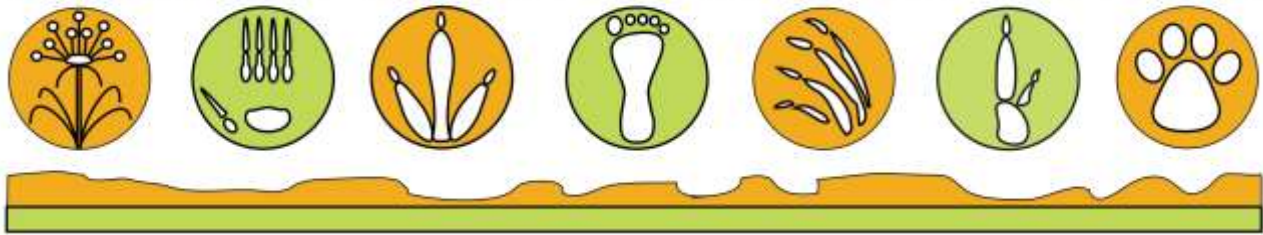


BARKLY REGIONAL COUNCIL



VISION

We are a progressive and sustainable Council who respects and listens to the people.

The Way We Will Work

We will be engaged and have regular opportunities to listen.

We will have strong policy and budgets to ensure our programs and services are progressive and sustainable.

Respect is shown in everything we do and we have acceptance of all cultures in the Barkly Region and their practices.

We are a responsible Council that meets all of its regulatory and social responsibilities.

We will be a responsive Council.

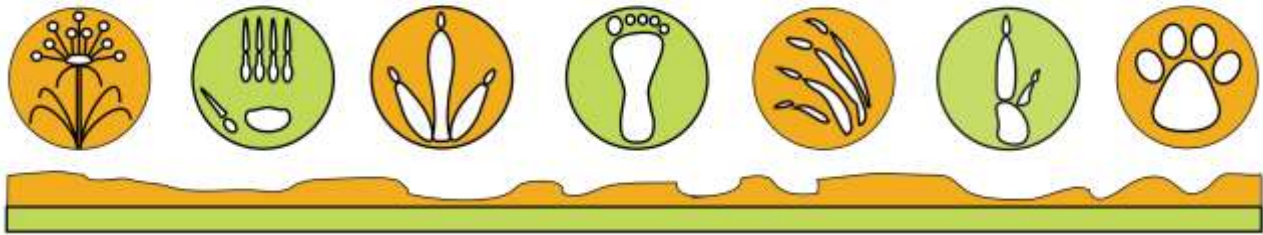
AGENDA

ORDINARY COUNCIL MEETING THURSDAY, 11 DECEMBER 2014 TENNANT CREEK

The Ordinary Council Meeting of the Barkly Regional Council will be held in Tennant Creek on Thursday, 11 December 2014 at 9:30am.

Edwina Marks
Chief Executive Officer

BARKLY REGIONAL COUNCIL



COUNCIL PRAYER

Our Lord Jesus Christ, we trust you will guide and bless this meeting of the Barkly Regional Council. We pray that you will ensure that all discussions and decisions made today are just and fair as they will affect all people within the Barkly Region. We also pray for your guidance to ensure that all our dealings are appropriate to all those whom we represent and will reflect an equitable and honest approach to the issues to be discussed today.

Amen

AGENDA

ITEM	SUBJECT	PAGE NO
	MEETING TO COMMENCE WITH PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL OWNERS	
1	OPENING & ATTENDANCE	
1.1	Elected Members Present	
1.2	Staff and Visitors Present	
1.3	Apologies and Leave of Absence	
1.4	Absent without Apology	
1.5	Disclosure of Interests	
2	CONFIRMATION OF COUNCIL MEETING MINUTES	
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5	ADDRESSING THE MEETING	
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6	NOTICES OF MOTION	
	<i>Nil</i>	
7	RESCISSION MOTIONS	
	<i>Nil</i>	
8	COMMITTEE REPORTS AND BUSINESS ARISING	
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10.1	Presidents Report	130

11	CHIEF EXECUTIVE OFFICER'S REPORTS	
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12	QUESTIONS FROM MEMBERS OF THE PUBLIC	
13	PETITIONS AND DEPUTATIONS	
	<i>Nil</i>	
14	DECISION TO MOVE INTO CLOSED SESSION	
14.1	Confidential Minutes - 20 November 2014 <i>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 kept confidential.</i>	
14.2	2015 Citizen of the Year Award Nominations <i>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 kept confidential.</i>	
14.3	Tennant Creek Traffic Management <i>The report will be dealt with under Section 65(2) (ciii) (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 prejudice the interests of council or some other person; AND information provided to the council on condition that it be kept confidential.</i>	
15	CLOSE OF MEETING	

CONFIRMATION OF COUNCIL MEETING MINUTES



ITEM NUMBER	2.1
TITLE	Council Meeting Minutes - 20 November 2014
REFERENCE	121025
AUTHOR	Courtney Barber, Executive Assistant to the CEO

RECOMMENDATION

That Council confirm the minutes of the Ordinary Council Meeting held on 20 November 2014 at Ampilatwatja.

ATTACHMENTS:

- 1 Unconfirmed - Minutes - Ordinary Council Meeting - 20.11.2014.pdf



Vision

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We will be a responsive Council.

MINUTES

ORDINARY COUNCIL MEETING

THURSDAY, 20 NOVEMBER 2014

AMPILATWATJA

The Ordinary Council Meeting of the Barkly Regional Council was held in Ampilatwatja on Thursday, 20 November 2014 at 10:00am.

Edwina Marks
Chief Executive Officer

Unconfirmed Minutes – Ordinary Council Meeting – 20.11.2014
Page 1 of 14

1. OPENING AND ATTENDANCE

Meeting commenced at 10:10am with President Barb Shaw as chair. "Welcome to Country" was provided by Cr. Ada Beasley and the Council prayer was read by President Barb Shaw.

1.1 ELECTED MEMBERS PRESENT

President Barb Shaw
Deputy President Bob Bagnall
Cr. Ray Aylett
Cr. Ada Beasley
Cr. Tony Boulter
Cr. Pat Braun
Cr. Noel Hayes
Cr. Jennifer Mahoney
Cr. Tim Price
Cr. Hal Ruger

1.2 STAFF MEMBERS AND VISITORS PRESENT

Edwina Marks; Chief Executive Officer
Courtney Barber; Executive Assistant to the CEO
Regan Randle; Executive Assistant to the President
Jill Kleiner; Department of Local Government and Regions
David Curtis; Department of Local Government and Regions

1.3 APOLOGIES

Cr. Joyce Taylor
Cr. Narelle Bremner
Cr. Lucy Jackson

1.4 ABSENT WITHOUT APOLOGIES

Nil

1.5 DISCLOSURE OF INTEREST – COUNCILLORS AND STAFF

Cr. Bagnall declared item 9.12
Cr. Boulter declared item 9.12

2. CONFIRMATION OF COUNCIL MEETING MINUTES

2.1 COUNCIL MEETING MINUTES - 16 OCTOBER 2014

RESOLVED 241/14

That Council confirm the minutes of the Ordinary Council Meeting held on 16 October 2014 at Tennant Creek.

Moved: Cr. Boulter

Seconded: Cr. Bagnall.....CARRIED

3. BUSINESS ARISING REPORT**3.1 PAST MEETING DECISION/ACTION LIST - 16 OCTOBER 2014****RESOLVED** 242/14

That Council note the Past Meeting Decision/Action List from its Meeting on 16 October 2014

Moved: Cr. Braun**Seconded: Cr. Price.....CARRIED****4. LOCAL AUTHORITY MEETING MINUTES AND BUSINESS ARISING****4.1 ARLPARRA LOCAL AUTHORITY MEETING - 7 OCTOBER 2014****RESOLVED** 243/14

That Council

- a) Receive and note the Arlparra Local Authority meeting minutes of the 7th October 2014
- b) Adopt the recommendations contained in the minutes.
- c) Note the continuing action list

Moved: Cr. Braun**Seconded: Cr. Aylett.....CARRIED****4.2 AMPILATWATJA LOCAL AUTHORITY MEETING - 8 OCTOBER 2014****RESOLVED** 244/14

That Council

- a) Receive and note the Ampilatwatja Local Authority meeting minutes of the 8th October 2014
- b) Adopt the recommendations contained in the minutes.
- c) Note the continuing action list

Moved: Cr. Braun**Seconded: Cr. Aylett.....CARRIED****4.3 TENNANT CREEK LOCAL AUTHORITY MEETING - 13 OCTOBER 2014****RESOLVED** 245/14

That Council

- a) Receive and note the Tennant Creek Local Authority meeting minutes of the 13th October 2014
- b) Adopt the recommendations contained in the minutes.
- c) Note the continuing action list

Moved: Cr. Braun**Seconded: Cr. Aylett.....CARRIED**

4.4 ALPURRURULAM LOCAL AUTHORITY MEETING - 29 OCTOBER 2014**RESOLVED** 246/14

That Council

- a) Receive and note the Alpururulam Local Authority meeting minutes of the 29th October 2014
- b) Adopt the recommendations contained in the minutes.
- c) Note the continuing action list

Moved: Cr. Braun**Seconded: Cr. Aylett.....CARRIED****4.5 ELLIOTT LOCAL AUTHORITY MEETING - 4 NOVEMBER 2014****RESOLVED** 247/14

That Council

- a) Receive and note the Elliott Local Authority meeting minutes of the 4th November 2014
- b) Adopt the recommendations contained in the minutes.
- c) Note the continuing action list
- d) Endorse the opening of Nominations to fill two (2) vacancies due to resignations commencing from 5 January 2015 and closing on 2 February 2015.

Moved: Cr. Braun**Seconded: Cr. Aylett.....CARRIED****5. ADDRESSING THE MEETING****5.1 MEMBERS OF THE AMPILATWATJA COMMUNITY – 10AM**

Cr. Ada Beasley provided Council an update on behalf of the Ampilatwatja Local Authority on the outcome of their meeting yesterday (19 November). The Authority had establish their priorities on expending the Community Project Funding.

6. NOTICES OF MOTION

Nil

7. RESCISSION MOTIONS

Nil

8. COMMITTEE REPORTS AND BUSINESS ARISING

Nil

RESOLVED 248/14

That Council break for morning tea at 10:35am

Moved: Cr. Braun**Seconded: Cr. MahoneyCARRIED****RESOLVED** 249/14

That Council resume the meeting at 10:55am

Moved: Councillor Aylett**Seconded: Cr. BoulterCARRIED**

9. GENERAL BUSINESS AND MATTERS FOR NOTING REPORTS**9.1 ALPURRURULAM LOCAL AUTHORITY - APPOINTMENT OF ADDITIONAL ORDINARY MEMBER****RESOLVED** 250/14

- a) That Council rescind its previous decision made at the 16 October 2014 meeting for one (1) additional Ordinary Member position on the Local Authority
- b) That Council resolve to have two (2) additional Ordinary membership positions on the Alpururulam Local Authority
- c) That Council receive and note all the nominations for the two (2) additional positions on the Alpururulam Local Authority.
- d) That Council accepts the recommendation from the selection panel and endorse the following nominations: Irene Toby and Natasha Long

Moved: Cr. Ruger**Seconded: Cr. HayesCARRIED****9.2 ALI CURUNG LOCAL AUTHORITY - APPOINTMENT OF REPLACEMENT ORDINARY MEMBERS****RESOLVED** 251/14

That Council:

- a) Receive and note all the nominations for the two (2) replacement positions on the Ali Curung Local Authority.
- b) Accept the recommendations from the selection panel and endorse the following nominations: Zeza Egan and Graham Beasley bringing the total number of Ordinary Members to 10.

Moved: Cr. Ruger**Seconded: Cr. HayesCARRIED****9.3 ARLPARRA LOCAL AUTHORITY - APPOINTMENT OF ADDITIONAL ORDINARY MEMBER****RESOLVED** 252/14

That Council:

- a) Receive and note the one (1) nomination for the three (3) additional positions on the Arlparra Local Authority.
- b) Accept the recommendations from the Local Authority and endorse the following nomination: Susan Chalmers
- c) Nominations to fill the two (2) remaining positions will reopen in mid 2015.

Moved: Cr. Ruger**Seconded: Cr. HayesCARRIED****9.4 AMPILATWATJA LOCAL AUTHORITY - ADDITIONAL ORDINARY MEMBER NOMINATION****RESOLVED** 253/14

That Council

- (a) receive and note the need to reopen nominations to fill one (1) vacancy on the Ampilatwatja Local Authority that has arisen due to an administrative error.

Moved: Cr. Ruger**Seconded: Cr. HayesCARRIED**

9.5 ALI CURUNG COMMUNITY MEETING - 22 OCTOBER 2014**RESOLVED** 254/14

That Council receive and note the minutes of the Ali Curung Community Meeting held on 22 October 2014

Moved: Cr. Hayes**Seconded: Cr. BoulterCARRIED****9.6 POLICIES: CODE OF CONDUCT AND RATES CONCESSION****RESOLVED** 255/14

That Council

- (a) Defer the Rates Concession policy appended to this report to the February 2015 Meeting.
- (b) Re-adopt the Code of Conduct policy appended to this report and undertake a comprehensive review within the next three (3) months and improvements be made as warranted subject to legal advice.

Moved: Cr. Boulter**Seconded: Cr. RugerCARRIED****9.7 CODE OF MEETING PRACTICE POLICY****RESOLVED** 256/14

That Council

- (a) Defer the Code of Meeting Practice Policy as presented to the February 2015 Meeting.

Moved: Cr. Bagnall**Seconded: Cr. BoulterCARRIED****9.8 ALPURRURULAM LAUNDRY****RESOLVED** 257/14

That Council

- (a) Endorse the additional rectification costs of \$49,775 (incl GST) required to complete the Alpururulam laundry by the end of November 2014.
- (b) Provide an update to the Alpururulam Local Authority to its next meeting

Moved: Cr. Hayes**Seconded: Cr. PriceCARRIED**

9.9 REGIONAL WATER PARKS**RESOLVED** 258/14

That Council

- a) Receive and note the report
- b) Allocate the amount of \$206,600 to complete the waterparks in Elliott and Ali Curung out of the 2014/15 budget
- c) Allocate the amount of \$76,134 for the ablution amenities for the waterparks out of the 2014/15 budget
- d) Place the report on the Local Authority agendas for Ali-Curung and Elliott to request additional financial support
- e) Instruct the CEO to provide a report back to Council about the impact of the variation to its next Council meeting
- f) Provide the amended project plan for the water parks as part of that report

Moved: Cr. Boulter**Seconded: Cr. RugerCARRIED****9.10 TENNANT CREEK LANDFILL****RESOLVED** 259/14

That Council

- a) Receive and note the report
- b) Endorse the expenditure of \$40,000 to engage Tonkin Consulting to complete a plan to address the management of the landfill.

Moved: Cr. Boulter**Seconded: Cr. HayesCARRIED****9.11 BY-LAWS UPDATE****RESOLVED** 260/14

That Council receive and note the report

Moved: Cr. Braun**Seconded: Cr. MahoneyCARRIED**

**Cr. Bagnall declared a conflict of interest on the next item on the agenda (9.12) and left the meeting at 11:37am*

**Cr. Boulter declared a conflict of interest on the next item on the agenda (9.12) and left the meeting at 11:37am*

9.12 COMMUNITY BENEFITS GRANT - ROUND 1, 2014/15**RESOLVED** 261/14

That Council approves funding as indicated to be supplied to the following applicants from the Barkly Regional Council Community Grants program Round 1 of 2014/15

- | | |
|---|---------|
| 1) Elliott and Newcastle Waters Sport & Rec Association | \$3,000 |
| 2) Little Athletics Club TC | \$1,000 |
| 3) RSL Tennant Creek | \$2,000 |
| 4) Tennant Creek Craft Club | \$2,000 |
| 5) Tennant Creek Country Women's Association | \$2,000 |
| 6) Tennant Creek Transport | \$4,000 |
| 7) Tennant Creek Women's Refuge | \$1,000 |

Moved: Councillor Aylett**Seconded: Cr. RugerCARRIED**

*Crs. Bagnall and Boulter returned to the meeting at 11:51am

9.13 AUSTRALIA DAY ANNUAL GENERAL MEETING AND TERRITORY TIDY TOWNS FORUM

RESOLVED 262/14

That Council

- a) Receive and note the report
- b) Support the original motion of Council to not support Council's involvement in the Territory Tidy Towns Program
- c) Commence our own Barkly Regional Council Community Pride Campaign

Moved: Cr. Bagnall

Seconded: Cr. BoulterCARRIED

9.14 TENNANT CREEK TOWN POOL 2014/15 SWIM SEASON PASS

RESOLVED 263/14

That Council

- a) Endorse the amended fee of the yearly pool pass for individuals to \$120.00 and the pass for families (2 adults and 2 children) to \$238.00 for the short 22 week 2014/15 Swim Season.

Moved: Cr. Ruger

Seconded: Cr. BoulterCARRIED

9.15 JOINT SELECT COMMITTEE ON CONSTITUTIONAL RECOGNITION OF ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLES SUBMISSION

RESOLVED 264/14

That Council

- a) Endorse the Submission appended to this report be lodged to the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander peoples.

Moved: Cr. Boulter

Seconded: Cr. BraunCARRIED

9.16 TENNANT CREEK AND BARKLY REGION STRATEGIC PLAN

RESOLVED 265/14

That Council

- a) Receive and note the report
- b) Provide a quarterly status report against the Tennant Creek Regional Economic Development Committee plan to Council

Moved: Cr. Braun

Seconded: Cr. HayesCARRIED

9.17 TENNANT CREEK COMMUNITY SAFETY ACTION PLAN**RESOLVED** 266/14

That Council

- a) Receive and note the report
- b) Nominate the CEO or their delegate to be the representative for the Tennant Creek Community Safety Committee
- c) Where Councillors have been formally invited as part of Ministerial appointments to Committees, cover any relevant costs of those Barkly Regional Council representatives.

Moved: Cr. Ruger**Seconded: Cr. Aylett.....CARRIED****9.18 BARKLY REGION BOUNDARY SIGNS****RESOLVED** 267/14

That Council

- a) Receive and note the report
- b) Agree to the Barkly Regional Council boundary and language group signage proposed concepts as outlined in their feedback session as part of the November Ordinary meeting
- c) Consult with the relevant community stakeholders, especially in relation to the cultural elements and language use, of the Barkly Region boundary signage as outlined in their feedback session at the November Ordinary meeting.

Moved: Cr. Ruger**Seconded: Cr. Price.....CARRIED****RESOLVED** 268/14

That Council break for lunch at 12:30pm

Moved: Cr. Bagnall**Seconded: Cr. BraunCARRIED****RESOLVED** 269/14

That Council resume the meeting at 12:56pm

Moved: Cr. Ruger**Seconded: Cr. Bagnall.....CARRIED****9.19 HEPP - WHOLE OF COMMUNITY ENGAGEMENT PROJECT****RESOLVED** 270/14

That Council

- (a) Provide in-principal support to the HEPP whole of Community Engagement project conducted by Charles Darwin University.
- (b) Facilitate community access accordingly
- (c) Confirm our participation in writing to the Charles Darwin University project team.

Moved: Cr. Hayes**Seconded: Cr. Aylett.....CARRIED**

9.20 YOUTH ART PROJECT**RESOLVED** 271/14

That Council

- a) Temporarily donate four (4) bins to the total of \$440.00 to the Youth Art Project

Moved: Cr. Boulter**Seconded: Cr. BraunCARRIED****9.21 NOMINATION FOR RDA NT EXECUTIVE****RESOLVED** 272/14

That Council

- a) Support President Barb Shaw to submit an expression of interest to the Regional Development Australia NT (RDA NT) Executive
- b) Resource support from Council where relevant

Moved: Cr. Bagnall**Seconded: Cr. BoulterCARRIED****9.22 CAROLS BY CANDLELIGHT SPONSORSHIP REQUEST****RESOLVED** 273/14

That Council

- a) Endorse that the Carols by Candlelight event to be covered by Barkly Regional Councils community insurance.
- b) The event to be held at Peko Park, 7 December 2014, 7:00pm and;
- c) Nominate Cr. Boulter to open the event

Moved: Cr. Ruger**Seconded: Cr. BoulterCARRIED****9.23 LIBRARY CLOSURE OF CHRISTMAS****RESOLVED** 274/14

That Council endorses the library closure for the 28th, 29th and 30th December 2014 for carpet cleaning.

Moved: Cr. Braun**Seconded: Cr. Aylett.....CARRIED****9.24 LGANT CONFERENCE AND AGM****RESOLVED** 275/14

That Council

- a) Receive and note the report
- b) Support the recognition of Aboriginal and Torres Strait Islanders as part of the Australian Constitution.
- c) Write to the local Members of the Legislative Assembly, Senators and the Minister requesting them to reverse the decision not to index Federal Assistance Grants.

Moved: Cr. Hayes**Seconded: Cr. BoulterCARRIED**

9.25 COUNCIL ELECTIONS**RESOLVED** 276/14

That Council

- a) Receive and note the report
- b) Accept the changes to the arrangements leading into the next Council election and update our records accordingly.

