



MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON
FRIDAY, 26 AUGUST 2022 AT 10:00AM

1 MEETING OPENED

An audio recording of this meeting was made for minute taking purposes as authorised by Council Policy CP151 – Audio Recordings of Meetings. Councillors may request, via majority vote if required, that no audio recording be made where issues of legitimate cultural or spiritual significance are to be discussed.

2 WELCOME

The President welcomed attendees and guests and declared the meeting opened at 10:06am.

3 ATTENDANCE AND APOLOGIES

Councillors:

President Roxanne Kenny, Councillor Marlene Abbott, Councillor Mark Inkamala, Councillor Lynette Ellis, Councillor Abraham Poulson, Councillor Jason Minor, Councillor Lisa Sharman, Councillor Patrick Allen and Councillor Peter Turner

Staff:

Jeff McLeod – Chief Executive Officer, Belinda Urquhart – Director Service Delivery, Simon Murphy – Director Technical Services, Sabine Wedemeyer – Director Community Services, Buke Ali Tunne – Acting Director Corporate Services, Michael Tomlinson – Manager Governance and Compliance, Brian Robinson – Manager Human Resources and Gaurab Ghimire – Governance Admin Officer.

Guests:

Apologies:

Deputy President Dalton McDonald

3.1 ATTENDANCE AND APOLOGIES

OCM2022-104 RESOLVED (Patrick Allen/Lynette Ellis)

That the Ordinary Council:

- 1. noted the attendance at the meeting;**
- 2. noted the apology given by Deputy President Dalton McDonald;**
- 3. recorded the absence, without apology, of Councillors Annie Young and Councillor Bobby Abbott for the meeting held 26 August 2022.**

4 LEAVE OF ABSENCE

4.1 LEAVE OF ABSENCE

OCM2022-105 RESOLVED (Jason Minor/Lynette Ellis)

That the Ordinary Council noted the President has put in a leave request and will be on leave from 29 August 2022 for 3 weeks until 19 September 2022 and CEO, Jeff MacLeod will advise Deputy President Dalton McDonald.

5 COUNCIL CODE OF CONDUCT

5.1 COUNCIL CODE OF CONDUCT

OCM2022-106 RESOLVED (Marlene Abbott/Patrick Allen)

That the Ordinary Council noted the Council Code of Conduct.

6 CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING

6.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 24 JUNE 2022

OCM2022-107 RESOLVED (Lynette Ellis/Lisa Sharman)

That the Council confirmed the unconfirmed minutes of the previous Ordinary council meeting held 24 June 2022 be taken as read and be accepted as a true record of the proceedings.

7 ACCEPTANCE OF THE AGENDA AND NOTIFICATIONS OF GENERAL BUSINESS AND NON-COUNCIL BUSINESS ITEMS

7.1 ACCEPTANCE OF THE AGENDA

OCM2022-108 RESOLVED (Marlene Abbott/Jason Minor)

That the agenda papers for the Ordinary Council Meeting held 26 August 2022 as presented be received for consideration at the meeting.

7.2 NOTIFICATIONS OF GENERAL BUSINESS AND NON-COUNCIL BUSINESS ITEMS

OCM2022-109 RESOLVED (Marlene Abbott/Jason Minor)

That the Council noted members provided notification of matters were raised to be discussed in General Council Business at item 16:1 as follows;

- a) alcohol probation meeting at Amoonguna;
- b) Amoonguna Store; and
- c) late notice of nomination for Wallace Rockhole Local Authority by Billy Porter; and noted that no matters were raised for non council business.
- d) Discuss the correspondence recived from the Minister for Indigenous Australians, the Hon Linda Burney MP on the Remote Employment Roundtable.

8 CONFLICT OF INTEREST

8.1 CONFLICT OF INTEREST

OCM2022-110 RESOLVED (Lynette Ellis/Lisa Sharman)

That Council:

- a) noted the Conflict of Interest Policy; and
- b) that the Council noted that CEO has declared a conflict of interest for item 18.1.

