LOCAL AUTHORITY REPORTS

9.1 LOCAL AUTHORITY MEETING MINUTES

SUMMARY: This report tables the minutes of local authority meetings since the last ordinary Council meeting and highlights any decisions required by Council. Action items that arise from these minutes are raised at the following ordinary Council meeting.

OC135/2021 RESOLVED (Cr Cyril Tasman/Cr Nathaniel Dixon)

That Council notes the minutes from the following Local Authorities:

- **Anmatjere 11/08/2021 Minutes**
- **Willowra 12/08/2021 Minutes**
- **Atitjere 25/08/2021 Minutes**
- **Engawala 26/08/2021 Minutes**
- **Laramba 01/09/2021 Minutes**
- **Yuelamu 02/09/2021 Minutes**
- **Yuendumu 08/09/2021 Minutes**
- **Nyirripi 09/09/2021 Minutes**
- **Lajamanu 15/09/2021 Minutes**

That Council approves the proposed LA projects noted in the minutes for Anmatjere, Willowra and Yuendumu.

Cr Freddy Williams left the meeting, the time being 12:40 PM

Cr Freddy Williams returned to the meeting, the time being 12:51 PM

9.2 LOCAL AUTHORITY ELECTED MEMBER APPOINTMENT

SUMMARY:

This report recommends and is for Council consideration in appointing of elected members to Local Authorities.

OC136/2021 RESOLVED (Cr Jeff Iversen/Cr Cyril Tasman)

- 1. That Council revoke the Local Authority memberships relating to the previous term of Council.**
- 2. That Council appoint the following elected members to each Local Authority (LA) area:**

Akityarre Ward

Atitjere – Cllr Billy Liddle

Anmatjere Ward

Engawala – Cllr Jeff Iversen

Laramba – Cllr Adrian Dixon

Anmatjere – Cllrs James Glenn and Nathaniel Dixon

Yuelamu – Cllr Adrian Dixon

Southern Tanami Ward

Yuendumu – Cllrs Warren Williams, Freddy Williams, Cr Jacob Spencer and Cr April Martin

Willowra – Cr April Martin, Cr Freddy Williams and Cr Jacob Spencer

Nyirripi – Cr Jacob Spencer, Cr April Martin and Cr Freddy Williams

Northern Tanami Ward

Lajamanu – Cr Andrew Johnson

9.3 CHANGES TO LOCAL AUTHORITIES - LOCAL MEMBERS

SUMMARY: This report shows changes to be endorsed in the local membership of Local Authorities and outlines the current status.

OC137/2021 **RESOLVED** (Cr Cyril Tasman/Cr April Martin)

1. That Council endorses:

- a) The removal of Harold Ross, Ashley Martin, Jeannie Presley, Kathy Walker and Lillian Long as Local Authority members in Willowra. The nomination of Julie Kitson, Eric Williams and Malcom Fry as Local Authority members in Willowra.
- b) The removal of Linda Marshall as Local Authority member in Yuelamu.
- c) The nomination of David McCormack as Local Authority member for Yuelamu.
- d) The nomination of Jennifer Baarda as Local Authority Member for Yuendumu.
- e) The continuation of Sharon Williams as Local Authority Member for Atitjere.

2. Notes the current overall status of local members for Local Authorities.

Previous Councillor Joe Marshall was nominated to the Lajamanu Local Authority. Council do not accept his nomination.

Cr April Martin left the meeting, the time being 2:08 PM
Cr Freddy Williams left the meeting, the time being 2:10 PM
Cr April Martin returned to the meeting, the time being 2:13 PM
Cr Freddy Williams returned to the meeting, the time being 2:21 PM

10 DIRECTORATE REPORTS

10.1 DIRECTOR COUNCIL SERVICES REPORT

SUMMARY: This report outlines achievements for July and August, includes the standard report for municipal services, roads, fleet & depot and waste. This report also covers an update on capital projects.

OC138/2021 **RESOLVED** (Cr Jacob Spencer/Cr April Martin)
That Council note the report from the Director, Council Services.

10.2 COMMERCIAL SERVICES REPORT

SUMMARY: This report notes the performance of contracts which Council delivers on behalf of different principals in the region.

OC139/2021 **RESOLVED** (Cr Jacob Spencer/Cr Cyril Tasman)
That the Council notes the Commercial Services report.

10.3 AGENCY SERVICES REPORT

SUMMARY: This is a divisional report to provide Councillors with an update on current results against our Key Performance Indicators (KPI) and commentary on projects and initiatives that address regional plan actions since the last Council Meeting

OC140/2021 **RESOLVED** (Cr April Martin/Cr Nathaniel Dixon)
That Council note the report from the Director Agency Services.