Moved: Cr. Price**Seconded: Cr. BoulterCARRIED****9.26 THE DA VINCI EXHIBITION 2016 – SUPPLEMENTARY ITEM****RESOLVED** 277/14

That Council

- a) Receive and note the report
- b) Formally advise the Da Vinci Exhibition that Barkly Regional Council will not proceed with the Exhibition in Tennant Creek during 2016 due to lack of community support.

Moved: Cr. Braun**Seconded: Cr. Bagnall.....CARRIED****10. PRESIDENT REPORT****10.1 PRESIDENTS REPORT****RESOLVED** 278/14

That Council

- a) Receive and note the activities of the President for the month of October 2014.

Moved: Cr. Aylett**Seconded: Cr. HayesCARRIED****11. CHIEF EXECUTIVE OFFICER'S REPORTS****11.1 RATIFICATION OF THE COMMON SEAL****RESOLVED** 279/14

That Council ratify the execution of the following document under Council's Common Seal.

- 31.10.2014 – 2014/15 Municipal and Essential Services Special Purpose Grant - \$54,164.00. Project: Full maintenance road grading throughout the Arlparra Region.
- 01.11.2014 – Application to Register Statutory Charge on the Land of Tennant Creek

Moved: Cr. Boulter**Seconded: Cr. Aylett.....CARRIED****11.2 CHIEF EXECUTIVE OFFICERS REPORT - OCTOBER****RESOLVED** 280/14

That Council

- a) Receive and note the report of the activities of the Chief Executive Officer for the month of October 2014.

Moved: Cr. Hayes**Seconded: Cr. Bagnall.....CARRIED**

11.3 EXECUTIVE DIRECTOR OPERATIONS REPORT - OCTOBER**RESOLVED** 281/14

That Council

- a) Receive and note the report of the activities of the Operations Directorate for the month of October 2014

Moved: Cr. Boulter**Seconded: Cr. Aylett.....CARRIED****11.4 CORPORATE SERVICES REPORT - OCTOBER****RESOLVED** 282/14

That Council

- a) Receive and note the report of the activities of the Corporate Services Directorate for the month of October 2014

Moved: Cr. Boulter**Seconded: Cr. BraunCARRIED****11.5 COMMUNITIES DIRECTORATE REPORT - OCTOBER****RESOLVED** 283/14

That Council

- a) Receive and note the report of the activities of the Communities Directorate for the month of October 2014

Moved: Cr. Boulter**Seconded: Cr. PriceCARRIED****11.6 DIRECTOR HUMAN RESOURCES REPORT - OCTOBER****RESOLVED** 284/14

That Council

- a) Receive and note the report of the activities of the Human Resources Directorate for the month of October 2014.

Moved: Cr. Braun**Seconded: Cr. MahoneyCARRIED****12. QUESTIONS FROM MEMBERS OF THE PUBLIC**

Nil

13. PETITIONS AND DEPUTATIONS

Nil

14. DECISION TO MOVE INTO CLOSED SESSION AT 1:54pm**RESOLVED** 285/14

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:-

Moved: Cr. Price**Seconded: Cr. Braun****CARRIED****14.1 COUNCILLOR BREACH OF CODE OF CONDUCT**

The report will be dealt with under Section 65(2) (a) (ciii) (e) of the Local Government Act 2008 and Regulation 8 of the Local Government (Administration) Regulations 2008. 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 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 keep confidential.

Resolved in Confidential 286/14**14.2 TENNANT CREEK TRAFFIC MANAGEMENT**

The report will be dealt with under Section 65(2) (ciii) (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 prejudice the interests of council or some other person; AND information provided to the council on condition that it be keep confidential.

Resolved in Confidential 287/14**14.3 WAIVER OF BANK FEES**

The report will be dealt with under Section 65(2) (b) (e) of the Local Government Act 2008 and Regulation 8 of the Local Government (Administration) Regulations 2008. It contains information about the personal circumstances of a resident or ratepayer; AND information provided to the council on condition that it be keep confidential.

Resolved in Confidential 288/14**14.4 CONFIDENTIAL MINUTES - 18 SEPTEMBER 2014**

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.

Resolved in Confidential 289/14**14.5 CONFIDENTIAL MINUTES - 16 OCTOBER 2014**

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.

Resolved in Confidential 290/14

15. RESUMPTION OF MEETING**RESOLVED** 291/14

That Council move back into open session at 2:17pm

Moved: Cr. Braun**Seconded: Cr. Ruger****CARRIED****16. CLOSE OF MEETING**

President Barb Shaw closed the meeting at 2:17pm.

Next Ordinary meeting of Council to be held in Tennant Creek on Thursday December 11th, 2014

Barb Shaw
Council President

Edwina Marks
Chief Executive Officer

BUSINESS ARISING



ITEM NUMBER	3.1
TITLE	Past Meeting Decision/Action List - 20 November 2014
REFERENCE	121026
AUTHOR	Courtney Barber, Executive Assistant to the CEO

RECOMMENDATION


That Council note the Past Meeting Decision/Action List from its Meeting on 20 November 2014


ATTACHMENTS:

1 Action List - Ordinary Council Meeting - 20.11.2014.pdf

	<h1>ORDINARY COUNCIL ACTION LIST</h1>	<p>October 16, 2014</p>
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Meeting Date	Subject	Resolution	Action Officer	Action/Task	Completed Status
Ordinary Council 18 October 2012	Boundary Signs	That Boundary signs be erected	Henry Szczypiorski	Project Plan and design underway for submission to Council in November 2014	A number of early options have been prepared and have been submitted to the Elected members for comment.
Ordinary Council 20 June 2013	Cultural Awareness training for Staff	That Cultural Awareness training be provided to all Staff members	Peter Ryan	Date to be locked in for training to commence	Training to take place 10/11/14 through to 20/11/14 COMPLETED
Ordinary Council 15 May 2014	Arlparra Community meeting	Barkly Regional Council to convene a meeting involving all three (3) levels of Government, to be held in Arlparra to discuss the way funding is distributed	Edwina Marks	Date set 29 October 2014	Meeting postponed to 18 November 2014 to coincide with the Arlparra Local Authority Meeting
Ordinary Council 30 June 2014	Tennant Creek Roundabouts	Modifications to the roundabouts at: Ambrose Street / Peko Road Ambrose Street / Garnett Street	Henry Szczypiorski	Modification assessment to be undertaken in October 2014	Cost estimates provided as part of a separate report to November meeting. Decision on next stage to be based on the estimated cost of the remedial works
Ordinary Council 21 August 2014	Alpururulam Local Authority Meeting - 16 July 2014	RESOLVED 153/14 That Council receive the Alpururulam Local Authority meeting minutes of the 16 th July 2014, note the continuing action list and adopt the recommendations contained in the minutes.	Edwina Marks	Recommendation B Community Coordinator to follow up the viability of a safe house LA confirmed the need and for funding to be sourced	Safe house application included as part of Councils Indigenous Advancement Strategy funding application lodged in October 2014.
Ordinary Council 21 August 2014	Alpururulam Local Authority Meeting - 16 July 2014	RESOLVED 153/14 That Council receive the Alpururulam Local Authority meeting minutes of the 16 th July 2014, note the continuing action list and adopt the recommendations contained in the minutes.	Troy Koch / Henry Szczypiorski	Recommendation C Boundary fence for the community to be repaired – Investigate ownership	Managed by CLC, LA Chair to follow up and report back in December 2014

<div>  <div> <div>BARKLY REGIONAL COUNCIL</div> <div>ORDINARY COUNCIL ACTION LIST</div> <div>October 16, 2014</div> </div> </div>					
Meeting Date	Subject	Resolution	Action Officer	Action/Task	Completed Status
Ordinary Council 21 August 2014	Tennant Creek Local Authority Meeting - 6 August 2014	RESOLVED 155/14 That Council receive and note the Tennant Creek Local Authority meeting minutes of 6 th August 2014, and adopt the recommendations contained within the minutes.	Henry Szczypiorski	Recommendation A That Council conduct a kerbside pick up in October	Kerbside pickup was carried out between October 13 – 17 COMPLETED
18 September 2014	Elliott Feasibility Study	RESOLVED 193/14 That Council (a) receive and note the report (b) Circulate the report for Community feedback in particular the Elliott Local Authority and provide that information back to Council for further consideration.	Edwina Marks	To provide report back to Council on feedback received from the Elliott Community and Local Authority	Initial consultation with Elliott Local Authority conducted. Public consultation date for end of November currently being locked in.
18 September 2014	Director Human Resources	RESOLVED 201/14 That Council receive and note the report	Peter Ryan	Council requested a complete Organisational Chart to be provided at its next Ordinary Meeting. To be presented to Council at its November 20 Meeting	Council were provided a full list of employees of Barkly Regional Council at its October Ordinary Meeting. COMPLETED
16 October 2014	Council Meeting Minutes - 18 September 2014	RESOLVED 206/14 That Council confirm the minutes of the Ordinary Council Meeting held on 18 September 2014 at Wutunugurra.	Courtney Barber	Confirmed minutes of the September 18 meeting be uploaded to the website The Unconfirmed minutes of the October 16 meeting be uploaded to the website	Confirmed minutes of 18/09/14 uploaded to the website on 17/10/2014 Unconfirmed minutes of the 16/10/14 uploaded to the website on 27/10/14 COMPLETED
16 October 2014	Past Meeting Decision/Action List - 18 September 2014	RESOLVED 207/14 That Council note the Past Meeting Decision/Action List from its Meeting on 18 September 2014	Courtney Barber	Action list to be updated and distributed accordingly.	Updated and distributed 17/10/14 COMPLETED





BARKLY REGIONAL COUNCIL


ORDINARY COUNCIL ACTION LIST

October 16, 2014

Meeting Date	Subject	Resolution	Action Officer	Action/Task	Completed Status
16 October 2014	Elliott Local Authority Meeting - 23 September 2014	RESOLVED 210/14 That Council <ul style="list-style-type: none"> a) Receive and note the Elliott Local Authority meeting minutes of the 23rd September 2014 b) Note the continuing action list c) Adopt the recommendations contained in the minutes. 	Edwina Marks / Henry Szczypiorski	Recommendation 1 A feasibility be conducted of the cost of the drop toilets vs installing portaloos in the short term (12mnths)	Quotes have been obtained. There is no current budget. Quote to be submitted to LA for consideration.
16 October 2014	Ali Curung Local Authority Meeting - 30 September 2014	RESOLVED 212/14 That Council <ul style="list-style-type: none"> a) Receive and note the Ali Curung Local Authority meeting minutes of the 30th September 2014 b) Note the continuing action list c) Adopt the recommendations contained in the minutes. 	Henry Szczypiorski	Recommendation A That the AVON Slimline bus shelters be erected at the two requested locations	The installation of the two shelters was completed during week ending 24 October 2014 COMPLETED
16 October 2014	Ali Curung Local Authority Meeting - 30 September 2014	RESOLVED 212/14 That Council <ul style="list-style-type: none"> a) Receive and note the Ali Curung Local Authority meeting minutes of the 30th September 2014 b) Note the continuing action list c) Adopt the recommendations contained in the minutes. 	Henry Szczypiorski	Recommendation B That the \$30,000 that was allocated for the upgrade of the Ali Curung Community Park be expended.	Proposal to be developed for an oval regeneration program. Current greening has commenced. This project has the potential to be used as a training program for local community involvement.
16 October 2014	10:30am - Century Mine Trucking Program	Tim Akroyd; Manager: Processing and Logistics and Bradley Perkins; Superintendent: Mill Production Metallurgy Process provided an overview of Century Mining Trucking Pilot Program and the transit of lead concentrate by four (4) trucks per day for seven (7) days per week to meet up with the railway line in Tennant Creek. Cr. Hal Ruger suggested that Century Mining provide a letter of support for a rail link between Mt Isa and Tennant Creek. And to be sent to the Northern Australia Development Office.	Courtney Barber	Follow up with Century Mines on providing a support letter to Barkly Regional Council.	Letter of support requested. COMPLETED

<div>  <div> <div>BARKLY REGIONAL COUNCIL</div> <div>ORDINARY COUNCIL ACTION LIST</div> <div>October 16, 2014</div> </div> </div>					
Meeting Date	Subject	Resolution	Action Officer	Action/Task	Completed Status
16 October 2014	Minutes - Juno Committee Meeting - 29 August 2014	RESOLVED 213/14 That Council a) note the minutes of the Juno Committee Meeting held in Tennant Creek on 29 August 2014 b) adopt the recommendations contained within the minutes	Edwina Marks	Recommendation 1 Terms of Reference to be reviewed	Terms of Reference reviewed at the August meeting. COMPLETED.
16 October 2014	Minutes - Juno Committee Meeting - 29 August 2014	RESOLVED 213/14 That Council a) note the minutes of the Juno Committee Meeting held in Tennant Creek on 29 August 2014 b) adopt the recommendations contained within the minutes	Henry Szczypiorski	Recommendation 2 An audit be conducted to determine the current Juno site	Council to undertake an audit on the status of current infrastructure during December 2014.
16 October 2014	Minutes - Juno Committee Meeting - 29 August 2014	RESOLVED 213/14 That Council a) note the minutes of the Juno Committee Meeting held in Tennant Creek on 29 August 2014 b) adopt the recommendations contained within the minutes	Edwina Marks / Henry Szczypiorski	Recommendation 3 Feasibility with options for future planning; what purposes would be compatible.	Council to develop a brief to identify a consultancy to undertake a site feasibility study
16 October 2014	Minutes - Juno Committee Meeting - 29 August 2014	RESOLVED 213/14 That Council a) note the minutes of the Juno Committee Meeting held in Tennant Creek on 29 August 2014 b) adopt the recommendations contained within the minutes	Edwina Marks	Recommendation 4 Seek support from Office of Northern Development for potential funding for a feasibility and/or master plan.	Enquiry submitted to the Office of Northern Development during November awaiting response.
16 October 2014	Annual Report and Annual Financial Statement 2013/14	RESOLVED 217/14 That Council; a) receive and note the report b) endorse the submission of the report to the Department of Local Government	Edwina Marks	Submission of the Annual Report to Department of Local Government	2013/14 Annual Report submitted to the Department of Local Government COMPLETED

<div>  <div> <div>BARKLY REGIONAL COUNCIL</div> <div>ORDINARY COUNCIL ACTION LIST</div> <div>October 16, 2014</div> </div> </div>					
Meeting Date	Subject	Resolution	Action Officer	Action/Task	Completed Status
16 October 2014	Call for Motions LGANT	RESOLVED 219/14 That Council forward the following motions to LGANT for consideration at its November meeting:- a) That LGANT determine a position for Local Government in NT in relation to the Reform of Federation white paper with a view to make a NT sector submission as part of that process. b) That LGANT actively lobby for the outcomes of disciplinary committee hearings be published on the Departments website for a period of three months. c) That LGANT produce an end of term report on Councillors outlining referrals and breaches upheld. d) That LGANT support a sector wide policy approach for the use of low aromatic fuel, especially in designated areas and areas of high risk.	Edwina Marks	That the motions be forward to LGANT for consideration	COMPLETED
16 October 2014	Policies	RESOLVED 221/14 That Council adopt the following Policies attached to this report including amendments <ul style="list-style-type: none"> Community Grants Policy Sponsorship Policy 	Courtney Barber	Advise staff and upload to the website	Staff notified and uploaded onto the website 17/10/14 COMPLETED
16 October 2014	Special Purpose Grant Acquittals	RESOLVED 222/14 That Council accept the acquittal of the following Special Purpose Grants and that they be submitted to the Department of Local Government Grants Unit. <ul style="list-style-type: none"> Library – Tennant Creek and Elliott \$240,200.25 	Susan Wright	That the SPG be submitted to the Department of Local Government	Library SPG Submitted to the Department COMPLETED
16 October 2014	Appointment of Ampilatwatja Local Authority Ordinary Members	RESOLVED 223/14 a) That Council accept the recommendations from the selection panel and endorse the following nominations: Eldon Ross and Teresa McKeenon	Barb Dalloway	That a letter of appointment to the Ampilatwatja Local Authority be prepared for Cr. Ada Beasley to sign	Letters drafted, signed and delivered 16/10/2014 COMPLETED

<div>  <div> <div>BARKLY REGIONAL COUNCIL</div> <div>ORDINARY COUNCIL ACTION LIST</div> <div>October 16, 2014</div> </div> </div>					
Meeting Date	Subject	Resolution	Action Officer	Action/Task	Completed Status
16 October 2014	Alpurrurulam Local Authority Additional Membership Position	RESOLVED 224/14 That Council resolve to have one (1) additional Ordinary membership position on the Alpurrurulam Local Authority	Barb Dalloway	That the nomination process begin	Nominations have commenced with a closing date of 29/10/14. Selection panel to meet 11/11/14. Recommendation to Council at it's November meeting COMPLETED
16 October 2014	Chief Executive Officers Report September	RESOLVED 229/14 That Council <ol style="list-style-type: none"> Receive and note the report. Endorse the Purkiss Reserve upgrade project to commence on 9 February 2015. Accordingly this will result in the pool will close from 6 February 2015 in preparation for the construction of the new pool. An advertisement to be placed advising the general public of the closure date including the next season opening date which is expected to be at the beginning of October 2015. 	Ktima Heathcote	That it be advertised accordingly of the Pool closing and opening dates	Placed in the Tennant and District Times 7 November 2014. With flyers distributed around the township. COMPLETED
16 October 2014	Waivure of Waste Charges on Urban Farm Land - Lots 2141 and 5949 Un Named Street, Tennant Creek	RESOLVED 236/14 That Council <ol style="list-style-type: none"> Waive waste collection charges for Urban Farm Land Lots 2141 and 5949 as there is no residential dwelling on this land and therefore no service required. Notify the rate payer of Council's decision to waive ongoing waste collection charges for the two vacant lots known as Lot 2141 and 5949 for so long as they remain underdeveloped. 	Edwina Marks	That correspondence be prepared for Mr. Schmidt to be advised of the outcome	Charges for waste collection reversed and rates notice re issued. COMPLETED
16 October 2014	Waivure of Interest Charge on Rates - Lot 207/2 Paterson Street Tennant Creek	RESOLVED 237/14 That Council <ol style="list-style-type: none"> Waive interest charge of \$71 accrued on rates account for the 2013/14 year for Lot 207/2 Paterson Street Tennant Creek Write to the ratepayer to advise of this write off and nil balance 	Edwina Marks	That correspondence be prepared for the rate payer to be advised of the outcome	Interest charges reversed and rate payer notified. COMPLETED

**LOCAL AUTHORITY MEETING MINUTES AND BUSINESS
ARISING**



ITEM NUMBER 4.1
TITLE Arlparra Local Authority Meeting - 18 November 2014
REFERENCE 121030
AUTHOR Courtney Barber, Executive Assistant to the CEO

RECOMMENDATION

That Council

- a) Receive and note the Arlparra Local Authority meeting minutes of the 18th November 2014
- b) Adopt the recommendations contained in the minutes.
- c) Note the continuing action list

ATTACHMENTS:

- 1 Unconfirmed Minutes - Arlparra Local Authority Meeting - 18.11.2014.pdf
- 2 Arlparra Local Authority Action list 18 November 2014.pdf



MINUTES

Arlparra Local Authority
Held 18th November, 2014 12 noon
Batchelor Training Room

1. MEETING OPENING

Meeting opened at 12.10pm.

2. WELCOME

2.1. Present Members

Cr. Ada Beasley	Ex Officio
Esau Nelson	Ordinary Member
Stevie Loy	Ordinary Member
Susan Chalmers	Ordinary Member
Brenda Inkamala	Ordinary Member
Edward Jones	Ordinary Member
Jack Club	Ordinary Member

2.2. Present Staff and Visitors

Dennis Kunoth	Prime Minister & Cabinet
Matt Orm	Prime Minister & Cabinet
Di Nona	Urapuntja Aboriginal Corporation.
Edwina Mark	Barkly Regional Council
Saleena Ham	Barkly Regional Council
Leonard Kunoth	Community Member
Valerie Sharpe	Community Member
Harold Nelson	Community Member
David Curtis	Dept Local Government
Jill Kleiner	Dept Local Government
Colin Keating	Urapuntja Health Service

3. APOLOGIES/ABSENT

3.1. Apologies

Barb Shaw	Ex Officio
Cr. Noel Hayes	Ex Officio
Cr. Lucy Jackson	Ex Officio
Edwina Marks	Barkly Regional Council

3.2. Absent without Apology

Ernie Bailey	Ordinary Member
Cr Timothy Price	Ex Officio



4. LOCAL AUTHORITY ITEMS/PLANS

4.1. Local Authority Members Matters

4.1.1. School Attendance

The Members expressed concern regarding school attendance and in particular the impacts of gambling were a concern. Children were staying up all night. Families are without money.

BRC CEO expressed concern with football carnivals being extended beyond the weekends and the impacts on the Council capacity to provide services. The football carnivals become a problem when they extend and children are then kept out of school.

The Members discussed the possibility of Council bringing in lights to play at night and allow more games to occur in a weekend.

The CEO BRC asked the Members who are on the Store Committee could raise this with the Store and request a financial contribution to ensure good services such as toilets are available. She suggested that Arlparra work with Ampilatwatja to coordinate dates. She suggested that the Local Authority call a community meeting to discuss football arrangements so that everyone could be informed about plans.

ACTION: Amity to be asked to come and speak with the community about gambling issues and solutions.

Moved: Stevie Loy

Seconded: Ada Beasley

CARRIED

ACTION: That prices be provided on hiring lights and on hiring Toilets.