9 DEPUTATIONS AND PRESENTATIONS

9.1 DEPUTATION: OFFICE OF THE INDEPENDENT COMMISSIONER AGAINST CORRUPTION

EXECUTIVE SUMMARY:

The Office of the Independent Commissioner Against Corruption (ICAC) exists to improve integrity in public institutions. Their vision is to ensure the highest standards of integrity in Northern Territory public administration. The Commissioner has a range of powers to investigate corruption allegations and it is important that Councillors understand these powers and the investigation process.

ICAC officers regularly deliver training to raise awareness of the functions of ICAC and the roles, responsibilities and obligations of public officers under the *Independent Commissioner Against Corruption Act 2017* (the Act).

OCM2022-111 RESOLVED (Patrick Allen/Peter Turner)

That Council:

- a) accepted the deputation from the Office of the Independent Commissioner Against Corruption presented by Naomi Loudon; and
- b) councilors and staff noted and discussed some of the examples of misconduct related to Council.

9.2 DEPUTATION: REMUNERATION TRIBUNAL

EXECUTIVE SUMMARY:

The Remuneration Tribunal is an independent statutory body established under the *Assembly Members and Statutory Officers (Remuneration and other Entitlements) Act 2006*. The Tribunal undertakes inquiries into the remuneration and entitlements of key NT office holders.

OCM2022-112 RESOLVED (Peter Turner/Lisa Sharman)

- a) That Council received the deputation during the council workshop held 25 August 2022 from the Remuneration Tribunal.
- b) Members provided feedback to the Tribunal regarding allowances and the vast distances regional council members travel.

10 NOTICES OF MOTION

Nil

11 RESCISSION MOTIONS

Nil

12 LOCAL AUTHORITY

12.1 DRAFT MINUTES OF LOCAL AUTHORITY MEETINGS

EXECUTIVE SUMMARY:

Council considers the minutes of each Local Authority ordinary meeting or provisional meeting at the next available Ordinary Council meeting.

Attached are the draft (unconfirmed) minutes of Local Authority meetings that have occurred since, or could not be prepared prior to the last Ordinary Council meeting.

The Local Authority meetings covered in this report include:

- Areyonga - 15 June 2022
- Kintore – 6 July 2022
- Finke – 13 July 2022
- Imanpa – 14 July 2022

OCM2022-113 RESOLVED (Abraham Poulson/Mark Inkamala)

That Council:

- a) approved the minutes of the Areyonga Local Authority provisional meeting;
- b) endorsed the recommendation from the Areyonga Local Authority to approve the quotation of \$30,691.47 to the Shade Shelter over Playground and commitment of an additional \$8,000.00 to the project.
- c) endorsed the recommendation from the Areyonga Local Authority to spend the remaining Discretionary funds of \$1,272.73 towards an end of school term BBQ.
- d) approved the minutes of the Kintore Local Authority meeting;
- e) approved the minutes of the Finke Local Authority meeting;
- f) approved the minutes of the Imanpa Local Authority meeting;
- g) approved the minutes of the Haasts Bluff Local Authority meeting;
- h) noted the Docker River Local Authority meeting scheduled for 20 July 2022 was cancelled;
- i) noted the Wallace Rockhole Local Authority meeting was deferred from 27 July 2022 to 8 September 2022.

12.2 NOMINATIONS OF LOCAL AUTHORITIES

EXECUTIVE SUMMARY:

As recorded in the minutes of the Local Authority meetings, the recommendation put forth to Council is to accept and endorse the nominations submitted for membership of the Authorities.

OCM2022-114 RESOLVED (Peter Turner/Mark Inkamala)

That Council accepted the nomination submitted by the Local Authority and endorsed Mr Jacob Carol for the Areyonga Local Authority.

12.3 RESIGNATION OF LOCAL AUTHORITY MEMBERSHIP

EXECUTIVE SUMMARY:

The purpose of this paper is to ask Council to endorse the resignation of the Authority membership made at a provisional meeting of the Areyonga Local Authority held 15 June 2022.

