

MINUTES OF THE ORDINARY MEETING OF THE ROPER GULF REGIONAL  
COUNCIL MEETING HELD AT THE KATHERINE TOWN COUNCIL CHAMBERS  
ON WEDNESDAY, 28 JANUARY 2015 AT 8:30

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**1. PRESENT/STAFF/GUESTS**

**1.1 Elected Members**

Mayor Tony Jack  
Deputy Mayor, Judy MacFarlane  
Councillor, Annabelle Daylight  
Councillor, Timothy Baker Jnr.  
Councillor, Donald Garner  
Councillor, Daphne Daniels  
Councillor, Anne-Marie Lee  
Councillor, Eric Roberts  
Councillor, Selina Ashley

**1.2 Staff**

Michael Berto - Chief Executive Officer (CEO)  
Greg Arnott - Director, Corporate Governance (DCG)  
Catherine Proctor – Director, Community Services (DCS)  
Marc Gardner - Director, Contracts and Technical Services  
Lokesh Anand - Manager, Finance  
Jyoti Pudasaini - Manager, Governance, Corporate Planning and Compliance  
Bala Krishna Donepudi – Management Accountant  
Hilary Sinfield - Governance Officer (Minute Taker)

**1.3 Guests**

Nil

**2. MEETING OPENED**

The Ordinary Meeting of Council opened at 8.31am.

**3. WELCOME TO COUNTRY**

Mayor Jack welcomed all Elected Members and staff to the meeting.

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

##### **4.1 APOLOGIES AND LEAVE OF ABSENCE**

1/2015 RESOLVED (Eric Roberts/Timothy Baker Jr.) Carried

- (a) That Council accept apologies from Cr. John Dalywater, Cr. Kathy-Anne Numamurdirdi and Cr. Stan Allen for non attendance at Ordinary meeting of Council on 28 January 2015.

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

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

2/2015 RESOLVED (Judy MacFarlane/Annabelle Daylight) Carried

- (a) That Council confirms the minutes from the ordinary meeting of the Council on 12 November 2014 as a true and accurate record of that meeting.

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

##### **6.1 CONFIRMATION OF PREVIOUS FINANCE COMMITTEE MEETING MINUTES**

3/2015 RESOLVED (Donald Garner/Eric Roberts) Carried

- (a) That Council confirms that the minutes from the Finance Committee Meeting on 17 December 2014 as a true and accurate record of that Meeting.

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

- Variation to funding for 3 crèche sites and ASC/OSHC at Jilkminggan and Ngukurr
- Borroloola Dump – Cr Garner
- Ferial animal control in Borroloola – Cr Garner
- Council plant and equipment in Borroloola – Cr Garner
- Public drinking areas in Borroloola and Mataranka – Deputy Mayor MacFarlane and Cr Garner
- Mulholland Street damage to road – Cr Garner
- Drinking area shelter at Barunga – Cr. Lee
- Barge landing in Ngukurr

#### **8. QUESTIONS FROM THE PUBLIC**

Nil

#### **9. DISCLOSURES OF INTEREST**

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

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

##### **10.1 ACTION LIST**

4/2015 RESOLVED (Judy MacFarlane/Donald Garner) Carried

- (a) That Council receive and note action list.

## **11. INCOMING CORRESPONDENCE**

### **11.1 INCOMING CORRESPONDENCE**

**5/2015 RESOLVED (Anne-Marie Lee/Donald Garner) Carried**

- (a) That Council accept the Incoming correspondence.
- (b) That Council instruct the CEO to confirm with Cridlands MB on the points outlined in their correspondence dated 29<sup>th</sup> October 2014 in relation to the Borroloola Native Title Claim.

## **12. OUTGOING CORRESPONDENCE**

### **12.1 OUTGOING CORRESPONDENCE**

**6/2015 RESOLVED (Judy MacFarlane/Annabelle Daylight) Carried**

- (a) That Council accept the Outgoing correspondence.
- (b) That Council receive and note the media release from 20 October 2014 to 20 January 2015.

## **13. WARD REPORTS**

### **13.1 NEVER NEVER WARD**

**7/2015 RESOLVED (Judy MacFarlane/Eric Roberts) Carried**

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

### **13.2 NUMBULWAR NUMBIRINDI WARD**

**8/2015 RESOLVED (Donald Garner/Selina Ashley) Carried**

- (a) That Council receive and note the Numbulwar Numburindi Ward Report.