Moved: Esau Nelson

Seconded: Brenda Inkamala

CARRIED

4.1.2. Housing

Members asked when there would be new housing available.

The CEO BRC advised that housing was related to tenure. She asked Jill Kleiner to address the meeting. Jill Kleiner advised that the Land Trust and Government had to sign an agreement to secure a lease for each piece of land that houses stood on. The places with new houses such as Ampilatwatja had given these agreements for leases. No talks had happened in Utopia.

Di Nona said that she had been requesting such talks for some time with Central Land Council and that the people had raised this issue in a number of Council meetings held in Utopia. No progress has occurred. It was galling that in a community with little crime an \$8.3m police station was being



constructed with multiple houses and units while people next door lived in makeshift shelters.

Jill Kleiner advised that the community would need to ask the Central Land Council to start conversations about leasing in Utopia. This may need them to be very insistent.

Colin Keating advised that none of the local people sitting with him understood what had just been said. Jill Kleiner spoke again to explain what had to be done to have housing built, particularly, that leases had to be granted. Di Nona said that UAC would organize a community letter to senior levels of Prime Minister and Cabinet and CLC to progress the matter. Edward expressed some frustration that more "pieces of paper" would not bring them houses. It was suggested that the community begin a petition signed by residents of Utopia seeking support for housing.

ACTION: That the Local Authority write to the Central Land Council and ask for a meeting to progress the S19 leases for the Utopia Community.

Moved: Jack Club

Seconded: Susan Chalmers

CARRIED

There was discussion following on from the previous LA meeting, regarding location of the Night Patrol office. The Utopia community has no Night Patrol office to house staff or community members needing safe house services at times. Edward Jones suggested that any Night Patrol office be located next to the Basketball courts inside the existing fence. This area has no lease. The dongas at the back of the Council offices had previously been suggested as an office facility however, they are not well located for the purpose, being somewhat hidden and out of the central community area.

ACTION: That Council pursue options on accessing a Night Patrol Office facilities and leasing of the fenced area (next to the Basketball court) proposed to accommodate Night Patrol offices in the future.

5. VISITOR PRESENTATIONS

5.1. Urapuntja Aboriginal Corporation

Di Nona spoke to the meeting advising that two Governance training sessions conducted to date and more to come.

5.2 David Curtis – Department of Local Government

David outlined the role of the Local Authority under legislation and the fit within the structures of local government in the Territory. He explained that the Local Authority must be listened to under law.



6. COUNCIL REPORTS

6.1. **CEO (or Representative) Report on Current Regional Council Services in the Community / Budget**

CEO reported on services in the community

6.2 **Community Coordinators Report-** to be held over to the next meeting as Saleena Ham departed 2pm for compulsory training in Tennant Creek. She was accompanied by Ada Beasley.

7. OTHER BUSINESS

Nil

8. NEXT MEETING / MEETING CLOSE

Next meeting 10 February 2015

ACTION SUMMARY

Date	Item	Actions to be Taken	Comment
18/11	School Absenteeism - Gambling	Amity to be asked to come and speak with the community about gambling issues and solutions.	
18/11	School Absenteeism – Duration of Football Carnivals	That prices be provided on hiring lights and on hiring Toilets.	
18/11	Housing for Utopia	That the Local Authority write to the Central Land Council and ask for a meeting to progress the S19 leases for the Utopia Community.	
18/11	Night Patrol Office	That Council pursue options on accessing a Night Patrol Office and leasing of the fenced area (next to the Basketball court) proposed to accommodate Night Patrol offices in the future.	

Arlparra Local Authority Action List 18 November 2014

Date	Item	Actions to be Taken	Comment
7/10	Managing Wilful Damage –That wilful damage be managed.	Community Coordinator to speak to Outstations reps around repairs to houses and possible copayment arrangement.	Mtg held in Tennant Creek with Council staff and Dept of Local Govt regarding housing repairs. No action on outstations until Council; policy available. NOT COMPLETED
18/11	School Absenteeism – gambling	Amity to be asked to come and speak with the community about gambling issues	Refer to Dennis Kunoth to request Amity
18/11	School Absenteeism – duration of Football carnivals	That prices be provided on hiring lights and toilets	
18/11	Housing for Utopia	A letter be written to Central land Council to ask fro a meeting to progress the S19 leases for the Utopia community	
18/11	Night Patrol Office	That Council pursue options on accessing a Night Patrol Office and leasing of the fenced area (next to the Basketball court) proposed to accommodate Night Patrol offices in the future.	

LOCAL AUTHORITY MEETING MINUTES AND BUSINESS ARISING



ITEM NUMBER 4.2
TITLE Ali Curung Local Authority Meeting - 25 November 2014
REFERENCE 121033
AUTHOR Courtney Barber, Executive Assistant to the CEO

RECOMMENDATION

That Council

- a) Receive and note the Ali Curung Local Authority meeting minutes of the 25th November 2014
- b) Adopt the recommendations contained in the minutes.
- c) Note the continuing action list

ATTACHMENTS:

- 1 Unconfirmed Minutes - Ali Curung Local Authority Meeting - 25.11.2014.pdf
- 2 Ali Curung Action List - 25 November 2014.pdf



MINUTES

ALI CURUNG LOCAL AUTHORITY

Held Tuesday 25 November 2014

Council Conference Room

1. MEETING OPENED: 10:15am

2. ATTENDANCE/APOLOGIES

2.1 **MEMBERS PRESENT**

Cr. Noel Hayes (Chair Person)	Ex Officio
Andrew Tsavaris	Local Authority Member
Alston Nelson	Local Authority Member
Charlie Poulson	Local Authority Member
Edith Hanlon	Local Authority Member
Zeza Egan	Local Authority Member
Graham Beasley	Local Authority Member

2.2 **ALSO PRESENT**

Barb Dalloway	Barkly Regional Council Governance Officer
Edwina Marks	CEO Barkly Regional Council
Mark Parsons	Barkly Regional Council SSM Ali Curung
Greg Mcadams	Centrefarm/AHPL
Allan Hanks	BRC
Declan Douglas	NT Police
Vanessa Martin	NT Police
David Curtis	DLGR Tereeh
Anjali Palmer	Nexus Alliance for CCNT
John Mason	Prime Minister and Cabinet
Steve Edginton	Department of Chief Minister
Des O'brian	Department of Business
Linda Rice	Catholic Care NT
Leonie Plush	Catholic Care NT
Mark Hulsman	Catholic Care NT
Colleen Keen	Ali Curung Clinic

2.3 **APOLOGIES**

President Barb Shaw	Ex Officio
Ronald Brown	Local Authority Member
Lucy Jackson	Ex Officio
Derek Walker	Local Authority Member

2.4 **ABSENT WITHOUT APOLOGY**

Nil

2.5 **Resignations from the Local Authority**

Nil



3. CODE OF CONDUCT

Nil

4. LOCAL AUTHORITY NOMINATIONS

4.1 **Outcome of the process to fill two vacancies on the Local Authority**

The Chair welcomed the two new members Zeza Egan and Graeme Beasley.

5. CONFIRMATION OF MINUTES FROM PREVIOUS MEETING (30 SEPT 2014)

5.1 That the Minutes of the previous meeting be confirmed as an accurate record

Moved: Edith Hanlon

Seconder: Andrew Tsavaris

CARRIED

5.2 **Business arising:**

The Airstrip is still in poor condition and no windsock and the recent audit of street lights needs to be followed up.

ACTIONS:

The Community Coordinator to :

- *follow up with DoI to bring their attention to recent grading of the airstrip which has not removed pebbles and larger objects*
- *Install windsocks*
- *Put up a large sign in the office outlining Council staff obligations regarding the Airstrip, so all temporary staff are aware of BRC obligations*
- *Street lights*
- *Street light need re- checking as some lights blinking on and off or wattage is too low.*

6. COUNCIL REPORTS

6.1 **CEO report**

CEO reported on the Community meeting attended by 78 people, held in October 2014 and called at the request of the Community following a petition. Work on the water park may slow down as underground optic cabling has been discovered under the site. CEO handout out a map of 2 alternative sites for their consideration.

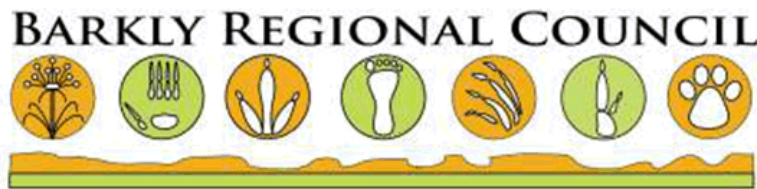
ACTION: *Andrew Tsavaris to advise Community Coordinator if indeed cabling was put in under the preferred site.*

6.2 **Complaints received**

Nil

6.3 **Elected members report**

Cr Hayes reported that community staffing issues are being sorted out; in the new year there is to be an inter-agency meeting to work on ways to improve the community in 2015. Cr Hayes is the contact person for this meeting.



6.4 Acting Community Coordinator report

- Staff have started watering parks on a daily basis , new sprinklers have been purchased to ensure better water usage.
- Large rakes have been set up on the tractor to help with rubbish pick up from the Sides of roads.
- Tennant Creek Depot staff have done a good job of collecting cars from around Community.
- Contractors have installed street signs in the community as well as all the Speed humps.

6.5 Local Authority member reports

6.5.1 Outcome of Local Authority Planning on community fund priorities Fund is \$ 86,150 for 2014/15; priorities are

- Park- Meeting Place; beautification with grass;
- 2 x BBQs in park area
- 2x bough sheds for shade in the park
- Each of the 4 language groups have a welcome sign in the park
- Play equipment in the park
- Community nursery so that houses can grow flowers/ vegetables
- Community clean- up.

Other priorities included;

- Housing reference group to discuss air conditioning
- CLC to visit the community to start planning for lease money projects .

6.5.2 Training of Chairs/ Deputy Chairs in Tennant Creek

Training on governance to take place on 3- 5 December 2014, in Tenant Creek, conducted by LGANT and all BRC Chairs/ Deputy chairs of local Authorities will attend.

7 VISITOR PRESENTATIONS

7.1 Community Health and Related issues – Colleen Keen

Respite Centre is dirty and needs fixing. Chaos in the community caused by grog leading to assaults and major demands on the clinic. From the 19th December all current staff will leave. Massive overtime being worked by staff on average 27 hours per week. Andrew Tsavaris, on behalf of the Local Authority, thanked Colleen for all her excellent work in the community.

7.2 Proposed Amendment to Alcohol take-away hours at Wycliffe Well & Wauchope – combined presentation including local Police Senior Constable Declan Douglas would like to push back takeaways from 10-2pm to try to stop alcohol fuelled violence. People are buying at 10am and not stopping buying for other family members. People from Tennant Creek are also coming down and taking grog back to Tennant Creek.. Would like support from the community.

Following discussion, the following recommendation was made:

**RESOLUTION**

That the Ali Curung Local Authority support the change to the liquor licenses of Wycliffe Wells and Wauchope Roadhouses, to align alcohol sales with liquor licensing hours in Tennant Creek and write a letter of support plus invite the NT Licensing Commissioner to the community to discuss further.

Moved: Andrew Tsavaris

Seconded: Edith Hanlon

CARRIED

8 GENERAL BUSINESS**8.1 Repair to bus stop at the entrance of the turn off.**

Following recommendation be put to Council;

RESOLUTION

That an immediate tidy-up of the bus shelter at the highway entrance be undertaken and that Council seek funding to expand the size of the Shelter.

Moved: Edith Hanlon

Seconded: Andrew Tsavaris

CARRIED

8.2 Night patrol issues

This issue was discussed in the confidential part of the meeting and the following actions to be undertaken;

At each Local Authority meeting, the Community Coordinator to provide a report on Night patrol and how Night patrol is working with Police, clinic, and the Community Safety Plan

8.3 One Bus Shelter is positioned facing north, too hot for people to use and needs to be moved.

ACTION: The Community Coordinator to liaise with BRC Operations to reorientate the bus shelter that is near the clinic.

9. DATE OF NEXT MEETING AND MEETING CLOSE

Meeting closed at 11:55am and the Next meeting is Tuesday 17 February 2015.

RECOMMENDATIONS TO COUNCIL

- a) That the Ali Curung Local Authority support the change to the liquor licenses of Wycliffe Wells and Wauchope Roadhouses, to align alcohol sales with liquor licensing hours in Tennant Creek and write a letter of support plus invite the NT Licensing Commissioner to the community to discuss further.
- b) That an immediate tidy-up of the bus shelter at the highway entrance be undertaken and that Council seek funding to expand the size of the Shelter.

ALI CURUNG LOCAL AUTHORITY ACTION LIST – 25th November 2014

DATE ASSIGNED	DECISION	ACTIONS TO BE TAKEN	COMMENTS
25 th Nov	One Bus Shelter is in wrong spot Location needs to be changed	Community Coordinator will Liaise with Tennant Creek Works Manager on best way to Rectify this.	
25 th Nov	Air Strip Council to replace windsock and to do daily checks of the run way	ESO agreed to undertake these checks from the 26 th November The Community Coordinator to : follow up with Dol to bring their attention to recent grading of the airstrip which has not removed pebbles and larger objects Install windsocks Put up a large sign in the office outlining Council staff obligations regarding the Airstrip, so all temporary staff are aware of BRC obligations	
25 th Nov	Street lights Not working need checking some blinking on and of intermittently	Commence audit in November and schedule monthly. Organise bulbs to be replaced.	
25 Nov	Support Police for Amendment to alcohol sales at Wycliffe Well and Wauchope roadhouses to reduce take away hours.	Council to draft letter of support to NT Licensing Chairman	COMPLETED Letter sent 27/11/2014
25 Nov	Night Patrol	Night patrol to report as part of Community Coordinator report to LA on work with police, clinic and Community Safety Plans	

LOCAL AUTHORITY MEETING MINUTES AND BUSINESS ARISING



ITEM NUMBER 4.3
TITLE Tennant Creek Local Authority Meeting - 26 November 2014
REFERENCE 121036
AUTHOR Courtney Barber, Executive Assistant to the CEO

RECOMMENDATION

That Council

- a) Receive and note the Tennant Creek Local Authority meeting minutes of the 26th November 2014
- b) Adopt the recommendations contained in the minutes.
- c) Note the continuing action list

ATTACHMENTS:

- 1 Unconfirmed Minutes -Tennant Creek Local Authority - 26.11.2014.pdf
- 2 Action List - Tennant Creek Local Authority - 26.11.2014.pdf



MINUTES
TENNANT CREEK LOCAL AUTHORITY
 Held Wednesday 26 November 2014
 Council Chambers, 41 Peko Road.

1. MEETING OPENING

Deputy Chairperson; Mitch Healy opened the meeting at 5:10pm

2. ATTENDANCE / APOLOGIES

2.1 Members Present

President Barb Shaw	Ex Officio
Cr. Joyce Taylor	Ex Officio
Cr. Narelle Bremner	Ex Officio
Cr. Tony Boulter	Ex Officio
Mitchell Healy	Deputy Chairperson
Len Holbrok	Local Authority Member
Trish Caterer	Local Authority Member
Steve Edgington	Local Authority Member
Jason Newman	Local Authority Member

2.2 Also Present

Edwina Marks	Barkly Regional Council Chief Executive Officer
Henry Szczypiorski	Barkly Regional Council Executive Director Operations
David Heron	Barkly Regional Council Director Corporate Services
Barb Dalloway	Barkly Regional Council Governance Officer
Courtney Barber	Barkly Regional Council Executive Assistant to the CEO

2.3 Apologies

Cr. Hal Ruger	Ex Officio
Cr. Pat Braun	Ex Officio
Jenni Kennedy	Chairperson
Eleanor Diflo	Local Authority Member
Tony Civitarese	Local Authority Member

3. CONFIRMATION OF MINUTES FROM PREVIOUS LOCAL AUTHORITY MEETING

3.1 That the Minutes of the Tennant Creek Local Authority held 13 October 2014 be accepted.

Moved: Cr. Taylor
Second: Len Holbrok

CARRIED

4. ACTION ITEMS FROM PREVIOUS LOCAL AUTHORITY MEETING

4.1 That the continuing Action List from 13 October 2014 be accepted

Moved: Cr. Bremner
Seconded: Cr. Taylor

CARRIED



5. ITEMS FOR DECISION

Nil

6. CORRESPONDENCE OR REPORTS FROM THE COUNCIL

6.1 **CEO report**

CEO; Edwina Marks provided an overview of the report that was tabled. In future, the CEO report will be forwarded with the agenda to allow reporting by exception at the meeting.

6.2 **CEO report on complaints received concerning service delivery**

CEO; advised the Authority of complaints received to Council for the month of October. They included; three (3) dog complaints, three (3) Infrastructure complaints and six (6) rates complaints.

6.3 **Budget (Year to Date Financials)**

Director Corporate Services; Dave Heron updated the Authority on the current budget for the Tennant Creek area.

7. ITEMS WHICH THE AUTHORITY IS REQUIRED TO CONSIDER ON A PERIODIC BASIS

7.1 **2013/14 Annual Report (to be distributed upon receiving printed copies)**

The 2013/14 Annual Report is currently being professionally printed and is due to be completed in mid January 2015. Copies will be available for the first meeting in 2015.

8. ITEMS FROM MEMBERS

8.1 **Community Project Funding priority setting workshop facilitated by the CEO and staff.**

Five Authority members forwarded pre- planning information prior to the meeting, this information was then used to establish a list of broad priorities which were added to and discussed before voting on the top three priorities for expenditure of the \$100,000 Community Project Fund. The top three (3) priorities were:

1. Modify the Civic Hall to become a useable conference centre
2. Beautification of Tennant Creek
3. Purchase and installation of a semi-permanent marque for shading that can be utilised between Lake Mary Anne Dam and the Cemetery.

ACTION: CEO to provide the Authority a report outlining the cost associated with the above projects. And to report back at the March 2015 meeting.

RESOLVED

That \$25,000 of the Community Project Fund be put aside until March 2015

Moved: Trish Caterer

Seconded: Cr. Taylor

CARRIED

9. VISITOR PRESENTATIONS

Nil

10. OTHER BUSINESS

Nil



11. ITEMS TABLED

Items tabled for members information included:

- Minutes of the Ordinary Council Meeting – 20 November 2014
- Discussion draft; Northern Territory Economic Development Strategy

12. CLOSE OF MEETING

Meeting closed at 6:39pm

13. NEXT MEETING

Wednesday 4 March 2015

TENNANT CREEK LOCAL AUTHORITY – ACTION ITEM LIST – 26 November 2014

Updated 27.11.2014

DATE ASSIGNED	DECISION	ACTIONS TO BE TAKEN	COMMENTS
13 October 2014	Mascot for Tenant Creek Follow up to visitor presentation by Mr. Swift	Mr Swift to forward to the CEO in time for consideration at the next Local Authority meeting, 26 November 2014.	To be carried over
13 October 2014	Footbridge rear of Tennant Creek High School That Barkly Regional Council write to the Chief Minister on behalf of the Local Authority detailing the impact on public safety of the footbridge remaining and request the its removal as a matter of urgency.		Letter to be sent to the Chief Minister Letter sent to Dept of Planning and Infrastructure COMPLETED Jason Newman indicated with his new position of President on the Country Liberals he could escalate the status. Letter to be forwarded through to Mr. Newman.
26 November 2014	Community Project Funding Priorities 1. Beautification of Tennant Creek 2. Upgrade to the Civic Hall 3. Mobile shade structure to be utilised between Lake Mary Anne and the Cemetery.	CEO to provide the Authority a report outlining the cost associated with the projects. And to report back at the March 2015 meeting.	

ADDRESSING THE MEETING



ITEM NUMBER	5.1
TITLE	10:00am - Proposed Electrol Amendments by Department of Local Government and Regions
REFERENCE	120297
AUTHOR	Courtney Barber, Executive Assistant to the CEO

SUMMARY:

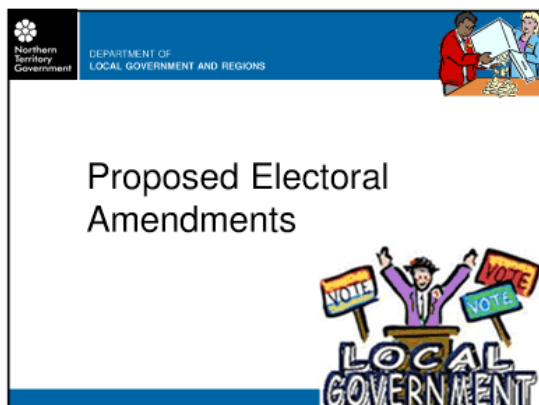
Ms. Jill Kleiner and Mr. Frank Crawley from Department of Local Government and Regions will present to Council regarding the amendments on the Local Government Election dates.

ATTACHMENTS:

- 1 Electrol Amendments Presentation.pdf







 DEPARTMENT OF
LOCAL GOVERNMENT AND REGIONS




**Next periodic general elections to be held in 2017
(not 2016) and every four years after that**

Fix polling day to be the 4th Saturday in August

Next general elections will be on 26 August 2017




 DEPARTMENT OF
LOCAL GOVERNMENT AND REGIONS


In the last 12 months before a general election, councils can appoint someone to fill a vacancy, rather than have a by-election

In future it will be extended to the last 18 months before a general election

Appointments instead of by-elections will be available from 27 February 2016



www.nt.gov.au/dgp

 DEPARTMENT OF
LOCAL GOVERNMENT AND REGIONS


Municipal councils will have an option in relation to how office of the principal member is filled.

