

MINUTES OF THE ROPER GULF REGIONAL COUNCIL, ORDINARY MEETING
OF COUNCIL HELD AT THE ROPER GULF REGIONAL COUNCIL SUPPORT
CENTRE
MATARANKA
ON WEDNESDAY, 22 FEBRUARY 2023 AT 08:30AM

1 PRESENT MEMBERS/STAFF/GUESTS

1.1 Elected Members

- Mayor Tony JACK;
- Deputy Mayor Judy MACFARLANE;
- Councillor Samuel EVANS;
- Councillor Helen LEE;
- Councillor Annabelle DAYLIGHT;
- Councillor Gadrian HOOSAN;
- Councillor Kathy-Anne NUMAMURDIRDI;
- Councillor Owen TURNER; and
- Councillor John DALYWATER.

1.2 Staff

- Marc GARDNER, Chief Executive Officer;
- Andreea CADDY, General Manager Infrastructure Services and Planning;
- David HURST, General Manager; Community Services and Engagement;
- Cindy HADDOW, General Manager Corporate Services and Sustainability;
- Chloe IRLAM, Governance Engagement Coordinator; and
- Bhumika ADHIKARI, Governance Officer (minute secretary).

1.3 Guests

- Jennifer JENKINS, Acting Principal Mataranka School and six (6) school children.

2 MEETING OPENED

The Ordinary Meeting of Council Meeting opened at 8:49am. The Mayor welcomed members, staff and guests and the Roper Gulf Regional Council Pledge was read.

3 WELCOME TO COUNTRY

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 APOLOGIES AND LEAVE OF ABSENCE

1/2023 RESOLVED (Helen LEE/Owen TURNER)

CARRIED

That Council:

- (a) accepts the tendered apologies from Councillor Edwin NUNGGUMAJBARR, Councillor Patricia FARRELL and Councillor Jana DANIELS; and
- (b) does not accept the tendered apology from Councillor Selina ASHLEY.

5 QUESTIONS FROM THE PUBLIC

Nil.

6 CONFIRMATION OF PREVIOUS MINUTES

6.1 CONFIRMATION OF PREVIOUS MINUTES

2/2023 RESOLVED (Samuel EVANS/Owen TURNER)

CARRIED

That Council confirms the minutes from its Ordinary Meeting held on 14 December 2022 and affirms them to be a true and accurate record of that meeting's decisions and proceedings.

7 BUSINESS ARISING FROM PREVIOUS MINUTES

7.1 ACTION LIST

3/2023 RESOLVED (Judy MacFARLANE/Annabelle DAYLIGHT)

CARRIED

That Council:

- (a) receives and notes the Action List; and
- (b) approves the removal of completed items.

8 CALL FOR ITEMS OF OTHER GENERAL BUSINESS

- Regional Australia Day Award Winner;
- Councillor travel rules;
- Councillor phone allowance;
- Department of Industry, Tourism and Trade (presentation by CEO);
- International Women's Day luncheon in Katherine in March;
- Barunga Festival preparation;
- Reconciliation Action Plan;
- Mornington Peninsula Shire Council; and
- Rest stops with Toilets along the Carpentaria Highway.

9 DISCLOSURES OF INTEREST

9.1 DISCLOSURE OF INTEREST

4/2023 RESOLVED (Judy MacFARLANE/Helen LEE)

CARRIED

That Council acknowledges that Councillor Helen LEE declared an interest at Item number 13.2 recommendation about nominations received and Councillor Owen TURNER declared an interest at Item number 20.4 Community Development Programme update and 20.5 Community Development Program - Deed of Extension of Contract of Confidential session and decided to leave the room during discussion of this item.

10 PREVIOUS COMMITTEE MEETING MINUTES

10.1 PREVIOUS COMMITTEE MEETING MINUTES

5/2023 RESOLVED (Helen LEE/Samuel EVANS) CARRIED

That Council receives and notes the Previous Committee Meeting Minutes report.

11 INCOMING CORRESPONDENCE

11.1 INCOMING CORRESPONDENCE

6/2023 RESOLVED (Kathy-Anne NUMAMURDIRDI/Owen TURNER) CARRIED

That Council accepts the incoming correspondence.

12 OUTGOING CORRESPONDENCE

12.1 OUTGOING CORRESPONDENCE

7/2023 RESOLVED (Helen LEE/Owen TURNER) CARRIED

That Council notes the outgoing correspondence.

13 WARD REPORTS

13.1 YUGUL MANGI WARD REPORT

8/2023 RESOLVED (Owen TURNER/Kathy-Anne NUMAMURDIRDI) CARRIED

That Council receives and notes the Yugul Mangi Ward Report.