The resignation of a Local Authority membership is in accordance with para. 4.15.1 of Councils Local Authority Meeting Procedure (MC02-P2) which states:

"It is important that Local Authority members attend meetings wherever possible. Appointment of a local authority member may be revoked or otherwise cease if the person:

- a) Resigns in writing to the CEO, Chairperson or a delegated MRC employee.*

New members are nominated and appointed in accordance with the *Local Government Act 2019* (the Act), Ministerial Guidelines and Council Procedure MC02-P2 Local Authority Meeting Procedure.

OCM2022-115 RESOLVED (Mark Inkamala/Lynette Ellis)

That Council:

- a) endorsed the resignation of membership received from Ms Daphne Puntjina from the Areyonga Local Authority;**
- b) acknowledged her long service in the Local Authority of Areyonga; and**
- c) noted and discussed appreciation for her involvement in the Authority.**

13 STANDING ITEMS REPORT

13.1 CORRESPONDENCE REGISTER

EXECUTIVE SUMMARY:

This report provides Councilors with an update on correspondence received and sent by the Council/President in the period following the past Council meeting.

OCM2022-116 RESOLVED (Peter Turner/Jason Minor)

That Council noted the correspondence received and sent and recorded that:

- 1. approval of carry over request for unspent 2019-20 Local Authority Project Funding to 28 Feb 2023;**
- 2. noted the MRC member value proposition 2021-22;**
- 3. no nomination were expressed for the Land Development Committee;**
- 4. council received the nomination from Councillor Lisa Sharman for Closing the Gap Implementation plan and that the council endorsed the nomination;**
- 5. council request to submit a motion to LGANT for funding youth programs in the areas of youth diversion programs, youth involvement and engagement programs and elders engagement program;**
- 6. council action to submit the motion to LGANT;**
- 7. received the correspondence for remote community stores licensing scheme.**

Minutes note: Meeting was adjourned for lunch at 12:05pm and resumed at 1:00pm

13.2 ACTION REGISTER

EXECUTIVE SUMMARY:

Council reviews the attached actions that have been raised at previous Ordinary Council meetings and provides the status and/or updates of each action.

OCM2022-117 RESOLVED (Lisa Sharman/Patrick Allen)

That Council:

1. noted the progress on the actions in the register as follows;
 - Action OCM2021-151, kept the action open and
 - Action OCM2021-196, councilors were informed that CLC is required a lease or Licence and Director Technical Services is going to work with Deputy President Dalton and Local Authority members, kept action open.

14 PRESIDENT AND COUNCILLORS' REPORTS

14.1 PRESIDENT'S REPORT

EXECUTIVE SUMMARY:

This report provides details of the meetings attended by President Roxanne Kenny from June to August 2022

OCM2022-118 RESOLVED (Marlene Abbott/Lynette Ellis)

That Council received the President's report from June to August 2022

15 OFFICERS' REPORTS

15.1 CORPORATE SERVICES REPORT

EXECUTIVE SUMMARY:

This report provides an update on the activities and services of the Corporate Services Directorate for the months of June - July 2022

OCM2022-119 RESOLVED (Abraham Poulson/Peter Turner)

That Council received and noted the Corporate Services Report.

15.2 USE OF COMMON SEAL

EXECUTIVE SUMMARY:

Section 38(2) of the *Local Government Act 2019* (LGA) states that "the affixing of the Common Seal to a document must be authorised or ratified [endorsed] by resolution of the Council". This report requests Council to ratify [endorse] the use of the Common Seal on the listed documents.

OCM2022-120 RESOLVED (Mark Inkamala/Abraham Poulson)

That Council ratified the use of the Common Seal on the following documents:

- Capital Grant - Hermannsburg Oval Lighting

15.3 POLICY REPORT - POLICY FA04-CP TO BE RESCINDED

EXECUTIVE SUMMARY:

“FA04-CP Public benefit concessions for commercial ratepayers policy” was introduced as a special benefit to assist the Commercial ratepayers of the region that were economically impacted by COVID-19. The benefits applied to the 2019-2020 and 2020-2021 financial years.

The application of the Policy has now expired and the Policy is to be rescinded.

OCM2022-121 RESOLVED (Marlene Abbott/Mark Inkamala)

That Council rescinded “FA04-CP Public benefit concessions for commercial ratepayers policy” as the period of its applicability has expired.