They may hold an election to fill the office of the principal member or they may appoint a person from amongst themselves.

Regional councils already have this choice.

The option must be exercised at least 3 months, but not more than 9 months before the next general election.



Note - this affects total council member numbers.



Northern Territory Government
DEPARTMENT OF LOCAL GOVERNMENT AND REGIONS

Choose to Vote by Post

Postal voting and early voting will be available to all electors (voters won't need a reason)




Northern Territory Government
DEPARTMENT OF LOCAL GOVERNMENT AND REGIONS

ELECTIONS

Councils will be able to choose to be responsible for their own by-election

The returning officer can be chosen by the council – eg an external service provider or the CEO

If Council has not got a firm arrangement within 2 months of the vacancy, the default provider is the NTEC



Northern Territory Government
DEPARTMENT OF LOCAL GOVERNMENT AND REGIONS

Municipalities only

May decide to conduct a by-election by means of postal voting only

Will need to have willing service provider


Decisions must be made and agreements in place within 2 months of the vacancy

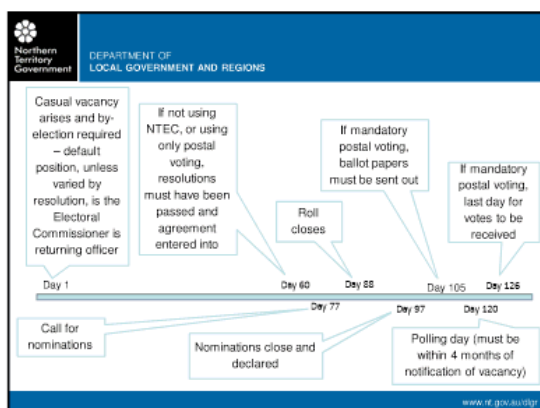



 DEPARTMENT OF
LOCAL GOVERNMENT AND REGIONS

A returning officer appointed by a council will be able to use a computer or other electronic system to tally the votes


The computer method must be strictly in accordance with the counting methodology provisions contained in Schedule 1 to the Regulations






 DEPARTMENT OF
LOCAL GOVERNMENT AND REGIONS


Absent voting services on polling day will be limited to designated polling places chosen by the returning officer





www.nt.gov.au/dlgp

 DEPARTMENT OF
LOCAL GOVERNMENT AND REGIONS


The deadline for receiving postal votes will be changed from 6 pm on the 6th day after polling day to 12 noon on the 6th day after polling day.





 DEPARTMENT OF
LOCAL GOVERNMENT AND REGIONS




Where the NTEC is running a by-election, the Electoral Commissioner will have discretion to determine polling hours.

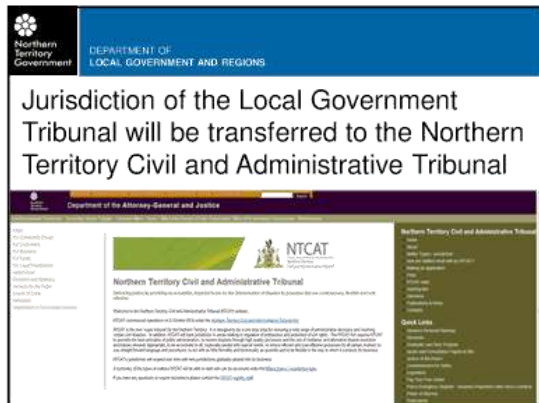


 DEPARTMENT OF
LOCAL GOVERNMENT AND REGIONS



When counting votes in elections for a single member vacancy, amalgamation of ballot papers with the same value during the exclusion of a candidate, will be allowed.







COMMITTEE REPORTS AND BUSINESS ARISING



ITEM NUMBER	8.1
TITLE	Audit Committee Meeting - 11 November 2014
REFERENCE	120318
AUTHOR	Courtney Barber, Executive Assistant to the CEO

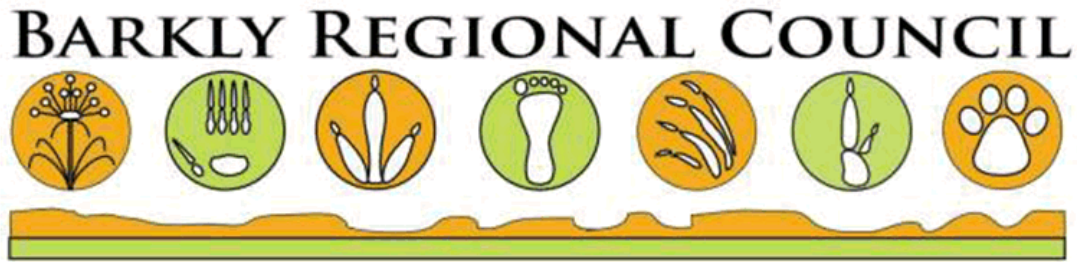
RECOMMENDATION

That Council

- a) Receive and note the minutes of the Audit Committee Meeting held on 11 November 2014
- b) Adopt the recommendations contained within the minutes

ATTACHMENTS:

- 1 Unconfirmed - Minutes - Audit Committee Meeting - 11.11.2014.pdf



Vision

We are a progressive and sustainable Council who respects and listens to the people.

The Way We Will Work

We will be engaged and have regular opportunities to listen.
We will have strong policy and budgets to ensure our programs and services are progressive and sustainable.
Respect is shown in everything we do and we have acceptance of all cultures in the Barkly Region and their practices.
We are a responsible Council that meets all of its regulatory and social responsibilities.
We will be a responsive Council.

MINUTES AUDIT COMMITTEE MEETING TUESDAY, 11 NOVEMBER 2014

The Audit Committee Meeting of the Barkly Regional Council was held in Tennant Creek on Tuesday, 11 November 2014 at 10:00am.

Edwina Marks
Chief Executive Officer

1. OPENING AND ATTENDANCE

1.1. Chairman Rex Mooney opened the meeting at 2.10pm

2. ATTENDANCE / APOLOGIES**2.1. Members Present**

President Barb Shaw (Ex Officio)
Cr. Bob Bagnall
Cr Narelle Bremner
Cr Tony Boulter

2.2. Also Present

Edwina Marks; Chief Executive Officer
David Heron; Director Corporate Services
Vikram Jaggi; Finance Manager

2.3. Apologies

Nil

2.4. Absent without Apology

Nil

3. DISCLOSURE OF CONFLICT OF INTEREST

No members declared a Conflict of Interest

4. CONFIRMATION OF PREVIOUS MINUTES – 21 AUGUST 2014

That the minutes of the Barkly Regional Council Audit Committee Meeting held on 21 August 2014 as circulated to members be received as a true and correct record.

Moved: Cr. Boulter

Seconded: Rex Mooney

CARRIED

5. BUSINESS ARISING

Nil

6. AUDIT COMMITTEE WORK PLAN

The Work schedule was significantly reviewed at the August and October meetings.

That the Audit Committee work plan be adopted with relevant amendments.

Moved: Cr Bagnall

Seconded: Cr Boulter

CARRIED

7. AUDITED FINANCIAL STATEMENTS

A comprehensive report was given to the meeting about the audited financial statements from The Director of Corporate Services and the Manager of Finance.

That the Audited Statements including management reports be adopted.

Moved: Cr Bagnall

Seconded: Cr Boulter

CARRIED

8. TENDER DOCUMENTS TO APPOINT EXTERNAL AUDITOR SERVICES

The draft specifications were presented to members with an overview by the CEO.

That the Audit Committee would like to advise Council that the tender process as tabled and discussed is sound and the process should commence immediately.

Moved: Rex Mooney

Seconded: Cr Bagnall

CARRIED

9. CEO'S STATEMENT OF EXTERNAL AUDITOR INDEPENDANCE

The Certification was presented to members.

That Council receive and note the Certification of Auditor Independence statement in conjunction with the Manager of Finance

Moved: Rex Mooney

Seconded: Cr Bagnall

CARRIED

10. RATES CONCESSION POLICY

A draft policy was presented to members and discussed.

That the Rates Concession Policy be adopted.

Moved: Cr Bagnall

Seconded: Cr Boulter

CARRIED

11. CODE OF CONDUCT POLICY

A draft policy was presented to members and discussed.

That the Audit Committee adopt the Code of Conduct policy as presented and further to this a comprehensive review is undertaken, including a legal opinion, within the next 6 months and improvements be made as warranted.

Moved: Cr Bagnall

Seconded: President Shaw

CARRIED

12. STRATEGIC REVIEW HEALTH CHECK

The presentation provided by Peter Matthews from Edge Advantage was presented and discussed.

That the Audit Committee note the review conducted by Edge Advantage.

Moved: Cr Bagnall

Seconded: President Shaw

CARRIED

13. GENERAL BUSINESS

NIL

14. NEXT MEETING

February 2015

15. MEETING CLOSED

5.27 pm

COMMITTEE REPORTS AND BUSINESS ARISING



ITEM NUMBER	8.2
TITLE	Finance and Operations Committee Meeting - 26 November 2014
REFERENCE	121078
AUTHOR	Courtney Barber, Executive Assistant to the CEO

RECOMMENDATION

That Council

- a) Accept the minutes of the Finance and Operations Committee Meeting held on 26 November 2014
- b) Adopt the recommendations contained within the minutes

SUMMARY:

Nil

BACKGROUND

Nil

ISSUE/OPTIONS/CONSEQUENCES

Nil

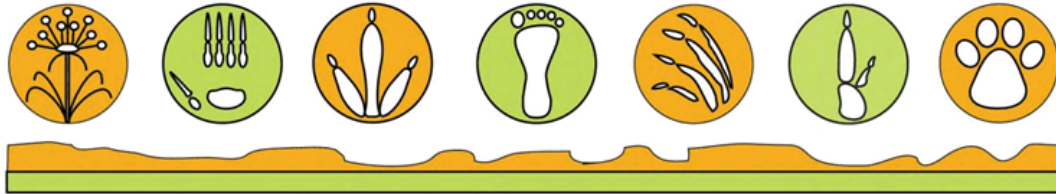
CONSULTATION & TIMING

Nil

ATTACHMENTS:

- 1 Unconfirmed Minutes - Finance and Operations Committee - 26 November 2014 - V2.pdf
- 2 BRC Fees and Charges - 2014-15 - 03.12.2014.pdf

BARKLY REGIONAL COUNCIL



Vision

We are a progressive and sustainable Council who respects and listens to the people.

The Way We Will Work

We will be engaged and have regular opportunities to listen.

We will have strong policy and budgets to ensure our programs and services are progressive and sustainable.

Respect is shown in everything we do and we have acceptance of all cultures in the Barkly Region and their practices.

We are a responsible Council that meets all of its regulatory and social responsibilities.

We will be a responsive Council.

MINUTES

FINANCE AND OPERATIONS COMMITTEE MEETING

WEDNESDAY 26 NOVEMBER 2014
HELD AT TENNANT CREEK

1. OPENING AND ATTENDANCE

A/Chair Cr. Narelle Bremner opened the meeting at 10:16am.

1.1. Present:

A/Chair Cr. Narelle Bremner
President Barb Shaw
Cr. Tony Boulter
Cr. Joyce Taylor

1.2. Apologies:

Cr. Bob Bagnall
Cr. Hal Ruger
Cr. Noel Hayes

1.3. Staff Present:

Dave Heron, Director Corporate Services
Henry Szczypiorski, Executive Director Operations
Regan Randle, Executive Assistant to the President

1.4. Absent without apology:

Nil

2. CONFLICTS OF INTEREST

2.1. Cr. Narelle Bremner declared conflict of interest to item 6.4

3. CONFIRMATION OF PREVIOUS MINUTES

3.1. That the minutes of the Finance and Operations meeting held 7 October 2014 be accepted.

MOVED: Cr. Boulter

SECONDED: Cr. Taylor

CARRIED

3.2. Business arising from Previous minutes

4. PRESENTATION TO COMMITTEE

Nil

5. FINANCE**5.1. Revenue Policy**

The Committee recommends to Council to adopt the Revenue Policy.

MOVED: Cr. Joyce Taylor

SECONDED: Cr. Tony Boulter

CARRIED

5.2. Proposed 2014/15 Fees and Charges

The Committee recommends to Council to adopt the Schedule of Fees and Charges for the 2014/15 financial year

MOVED: Cr. Joyce Taylor

SECONDED: Cr. Narelle Bremner

CARRIED

5.3. Audit Tender function

The Committee recommends to Council that

- The specifications for External Audit Service be approved and that calls for tender process, and
- For the purposes of the Audit Tender that the Finance and Operations Committee does not participate in this process and refers it to the Audit Committee to resolve.

MOVED: Cr. Joyce Taylor

SECONDED: Cr. Narelle Bremner

CARRIED

5.4. Consultancy Fees

- The Committee note the report
- The Committee requested that Consultancy Expenditure become a permanent agenda item

MOVED: Cr. Narelle Bremner

SECONDED: Cr. Joyce Taylor

CARRIED

5.5. Homelands Maintenance Levy and Tenancy Agreement

The Committee recommend to Council that a Homelands Housing Maintenance Levy of \$50 per fortnight per adult resident of a house in the Elliott Town Camps and Utopia Homelands.

MOVED: Cr. Tony Boulter

SECONDED: Cr. Narelle Bremner

CARRIED

6. OPERATIONS**6.1. Update on Elliott and Ali Curung Water Parks**

The Executive Director of Operations provided a verbal update on the projects

6.2. Update on Purkiss Reserve Upgrades

The Executive Director of Operations provided a verbal update on the project

6.3. Low Aromatic Fuel Policy

The Committee decided to defer until the next meeting

6.4. Walkway and Lane Policy

The Committee requested that the Executive Director of Operations research and make appropriate suggestions to bring back to the Committee to review

6.5. Community Landfill Precincts

- The Executive Director of Operations provided an update
- The Executive Director of Communities provided an update on Community Landfills

7. GRANTS

Nil

8. RISK AND FRAUD**8.1. Tender for Work Health and Safety Panel**

The Committee approves the tender and agrees to appoint to the Workplace Health and Safety Panel as indicated:

- Latitude 12
- Local Government Safety
- JTA Health
- BDV Safety and Compliance

MOVED: Cr. Tony Boulter

SECONDED: Cr. Joyce Taylor

CARRIED

9. GENERAL BUSINESS

Nil

10. OTHER MATTERS FOR NOTING

10.1. President Barb Shaw asked of our budget for landscaping along Peko Rd.

- The Executive Director of Operations advised of the surplus from token sales

11. CLOSE OF MEETING

1:10PM



Fees and Charges Schedule 2014/2015

Administration

Binding A4 document	\$16.00
Laminating A4	\$2.00
Laminating A3	\$4.00
By Laws	\$27.00
Copy on Minutes	\$6.00
Barkly Regional Council Plan	\$12.00
Annual Report	\$12.00
Policies and Procedures guide	\$54.00

Information Act fees & charges

Application fee non-personal information	\$32.00
Access information (per hour)	\$27.00
Deposit for access to information	\$27.00

Rates

Rates search	\$80.00
Reprinting of Rates Notice	\$7.00
Requesting written Information from owner	\$7.00
Bank fees and charges	\$25.00
Failure to notify change of address – 20 penalty units @ \$139.00	\$2,780.00

Civic Hall (for meetings)

Hire rate per hour (min 3 hours)	\$50.00
Hire rate per day – (Government & Commercial & NGO)	\$500.00
Hire rate per day – (Concession)	\$250.00
Acoustic operation fee per hour (min 3 hours)	\$30.00
Bond (refundable after cleaning inspection)	\$500.00
Cleaning fee per hour (max \$450.00)	\$65.00
Key deposit (cash only)	\$100.00

Civic Hall (for events)

Hire – Hourly (min 3 hours)	\$75.00
Hire – Full day (24 hours)	\$500.00
Hire rate per day (concession)	\$250.00
Acoustic operation fee per hour (min 3 hours)	\$30.00
Key deposit (Cash only)	\$100.00
Bond (refundable after cleaning inspection)	\$500.00
Cleaning fee per hour (max \$450.00)	\$65.00

***The concession is available to Community associations and events on application**

**Library**

Interlibrary loans – interstate only	\$60.00
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Overdue items per day

Videos, DVD, CD	\$3.00
Books & Spoken word	\$3.00

Replacement Costs

Video, DVD, CD	\$45.00
Books	\$55.00
Spoken word	\$125.00
Interlibrary loan books	\$155.00
Lost or damaged items – replacement	\$25.00

Copying services

A4 – 1-49 copies (per page)	\$0.50
A4 – 50 copies and over	\$0.12
A4 – Double sided 1-49 copies (per page)	\$1.00
A4 – Double sided 50 copies and over	\$0.40
Laminating A4	\$5.00
Laminating business card size	\$3.00

Internet access

1 hour	\$7.00
30 minutes	\$4.00

Faxing services

Fax per A4 page first page NT	\$4.00
Per page thereafter	\$1.00
Fax per A4 page first page Interstate	\$4.00
Per page thereafter	\$1.50
Fax per A4 page first page overseas	\$12.00
Per page thereafter	\$2.50
Free call all pages	\$2.00
To receive faxes per page	\$0.50

Cemetery

Single Plot	\$805.00
Single Plot – half size grave	\$545.00
Double Plot (first burial)	\$805.00
Double Plot (second burial)	\$775.00
Niche Wall	\$682.50
Reserve Plot	\$805.00
Exhumations	\$2,235.50
Funeral Directors Licence – annual	\$100.00

**Animal Control**

Annual Registration – Intact dog	\$109.00
Annual Registration – Desexed dog	\$39.00
Pound fees – charge per day	\$75.00
Lifetime registration - Intact dog	\$235.00
Lifetime registration – Desexed dog	\$104.00
Dog and Cat traps (per day per trap)	\$10.00
Deposit for traps	\$100.00
Replacement registration tag	\$20.00

Pensioner concession

Annual Registration – Intact dog	\$51.00
Annual Registration – Desexed dog	\$18.00
Lifetime registration – Intact dog	\$109.00
Lifetime registration – Desexed dog	\$50.00

Sale of impounded dogs

Registration plus pound fee	Registration plus pound fee
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Purkiss Reserve

Commercial site hire per day	\$150.00
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Peko Park

Key deposit	
(Cash only - refundable on return of key)	\$100.00

Swimming Pool

Adult	\$4.00
Child	\$2.00
Pensioner	\$2.10
Adult 10 swim cards	\$35.00
Child 10 swim cards	\$20.00
Pensioner 10 swim cards	\$20.00
Adult season pass	\$378.00
Child season pass	\$189.00
Pensioner season pass	\$189.00
Pool hire after hours (price per hour)	\$POA
Pool hire opening hours (price per hour)	\$POA
Lane hire per month	\$130.00
Family pass per season (2 adults and 2 children) Short season fee	
Extra child	\$40.00

***Exclusive of Lifeguards as determined by BRC**


Plant hourly rate - Hire rates for private hire include operator (No dry hire)

FE Loader - includes operator	\$250.00/hr
Grader – rate per hour (including waiting and operator)	\$250.00/hr
- Additional rate per km	\$3.20/km
Dozer D4 or D5 – including operator	\$250.00/hr
Backhoe – including operator	\$225.00/hr
10 Tonne tipper - including operator	\$225.00/hr
Bus hire per day	\$850.00
Bus Hire – Min 4 hours	\$460.00
Option for a driver @ labour hire charge	
Push mower per hour (min 4 hours)	\$20.00/hr
Whipper snipper per hour (min 4 hour charge)	\$20.00/hr
Tractor per hour – including operator	\$150.00/hr
Tractor with attachment – including operator	\$180.00/hr
Sweeper – including operator	\$225.00/hr
Sewerage pump out per hour - including operator	\$250.00/hr
<i>-Septic pump out per hour – Is charged from the time the truck leaves the depot arrives at the job and empties the tank and returns to the depot, this way travel time is included in the price of the job</i>	
Bobcat – including operator per hour	\$190.00/hr
Cherry picker per hour – including operator	
(Min 4 hours)	\$250.00/hr
Labour hire per hour	\$88.00/hr

Waste Disposal

Green Waste (not mixed load)	\$0
Clean fill	\$0
Sedan/station wagon/motor cycles	\$0
Utes (up to 1 tonne capacity)	\$10.00
Standard box trailer (up to 7'x5')	\$10.00
Large trailer (greater than 7'x5')	
Truck (up to 4.5 tonne gross tare)	\$40.00
Truck (between 4.5 and 12 tonne gross tare)	\$200.00
Truck (greater than 12 tonne gross tare)	\$1,000.00
Car bodies	\$250.00

Tire disposal

Car/motor cycle tyres	\$5.00 each
Small truck/4WD tyres	\$10.00 each
Large truck/semi-trailer tyres	\$20.00 each
Tyres of 50.2/25 in size or larger	\$40.00 each

Retrieval of abandoned items

Removal of abandoned vehicle	\$250.00
Storage of abandoned vehicle per day	\$10.00

Public places

Billboards on adjoining lands	\$35.00
Advertisement on buildings	\$35.00
Signboard in or on a public place	\$40.00
Removal of flammable undergrowth	POA

GENERAL BUSINESS AND MATTERS FOR NOTING

ITEM NUMBER	9.1
TITLE	Records Management Services Proposal - Latitude 12
REFERENCE	121024
AUTHOR	Courtney Barber, Executive Assistant to the CEO

RECOMMENDATION

That Council

- a) Receive and note the report
- b) Accept the proposal of \$2,166 per month for the Records Management Services provided by Latitude 12 for the period up to 31 December 2015.