### **13.3 NYIRRANGGULUNG WARD REPORT**

**9/2015 RESOLVED (Anne-Marie Lee/Selina Ashley) Carried**

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

*Cr Selina Ashley left the meeting, the time being 09:52 AM  
Cr Timothy Baker Jr. left the meeting, the time being 09:53 AM  
Cr Timothy Baker Jr. returned to the meeting, the time being 09:53 AM  
Cr Selina Ashley returned to the meeting, the time being 09:55 AM*

### **13.4 SOUTH WEST GULF WARD REPORT**

**10/2015 RESOLVED (Donald Garner/Judy MacFarlane) Carried**

- (a) That Council receive and note South West Gulf Ward report.

Mayor Tony Jack left the meeting, the time being 09:58 AM  
Mayor Tony Jack returned to the meeting, the time being 10:03 AM  
Cr Annabelle Daylight left the meeting, the time being 10:17 AM

### **13.5 YUGUL MANGI WARD**

**11/2015 RESOLVED (Eric Roberts/Anne-Marie Lee)**

**Carried**

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

Cr Annabelle Daylight returned to the meeting, the time being 10:33 AM  
10.20am: Break for Morning Tea  
11.00am: resumed meeting  
11.00am: Work Health and Safety Presentation  
11.27am: Meeting resumed

### **14. EXECUTIVE DIRECTORATE REPORTS**

Cr Eric Roberts left the meeting, the time being 11:38 AM  
Cr Selina Ashley left the meeting, the time being 11:39 AM  
Cr Selina Ashley returned to the meeting, the time being 11:42 AM  
Cr Eric Roberts returned to the meeting, the time being 11:47 AM

#### **14.1 MAYOR AND CEO REPORTS**

**12/2015 RESOLVED (Eric Roberts/Donald Garner)**

**Carried**

- (a) **That Council receive and note the Mayor and CEO reports.**

*Council were presented a report of the CEO's meeting attendance for December 2014 and January 2015.*

*Council were also provided a verbal report of Mayor Tony Jack's meeting attendance for December 2014 and January 2015.*

### **15. CORPORATE GOVERNANCE DIRECTORATE REPORTS**

Mayor Tony Jack left the meeting, the time being 12:15 pm  
Cr Anne-Marie lee left the meeting, the time being 12:15 pm

#### **15.1 LOCAL GOVERNMENT ACT REVIEW**

**13/2015 RESOLVED (Eric Roberts/Donald Garner)**

**Carried**

- (a) **That Council receive and note report on Local Government Act review.**  
(b) **That Council nominate DCG Greg Arnott for the Working Party to guide the review process.**

*Mayor Tony Jack returned to the meeting, the time being 12:17 pm*

#### **15.2 2015 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT**

**14/2015 RESOLVED (Judy MacFarlane/Daphne Daniels)**

**Carried**

- (a) **That Council receive and note update on 2015 National General Assembly of Australian Local Government Association.**

Cr Anne-Marie Lee returned to the meeting, the time being 12:22 PM

### 15.3 DRAFT TERMS OF REFERENCE FOR AUDIT COMMITTEE

15/2015 RESOLVED (Judy MacFarlane/Anne-Marie Lee) Carried

- (a) That Council approve Terms of Reference for Audit Committee.

*The Terms of Reference for Audit Committee provides framework for the conduct of the Audit Committee.*

*Council were advised that the draft Terms of Reference was discussed at the Audit Committee Meeting on 16 January 2015 and feedback and amendments from Audit Committee were incorporated in the document before presenting it to Council.*

### 15.4 CONDITIONAL RATING PROPOSAL

16/2015 RESOLVED (Judy MacFarlane/Annabelle Daylight) Carried

- (a) That Council receive and note report on Conditional Rating Proposal.  
(b) That the CEO consults with the Mining and Pastoral sector within the council area in respect to rates on conditionally rateable land for the next five years.  
(c) That officers of council undertake a comparative analysis of the amounts contributed to the council by constituents of council.  
(d) That the CEO prepares a submission for the 2016-2017 year on future rates on conditional rateable land

### 15.5 EXEMPTION TO SMOKE FREE POLICY

17/2015 RESOLVED (Eric Roberts/Donald Garner) Carried

- (a) That Council amend the smoke free policy as follows:

**Clause 7.1 – ‘Staff are only permitted to smoke in designated smoking areas whilst on Council premises or facilities. Staff are not permitted to smoke in Council vehicles or machinery.’**

**Clause 7.2 – ‘Staff may only smoke during official breaks in designated smoking areas. This is consistent with staff employment contracts and conditions which do not include smoking breaks.’**

**Clause 7.8 – ‘Designated smoking areas will be identified and endorsed by the Work Health and Safety (WHS) Committee and approved by the Council’s Strategic Leadership Team (SLT) or equivalent.’**

12.32pm: Break for lunch  
1.30pm: Meeting resumes

### 15.6 FINANCE REPORT - RGRC FINANCIAL REPORT AS AT 31-12-2014

18/2015 RESOLVED (Judy MacFarlane/Daphne Daniels) Carried

- (a) That Council receive and note financial reports for the second quarter ended on 31<sup>st</sup> December 2014.