13.2 SOUTH WEST GULF WARD REPORT

9/2023 RESOLVED (Samuel EVANS/Gadrian HOOSAN) CARRIED

That Council;

- (a) receives and notes the South West Gulf Ward Report;
- (b) approves the recommendations from the Borroloola Local Authority meeting held on 09 February 2023;
- (c) re-convenes the February Robinson River Local Authority Meeting for a date to be confirmed by the Mayor;
- (d) approves Casey HUCKS for membership on the Borroloola Local Authority; and
- (e) declines David HARVEY for membership on the Borroloola Local Authority.

Cr. Owen TURNER left the meeting, the time being 09:29 am.

Cr. Owen TURNER returned to the meeting, the time being 09:31 am.

13.3 NUMBULWAR NUMBIRINDI WARD REPORT

10/2023 RESOLVED (Judy MacFARLANE/Kathy-Anne NUMAMURDIRDI) CARRIED

That Council receives and notes the Numbulwar Numbirindi Ward Report.

13.4 NYIRANGGULUNG WARD REPORT

11/2023 RESOLVED (Helen LEE/John DALYWATER) CARRIED

That Council:

- (a) receives and notes the Nyirranggulung Ward Report;
- (b) approves the recommendations from the Bulman Local Authority Meeting held on Thursday, 12 January 2023;
- (c) approves the recommendations from the Barunga Local Authority Meeting held on on Tuesday, 10 January 2023;
- (d) approves the recommendations from the Beswick Local Authority Meeting held on

Monday, 09 January 2023;

- (e) approves Ambrose BULUMBARA for membership on the Barunga Local Authority;
- (f) undertakes Community Consultation in relation to the Manyallaluk Local Authority; and
- (g) requests the Chief Executive Officer open a '21-day Nominations Period' to fill the two (2) vacancies on the Manyallaluk Local Authority.

Deputy Mayor Judy MacFARLANE left the meeting, the time being 09:42 am.

Deputy Mayor Judy MacFARLANE returned to the meeting, the time being 09:44 am.

13.5 NEVER NEVER WARD REPORT

12/2023 RESOLVED (John DALYWATER/Annabelle DAYLIGHT)

CARRIED

That Council:

- (a) receives and notes the Never Never Ward Report;
- (b) approves the provisional recommendations from the Jilkminggan Local Authority Meeting held on 07 February 2023;
- (c) approves the recommendations from the Mataranka Local Authority meeting held on 07 February 2023;
- (d) confirms that the Council will convene four (4) Mataranka Local Authorities per year;
- (e) accepts Edna ILLES for membership to the Hodgson Downs (Minyerri) Local Authority;
- (f) requests the Chief Executive Officer open a '21-day Nominations Period' to fill one (1) vacancy on the Jilkminggan Local Authority; and
- (g) accepts Morgan COCKYELL for membership to the Jilkminggan Local Authority.

Six (6) Mataranka School Children joined the Meeting time being 10:02am with Acting principal.

Independent Member Ian SWAN presented to Council regarding Audit and Risk Committee time being 10:35am.

Deputy Mayor Judy MacFARLANE left the meeting, the time being 10:50 am.

Deputy Mayor Judy MacFARLANE returned to the meeting, the time being 10:51 am.

14 GENERAL BUSINESS

14.1 POLICY REVIEW AND AMENDMENTS

13/2023 RESOLVED (Kathy-Anne NUMAMURDIRDI/Annabelle DAYLIGHT) CARRIED

That Council approves:

- (a) the policy amendment to ASS002 Asset Management Policy.
- (b) the policy amendment to FIN010 Borrowing Policy.
- (c) the policy amendment CL003 Elected Member and Employee Gift Policy.
- (d) the policy amendment FIN007 Fraud Protection Policy.
- (e) the policy amendment GOV031 Procurement Policy; and
- (f) the newly created policy FIN026 Accountable Forms.

15 EXECUTIVE REPORTS

15.1 COUNCIL MEETING ATTENDANCE REPORT

14/2023 RESOLVED (Helen LEE/Annabelle DAYLIGHT)

CARRIED

That Council receives and notes the Council Meeting Attendance Report.

15.2 MAYOR'S REPORT

15/2023 RESOLVED (Owen TURNER/Samuel EVANS)

CARRIED

That Council receives and notes the Mayoral Report.

15.3 CHIEF EXECUTIVE OFFICER'S REPORT

16/2023 RESOLVED (Judy MacFARLANE/John DALYWATER) CARRIED

That Council receives and notes the Chief Executive Officer's Report.