SUMMARY:

Latitude 12 (L12) Records Unit provides Councils with best practice records management, including advice, policies, procedures and business rules. The L12 team is both passionate and knowledgeable of all best recordkeeping practices and will guarantee our council a business process transparency.

Their Business objectives are:

- To be the leader in Document Imaging and Data Capture
- To be the leader in providing Records Management Solutions
- To continuously improve the customer experience

Outcomes:

- Accountability to our suppliers, community and to the council
- Satisfying Legislation and Audits i.e. Information Act, Local Government Act, Financial Management Act
- Corporate Knowledge – Evidence of Business, a record of decisions, justification of your business transactions
- Managing the Risk to the council and Clients – Failure to save a record could lead to non-compliance risks, or even being ignorant to critical information
- Good Decision Making based on correct information
- Professional Reputation – Knowledgeable and efficiency
- Business Process Transparency – Keeping a record of supporting business documents

Value to Barkly Regional Council

- The value of proceeding with Latitude 12 is:
- Access to a Records Services team that knows the Council's Records Management objectives
- Access to a Record Services team that intimately understands the day to day records management services of the council and the challenges the organisation faces.
- Access to a pool of experienced Records Staff
- Working with a team that wants to see the council add value and benefit the Community.
- Full compliance with current NT Local Government Records Management Standards and legislation
- Fully compliant to WH&S procedures

Proposed schedule of fees:

Records Management Service	Days per month	Total
InfoXpert System Administration Support <ul style="list-style-type: none"> - New Users - Remove Old Users - Security and Access Permissions - Trouble shooting 	1	\$722.00
InfoCouncil System Administration Support <ul style="list-style-type: none"> - Authors - Councillors - Meeting Dates - Templates - Assistance with Minutes and Agendas - Trouble Shooting 	1	\$722.00
Archiving Services <ul style="list-style-type: none"> - Sentencing and Appraisal using approved records disposal schedules - Uploading data into Infoxpert - Creation of Notifications of Destruction forms - Arranging Certifications of Destructions 	1	\$722.00
Total excluding GST	3 days	\$2,166.00

Monthly Investment to the Council would be \$2,166.00 per month excluding GST, over a 12 month period ending 31st December 2015.

ISSUE/OPTIONS/CONSEQUENCES

Nil

CONSULTATION & TIMING

Executive Team Meetings, previous service provided.

ATTACHMENTS:

GENERAL BUSINESS AND MATTERS FOR NOTING

ITEM NUMBER	9.2
TITLE	Ratification of the Common Seal
REFERENCE	121071
AUTHOR	Courtney Barber, Executive Assistant to the CEO

RECOMMENDATION:

That Council ratify the execution of the following document under Council's Common Seal.

- 01.11.2014 – Application to Register Statutory Charge on the land of Tennant Creek
- 21.11.2014 – Discharge of Statutory charge – Lot 356, Town of Tennant Creek
- 21.11.2014 – NGO Registration/update form; Department of Health Grants Administration Unit
- 21.11.2014 – NGO Registration/update form; Department of Children and Families Grants Administration Unit

SUMMARY:

The Local Government Act provides for Council to authorise or ratify the execution of documents under Council seal.

BACKGROUND

Government agencies require formal agreements with Council for the provision of agency services and these agreements are normally required to be endorsed under Seal of the Council and witnessed by the CEO and one member of the Council. All of the contracts and agreements listed in the recommendation have been endorsed by the CEO and a Councillor or Council President.

ISSUES/OPTIONS/CONSEQUENCES

The Council is a corporate entity and is required to enter into binding legal agreements from time to time and the affixing of the Common Seal to such an agreement is the equivalent of a corporate signature.

The Local Government Act Provides;

Section 26 (2) the affixing of the common seal to a document:

- (a) *Must be authorised or ratified by resolution of the council; and*
- (b) *Must be attested by the signatures of the CEO and at least one member of the council.*

ATTACHMENTS:

GENERAL BUSINESS AND MATTERS FOR NOTING



ITEM NUMBER	9.3
TITLE	Emmerson Resources Exploration Licence Application 30584
REFERENCE	121077
AUTHOR	Edwina Marks, Chief Executive Officer

RECOMMENDATION

That Council receive and note the report.

SUMMARY:

Giants Reef Pty Ltd a wholly owned subsidiary of Emmerson Resources has lodged an exploration licence application No 30584 situated in the Tennant Creek locality. The application falls within NT Portion 0918 of which Council is the registered landholder.

BACKGROUND

Giants Reef Pty Ltd a wholly owned subsidiary of Emmerson Resources has lodged an exploration licence application No 30584 situated in the Tennant Creek locality. The application falls within NT Portion 0918 of which Council is the registered landholder.

If this application is approved, the EL application has the intent to gain tenure coverage over a prospective area for exploration.

Should the licence be granted work proposed in the first year of tenure, it will include:-

- Data integration
- Geological, geophysical and geochemical studies
- Surveying
- Drilling and assaying of samples.

ISSUE/OPTIONS/CONSEQUENCES

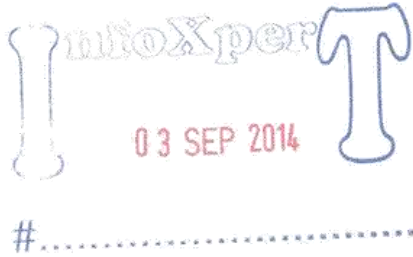
We would be contacted prior to any fieldwork commencing to ensure that this does not interfere with any activities on the land.

CONSULTATION & TIMING

Nil

ATTACHMENTS:

- 1 Letter - Emmerson Resources - Exploration Licence Application 30584 - Tennant Creek - 25.09.2014.pdf



**NOTIFICATION BY EL APPLICANT TO AFFECTED
LANDOWNERS/OCCUPIERS**

Barkly Shire Council
PO Box 821
Tennant Creek, NT 0861

25 September 2014

To whom it may concern,

**RE: EXPLORATION LICENCE APPLICATION 30584
GIANTS REEF EXPLORATION PTY LTD (EMMERSON RESOURCES
LTD)**

This letter is to advise you that Giants Reef Exploration Pty Ltd (a wholly owned subsidiary of Emmerson Resources Ltd) has lodged Exploration Licence Application No. 30584 (EL 30584) over an area of Six (6) blocks situated in the Tennant Creek locality.

The application falls within NT Portion 01918, of which you are the registered holders.

I have attached a plan of the area applied for (shown by a thick red outline) and it is adjacent to other Exploration Licenses that are held by Giants Reef Exploration Pty Ltd. Giants Reef has submitted this EL Application with the intent to gain tenure coverage over a prospective area for exploration.

- Should the licence be granted work proposed in the first year of tenure will include:-
- Data Integration.
- Geological, geophysical and geochemical studies.
- Surveying.
- Drilling and assaying of samples.



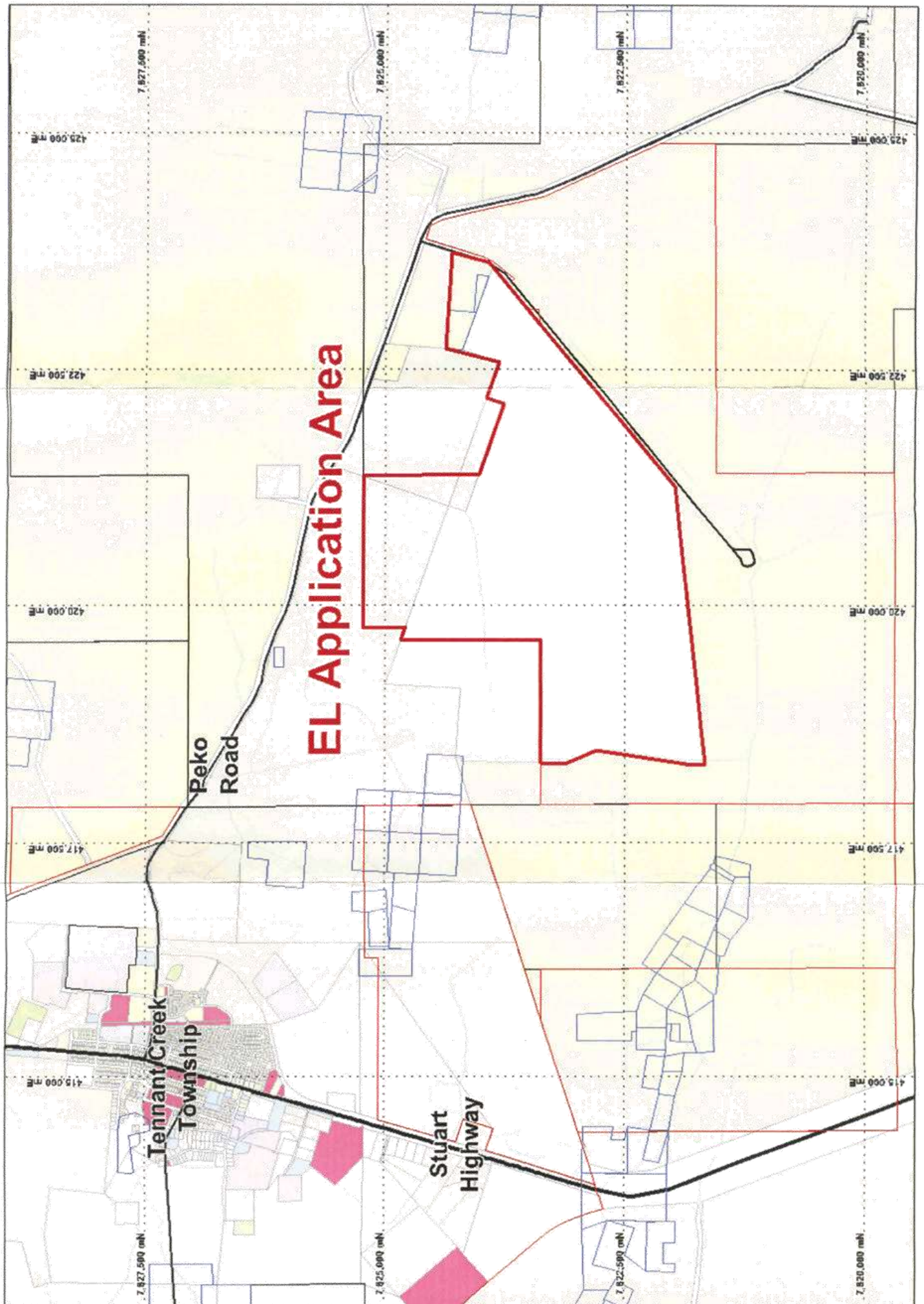
Prior to commencing any field work contact will be made with you to ensure that the proposed exploration does not interfere with the activities on the subject land.

Please do not hesitate to contact me if you have any queries concerning this application

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'A Walters', written over a light pink horizontal band.

Adam Walters
Manager – Projects
Emmerson Resources Ltd
awalters@emmersonresources.com.au
(08) 9381 7838
3 Kimberley Street
West Leederville, W.A. 6007



**GENERAL BUSINESS AND MATTERS FOR NOTING**

ITEM NUMBER	9.4
TITLE	Councilbiz fees and architecture update
REFERENCE	121079
AUTHOR	Edwina Marks, Chief Executive Officer

RECOMMENDATION

That Council receive and note the report.

SUMMARY:

The attached presentation outlines the Councilbiz architectures changes over the last two years and outlines the service agreement.

BACKGROUND

Councilbiz provides IT services to the Council as part of a sector wide business set up at the formation of the Shires. Council opted out of this agreement for a number of years due to technical difficulties at the set up of the Shires. Council entered into a new agreement with Councilbiz commencing 1 July 2013.agreement.

Councilbiz and the nine Regional Council members have invested a substantial amount of money in the upgrading of the server infrastructure of the network in the CHAN. This new upgrade has seen a major redevelopment of the Councilbiz server network that has allowed us to build a sustainable, scalable and flexible high performance reliable environment.

Utilising the latest in technologies Councilbiz has allowed a Councilbiz to set up a sophisticated server network consisting of:-

- 5 dedicated Citrix servers per council
- 1 dedicated file server per council
- 2 dedicated servers for Barkly Civica
- 6 dedicated active directory services
- 4 dedicated print servers
- 1 dedicated SQL server for all other non essential applications
- 1 dedicated SQL server for InfoXpert/InfoCouncil
- Various management servers
- 2 dedicated backup servers
- 3 dedicated email servers
- 1 dedicated email achieving server

Councilbiz has implemented a new server network to ensure that the optimum configurations were used to ensure no traffic bottlenecks in the data centre occur. Upon this completion Councilbiz has been able to confirm that the speed issues are not related to the servers into the data centre and are local level issues that should be resolved through hardware update (old pcs)

Current expenditure

IT Costs

	Actual 2013/14	Budget 2014/15
Salaries & Oncosts	105725	127267
Contractors		228936
- Councilbiz	179054	
- Driver Web	6546	
- InfoCouncil	4507	
- Info Expert	21561	
- Latitude 12	35147	
Hardware & Consumables	35138	50000
	387678	406203

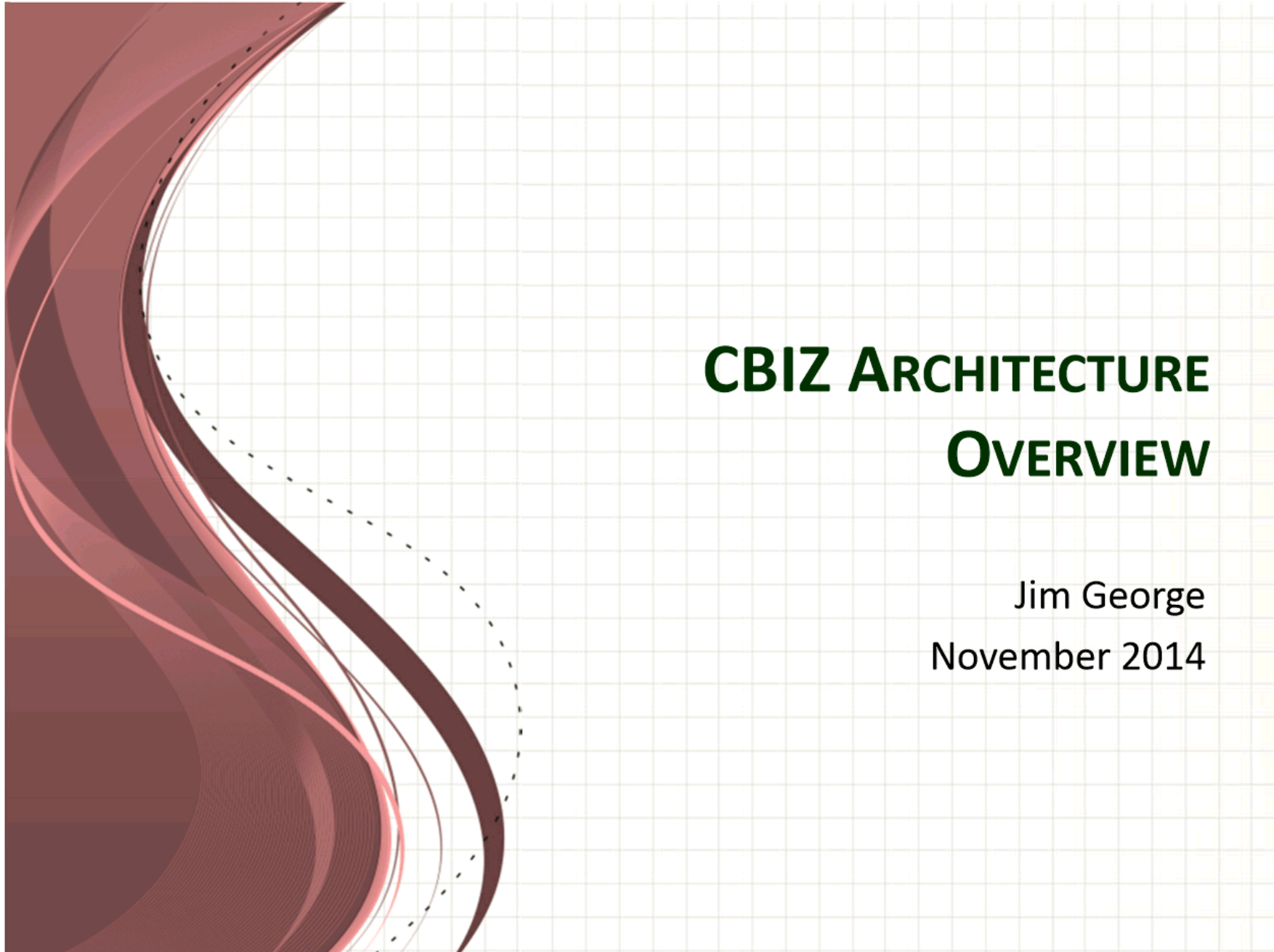
ISSUE/OPTIONS/CONSEQUENCES

Nil

CONSULTATION & TIMING

Nil

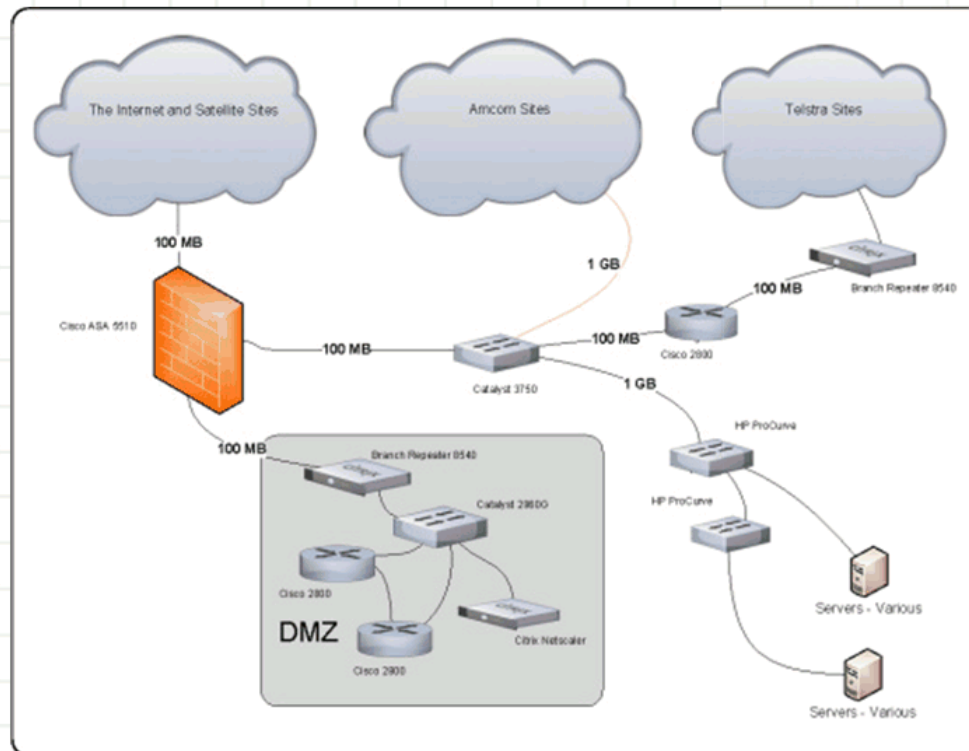
ATTACHMENTS:**1** Architecture Overview for Operational Team.pdf



Infrastructure Refresh Milestones

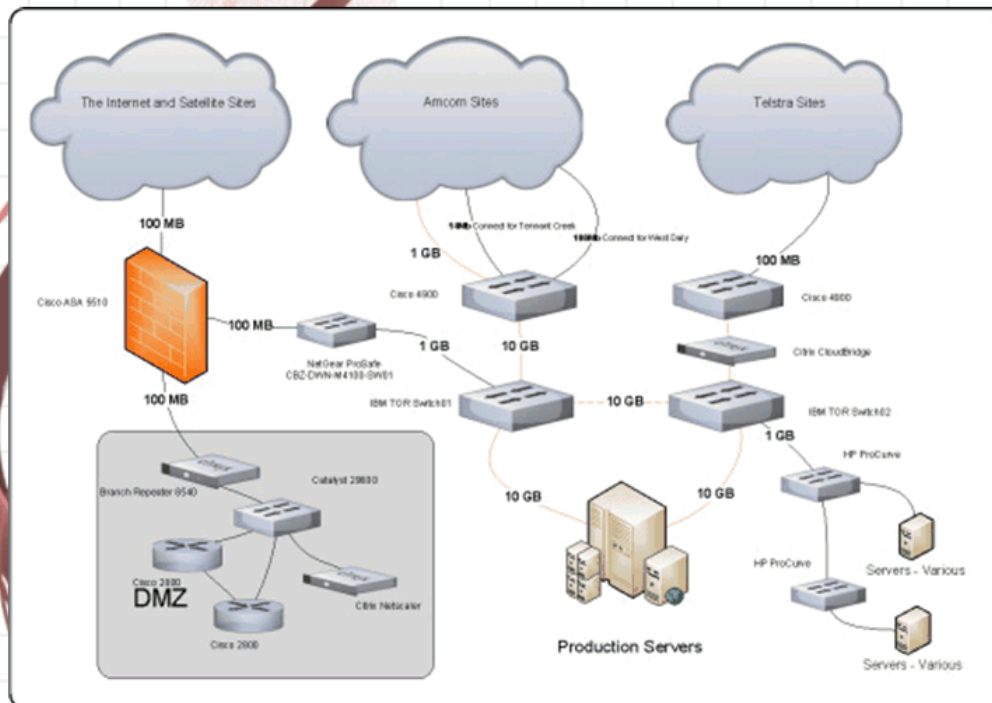
- 2008 – Shiresnet Created
- 2012 to 2013 – Aging infrastructure begins to fail
- Oct 2013 – New Chan server hardware installs begin
- March 2014 – Cutover to new server production systems
- April 2014 – New Chan comms hardware installs begin
- Dec 2014 – Cutover to new comms production systems