Meeting break 2:22 PM / Resumed 2:43 PM

11 CORPORATE SERVICES REPORTS

11.1 FINANCE COMMITTEE REPORT

SUMMARY: The Finance Committee is a committee of Council who review Council's monthly finance reports in the month between Council meetings.

OC141/2021 **RESOLVED (Cr William Liddle/Cr James Glenn)**
That Council note the minutes of the Finance Committee meeting held on 18 August 2021.

11.2 AUDIT AND RISK COMMITTEE REPORT

SUMMARY: Council reviews the minutes of the Audit and Risk Committee.

OC142/2021 **RESOLVED (Cr William Liddle/Cr Cyril Tasman)**
That Council:

- 1. Note the minutes of the Audit and Risk Committee meeting held on 20 April 2021.**

11.3 INCOME AND EXPENDITURE 2020-21 LA PROJECT FUNDING

SUMMARY: The following reports provide Council with information on each communities financial position in regard to income and expenditure for Local Authority projects ending 30 June 2021

OC143/2021 **RESOLVED (Cr Jeff Iversen/Cr Nathaniel Dixon)**
That the Council note the Certification of 2020-21 Local Authority Project Funding

12 GENERAL BUSINESS

12.1 SCHEDULE FOR COUNCIL MEETINGS

SUMMARY: Each year Council determines the schedule for the following financial year, including dates and locations of its ordinary council meetings.

OC144/2021 **RESOLVED (Cr Jeff Iversen/Cr Jacob Spencer)**
That Council endorse the proposed schedule for Council meetings for the remainder of this financial year.

12.2 LGANT ELECTED MEMBER SYMPOSIUM

SUMMARY: LGANT will present information relevant for newly elected members and provide a refresher for returning members. That Council consider if they would like to attend Professional Development opportunity on 5th and 6th October 2021

OC145/2021 **RESOLVED (Cr April Martin/Cr Cyril Tasman)**
That Council determined Councillors who wish to attend LGANT can talk to the CEO for that to be organised if possible.

12.3 LGANT MEMBER VALUE

SUMMARY: LGANT is a membership organisation and the peak body for Local Government in the Northern Territory.

OC146/2021 **RESOLVED (Cr Andrew Johnson/Cr Jeff Iversen)**
That Council note the report from LGANT on the member value provided.

Cr Iversen requested a copy of the LGANT member value document be forwarded to all Councillors.

12.4 CALL FOR MOTIONS TO THE LGANT GENERAL MEETING

SUMMARY: LGANT Calls for Motions each year at its General Meeting. Any Council can submit a motion for consideration by all delegates.

After debate, Council chose not to raise any motions for the LGANT General Meeting.

Cr Andrew Johnson left the meeting, the time being 3:12 PM

Cr Andrew Johnson returned to the meeting, the time being 3:16 PM

12.5 POLICY REVIEW - P60 CEO CODE OF CONDUCT

SUMMARY: With the introduction of the new *Local Government Act 2019*, there are new requirements for Council policies. Specifically under S175, the Council must, by resolution, adopt a code of conduct for the CEO. It was noted that the CEO must determine the code of conduct for council's other staff. This was tabled for review and discussion.

OC147/2021 RESOLVED (Cr Cyril Tasman/Cr Nathaniel Dixon)
That Council

- (a) Rescind P60 Code of Conduct – Employees; and**
- (b) Adopt the new P60 CEO Code of Conduct.**

12.6 POLICY REVIEW - P87 EXTERNAL COMPLAINTS, P13 PROFESSIONAL DEVELOPMENT (COUNCILLORS AND LA MEMBERS), P12 PRESIDENTS WORK ENTITLEMENT

SUMMARY: The Council reviews the updated policies to ensure that they are true and correct. Given changes to the *Local Government Act 2019*, all policies will be reviewed over this financial year to ensure compliance in the 12 month period.

OC148/2021 RESOLVED (Cr Jacob Spencer/Cr Adrian Dixon)
That the Council approve the updated policies

- P87 External Complaints**
- P13 Professional Development (Councillors and LA Members)**
- P12 Presidents Work Entitlement**

12.7 POLICY REVIEW - P36 RELIEF HARDSHIP, P32 PROCUREMENT

SUMMARY: The Council reviews the updated policies to ensure that they are true and correct. Given changes to the *Local Government Act 2019*, all policies will be reviewed over this financial year to ensure compliance in the 12 month period.

OC149/2021 RESOLVED (Cr April Martin/Cr Andrew Johnson)
That Council note and adopt the updated policies P36 Rates Hardship Relief Policy and P32 Procurement Policy.

12.8 POLICY REVIEW - MINOR UPDATES FOR LEGISLATION P14, P93, P33

SUMMARY: The Council reviews the updated policies to ensure that they are true and correct. Given changes to the *Local Government Act 2019*, all policies will be reviewed over this financial year to ensure compliance in the 12 month period.