Mayor Tony Jack left the meeting, the time being 02:27 pm

**15.7 FINANCIAL RESULTS OF PROGRAMS UNDERTAKEN ON BEHALF OF OTHER AGENCIES.**

**19/2015 RESOLVED (Judy MacFarlane/Donald Garner) Carried**

- (a) That Council accept and note report on Financial Results of programs undertaken on behalf of other agencies.

*DCG presented the report. Council discussed on financial performance of Council's larger programs undertaken on behalf of other agencies.*

**15.9 LEASE AGREEMENT BETWEEN ROPER GULF REGIONAL COUNCIL AND TRADITIONAL CREDIT UNION**

**20/2015 RESOLVED (Daphne Daniels/Selina Ashley) Carried**

- (a) That Council accept the lease agreement between Roper Gulf Regional Council as Landlord and Traditional Credit Union as tenant of premises known as Part of Lot 293, Ngukurr Community, Northern Territory, and as tenant of premises as part of Lot 93, Numbulwar Community, Northern Territory, by signing and affixing the Common Seal to the lease agreement.

**15.10 GRANTS - CTG 2014-15 FINAL ACQUITTAL BORROLOOLA STAFF HOUSE REFURB - DEPARTMENT OF LOCAL GOVERNMENT & REGIONS**

**21/2015 RESOLVED (Judy MacFarlane/Timothy Baker Jr.) Carried**

- (a) That Council accept the final acquittal for the Closing the Gap funding for the refurbishment of the Borroloola Staff House Lot 382

**15.11 GRANTS - SPG 2014-15 FINAL ACQUITTAL NGUKURR ACQUATIC CENTRE - DEPARTMENT OF LOCAL GOVERNMENT & REGIONS**

**22/2015 RESOLVED (Judy MacFarlane/Anne-Marie Lee) Carried**

- (a) That Council accept the final acquittal for the funding of the Special Purpose Grant Funding for the Ngukurr Aquatic Centre Repairs

**15.12 GRANTS - 2014-15 ARC FUNDING AGREEMENT**

**23/2015 RESOLVED (Judy MacFarlane/Timothy Baker Jr.) Carried**

- (a) That Council accept the funding offer for the Active Remote Communities Program from Department of Sport, Recreation and Racing by signing and affixing the Common Seal to the funding agreement.

**16. COUNCIL SERVICES AND INFRASTRUCTURE REPORTS**

**16.1 ANIMAL HEALTH PROGRAM SUMMARY REPORT AND 2015 FIRST ROUND OF VET VISITS**

24/2015 RESOLVED (Judy MacFarlane/Annabelle Daylight) Carried

- (a) That Council receive and note the Summary Report on Animal Health Program from July to December 2014.

**17. COMMUNITY SERVICES DIRECTORATE REPORTS**

Nil

**18. CONTRACTS & TECHNICAL SERVICES DIRECTORATE REPORTS**

**18.1 CONTRACTS AND TECHNICAL SERVICES - 2ND QUARTER PERFORMANCE REPORT**

25/2015 RESOLVED (Eric Roberts/Selina Ashley) Carried

- (a) That Council receive and note the report in relation to the Contracts and Technical Services 2<sup>nd</sup> Quarter Performance and Activities.

**ACTION:** CEO and DCTS to visit Barunga to address fencing contract issued raised at meeting.

*Cr Selina Ashley left the meeting, the time being 02:58 pm*

**18.2 TECHNICAL SERVICES (OUTSTATIONS) - 2ND QUARTER REPORT**

26/2015 RESOLVED (Eric Roberts/Donald Garner) Carried

- (a) That Council note the Technical Services (Outstations) 2<sup>nd</sup> Quarter Report.

**ACTION:** Deputy Mayor, DCTS, CEO, DCG and Elected Members to visit Mole Hill to address service delivery in that Outstation.

**ACTION:** DCTS to follow up on funding for ablution block in Nullawan.

*Cr Selina Ashley returned to the meeting, the time being 02:59 pm*

**18.3 UPDATE OF CIVIL WORKS PROJECTS**

27/2015 RESOLVED (Anne-Marie Lee/Timothy Baker Jr.) Carried

- (a) That Council notes the Update of Civil Works Projects Report.