Old Environment



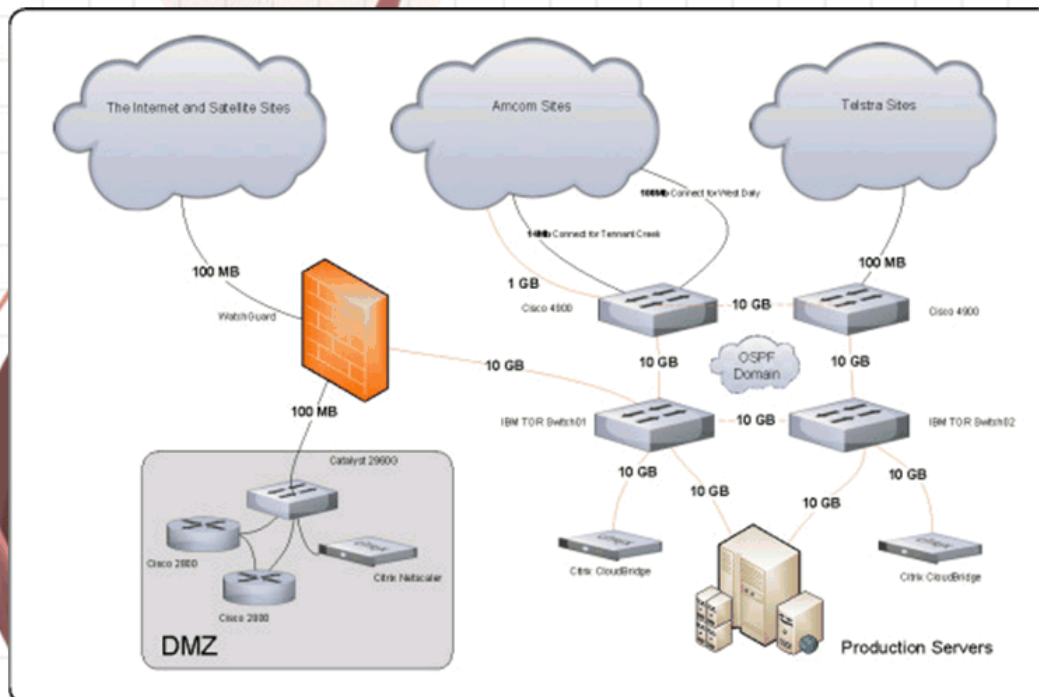
- Aging
- Unresponsive
- Limited Growth
- Single Points of Failure

New Environment



- Scalable and Flexible
- High Performance
- Reliable

Future Environment



Pros

- Fully Redundant
- 10 GB Core
- Less dependency on 3rd Party Support

Cons

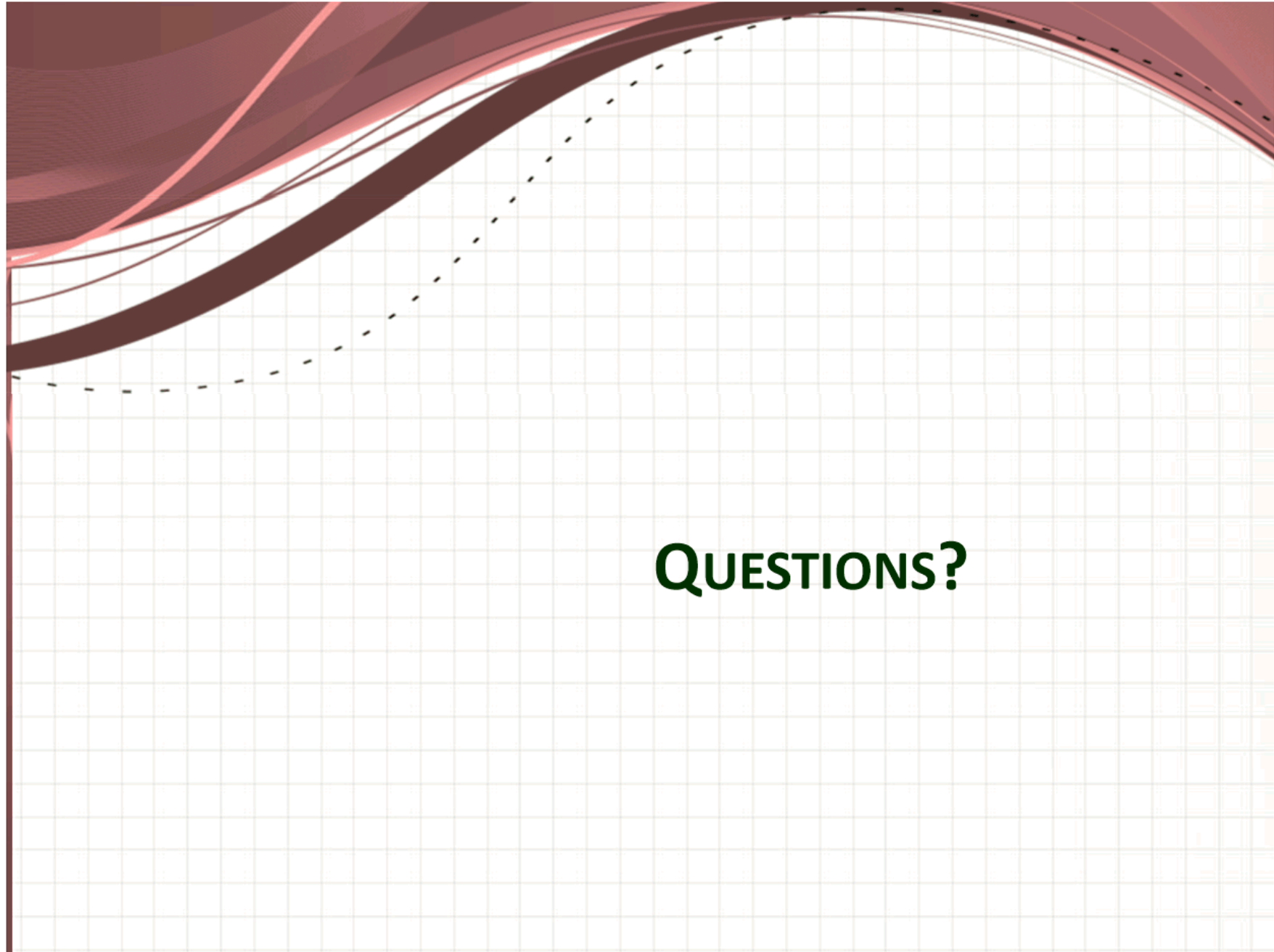
- Lack of visibility outside Chan
- Lack of shaping
- Lack of WAN control

Non Comms Design Changes to Improve Performance

- Citrix
 - Split Machine Catalogs and Delivery Groups per Regional Council
 - Machine Creation Services per Regional Council
- Golden Image per Regional Council
- Technology One – Split Licensing Model per Regional Council
- Exchange 2013 –
 - Single Database per Regional Council
 - New options for remote access to email
 - Mobile.councilbiz.nt.gov.au
 - Activesync.councilbiz.nt.gov.au

Summary:

- Emphasis on a per-Regional Council design
- Emphasis on developing a high performance core
- Emphasis on redundancy and high availability
- It is unlikely that performance issues at remote sites are caused by Chan comms but rather uncontrolled traffic across network links.



GENERAL BUSINESS AND MATTERS FOR NOTING

ITEM NUMBER	9.5
TITLE	Northern Territory Open Speed Limit Trial
REFERENCE	121080
AUTHOR	Edwina Marks, Chief Executive Officer

RECOMMENDATION

That Council

- a) Support the call to action by the RACP by sending a letter to the NT Government to request an end to the Open Speed Limit Trial and a return to speed restrictions

SUMMARY:

The Royal Australasian College of Physicians has written to Council requesting that they consider supporting a campaign to end the NT open speed limit trial.

BACKGROUND

The Royal Australasian College of Physicians has written to Council calling upon the support of the Shire President to join them in urging the NT Governments Chief Minister and Minister for Transport to end the open speed limit trial. They consider open speed limits to be a health and community safety issue that affects local communities and all road users in the NT.

They will call on the NT government to

- Release the statistical evidence base on which the open speed limit trial was developed and extended for public consideration and independent review.
- Engage in public discussions with local communities and public health leaders to address key issues and concerns
- Re-evaluate the need for further extension or permanent instatement of open speed limits on any NT road.

They are requesting Council's support in one or all of the following three ways:-

- Sign and share a public petition
- Send a letter to the NT government
- Participate in a community event

ISSUE/OPTIONS/CONSEQUENCES

Nil

CONSULTATION & TIMING

Letter circulated across a range of networks.

ATTACHMENTS:

There are no attachments for this report.

GENERAL BUSINESS AND MATTERS FOR NOTING

ITEM NUMBER	9.6
TITLE	Cemeteries Act consultation
REFERENCE	121081
AUTHOR	Edwina Marks, Chief Executive Officer

RECOMMENDATION

That Council

- a) Receive and note the report
- b) Circulate for comment to all Local Authorities during February 2014 with a view to make a submission to LGANT before the deadline of 27 February 2015

SUMMARY:

On the 7 December 2012, the Department of Local Government and Regions released a public discussion paper on the review of the Cemeteries Act. Since then research has been undertaken into various legislation and other practices across Australia. A position paper has been developed and LGANT is intending to make a submission by the 27 February 2015.

BACKGROUND

On the 7 December 2012, the Department of Local Government and Regions released a public discussion paper on the review of the Cemeteries Act. Since then research has been undertaken into various legislation and other practices across Australia. A position paper has been developed and LGANT is intending to make a submission by the 27 February 2015.

The main significant changes from the current legislation include:

- Recognition of Community and Homeland Cemeteries
- Creation of a new category of cemeteries known as Freehold cemeteries
- Requirement for obtaining planning approvals prior to the declaration or establishment of a cemetery
- Provision of modern practices for the disposal of bodies including natural burials and aquamation
- Sea burials no longer being available in Territory waters;
- Provision for a closed cemetery to be converted into parklands and;
- Provision for parkland to be converted to any other use, in line with the Planning Scheme and subject to planning approval, after a period of 50 years.

Please find attached:

- a letter on the proposed *Cemeteries Act* (posted 28/11/14);
- a position paper titled “*Outline of the proposed Cemeteries Act*” – which sets out the fundamental matters that are expected to be included in a new *Cemeteries Act*, and
- a policy paper titled “*Policy behind the Proposed Cemeteries Act*” – which sets out the policy rationale for the provisions in the proposed new legislation.

ISSUE/OPTIONS/CONSEQUENCES

Community and public cemeteries are managed in the main by Regional Councils. The legislative change will formalize consistent processes that need to occur. Councils will need to ensure relevant planning permissions and leases/licenses are in place accordingly. In addition there will be a range of policy around the management of these cemeteries that will need to be developed and adopted.

CONSULTATION & TIMING

Circulate to all Local Authorities for comment with submissions to LGANT before the close on **Friday 27 February 2015**.

ATTACHMENTS:

- 1 ATT A - Final Outline of the proposed Cemeteries Act.pdf
- 2 ATT B - Final Policy behind the proposed Cemeteries Act.pdf
- 3 L - Ryan LGANT - Proposed Cemeteries Act - Public Consultation.pdf



DEPARTMENT OF LOCAL GOVERNMENT AND REGIONS

Outline of the proposed Cemeteries Act



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INTENTION

The intention of a new *Cemeteries Act* is to:

- ensure human remains are treated with dignity and respect;
- reduce red tape;
- devolve decisions locally where possible;
- provide for cemeteries on Aboriginal land;
- provide for various types of burials including natural and upright burials;
- provide for the process of aquamation as well as cremation; and
- introduce freehold cemeteries.

TYPES OF CEMETERIES

There will be provision for:

- (a) Public cemeteries (Cemeteries on Crown Land through Crown leases or freehold tenure with a prescribed property notice);
- (b) Freehold cemeteries (Privately owned cemeteries);
- (c) Community Cemeteries (Cemeteries on Aboriginal land managed by local government councils);
- (d) Homeland Cemeteries (Cemeteries on Aboriginal land trust or Community Living Area land managed by the relevant Land Council or Community Living Area Association);
- (e) Cremation facilities (for cremations); and
- (f) Aquamation facilities (Aquamation uses the chemical process of alkaline hydrolysis – similar to the way in which a body decomposes if placed in a flowing stream of water).

NO LONGER ALLOWED

There will not be any burials at sea in Northern Territory waters or any new private burial grounds. Burials at sea in Commonwealth waters are administered under Commonwealth legislation.

DECLARATION OF CEMETERIES

Ministerial approval will be required for the declaration or establishment of:

- (a) Public cemeteries
- (b) Freehold cemeteries
- (c) Community Cemeteries
- (d) Homeland Cemeteries
- (e) Cremators
- (f) Aquamators.

Planning approval will be required before Ministerial approval can be given unless the cemetery is an existing cemetery.

The Minister may not declare a Community Cemetery unless the relevant Land Council or Community Living Area Association and the local government council are in agreement that the cemetery should be declared a community cemetery under the *Cemeteries Act*.

The Minister may only declare a Homeland Cemetery upon application of the relevant Land Council or Community Living Area Association, and only if the Minister is satisfied that the applicant has the appropriate resources to manage the cemetery.

It will be a requirement that any new cemeteries be located on well-drained, non-flooding land that has appropriate soil depth.

RESPONSIBILITY

Responsibility for compliance with the legislation will be:

- (a) Public Cemeteries – Local Government Council or, if the cemetery is not in a local government area, the Board of Trustees
- (b) Freehold Cemeteries – Owner
- (c) Community Cemeteries – Local Government Council
- (d) Homeland Cemeteries – the relevant Land Council or Community Living Area Association
- (e) Cremators – Owner
- (f) Aquamators – Owner.

REGISTERS AND OTHER INFORMATION

The Table below indicates the information that each category of cemeteries, cremators and aquamators is required to keep:

	Register of burials, cremations, aquamations or exhumations that is available for public inspection	Plans and information on the cemetery, crematorium or aquamatorium available on the website	Publicly available annual audited financial statements and reports
Public Cemetery	✓	✓	✓
Freehold Cemetery	✓	✓	
Community Cemetery	✓	✓	✓
Homeland Cemetery	✓		
Cremator	✓	✓	
Aquamator	✓	✓	

CEMETERY POLICIES

It will be a matter for the responsible parties to have policies such as:

- Memorial structures
- Hours of opening
- Types of graves permitted
- Sections or areas of the cemetery for specific use (or where specific rules apply)
- Cemetery rules
- Use of allotments after exhumations
- Fees and charges.

CEMETERY MANAGEMENT – PUBLIC AND COMMUNITY CEMETERIES

The local government council for the area in which a public or community cemetery is located is responsible for the care and maintenance of the cemetery as well as ensuring compliance with legislation.

The chief executive officer (CEO) of the council is the manager of a Cemetery unless the role of manager has been assigned by the CEO to another person. In the case of a community cemetery, the CEO must appoint an employee living in the community to be manager of the cemetery. For example, this may be a role of the local essential services officer.

Where a public cemetery is not in a local government area, (Nhulunbuy, for example) a Board of Trustees appointed by the Minister is responsible for the care and maintenance of the cemetery as well as ensuring compliance with legislation.

The Board of Trustees must appoint a person to be manager of the cemetery.

PLANS

All cemeteries must have a cemetery plan.

In the case of a community cemetery, the local authority is to provide advice to the local government council regarding the cemetery and the local authority is to be fully consulted regarding the cemetery plan.

At a minimum, a cemetery plan must detail the layout of the cemetery and denote areas of specific use. It should also detail planned future development. It must contain all policies in relation to use of the cemetery such as:

- (a) conduct of funerals
- (b) services provided
- (c) fees
- (d) types of burials permitted (eg conventional, upright, natural, mausoleum, vault)
- (e) multiple burials
- (f) locations for burials
- (g) granting of exclusive rights
- (h) memorials – including ownership and maintenance
- (i) hours open to the public.

HOURS OPEN TO THE PUBLIC - PUBLIC, COMMUNITY AND FREEHOLD CEMETERIES

Public, Community and Freehold Cemeteries regardless of whether they are “closed” must be open to the public at least 8 hours per day and may be open to the public up to 24 hours per day.

A person may apply to the responsible party to have access to a cemetery out of normal opening hours .

SIGNAGE - PUBLIC, COMMUNITY AND FREEHOLD CEMETERIES

A Public, Community or Freehold cemetery must have a sign with the name of the cemetery, contact details for the responsible body, the opening hours and the rules governing the cemetery.

EXCLUSIVE RIGHTS - PUBLIC, COMMUNITY AND FREEHOLD CEMETERIES

From the commencement of the legislation, the local government council, owner or Board of Trustees may set the period of validity of new exclusive rights. For example, the longer the period, the more expensive the right might cost. However, no exclusive right will be allowed to exceed 50 years.

The policy must also specify how many exclusive rights a person may hold and any conditions which may be attached to exclusive rights. Cemetery policy will also dictate whether exclusive rights may be traded or passed to another person.

On expiry of an exclusive right, where the site will continue to be available, the holder is to be offered first option on a fresh exclusive right. Board policy will determine who else may be offered the site if the holder of the right does not renew.

DEPTH OF GRAVES – PUBLIC AND COMMUNITY CEMETERIES

In public and community cemeteries recommended best practice would be that all new graves for conventional (horizontal) burials must be dug to a depth that will accommodate two burials.

DEPTH OF BURIAL

All human remains, coffin, container or receptacle must be covered by ground that is at least 1 metre deep at its shallowest point. If that is not possible, the remains, coffin, container or receptacle must be completely covered by at least a 50 millimetres thick layer of stone, concrete or similar durable material placed directly over the remains and ground that is at least 500 millimetres deep at its shallowest point.

This will apply to all burials including multiple burials in all cemeteries and other burial grounds (that is, burials outside a cemetery).

TYPES OF BURIAL

Burials may be as approved according to the policies of the responsible parties and may include conventional (horizontal) burials in a coffin or shroud, upright burials and natural burials.

PERMISSION TO BURY - PUBLIC, COMMUNITY, HOMELAND AND FREEHOLD CEMETERIES

Before a body may be buried in a cemetery, the owner, local government council, Board of trustees or delegate may issue a burial permit after being provided with a completed notice of interment, a notice under section 34(1) of the *Births Deaths and Marriages Registration Act* signed in accordance with that section or advice from the Coroner authorising the burial of the body.

If the death occurred outside the Territory, a certificate of cause of death under the law of the place in relation to the deceased person must be provided.

If the death occurred outside the Territory and no certificate is available, a statutory declaration by the nearest next of kin stating all information that would normally be provided in a certificate of cause of death must be provided.

CREMATION AND AQUAMATION PERMITS

Before a body may be cremated or aquamated the respective facility owner, local government council, Board of Trustees or delegate may issue a cremation or aquamation permit after being provided with:

- (a) an application from a person stating that:
 - (i) the applicant is the administrator or executor of the deceased's estate, or if there is no administrator or executor, the reason that the person has authority to make the application and the address and contact details of the applicant;
 - (ii) the name, address, date of birth, date of death, occupation, gender and marital status of the deceased and whether the deceased had any children;
 - (iii) the relationship of the applicant to the deceased;
 - (iv) whether the deceased had made an attested declaration that the deceased wished to be cremated or aquamated;
 - (v) in the situation where there is no attested declaration that the deceased wished to be cremated, whether the applicant is aware of any objections from any close relatives (spouse, de-facto partner, child over the age of 18, parent or sibling of the deceased, or in the case of an Indigenous deceased, a person who is an appropriate person according to the customs and tradition of the community or group to which the deceased person belonged); and
 - (vi) the required medical documentation is attached to the application.
- (b) (i) a certificate signed by 2 legally qualified medical practitioners, who have no direct or indirect interest ensuing upon the death, one of whom has attended the deceased in a professional capacity prior to death, stating that death was due to natural causes and that there is no reason not to cremate; or
 - (ii) a certificate signed by a legally qualified medical practitioner who has no direct or indirect interest ensuing upon the death, stating that he or she has conducted a post-mortem examination of the body of the deceased and that death was due to natural causes and that there is no reason not to cremate; or
 - (ii) a certificate signed by a coroner stating that he or she has inquired as to the cause of death of the deceased and that no further examination of the body is necessary and that there is no reason not to cremate.

Where a person dies overseas and is brought to the Territory for cremation or aquamation, the medical evidence required to issue a permit will be different from a case where the death has occurred within Australia.