15.4 GUIDELINE 7 – PROCEDURAL FAIRNESS IN DECIDING CODE OF CONDUCT COMPLAINTS

17/2023 RESOLVED (Judy MacFARLANE/Samuel EVANS) CARRIED

That Council receives and notes the new Guideline 7 – Procedural Fairness in Deciding Code of Conduct Complaints of the Northern Territory Government.

15.5 COUNCILBIZ MEMBER COMPLIANCE IN ACCORDANCE WITH S176(3) OF THE LOCAL GOVERNMENT ACT 2019.

18/2023 RESOLVED (Owen TURNER/Samuel EVANS) CARRIED

That Council:

- (a) delegates authority to the Chief Executive Officer to approve policies and codes of CouncilBiz as per Section 176(3) of the Local Government Act 2019; and
- (b) records the delegation on its Delegations Register and associated manuals.

15.6 CHANGE OF ORDINARY MEETING OF COUNCIL DATE FOR JUNE 2023

19/2023 RESOLVED (Helen LEE/Gadrian HOOSAN) CARRIED

That Council approves the rescheduling of the Ordinary Meeting of Council from the 14 June 2023 to 21 June 2023 due to the Australian Local Government Association National General Assembly.

15.7 COUNCIL ATTENDANCE AND CALL FOR MOTIONS FOR THE AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) NATIONAL GENERAL ASSEMBLY CANBERRA 13-15 JUNE 2023

20/2023 RESOLVED (John DALYWATER/Samuel EVANS) CARRIED

That Council:

- a) approves the attendance of the Mayor, Deputy Mayor and Councillor Edwin NUNGGUMAJBARR, Councillor Annabelle DAYLIGHT, Councillor Kathy-Anne NUMAMURDIRDI, Councillor Gadrian HOOSAN and Councillor Samuel EVANS and staff General Manager Corporate Services and Sustainability, Executive Assistant to the Chief Executive Officer and Governance Officer to the Australian Local Government Association National General Assembly to be held from the 13 June to 15 June 2023 in Canberra; and
- b) declines to submit the motion to the Assembly.

15.8 2023 LGANT CONFERENCE & GENERAL MEETING

21/2023 RESOLVED (Judy MacFARLANE/Samuel EVANS) CARRIED

That Council:

- (a) receives and notes the 2023 Local Government of the Northern Territory Conference & General Meeting Report; and
- (b) submits the motion as below:
 - Telecommunication and mobile signal around Urapunga and Jilkminggan;
 - Cyclone shelter (Referendum/Indigenous representation/voice);
 - Prioritising Road upgrades for worst locations;
 - Repetition and follow up on previous motion;
 - Bitumen/Road Scaling from Borrooloola to the Queensland border; and
 - Advocate for additional toilets to Carpentaria Highway.

15.9 ANIMAL MANAGEMENT PROGRAM REPORT

22/2023 RESOLVED (Owen TURNER/Annabelle DAYLIGHT) CARRIED

That Council receives and notes the Animal Management Program Report.

15.10 ROPER GULF REGIONAL PLAN 2022-2023 QUARTERLY PERFORMANCE REVIEW - OCTOBER - DECEMBER 2022

23/2023 RESOLVED (Kathy-Anne NUMAMURDIRDI/John DALYWATER) CARRIED

That Council receives and notes the Regional Plan 2022-23 Quarterly Performance Report for the second quarter ending 31 December 2022.

16 DEPUTATIONS AND PETITIONS

Ian SWAN, Independent Member of Audit and Risk Committee Presented to Council about Audit Committee.

Deputy Mayor Judy MacFARLANE left the meeting, the time being 11:45 am.

17 COMMUNITY SERVICES AND ENGAGEMENT DIVISIONAL REPORT

17.1 COUNCIL SERVICES AND COMMUNITY ENGAGEMENT UPDATE

24/2023 RESOLVED (Helen LEE/John DALYWATER) CARRIED

That Council receives and notes the Council Services and Community Engagement Update report.

Deputy Mayor Judy MacFARLANE returned to the meeting, the time being 11:50 am.

18 CORPORATE SERVICES AND SUSTAINABILITY DIVISIONAL REPORT

18.1 LOCAL AUTHORITY PROJECTS UPDATE

25/2023 RESOLVED (John DALYWATER/Samuel EVANS) CARRIED

That Council receives and notes the Local Authority Projects Update report.

18.2 COUNCIL'S FINANCIAL REPORT AS AT 31 JANUARY 2023

26/2023 RESOLVED (Annabelle DAYLIGHT/Judy MacFARLANE) CARRIED

That Council receives and notes the Council's Financial Report as at 31 January 2023.