OC150/2021 RESOLVED (Cr James Glenn/Cr Jacob Spencer)
That Council note and adopt the changes to policies P14 Risk Management, P93 Petition and P33 Donations and Sponsorship.

12.9 CEO END OF TERM

SUMMARY: The CEO five year terms concludes on 5 August 2022.

OC151/2021 RESOLVED (Cr Nathaniel Dixon/Cr Adrian Dixon)
That Council

- 1. note the CEO advice that she is not seeking reappointment in the role at the end of the current term; and**
- 2. instruct the current CEO to seek proposals from specialist recruitment agencies for the hiring of a new CEO to commence in August 2022.**

13 PETITIONS AND DEPUTATIONS

Nil

14 QUESTIONS FROM MEMBERS

Most items raised were operational matters and Councillors were reminded these do not wait for Council meetings. Residents can lodge service requests with every community Council office and complaints can be lodged with the CEO at any time.

Q: Can the Nturiya meeting place be moved.

A: Council can only put things were Council has a Section 19 Lease. If the residents wish to have another meeting shelter, then this can be raised at the Local Authority.

Q: There was a query in relation to the Mens Shelter in Ti Tree, materials have been there for over 5 years, but it has not been erected.

A: This is not Council business. It is unclear whose property this is. Council staff will check if asset is Councils and whether purchased with Local Authority funds. Land is not Council land.

Q: Can you clarify what a KPI is?

A: A KPI is a key performance indicator and are major things that the Council would like to meet which show whether we are meeting our goals or not.

Q: Who writes the KPIs?

A: This happens as part of Council's planning process. The KPIs were discussed and approved by previous Council for the current Regional Plan. When this new term of Council commences its planning phase in January, there will be debate and decisions in relation to a new Regional Plan.

Q: There is fitness equipment at Engawala which has not been installed. This was about six years ago.

A: Taken on notice.

Q: It was Crs from Lajamanu view that the grandstands in Lajamanu are too close together and a grandstand should be in each corner.

A: This is a local authority (LA) matter. If grandstands can be easily moved, that can be done with agreement of the LA, otherwise it is possible for the LA to decide an additional project to purchase more grandstands.

Q: Can Councillors use the Presidents phone in the office?

A: Councillors can use the phone for quick phone calls for business only.

Q: Does Council provide gifts for people attending the Christmas party?

A: Council does not provide gifts. The code of conduct was discussed. In previous years a secret santa has been organised where people who would like to participate buy a present for another person for a small value of money. Councillors can join in this if they wish.

Q: Can Councillors bring family to the Christmas Party and CDRC cover the cost of extra guests and accommodation?

A: Yes in terms of bringing family. No in terms of extra cost – there will be costs for additional guests and accommodation is not provided for non-Council people.

Q: The Nyirripi morgue is broken and needs attention.

A: This is not a Council matter and is a Department of Health matter. Please advise the CEO more details if Councillors wish this to be escalated.

15 QUESTIONS FROM THE PUBLIC

Nil

DECISION TO MOVE TO CLOSED SESSION

OC152/2021 **RESOLVED** (Cr James Glenn/Cr Jacob Spencer)

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 99(2) of the Local Government Act, 2019 and Section 51 of the Local Government (General) Regulations 2021 as the items listed come within the following provisions:-

16.1 Confirmation of Previous Closed Session Minutes

The report will be dealt with under Section 99(2) of the Local Government Act and Regulation 51 (ci) (e) of the Local Government (General) 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; AND information provided to the council on condition that it be keep confidential; AND information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person; AND information provided to the council on condition that it be kept confidential (closed minutes).

16.2 CEO Performance Review

The report will be dealt with under Section 99(2) of the Local Government Act and Regulation 51 (1) (a) of the Local Government (General) Regulations. 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 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.

THE FOLLOWING RESOLUTIONS WERE MOVED INTO OPEN:

16.2 CEO PERFORMANCE REVIEW

SUMMARY: Council has delegated the CEO performance review to the CEO Performance Review Committee. The process is facilitated by an external consultant from McArthurs.

OC153/2021 **RESOLVED (Cr April Martin/Cr Freddy Williams)**

1 That Council note the CEO Performance Review for 2020/21.

2 That Council accept and adopt the 2021/22 CEO goals

And

That Council move this decision into open.

DECISION TO MOVE TO OPEN SESSION

OC154/2021 **RESOLVED (Cr April Martin/Cr Freddy Williams)**

That the meeting move back into open session.

16 CLOSE OF MEETING

The meeting closed at 3:47 pm.

This page and the preceding 17 pages are the minutes of the Ordinary Council held on Thursday, 30/09/2021 TO BE CONFIRMED Thursday, 25 November 2021.