If the death is not a reportable death under the *Coroner's Act*, the medical evidence required will be a certification of the cause of death under a law in force in the place of death. If this is not available, the certification required will be a certificate of cause of death after a post mortem by an Australian legally qualified medical practitioner, who has no direct or indirect interest ensuing upon the death. Where such a death has been referred to the Coroner, a Coroner's certificate will be required stating that he or she has inquired as to the cause of death of the deceased and that no further examination of the body is necessary and that there is no reason not to cremate.

INTERVENTION

The Solicitor for the Northern Territory, the Director of Public Prosecutions, a Justice of the Peace, the Coroner, a police officer or an inspector, having reasonable cause for so doing, may forbid the cremation or

aquamation of the body of a deceased person and order the removal of the body to such custody as the person giving the notice sees fit.

The executor/administrator or, if there is no executor/administrator, the senior next of kin has ultimate decision making power concerning the manner and place of disposal of a body provided it is within the parameters of the law. A hierarchy of next of kin similar to that in the *Coroner's Act* will apply.

EXHUMATIONS – ANYWHERE IN THE NORTHERN TERRITORY

Exhumations must be approved by CEO of the Department of Local Government and Regions or delegate after consultation with Chief Health Officer, any other appropriate consultation and on appropriate conditions.

The matters that the Chief Executive must take into account are:

- (a) whether the applicant has notified all the close relatives of the applicant's intention to make an application under this section and that a close relative may object on reasonable grounds to the proposed exhumation and removal;
- (b) whether the applicant has allowed all the close relatives sufficient time in which to object to the proposed exhumation and removal;
- (c) if the applicant has been unable to locate all the close relatives – that the applicant has taken all reasonable steps to do so;
- (d) that no close relative has provided reasonable grounds for objecting to the proposed exhumation and removal;
- (e) that the Chief Health Officer has approved in writing the proposed exhumation and removal;
- (f) if the Chief Health Officer has approved the proposed exhumation and removal subject to conditions – that the applicant will comply with those conditions;
- (g) that the applicant has the necessary authority to bury, cremate or otherwise dispose of the remains at the place to which the applicant intends to remove them;
- (h) that the applicant has arranged for appropriate transportation for the removal of the remains; and
- (i) any additional matters the Chief Executive considers relevant to the application.

The hierarchy of next of kin will apply with regards to the weight given to the wishes of the senior next of kin in consideration of any application.

All human remains must be placed in a coffin or suitable container once they are exhumed.

INSPECTORS AND COMPLIANCE

The CEO of the Department of Local Government and Regions may appoint persons or position holders to be inspectors. Inspectors are to carry out compliance reviews to ensure that facilities are operated according to law and all legal requirements are being met. Inspectors will have powers to enter the facility or cemetery (with appropriate notice), access records and ask questions relevant to legislative compliance in a similar way to inspectors under the *Local Government Act*.

Inspectors must report irregularities to the CEO. The CEO must report serious irregularities to the Minister. In very serious cases or for repeated breaches, the Minister may suspend or revoke the right of a cremator or aquamator to operate and impose conditions for the future of the facility which the Minister sees fit. On similar grounds the Minister may temporarily close a cemetery and make directions as to the future operations of the cemetery. If the directions are not complied with in a reasonable time, the Minister may close the cemetery, limit the operations of the Cemetery or make any other appropriate direction to ensure proper management of the cemetery.

SEMI-CLOSED CEMETERY

A semi-closed cemetery is closed on conditions that the Minister declares and, except when declared otherwise, may not have any new graves apart from those for which exclusive rights have been issued. A semi-closed cemetery is still available for multiple burials according to the cemetery policies. A cemetery may be declared semi-closed by the Minister in the following circumstances:

- (a) Public cemeteries
On application of the local government council or after consultation with the local government council.
- (b) Freehold cemeteries
On application of the owner.
- (c) Community Cemeteries
On application of the local government council after consultation with the relevant Land Council or Community Living Area Association.
- (d) Homeland Cemeteries
On application of the relevant Land Council or Community Living Area Association.

The Alice Springs General Cemetery on Memorial Avenue and the Darwin General Cemetery on McMillan's Road have been declared "closed" under the current legislation. However, as burials still occur in these cemeteries they will be declared semi-closed.

CLOSED CEMETERIES

When a cemetery is closed by the Minister (as opposed to semi-closed) no further burials (regardless of exclusive rights) may occur.

The circumstances in which a cemetery may be declared closed are:

- (a) Public cemeteries
On application of the local government council or after consultation with the local government council; or
After consideration of a report of an inspector after a temporary closure and failure to abide by directions.
- (b) Freehold cemeteries
On application of the owner; or
After consideration of a report of an inspector after a temporary closure and failure to abide by directions.
- (c) Community Cemeteries
On application of the local government council after consultation with the relevant Land Council or Community Living Area Association; or
After consideration of a report of an inspector after a temporary closure and failure to abide by directions.
- (d) Homeland Cemeteries
On application of the relevant Land Council or Community Living Area Association; or
After consideration of a report of an inspector after a temporary closure and failure to abide by directions.

Where a cemetery is temporarily closed, semi-closed or closed, the instrument must be gazetted, tabled in the Legislative Assembly and advertised throughout the Territory. A sign indicating the fact must also be displayed at the cemetery.

Cemetery management must do everything possible to ensure that there are no outstanding exclusive rights when a cemetery is closed. However, the rights of exclusive rights holders with regards to what happens when the cemetery becomes a closed cemetery must be addressed in the contractual arrangements during the purchase of an exclusive right and should be clearly advised by the cemetery.

Within six months of the closure of a cemetery, management must forward all prescribed records relating to the cemetery to NT archives.

A cemetery that has been closed as a result of failure to abide by directions given after a temporary closure may be re-opened following the same procedures for declaring or establishing the relevant cemetery.

TRANSFORMATION TO PARKLANDS

A closed cemetery must continue to be maintained in its state at date of closure unless the Minister approves permission for the cemetery being made into parklands. If the cemetery is a declared heritage place its state must be preserved and it may not be transformed into parklands.

An application for a cemetery to be transformed into parklands may be made as follows:

- (a) Public cemeteries
On application of the local government council or after consultation with the local government council.
- (b) Freehold cemeteries
On application of the owner.
- (c) Community Cemeteries
On application of the local government council after consultation with the relevant Land Council or Community Living Area Association.
- (d) Homeland Cemeteries
On application of the relevant Land Council or Community Living Area Association

Six months before an application for permission to transform a closed cemetery into parklands is made, the intention to make such application must be widely advertised (including by signage at the cemetery site) and all known affected people (e.g. relatives of deceased) advised where possible. The advertisement and advice must include a plan of what is intended and information on what is allowed to happen according to the legislation if the Minister accedes to the request.

If the Minister agrees to the request for permission to transform a closed cemetery into parklands, the Minister may impose conditions as he sees fit. However, the closed cemetery may be laid out as a park or garden for use as a place of quiet recreation only. Before doing so, an inventory and plan identifying all memorials and graves in the cemetery must be made and any inscriptions and other particulars of each memorial must be recorded. Each memorial must also be photographed. In the case of Public, Freehold and Community Cemeteries, these records are to be available for inspection by members of the public. In the case of Homeland cemeteries, the records are to be held by the relevant land Trust or Community Living Area Association and available for inspection according to the policy of that body.

After the inventory and other measures described above have been taken, unless the Minister's permission declares otherwise, the appropriate authority may remove, relocate or replace any monument or other memorial.

SPECIAL PROVISION FOR FREEHOLD CEMETERIES

After a freehold cemetery has been “approved parklands” for a minimum of 50 years, the land may be dealt with in any way permitted under the Northern Territory’s planning laws.

BURIALS OUTSIDE OF A CEMETERY

A burial may not occur outside of a cemetery unless approval has been given by the CEO of the Department. The CEO may only give permission in exceptional circumstances and after consultation with the Department responsible for Environmental Health.

The application to bury outside of a cemetery must include the GPS location of the proposed burial site, a copy of the certificate of title to the land and written confirmation from the owner of the land that they agree to the burial. While GPS is not an entirely accurate description of the location of a proposed burial, it would be used as a general guide.

An appropriate fee to cover administrative costs must be paid when an application is submitted. The CEO must also consider:

- Location of the burial site;
- Relevant public health issues;
- Whether the burial is likely to contaminate groundwater which may be used for drinking or domestic water supplies;
- Structures/services that may be affected;
- Remoteness of burial site and distance from nearest public cemetery;
- Any written objections to the burial provided to the CEO by the deceased’s nearest next of kin
- Future access to the burial site; and
- Historical and cultural connection to the land.

The existence of previous burials at the site is not of itself a reason to approve a burial outside of a cemetery. The CEO must take into account the overarching preference that bodies be buried in a cemetery.

Where a land council has given approval for a body to be buried on non-leased Land Trust land, the CEO may treat this as an exceptional circumstance and should only refuse approval if there are good reasons to do so.

The Department must notify the Registrar General of approval given and the GPS location of the grave is to be recorded on the certificate of title to the land. The notation of an existence of a grave creates no protection or easement type rights and no right of access.

The Department must keep a register of approvals to bury outside of a cemetery.

TRANSPORT OF A DECEASED BODY

A person will not be allowed to transport uncremated (or unaquated) human remains unless the remains are secured or restrained against movement within the vehicle/mode of transport and the remains:

- are kept in a compartment that is physically separate from a part of the vehicle designed for the carriage of the driver and passengers and is capable of being easily cleaned and disinfected; or
- are contained in a coffin, shroud or other container or wrapping from which no bodily discharges, contaminants or infectious substances may escape.

The Chief Health Officer may make guidelines concerning the transport of bodies. Such guidelines must be on the website of the Department of Local Government and Regions and the Department of Health and must be complied with.

OFFENCES

Offences in the new Act will include:

- establishment of a cemetery, cremation or aquamation facilities without Ministerial approval;
- interference with a funeral;
- desecration of a memorial or place of interment;
- burial, cremation, aquamation or exhumation without permit;
- inappropriate handling of a body;
- inappropriate transport of a body (including failure to follow measures to ensure public health and safety is maintained);
- hindering an inspector;
- failure to keep proper register;
- erect a structure in a cemetery without permission; and
- false statement in application for burial, cremation, aquamation or exhumation permit.



DEPARTMENT OF LOCAL GOVERNMENT AND REGIONS

Policy behind the Proposed Cemeteries Act



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INTRODUCTION

This paper should be read in conjunction with the paper titled "Outline of a Proposed new Cemeteries Act". This paper expands on the reasoning behind some of the positions expressed in that paper.

The purpose of the *Cemeteries Act* (the Act) is to regulate the establishment, maintenance and control of cemeteries and to regulate the time, manner and place of burials, cremations and exhumations in the Northern Territory. The Cemeteries Regulations cover administrative matters such as keeping registers, burial times, depth of graves and visiting hours.

The Act can be traced back to a 1952 Commonwealth Ordinance. Amendments to the Act over time have involved the introduction of exhumation provisions in 1999, crematorium provisions in 2000 and provisions to allow burials in closed cemeteries in 2005.

The *Cemeteries Act* has not had a full review since it was enacted in 1979.

A discussion paper (*Cemeteries Act Review Discussion Paper*) was released to the public on 7 December 2012 and submissions closed in March 2013. 18 substantial submissions were received and since then a lot of research has been undertaken regarding various cemetery and other practices across Australia.

A position paper titled "Outline of a Proposed New Cemeteries Act" sets out the fundamental matters that are expected to be included in a new *Cemeteries Act*. That paper will be the basis for further consultation and give people the chance to advise support or objections to the proposed way forward.

In this paper, the word "facility" includes a cemetery and cremation or aquamation facilities and premises.

NO LONGER ALLOWED

BURIALS AT SEA

Context

This question was not specifically asked in the *Cemeteries Act Review Discussion Paper*. However, the Discussion Paper does mention burials at sea in regard to the Act's relationship with other legislation.

Currently, a burial at sea requires the written consent of the Minister for Local Government under section 21 of the *Cemeteries Act*. A burial at sea also requires a permit obtained under the Commonwealth *Environment Protection (Sea Dumping) Act 1981*. The Commonwealth will generally only grant a permit for burial at sea to funeral homes, to ensure proper handling of the body and preparation for burial. The body must be prepared for burial at sea in accordance with the Ship Captain's Medical Guide.

Very few burials at sea have been approved in the Northern Territory. The designated burial area is an area known as the 'North Gutter', located at 12° 05'S 130° 36'E, that is 357° true 18 miles from Charles Point, as advised by the Harbourmaster, or some 30 nautical miles from Darwin in the Beagle Gulf. This location was selected to ensure sufficient depth of water. The water depth is approximately 60 metres.

The Commonwealth Department of the Environment has recently advised that sea burials that take place at North Gutter are outside the jurisdiction of the *Environment Protection (Sea Dumping) Act 1981* (EPDS Act), as the site is within Territory waters. Therefore, sea burials at this site do not require a Sea Burial Permit under the EPDS Act.

There has been no automatic right to burial at sea. Permits would only be granted to those with a demonstrated connection to the sea, such as long serving Navy personnel.

The Ship Captain's Medical Guide states that the body must not be embalmed or placed in a casket. It may only be sewn into a weighted shroud. The burial must be in water deeper than 2,000 metres (6,600 ft) and not interfere with shipping, fishing or undersea communications. Australian Defence Force vessels engaged in armed conflict or emergency situations are exempt from these requirements.

The depth of North Gutter is inadequate for sea burials. This is evident when the 60m depth at North Gutter is compared with the requirement for a depth greater than 2,000m in the Ship Captain's Medical Guide, and 3,000m required by applications processed by the Commonwealth Department of the Environment. Sea burials should therefore not be permitted at this site. There is no site within Territory waters that meets the required depth for sea burials.

It is proposed that sea burials should no longer be available under the *Cemeteries Act*. This proposal is supported by the Environment Protection Authority.

It is worth noting that this will not totally prohibit sea burials, as NT residents who wish to be buried at sea still have recourse through the *Environment Protection (Sea Dumping) Act 1981* to be buried in Commonwealth waters.

PRIVATE BURIAL GROUNDS

Under the *Cemeteries Act*, a private burial ground is established by the Administrator on crown land. This means that if there is a desire to establish a private burial ground, the land must first of all be surveyed and relinquished to the Crown before the private burial ground can be declared. The Act and regulations do not provide any specific guidance in relation to private burial grounds apart from some provisions that apply to other cemeteries. It does not require that private burial grounds have a Board.

There has only been one private burial ground approved under the *Cemeteries Act*. This is likely because of the complexity and expense of having land surveyed and surrendered to the Crown. Where burials have occurred outside of public cemeteries they have generally occurred via the Ministerial approval available in certain circumstances to have a burial outside of a cemetery.

In light of the lack of demand for private burial grounds, the complexities around the matter and the alternatives that are now available, it is proposed that the concept of private burial grounds not be continued. The one existing private burial ground will, however, remain.

It should be noted that this does not affect any sacred or traditional Aboriginal burial grounds.

CEMETERIES ON CROWN LAND MANAGED BY LOCAL GOVERNMENT COUNCILS

It has been commented that Crown land may not be the most appropriate form of tenure for cemeteries which are managed by local government councils or Boards of Trustees. This is because neither a local government council nor a Board of Trustees are Northern Territory government agencies. It has been suggested that the tenure may be better held as a lease or as freehold tenure with a prescribed property notice. It is intended that the new legislation will allow for these types of tenure.

PLANNING PERMISSION

It is worth noting that there are no definitions for cemetery, crematorium or aquatorium in the NT Planning Scheme. Therefore, unless the legislation is changed, such uses would be undefined and require the consent of the Development Consent Authority. In addition, it should be noted that the NT Planning Scheme specifies that undefined uses in Zones SD, MD, MR and HR are prohibited. As such, a cemetery, crematorium or

aquamator cannot be on an urban residential property, unless it is a heritage place and has the concurrence of the Minister.

There are also no specific performance criteria in the NT Planning Scheme relating to cemeteries, crematoria or aquamators. Applications to establish such facilities would therefore be assessed against section 51 (matters to be taken into account) of the Planning Act, which includes the results of any assessment under the Environmental Assessment Act, among other things.

In circumstances where a cemetery, crematorium or aquamator is proposed on land that is unzoned, planning approval is not required.

CEMETERIES ON ABORIGINAL LAND

It is proposed that two modern categories of cemeteries on Aboriginal land be introduced, namely community cemeteries and homeland cemeteries.

Under section 71 of the *Aboriginal Land Rights (Northern Territory) Act 1976* (ALRA), where land is not leased or under licence, Aborigines may use land in accordance with Aboriginal tradition which governs the rights of that Aborigine or group of Aborigines. This arguably allows for the traditional use of sacred burial sites.

Section 74 of ALRA provides that the Act does not affect the application to Aboriginal land of a law of the Northern Territory to the extent that that law is capable of operating concurrently with this Act. It is expected that the proposed laws in this paper concerning cemeteries on Aboriginal land will be able to operate concurrently with ALRA. This is comparable to the way traffic and planning laws can operate on ALRA land.

It is accepted that where the two Acts cannot operate concurrently, ALRA will prevail.

Cemeteries on ALRA land are currently governed by section 6(1A) of the *Cemeteries Act* (NT) which states that: 'the Administrator may, by notice in the Gazette, dedicate to the purpose of a public cemetery, Aboriginal land which has been leased in perpetuity as a nominal rental under the *Aboriginal Land Rights (Northern Territory) Act 1976* of the Commonwealth to the Commonwealth of Australia for the purpose of a public cemetery'.

It is understood, however, that cemeteries exist in regional and remote communities which are not appropriately gazetted under the Act. Many of these cemeteries are being maintained by local government councils. The issue of these cemeteries not being appropriately recognised under the *Cemeteries Act* needs to be addressed in the new legislation.

In remedying this matter, it is understandable that requiring that land, intended or already used for cemeteries, to be leased to the Commonwealth in perpetuity may not be palatable to Land Councils or Land Trusts. The question therefore becomes whether an appropriate solution can be found which satisfies the communities' desire to have cemeteries properly managed, as well as respecting the Land Council and Land Trust's authority over the land.

It should be noted that the focus of these proposals are on cemeteries (as understood in the common sense) on Aboriginal land, rather than traditional Aboriginal burial grounds, sacred sites or burials outside of cemeteries.

After release of the first discussion paper, a further discussion paper concentrating on cemeteries on Aboriginal land was distributed to Land Councils for comment. The paper suggested the introduction of "Community Cemeteries" which could be managed by local government councils in consultation with local authorities.

Informal comments received were supportive of the idea. Suggestions included that cemeteries on Community Living Areas (CLA) should be included as well as Cemeteries on ALRA land and that local authorities in communities should deal with any issues that arise in relation to the community cemetery.

It was also submitted that the question of tenure is less critical than the issue of responsibility for the upkeep and maintenance of a cemetery (whether public or community). It was commented that the Regional Council should still be engaged in the upkeep and maintenance of the cemeteries.

In relation to Mutitjulu, as a community within a National Park, it was noted that burials in a Commonwealth Reserve need to be determined by the Director under Regulation 12.32 of the *Environment Protection and Biodiversity Conservation Regulations* (Cth). This is a special case which will need to be discussed further with the Director of National Parks.

The Jilkminggan Community Aboriginal Corporation (JCAC) also requested to be involved in discussions about cemeteries on Aboriginal land. JCAC advised that they are a community living area association and wish to run their own cemetery rather than have it managed by the local government council. JCAC advised there is currently a cemetery in Jilkminggan which is managed by JCAC. Similarly, the local government council also advised that they look after the same cemetery.

It seems that if a community living area association had the resources and ability to run their cemetery, they could be allowed to do so. The same reasoning could apply to cemeteries on ALRA land in a situation where a land council desired to manage a cemetery. No Land Councils have indicated any desire to manage cemeteries. The concerns around cemetery management are that the cemetery is properly looked after and useable, that proper records are kept and that the finances are in order. The Minister would need to be assured that proper governance arrangements are in place. As such, a cemetery would not be run by a local government council, a new category of cemeteries would be needed. It is suggested that cemeteries managed by CLA associations or a Land Council would be in a new category of "Homeland Cemetery".

As with any cemetery, if it was found that proper governance was not taking place to an extent that environmental health or appropriate record keeping was an issue, the Minister would be able to make rectification orders and, if the problems continued, either suspend or cease the benefits of the cemetery being recognised under the *Cemeteries Act*.

EXHUMATIONS

While the current Act provides that a next of kin may apply for an exhumation, it also allows for the executor of the estate or a "proper person in the circumstances" to apply for an exhumation. The Act does not define who a "proper person in the circumstances" is. Given that applications for exhumations may arise in very varied circumstances, and also that they are quite rare, (there has only been seven applications in the last five years), it seems that each application should be considered according to its particular circumstances.

To reduce red tape, it is suggested that the Chief Executive of the Department of Local Government and Regions is the appropriate approving body for exhumations. It is expected that the Chief Executive would consult as widely as appropriate depending on the circumstances of a request for exhumation. The position paper details the specific matters that should be taken into account when the Chief Executive is considering an application for exhumation.

CEMETERY POLICIES

As far as possible, decisions and policies are to be left with the responsible body. Decision making will be devolved to cut red tape and to pass responsibility, wherever logical, to those responsible for the facility.