Cr. Annabelle DAYLIGHT left the meeting, the time being 11:55 am.

19 INFRASTRUCTURE SERVICES AND PLANNING DIVISIONAL REPORT

19.1 MAJOR PROJECTS REPORT

27/2023 RESOLVED (Samuel EVANS/John DALYWATER) CARRIED

That Council:

- (a) receives and notes the report; and
- (b) be notified as per Organisational Delegation of the CEO's awarding of the contract for the Hybrid Solar Power project to Saltwater Solar Pty Ltd for \$497,864.

21 OTHER BUSINESS

Cr Annabelle DAYLIGHT returned to the meeting, the time being 12:05 pm.

21.1 RECONCILIATION ACTION PLAN

28/2023 RESOLVED (Owen TURNER/John DALYWATER)

CARRIED

That Council:

- (a) accepts the Reconciliation Action Plan; and
- (b) confirms the launch date of the Reconciliation Action Plan on Wednesday, 15 March 2023 in Barunga.

21.2 REGIONAL AUSTRALIA DAY AWARD WINNER

29/2023 RESOLVED (Judy MacFARLANE/Kathy-Anne NUMAMURDIRDI) **CARRIED**

That Council awards the Inaugural Australia Day Regional Citizen of the year to Dave GUY (Ngukurr).

21.3 COUNCILLOR TRAVEL RULES

30/2023 RESOLVED (Helen LEE/Kathy-Anne NUMAMURDIRDI)

CARRIED

That Council requests the Chief Executive Officer Guidelines and Policies on Councillor Travel Rules.

21.4 INTERNATIONAL WOMEN'S DAY LUNCHEON

No Resolution Made

That Council advise the Chief Executive Officer of Councillors attendance to the International Women's on Wednesday, 8 March 2023 in Katherine.

21.5 BARUNGA FESTIVAL PREPARATION

31/2023 RESOLVED (John DALYWATER/Owen TURNER)

CARRIED

That Council receives and notes the information provided in relation to Barunga Festival preparation.

21.6 MORNINGTON PENNINSULA COUNCIL

32/2023 RESOLVED (Judy MacFARLANE/Kathy-Anne NUMAMURDIRDI) **CARRIED**

That Council receives and notes the information provided in relation to Mornington Peninsula Shire Council.

21.9 COUNCILLORS PHONE

33/2023 RESOLVED (John DALYWATER/Helen LEE)

CARRIED

That Council requests the Chief Executive Officer provide a Councillors Phone Allowance report to the 27 April 2023 Ordinary Meeting of Council.

21.10 DEPARTMENT OF INDUSTRY, TOURISM AND TRADE PRESENTATION BY CEO

34/2023 RESOLVED (Samuel EVANS/Judy MacFARLANE)

CARRIED

That Council receives and notes the Department of Industry, Tourism and Trade presentation by the Chief Executive Officer.

21.11 REST STOPS WITH TOILETS ALONG THE CARPENTARIA HIGHWAY

35/2023 RESOLVED (Samuel EVANS/Owen TURNER)

CARRIED

That Council:

- (a) requests advocacy for more Rest Stops with Toilets along the Carpentaria Highway; and
- (b) requests the Northern Territory Government invest in Mobile hotspots along the Central Arnhem Road, Roper Highway, Carpentaria Highway.

20 CONFIDENTIAL ITEMS

DECISION TO MOVE TO CLOSED SESSION

36/2023 RESOLVED (Owen TURNER/Helen LEE)

CARRIED

That pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(a) of the Local Government (General) Regulations 2021 the meeting be closed to the public to consider the Confidential items of the Agenda:-

20.1 Confirmation of Previous Minutes Confidential Session - The report will conducted in accordance with the Local Government Act 2019 and Local Government (General) Regulations 2021 s51(1)(e), information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest.

20.2 Action List - Confidential Items - The report will conducted in accordance with the Local Government Act 2019 and Local Government (General) Regulations 2021 s51(1)(e), information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest.

20.3 Previous Committee Minutes Confidential Session - The report will conducted in accordance with the Local Government Act 2019 and Local Government (General) Regulations 2021 s51(1)(e), information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest.

20.4 Community Development Programme (CDP) Update - The report will conducted in accordance with the Local Government Act 2019 and Local Government (General) Regulations 2021 s51(1)(c)(i) (c)(iii) (c)(iv) (e) (f), information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person; AND information that would, if publicly disclosed, be likely to prejudice the security of the council, its members or staff; AND information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person; AND information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest; AND information in relation to a complaint of a contravention of the code of conduct.