**18.4 CONTRACTS AND TECHNICAL SERVICES - CONTRACT UPDATES**

28/2015 RESOLVED (Eric Roberts/Selina Ashley) Carried

- (a) That Council receives and notes the report in relations to the contract updates.

**ACTION:** DCTS to provide Deputy Mayor with copy of Australia Post contract and provide details of additional post office boxes in Mataranka.

#### **18.5 ASSETS - TRAILER PURCHASE**

**29/2015 RESOLVED (Eric Roberts/Donald Garner) Carried**

- (a) That Council approve the purchase of an "Off Road" Trailer for the Fencing Program.

#### **18.6 ASSET MANAGER REPORT - OCTOBER 2014 TO DECEMBER 2014**

**30/2015 RESOLVED (Daphne Daniels/Annabelle Daylight) Carried**

- (a) That Council receive and note the report on Asset Management for the period October to December 2014

#### **19. DEPUTATIONS & PETITIONS**

Nil

#### **20. GENERAL BUSINESS**

##### **20.1 ALGWA NATIONAL BIENNIAL CONFERENCE - 25-28 MARCH 2015**

**31/2015 RESOLVED (Anne-Marie Lee/Daphne Daniels) Carried**

- (a) That Council receive and note update on ALGWA National Biennial Conference.  
(b) That Council nominate Deputy Mayor Judy MacFarlane, Cr. Selina Ashley, Cr. Annabelle Daylight and Cr. Anne Marie Lee to attend ALGWA National Biennial Conference.

*Council were informed that the Australian Local Government Women's Association (ALGWA) is hosting their National Biennial Conference in the Barossa Valley, South Australia from 25-28 March 2015.*

##### **20.2 FUNDING VARIATION FOR THREE CRÈCHE SITES AND ASC/OSHC AT JILKMINGGAN AND NGUKURR**

**32/2015 RESOLVED (Ashley/Garner) Carried**

- (a) That Council accept the funding agreement variation from the Department of Social Services for an additional \$26, 000 for x 3 crèche sites and an extra \$10,000 for ASC/OSHC at Jilkminggan and Ngukurr Crèches.

##### **20.3 BORROLOOLA DUMP**

**33/2015 RESOLVED (Donald Garner/Eric Roberts) Carried**

- (a) That Council receive and note verbal update on Borrooloola Dump

*Cr. Garner raised concerns about the Borrooloola Dump. DCTS responded with actions that have been taken to address such issues.*



**ACTION:** CEO to provide report on commercial dumping and waste management in Borroloola.

*Cr Selina Ashley left the meeting, the time being 03:37 PM*

*Cr Selina Ashley returned to the meeting, the time being 03:43 PM*

*Cr Anne-Marie Lee left the meeting, the time being 03:43 PM*

#### **20.4 FERAL ANIMAL CONTROL IN BORROLOOLA**

**34/2015 RESOLVED (Eric Roberts/Timothy Baker Jr.)**

**Carried**

**(a) That Council receive and note the verbal update on the feral animal control measures in Borroloola**

*Cr. Garner raised concerns about the feral and domestic animals roaming the streets in Borroloola. He advised there has been a number of incidents around animals fighting and the inherent health issues that follow.*

*DCTS provided a verbal update on the current efforts being undertaken to minimise feral animals in Borroloola.*

**ACTION:** DCTS to provide report at next OCM in relation to Borroloola CSM's recommendations regarding dog management program.

#### **20.5 COUNCIL PLANT AND EQUIPMENT IN BORROLOOLA**

**35/2015 RESOLVED (Timothy Baker Jr./Donald Garner)**

**Carried**

**(a) That Council receive and note the verbal update on the plant and equipment currently located in Borroloola**

*CEO provided update on the costs involved with hiring the grader and the Council's future plans for such equipment.*

**ACTION:** DCTS to provide report at next OCM in relation to Council's plant and equipment currently located in Borroloola.

*Cr Anne-Marie Lee returned to the meeting, the time being 04:01 PM*

#### **20.6 PUBLIC DRINKING AREAS IN BORROLOOLA AND MATARANKA**

**36/2015 RESOLVED (Daphne Daniels/Timothy Baker Jr.)**

**Carried**

**(a) That Council receive and note the verbal update on the public drinking areas in Borroloola and Mataranka.**

*Cr. Garner advised he has received concerns from Local Authority Members about the current location of the Public Drinking area in Borroloola.*

*CEO discussed the challenges involved with moving public drinking areas.*

*Deputy Mayor MacFarlane advised that Mataranka has recently seen a large increase of people utilising the Roper Bar turn-off as a public drinking area and advised the location is unsafe and another location should be sought.*

*CEO advised that this issue requires action from a higher level of Government.*

**ACTION:** CEO to raise public drinking area locations with Bess Price MLA in Mataranka on 29<sup>th</sup> January 2015.