15.4 FINANCE AND RISK COMMITTEE MINUTES

EXECUTIVE SUMMARY:

In accordance with Local Government (General) Regulations 2021 Section 19 a Council does not schedule an ordinary meeting at least once in each month, the Council must delegate to a Council Committee the necessary powers to carry out, on behalf of the Council, financial functions of the council in the months the council does not schedule an ordinary meeting.

OCM2022-122 RESOLVED (Lisa Sharman/Lynette Ellis)

That Council noted and received the minutes, including any resolutions, from the Finance and Risk Committee meeting held 29 July 2022.

15.5 FINANCE REPORT

EXECUTIVE SUMMARY:

In accordance with Local Government (General) Regulations 2021 Section 17:

- (1) The CEO must, in each month, give the council a report setting out:
 - a) the actual income and expenditure of the council for the period from the commencement of the financial year up to the end of the previous month; and
 - b) the most recently adopted annual budget; and
 - c) details of any material variances between the most recent actual income and expenditure of the council and the most recently adopted annual budget.

OCM2022-123 RESOLVED (Mark Inkamala/Jason Minor)

That Council noted and accepted the Finance Report as at 31 July 2022.

15.6 REVIEW OF COUNCIL POLICIES

EXECUTIVE SUMMARY:

Council’s policies are currently under review. It has been determined that the following policies require amendments as described in the discussion:

1. CP133 – Fringe Benefits Policy – minor amendments and reclassification to FA05-CP.
2. FA03-CP – Accommodation and Travel Members Policy – minor amendments and reclassification to MC08-CP.

3. FA08-CP – Borrowing Policy – minor amendment.

OCM2022-124 RESOLVED (Jason Minor/Marlene Abbott)

That Council:

1. approved the retirement of policies CP133 and FA03-CP;
2. adopted FA05-CP Fringe Benefits Policy as a policy of Council;
3. adopted MC08-CP Travel and Accommodation Policy – Members as a policy of Council; and
4. approved the review of and amendments to FA08-CP Borrowing Policy.

15.7 GRANT FUNDING ACQUITTALS

EXECUTIVE SUMMARY:

The attached grant acquittal reports for NT Grants are required to be laid before Council for acceptance.

OCM2022-125 RESOLVED (Patrick Allen/Lynette Ellis)

That Council noted and approved the following grant acquittals for the 2021/2022 financial year.

- a) Local Authority Project Funding.
- b) SCALE Funding.
- c) Waste and Resource Management Program Round 1 and 2.
- d) Priority Infrastructure Fund.
- e) Immediate Priority Grant – Pool Fencing at Santa Teresa, Areyonga and Kintore.
- f) Energy Efficiency and Sustainability Grant.
- g) One off Infrastructure grant – for playground in Hermannsburg, Titjikala and Santa Teresa.
- h) SPG – Solar Park lighting in Communities and tree planting and re-vegetation Program.
- i) LGIFG – to upgrade council staff housing and Pool.

15.8 TECHNICAL SERVICES REPORT

EXECUTIVE SUMMARY:

This report details recent activities of the Technical Services directorate.

OCM2022-126 RESOLVED (Marlene Abbott/Peter Turner)

That Council:

- a) noted and accepted the Technical Services report;
- b) noted that the recruitment of new Director Tech Services is being finalized with second reference check in progress;
- c) noted that new recruitment of Director Corporate Services has been completed and is starting in the role on 12 Sep 2022.
- d) noted LA projects, Footy Oval at Amoonguna – CLC and Cr Ellis are working together
- e) noted that swimming pool at Kintore will not open until further notice.

15.9 AI103-CP - VEHICLE USE POLICY

EXECUTIVE SUMMARY:

The purpose of this policy is to detail the appropriate usage of MacDonnell Regional Council (MRC) fleet. The policy applies to all MRC employees and other users approved by the CEO

who drive or operate MRC fleet.