20.5 Community Development Program (CDP) - Deed of Extension of Contract - The report will conducted in accordance with the Local Government Act 2019 and Local Government (General) Regulations 2021 s51(1)(c)(i) (c)(iii) (c)(iv) (e) (f), information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person; AND information that would, if publicly disclosed, be likely to prejudice the security of the council, its members or staff; AND information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person; AND information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest; AND information in relation to a complaint of a contravention of the code of conduct.

20.6 Budget Amendment - Borroloola Recycling Shed - The report will conducted in accordance with the Local Government Act 2019 and Local Government (General) Regulations 2021 s51(1)(c)(i), information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

20.7 MYOBA Rollout - The report will conducted in accordance with the Local Government Act 2019 and Local Government (General) Regulations 2021 s51(1)(c)(i), information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

20.8 WASTE MANAGEMENT STRATEGY - Budget Amendment Request - The report will

conducted in accordance with the Local Government Act 2019 and Local Government (General) Regulations 2021 s51(1)(c)(i) (c)(ii) (c)(iv), information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person; AND information that would, if publicly disclosed, be likely to prejudice the maintenance or administration of the law; AND information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.

20.9 Sport & Recreation Master Plan - The report will conducted in accordance with the Local Government Act 2019 and Local Government (General) Regulations 2021 s51(1)(c)(i), information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

20.10 Review of the Liquor Act 2019 - The report will conducted in accordance with the Local Government Act 2019 and Local Government (General) Regulations 2021 s51(1)(c)(ii) (c)(iii) (c)(iv) (e), information that would, if publicly disclosed, be likely to prejudice the maintenance or administration of the law; AND information that would, if publicly disclosed, be likely to prejudice the security of the council, its members or staff; AND information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person; AND information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest.

The meeting moved to the Confidential Session at 2:12 pm.

The below resolutions were resolved to be made public following discussions had in the Confidential Session of the Ordinary Meeting.

20.4 COMMUNITY DEVELOPMENT PROGRAMME (CDP) UPDATE

40/2023 RESOLVED (Samuel EVANS/Judy MacFARLANE)

CARRIED

That Council;

- (a) receives and notes the Community Development Programme (CDP) Update report; and
- (b) makes public the resolution from this report in the open minutes of this Council meeting.

20.6 BUDGET AMENDMENT - BORROLOOLA RECYCLING SHED

42/2023 RESOLVED (Gadrian HOOSAN/Annabelle DAYLIGHT)

CARRIED

That Council;

- (a) approves the budget amendment of \$200,000 to contribute to the construction of the Borroloola Recycling Shed; and
- (b) makes public the resolution from this report in the open minutes of this Council meeting.

20.8 WASTE MANAGEMENT STRATEGY - BUDGET AMENDMENT REQUEST

44/2023 RESOLVED (Judy MacFARLANE/John DALYWATER)

CARRIED

That Council:

- (a) receives and notes the report entitled WASTE MANAGEMENT STRATEGY – Award of Consultancy Contract Scope & Budget;
- (b) resolves to allocate an additional \$60,000 to the project via a Budget Amendment to ensure the Strategy is informed by a robust, consistent and equitable remote community consultation campaign; and
- (c) makes public the resolution from this report in the open minutes of this Council meeting.

20.9 SPORT & RECREATION MASTER PLAN

45/2023 RESOLVED (Helen LEE/Judy MacFARLANE)

CARRIED

That Council:

- (a) contribute \$103,296.00 to the development of a Sport & Recreation Master Plan for the region; and
- (b) makes public the resolution from this report in the open minutes of this Council meeting.

20.10 REVIEW OF THE LIQUOR ACT 2019

46/2023 RESOLVED (Judy MacFARLANE/Samuel EVANS)

CARRIED

That Council:

- (a) receives and notes the report in relation to the review of the Liquor Act 2019;
- (b) contributes towards the submission prepared by the Local Government Association of the Northern Territory;
- (c) approves the release of Council data and information to support the submission; and
- (d) makes public the resolution from this report in the open minutes of this Council meeting.

RETURN TO OPEN

47/2023 RESOLVED (Owen TURNER/Judy MacFARLANE)

CARRIED

That pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(a) of the Local Government (General) Regulations 2021 the meeting be re-opened to the public.

The meeting re-opened to the public at 3:13pm.

21 CLOSE OF MEETING

The meeting closed at 3:15pm

This page and the preceding pages are the minutes of the Ordinary Meeting of Council held on Wednesday, 22 February 2023 and will be confirmed at the next meeting.

Mayor Tony JACK
Confirmed on Thursday, 27 April 2023.