## 20.7 DAMAGE TO MULHOLLAND STREET IN BORROLOOLA

37/2015 RESOLVED (Eric Roberts/Timothy Baker Jr.) Carried

- (a) That Council receive and note the verbal report on the damage to Mulholland Street in Borroloola

*DCTS has advised that PowerWater currently have this issue in hand.*

## 20.8 DRINKING AREA SHELTER AT BARUNGA

38/2015 RESOLVED (Selina Ashley/Anne-Marie Lee) Carried

- (a) That Council receive and note the verbal report on the drinking area shelter at Barunga

*Cr. Lee advised that the current drinking area shelter at Barunga is aged and repairs are required.*

## 20.9 BARGE LANDING IN NGUKURR

39/2015 RESOLVED (Eric Roberts/Selina Ashley) Carried

- (a) That Council receive and note the verbal report on the Ngukurr Barge Landing

*CEO advised that relevant NT Government Department have been contacted regarding this issue on the 9<sup>th</sup> January 2015*

**ACTION:** CEO to follow-up with relevant Minister regarding the Ngukurr Barge Landing.

## 21 CLOSED SESSION

### DECISION TO MOVE TO CLOSED SESSION

40/2015 RESOLVED (Donald Garner/Judy MacFarlane) 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:-

- 21.1 Audit Committee Meeting Minutes** - *The report will be dealt with under Section 65(2) (e) of the Local Government Act 2008 and Regulation 8 of the Local Government (Administration) Regulations 2008. It contains information provided to the council on condition that it be keep confidential.*

- 21.2 Request to reduce rental fees for office space - Hardy Aviation at Borroloola -**  
*The report will be dealt with under Section 65(2) (ci) (e) 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; AND information provided to the council on condition that it be keep confidential.*
- 21.3 JCAC Lease Negotiations -** *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.*
- 21.4 Katherine Based Leases and Proposed Light Industrial Investment. -** *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.*
- 21.5 Central Administration Centre Proposal -** *The report will be dealt with under Section 65(2) (ci) (e) 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; AND information provided to the council on condition that it be keep confidential.*

## **RESUMPTION OF MEETING**

**41/2015 RESOLVED (Anne-Marie Lee/Daphne Daniels) Carried**

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

## **CLOSED SESSION**

### **21.1 AUDIT COMMITTEE MEETING MINUTES**

**42/2015 RESOLVED (Donald Garner/Anne-Marie Lee) Carried**

- (a) That Council receive and note minutes from Audit Committee Meeting.

### **21.2 REQUEST TO REDUCE RENTAL FEES FOR OFFICE SPACE - HARDY AVIATION AT BORROLOOLA**

**43/2015 RESOLVED (Judy MacFarlane/Anne-Marie Lee) Carried**

- (a) That Council approve the recommendation in the report.

### **21.3 JCAC LEASE NEGOTIATIONS**

**44/2015 RESOLVED (Eric Roberts/Timothy Baker Jr.) Carried**

- (a) That Council approve the recommendation in the report.

**ACTION:** CEO to write to JCAC advising of Council's decision on lease.

**21.4 KATHERINE BASED LEASES AND PROPOSED LIGHT INDUSTRIAL INVESTMENT.**

45/2015 RESOLVED (Eric Roberts/Anne-Marie Lee) Carried

- (a) That Council approve the recommendations in the report.

**21.5 CENTRAL ADMINISTRATION CENTRE PROPOSAL**

46/2015 RESOLVED (Donald Garner/Judy MacFarlane) Carried

- a) That Council approve the recommendations in the report.

**21.6 REQUEST FOR REFUND OF INTEREST ON A RATE PAYER'S ACCOUNT**

47/2015 RESOLVED (Eric Roberts/Annabelle Daylight) Carried

- (a) That Council resolve to deny the request for a refund of the interest paid on outstanding rates by Mr. Terrence Fischer.

**ACTION:** CEO to provide letter to Terrence Fischer regarding request to refund interest paid on outstanding rates.

**CLOSE OF MEETING**

The meeting terminated at 4.59pm pm.

THIS PAGE AND THE PRECEDING 12 PAGES ARE THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 28<sup>th</sup> JANUARY 2015 AND CONFIRMED WEDNESDAY 25<sup>th</sup> FEBRUARY 2015.

  
\_\_\_\_\_  
Mayor Tony Jack