OCM2022-127 RESOLVED (Mark Inkamala/Lynette Ellis)

That Council:

- a) adopted AI103-CP Vehicle Use Policy as a policy of Council;
- b) noted that Councillor Ellis raised a matter of MRC vehicle use by the councillor;
- c) CEO informed the Councillor that the unauthorized use of vehicle is not permitted and must have signed AI103-CP Vehicle Use Policy before using;
- d) CEO can authorise use by an elected member of a Council vehicle to attend council meetings where there is no provision for video / audio conferencing; and
- e) noted that vehicle travel allowance will not be paid where a council vehicle is used for council meeting purposes.

15.10 COMMUNITY SERVICE COUNCIL REPORT

EXECUTIVE SUMMARY:

This report provides an update on Community Services program delivery.

OCM2022-128 RESOLVED (Marlene Abbott/Patrick Allen)

That Council:

- a) noted and accepted the Community Services report;
- b) noted that the Director Community Services announced the successful accreditation of aged care audit; and
- c) noted that 2 new MacCare coordinators are in the recruitment process in order to pilot the program for 6 months from the funds available from last year.

15.11 SERVICE CENTRE DELIVERY - AUGUST 2022

EXECUTIVE SUMMARY:

This report provides an update of Council delivered services provided across the area of Local Government Service Delivery.

OCM2022-129 RESOLVED (Marlene Abbott/Abraham Poulson)

That Council:

- a) noted the report Service Centre Delivery – August 2022;
- b) be informed two national Tidy Town Awards were presented to the Santa Teresa Community;
- c) watched the video that was also played at the award ceremony;
- d) discussed that back of the council building firebreaks at Amoonguna wasn't done and CEO reminded that this is part of civil team works;
- e) noted and discussed the healthy community grants for Finke, Imanpa, Kintore and Mt Liebig community and Community services and Technical services will work together.

MINUTES NOTE: CR MINOR LEFT 02:29PM BY APOLOGY WITH PERMISSION to travel to Adelaide

Minutes note: Cr Sharman requested that the Youth Programme schedule for December – January be included in the October Ordinary Council meeting agenda. Council to discuss how the programme could be used to combat anti-social behaviour in the community.

16 GENERAL BUSINESS AS RAISED AT ITEM 7.2

16.1 GENERAL BUSINESS

EXECUTIVE SUMMARY:

At the beginning of the meeting, under item 7.2, the Elected Members of the MacDonnell Regional Council have an opportunity to provide notification of matters to be raised in General Business.

RECOMMENDATION

That Council noted and discussed the items raised at Item 7.2. as follows;

- a) endorsed the nomination received by Billy Porter for Wallace Rockhole Local Authority;**
- b) traditional owners and CLC can provide feedback to the Liquor Commission regarding alcohol restrictions and if Amoonguna would like to return to a dry community;**
- c) discussed that the only permanent resident may apply for permit if they choose; to buy alcohol for personal consumption at their permanent residency and this would mean that the visitors and other members are not permitted to bring in alcohol in the community; and**
- d) Cr Ellis withdrew Amoonguna store matter as being discussed already with the Director.**

Minutes note: Councillor Sharman was unanimously endorsed by Council as their nomination to the 'Closing the Gap Implementation Plan' working group as per a LGANT request for nominations (correspondence notes in Item 13.1).

Minutes note: General discussion on barriers to employment. Chief Executive Officer to draft a response to correspondence received from Minister Burney's office.

17. DECISION TO MOVE TO CLOSED SESSION

OCM2022-130 RESOLVED (Patrick Allen/Abraham Poulson)

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 as the items lists come within the following provisions:-

- Confidential matter regarding staff contracts

18.1 CONFIDENTIAL REPORTS

Tabled in Confidential session.

19. RESUMPTION OF MEETING

EXECUTIVE SUMMARY:

Pursuant to section 99(2) of the *Local Government Act 2019* and clauses 51 and 52 of the *Local Government (General) Regulations 2021*, the meeting is to be opened to the public following the consideration of confidential matters. Resolutions will be transferred to the open meeting upon the determination of Council.

17 MEETING CLOSED

The meeting terminated at 3:39 pm.

This page and the preceding 10 pages are the Minutes of the Ordinary Council Meeting Held on Friday 26 August 2022 and are unconfirmed.

18 DATE OF NEXT MEETING

28 October 2022

President

UNCONFIRMED