Proposed responsibilities and where they sit include:

Minister	Department Chief Executive	Facility Authority
Declaration of Cemeteries	Consent to a burial outside of a cemetery	Issue permits for cremation, aquamation or burial
Appointment of members of a Board of Trustees to a public cemetery outside of a local government area	Appoint inspectors	Receive objections to cremation/aquamation
Approve establishment of Crematorium or aquamation facilities	Approve exhumation	General policies
Suspension of operation of a facility		Setting of fees
Closure of a facility		Permission to organise/provide funeral
		Approval of multiple burials

EXCLUSIVE RIGHTS

Under the *Cemeteries Act*, a person may apply to a Board of Trustees for an exclusive right of burial over one or more allotments in a public cemetery. Exclusive rights of burial are granted in perpetuity and there is no limit on the number of rights granted to a person.

Stakeholder submissions in relation to exclusive rights of burial were received from local government councils, an individual, the Australian Funeral Directors Association (AFDR) and Australasian Cemeteries and Crematoria Association (ACCA) and government departments.

In relation to the number of exclusive rights that can be held by a person, submissions varied from limiting it to one, two, eight or unlimited allotments. It was also suggested that it should be a matter for the discretion of the Board. In other states there are various approaches but in Queensland and Tasmania it is a matter for the council or cemetery manager. Given that there are various considerations which would impact on the feasibility of allowing exclusive rights and to what number in any particular cemetery, it is proposed that the granting of exclusive rights and the conditions upon which an exclusive right may be granted should be in accordance with the policy of the Board or Cemetery Management. Thus, if a cemetery is to offer exclusive rights, there must be a policy about how such rights are to be administered and what conditions will apply. A register of exclusive rights must be maintained.

Responses in relation to the possibility of selling exclusive rights almost unanimously recommended that there should be no profiteering from any transfers. Most submissions recommended either that transfers not be allowed or that they must be approved by the Board. Generally respondents wanted holders of exclusive rights to be able to return them to the Board if they so wished.

The intention is that an exclusive right will not be transferrable but can be returned to the Board. It will be a matter for the Board and its policies how a returned exclusive right is to be treated. While a person holds an exclusive right, they have the right to say whose remains may be interred in the site. Once the holder of an exclusive right has been buried, no further interments will be allowed unless the person was named and notified by the right holder to the Board as a person who could be interred at the site.

All respondents suggested that an exclusive right should be time-limited, with suggested limits ranging from 10 years with an option to renew, to 50 years. In light of this, it is intended that the Board may set the period of

validity according to its policies. For example, the longer the period, the more expensive the right might cost. However, no exclusive right will be allowed to exceed 50 years.

There will be transitional provisions for currently existing exclusive rights. Currently existing exclusive rights will expire in 60 years.

All respondents who answered the question indicated that an exclusive right should be renewable. It is conceivable however, that the Board may not be able to offer a renewal for some reason such as the site no longer being appropriate due to geological or planning considerations. Where the site will continue to be available, on expiry of an exclusive right, the holder is to be offered first option on a fresh exclusive right. Board policy will determine who else may be offered the site if the holder of the right does not renew.

MULTIPLE BURIALS

Every respondent to the discussion paper indicated that it should be up to the Cemetery Board to approve multiple burials.

This would be according to cemetery policy and could not override any exclusive right.

ALLOTMENTS AFTER EXHUMATIONS

All respondents advised that after an exhumation an allotment should be re-allocated and re-used if the exhumed remains are not to be re-buried in the same allotment.

It would be a matter for the Cemetery Board and its policies as to how an allotment is to be used after exhumation.

DEPTH OF GRAVES – PUBLIC AND COMMUNITY CEMETERIES

Responses as to whether graves should have to be an adequate depth to allow an additional burial if required were divided. Only one response rejected this idea. Of the rest of the responses, 50% said it should be left to the discretion of the Board and 50 % stated that all graves should be dug to be an adequate depth to allow an additional burial if required.

This issue relates to conventional horizontal burials and does not take account of “natural”, upright or other kinds of burials that may be approved in future.

In light of the modern preference to economise on the amount of finite land being taken up by cemeteries and taking into account comments received, it seems appropriate to require that, where possible in cemeteries administered by local government councils, graves be initially dug to a depth that will allow at least two burials.

Allocation of graves will be a matter for the Cemetery Board in conjunction with their policies and, in particular, any exclusive rights.

PERMISSION TO BURY - PUBLIC, COMMUNITY, HOMELAND AND FREEHOLD CEMETERIES

Currently under the *Cemeteries Act*, a Board may issue a permit for the burial of the body of a deceased person in the cemetery upon production of a notice of interment, particulars of the coffin and either a notice under section 34(1) of the *Births, Deaths and Marriages Registration Act* duly signed in accordance with that section or a coroner's certificate.

This process has worked well in the past and should continue. It may need adjustment as to what particular details are required on the notice of interment and the information concerning the intended method of burial may need updating to take into account the new kinds of burials that can be allowed.

It is thus proposed that before a body may be buried in a cemetery, the owner, local government council, Board of trustees or delegate may issue a burial permit after being provided with a completed notice of interment, a notice under section 34(1) of the *Births Deaths and Marriages Registration Act* signed in accordance with that section or advice from the Coroner authorising the burial of the body.

If the death occurred outside the Territory a certificate of cause of death under the law of the place in relation to the deceased person

If the death occurred outside the Territory and no certificate is available, a statutory declaration by the nearest next of kin stating all information that would normally be provided in a certificate of cause of death.

DEPTH OF BURIAL - PUBLIC, COMMUNITY, HOMELAND AND FREEHOLD CEMETERIES

The current *Cemeteries Act* and Regulations makes no provision for the depths of burials for a single burial. Instead, the Regulations provide the depth of burials where there are multiple burials. The Table below is a comparison of the depths of burial in other Australian jurisdictions.

	Depth of burial
NSW	If buried in a coffin, upper surface must not be less than 900 millimetres below natural surface level of soil
VIC	Bodily remains must not be at a depth of less than one metre from the surface of the ground
QLD	No provision
WA	No provision
SA	For human remains, coffin, container, receptacle: <ul style="list-style-type: none"> • If ground above the place of interment is to be sealed with a substantial layer of stone, concrete or similar material, there must be at least 500 millimetres of earth between the seal and the normal level of ground; and • If no seal, there must be at least 750 millimetres of earth between the coffin, container, receptacle or remains and the normal level of the ground.
TAS	<ul style="list-style-type: none"> • All human remains interred are to be completely covered by ground that is at least one metre deep at its shallowest point. • If above not possible, remains must be completely covered by at least a 50 millimetres thick layer of stone, concrete or similar durable material placed directly over the remains and ground that is at least 500 millimetres deep at its shallowest point.
ACT	No provision

NT	<p>Applies to multiple burials:</p> <ul style="list-style-type: none"> • Upper surface of the coffin nearest to the normal level of ground must be at least 750 millimetres below that level. • If above not practicable, upper surface of the coffin nearest to the level of the ground must be covered with a layer of brick, stone, concrete or other similar material; the sides of the grave above that layer must be lined with brick, stone, concrete or other similar material; and there must be at least 500 millimetres of soil between that layer and the normal level of the ground.
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The depth of burial must be one metre deep similar to Queensland and Tasmania. Where this is not possible, it is proposed that the Tasmanian approach be adopted as it is similar but less onerous than the current requirements in the Territory, yet achieves the same outcome, that remains will not be exposed. This will apply to all burials including multiple burials in all cemeteries and other burial grounds (that is, burials outside a cemetery).

CREMATION AND AQUAMATION PERMITS

Responses to the discussion paper concerning who should approve cremation permits can be categorised into a few basic opinions:

- The current system should be retained.
- Permits should be issued by the coroner.
- An independent medical referee should permit cremations.
- Funeral Directors should issue permits.

In other states there are varying approaches:

WA	Independent medical referee issues permit.
QLD	Independent doctor issues permit.
SA	Registrar of Births, Deaths and Marriages issues permit.
NSW	Independent medical referee issues permit.
VIC	Independent doctor issues permit.
ACT	Crematorium operator issues permit – application must include certificate from medical referee.
TAS	Medical practitioner issues permit.

In all Australian jurisdictions, it is necessary that medical practitioners are involved in either certifying that it is okay to cremate or in actually issuing the permit.

The current situation in the NT is that where the cremator is within a cemetery (such as Thorak cemetery), the Cemetery Board or its delegate may issue a permit providing it has the appropriate documentation which includes:

- a certificate signed by two legally qualified medical practitioners, one of whom has attended the deceased in a professional capacity prior to death, stating that death was due to natural causes;
- a certificate signed by a legally qualified medical practitioner stating that he or she has conducted a post-mortem examination of the body of the deceased and that death was due to natural causes; or
- a certificate signed by a coroner stating that he or she has held an inquest as to the cause of death of the deceased and that no further examination of the body is necessary.

A person who has whether directly or indirectly, an interest ensuing upon the death of a deceased person in the proceeds of a policy of insurance or assurance or in any real or personal property or the income therefrom, whether immediately or in expectancy must not sign any of the certificates mentioned above.

This is fairly consistent with other states. The medical certifications are required but it is the cemetery board (i.e. the owner/operator of the cremation facility) which issues the permit.

Where a cremator is not within a cemetery, the current legislation requires that the Minister issue a cremation permit. This appears inconsistent and onerous given that when a cemetery board is the owner/operator, the board or its delegate can issue the permit.

It is arguable that there is no reason to suppose that a private owner/operator should be categorised differently from a board or its delegate for the purpose of issuing permits. In both circumstances, permits may not be issued without the proper medical authorisation. It is the medical certificates which are crucial.

In light of this, it is proposed that in future, the owner of a crematorium will be able to issue cremation permits, subject to the same conditions and requirements for medical certification that must currently be provided to a board of trustees.

The same rules should apply to authorising aquamations as will apply to cremations.

OBJECTIONS TO CREMATIONS

The discussion paper raised the question of next of kin and whether there should be a hierarchy of next of kin. In the current *Cemeteries Act* the question of next of kin only arises in the context of cremations and exhumations. In relation to cremations, the current situation is that a next of kin may object to a cremation.

After examining all submissions and the legislation in other states, it appears that the best policy includes that the paramount consideration should be the deceased's wishes in their will or an attested declaration. In certain jurisdictions, a cremation is not allowed to go ahead if particular relatives object:

- QLD – spouse, adult child or parent of deceased may object as well as personal representative but cannot object if deceased has written instructions for cremation (section 8 of the *Cremations Act*)
- WA – spouse, de factor partner and next of kin (section 13 of the *Cremation Act*) – “nearest surviving relative” defined as spouse or de facto, son or daughter, parent or brother or sister (Regulation 3 of the *Cremation Regulations*)
- SA – personal representative, parent or child (unless deceased directed cremation in will or other attested document) (section 10(7) of the *Burial and Cremation Act*)

Given that there are various cultural, philosophical and religious attitudes to cremation, it seems appropriate to allow a senior next of kin to object if the deceased made no clear indication of their wishes before death. There will be a hierarchy of the next of kin similar to the hierarchy in the *Coroner's Act*.

Respondents to the discussion paper acknowledged that a definition of next of kin was not always helpful when establishing those with similar authority in relation to Indigenous people. The definition in the *Coroner's Act* caters for this.

The same rules should apply to objecting to aquamations as will apply to objecting to cremations.

Since the Department has been administering cremations applications for a number of years, it has come to attention that deaths overseas fall into a special category. The current legislation requires that before a permit for cremation or burial is issued, a medical practitioner must sign certain documentation. This refers to a medical practitioner who has a right of practice in the Territory or another state of Australia. It is unlikely that a doctor overseas will meet this requirement.

Under the *Coroners Act*, a coroner has jurisdiction to investigate a death even if the cause of death occurred outside the Territory. A reportable death under the *Coroners Act* includes the death of a person, who ordinarily resided in the Territory at the time of death, that occurred at a place outside the Territory, where the cause of death is not certified by a person who, under a law in force in the place, is a legally qualified medical practitioner.

It has been the experience of the Department that overseas documents relating to deaths can be confusing even after translation. Documents which at first appear to be a doctor's death certificate may not in fact be so. Further, it is very difficult to know, in many cases, whether a signatory to a document is or is not a medical practitioner under the law of another country. It may well be that in some countries, the death certificate is not issued by a legally qualified medical practitioner.

As such, the requirement that the death certificate be issued by a legally qualified medical practitioner at the place or country where the deceased died will no longer be required. However, to be consistent with the *Coroners Act*, it is intended that where the death is not a reportable one and where there is a medical certificate certifying the cause of death under a law in force in the place of death, a permit may be issued.

INSPECTORS AND COMPLIANCE

Under the current Act, there is no clear mechanism for ensuring compliance with the legislation. Section 25 of the Act provides that the minister may authorise a person to inspect buildings, equipment and fittings but there is no clear inspection and compliance checking mechanisms.

The current Act is also not sufficiently strong in enabling action to be taken if a facility is not meeting general legal requirements. In particular, there is no provision to ensure appropriate record keeping.

In order to allow for appropriate inspections and response to compliance issues, it is intended to adopt a scheme similar to that found in the *Local Government Act*.

The Chief Executive of the Department will be able to appoint inspectors under the *Cemeteries Act*. Inspectors will have to have identity cards. The functions of an inspector will be to carry out any compliance review requested by the CEO and to investigate any suspected irregularities in the operation of a facility under the *Cemeteries Act*.

Where there are repeated breaches of legislation or material irregularities in the operation or administration of a facility, the Minister will be able to order remedial action and/or suspend operation or use of the facility. The Minister can also put the facility under administration during the time the operations of the facility have been suspended to allow pending burials to continue. If the problems are not remediated, the Minister may close the facility.

The Minister's decision to close a facility would be appealable to the Northern Territory Civil and Administrative Tribunal.

BURIALS OUTSIDE OF A CEMETERY

Some key issues that arose from burials outside of cemeteries are as follows:

- change of ownership and ongoing access to burial sites;
- public health issues, including burial sites near water courses or bores;

- planning and services issues, including burial sites located near underground services or structures (including housing) that require maintenance; and
- the relationship between the *Cemeteries Act* and other relevant legislation including the *Heritage Act*, *Northern Territory Aboriginal Sacred Sites Act* and *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth).

It is interesting to note the clear division in opinion that arises in the submissions. This division can mostly be delineated by the type of organisation. Those in favour of keeping the legislation largely as is, believe that burials outside a cemetery should remain “exceptional” and at the discretion of the Minister. For the most part, this is the opinion of NT and some local government agencies (Department of Health, Department of Housing, City of Darwin, Alice Springs Town Council) and some relevant organisations (Australian Funerals Directors Association, Genealogical Society of the Northern Territory Inc).

On the other hand, those with the opinion that burials outside a cemetery should take into consideration cultural and traditional circumstances were mostly indigenous organisations (including the Aboriginal Areas Protection Authority). NTG agencies that mentioned spiritual and cultural connections as a principal consideration were the Office of Children and Families and the Arafura and East Arnhem Region Local Government Units.

Finally, it is worth noting that a number of submissions, consisting mostly of local government agencies, took a middle ground approach. These agencies thought that various considerations (mostly relevant to their particular function) should be taken into account, but that burials outside a cemetery should mostly be a restricted practice. These agencies included Katherine Town Council, LGANT, Litchfield Council, Roper Gulf Regional Council and the Department of Lands, Planning and the Environment.

Particular sociological and geographical circumstances exist in the Northern Territory which must be taken into account and balanced against a comparison of legislation in other Australian States and Territories. This comparison must also take into consideration the roles and responsibilities of the NTG and relevant local government councils regarding the administration of the *Cemeteries Act*. With this in mind, a strong argument can be made against restrictive legislative practices which do not allow an individual’s case to be determined by their particular circumstances. This is particularly significant for the regional and remote indigenous population, as well as pastoral and other individuals living in remote parts of the Northern Territory.

It was therefore recommended that:

- Burials outside cemeteries should remain exceptional practices, but that approval should be at the discretion of the appropriate department chief executive through their written approval. This may require further delegation as appropriate.
- Each case should be determined on its individual circumstances, however regulations should set the boundaries of appropriate factors to be taken into consideration including:
 - Location of the burial site;
 - Approval required from landowners or the appropriate cultural authority (i.e. traditional owners);
 - Relevant public health issues;
 - Whether the burial is likely to contaminate groundwater which may be used for drinking or domestic water supplies;
 - Structures/services that may be affected;
 - Remoteness of burial site and distance from nearest public cemetery;
 - Future access to the burial site;
 - Historical and cultural connection to the land; and
 - Existence of previous burials on the proposed site.

- Objections to a request to bury outside a cemetery should be given due consideration
- The same paperwork as any other burial should be required (a notice of interment, particulars of the coffin and either a notice under section 34(1) of the *Births, Deaths and Marriages Registration Act* duly signed in accordance with that section or a coroner's certificate.
- If approved, a burial outside a cemetery should be appropriately recorded (including GPS location and identity of individual) on the title of property.

TRANSPORT OF A DECEASED BODY

There is currently no provision in the *Cemeteries Act* as to how a deceased body may be transported. This question has arisen from time to time. For example, the Department has received enquiries concerning the appropriate transport of bodies from remote areas, particularly by plane. Further, there have been occasions where a relative wanted to collect a body from the morgue and take it directly to a burial site or crematorium.

To give clarity as to how a body must be transported, provisions similar to the South Australian legislation have been proposed in the position paper.

In case further direction is needed in future, the Chief Health Officer will be able to make mandatory guidelines concerning the transport of bodies.



DEPARTMENT OF
LOCAL GOVERNMENT AND REGIONS

www.nt.gov.au

Executive Director
Ground Floor, RCG House
83-85 Smith Street
Darwin NT 0801

Postal address GPO Box 4621
Darwin NT 0801
Tel 08 8995 5115
Fax 08 8999 8437

Website www.nt.gov.au/localgovernment

File No. 2011/06545

Mr Damien Ryan
President
Local Government Association of the Northern Territory
PO Box 2017
PARAP NT 0820

Dear Mr Ryan

PROPOSED CEMETERIES ACT – PUBLIC CONSULTATION

The *Cemeteries Act* and *Cemeteries Regulations* establish the legislative framework for the administration and operation of the cemetery and crematorium system in the Northern Territory. The legislation governs the establishment, maintenance and control of cemeteries and regulates the time, manner and place of burials, cremations and exhumations.

On 7 December 2012, the Department of Local Government and Regions released a Public Discussion Paper on the Review of the *Cemeteries Act*. In total, 18 substantial submissions were received in response to the Discussion Paper. Since then, research has been undertaken into various cemeteries legislation and other practices across Australia.

A position paper titled "*Outline of the Proposed New Cemeteries Act*" (Attachment A) sets out the fundamental matters that are expected to be included in a new *Cemeteries Act*. The policy rationale for the provisions in the proposed Act are contained in the paper titled "*Policy on the Proposed Cemeteries Act*" (Attachment B).

The main significant changes from the current legislation include:

- recognition of Community and Homeland Cemeteries;
- creation of a new category of cemeteries known as Freehold Cemeteries;
- requirement for obtaining planning approvals prior to the declaration or establishment of a cemetery;

- provision of modern practices for the disposal of bodies including natural burials and aquamation;
- sea burials no longer being available in Territory waters;
- provision for a closed cemetery to be converted into parklands; and
- provision for a parkland to be converted to any other use, in line with the Planning Scheme and subject to planning approval, after a period of 50 years.

The attached papers will also be available on the website of the Department of Local Government and Regions for public consultation from 28 November 2014 for a period of 3 months.

Your organisation is invited to comment on the proposed changes as indicated in the papers.

The closing date for submissions is 27 February 2015.

Written submissions can be sent via email to localgovernment@nt.gov.au or by post to:

Project Manager
Review of the Cemeteries Act
GPO Box 4621
Darwin 0801

Should you have any queries, please contact Ms Lee Williams, Director Legislation and Policy on 8999 8405 or via email at: localgovernment@nt.gov.au.

Yours sincerely



DAVID WILLING

27 November 2014

cc. Mr Tony Tapsell
Chief Executive Officer, LGANT

**GENERAL BUSINESS AND MATTERS FOR NOTING**

ITEM NUMBER	9.7
TITLE	Financial Sustainability and Revenue Policy
REFERENCE	121098
AUTHOR	Courtney Barber, Executive Assistant to the CEO

RECOMMENDATION

That Council

- (a) Adopt the Financial Sustainability and Revenue Policy appended to this report.

SUMMARY:

At its 26 November 2014 meeting the Finance and Operations Committee reviewed and recommend that Council adopt the Financial Sustainability and Revenue Policy that is appended to this report.

Council adopted its Policy and Procedural framework at its February 2014 Ordinary meeting. Accordingly Council is systematically reviewing all of its corporate and administrative policies. The above policy has been reviewed throughout October for Councils consideration and endorsement.

BACKGROUND

At its February meeting the Council adopted a Policy Framework and a new template for Policies. All existing policies were rescinded and replaced with policies written in the new format. New policies are being developed where this is necessary and the aim is to have a full set of Council policies developed over the next year.

It is recommended that the following Policies (appended to this Report) be adopted as reviewed by the Finance and Operations Committee at their 26 November 2014 meeting.

ISSUES/OPTIONS/CONSEQUENCES

Council will implement processes and procedures to assist the implementation of the policy.

CONSULTATION & TIMING

Finance and Operations Committee Meeting

ATTACHMENTS:

- 1 CP000036 - Policy - Revenue - TO BE REVIEWED.pdf

POLICY



TITLE:	Financial Sustainability and Revenue Policy		
DIVISION:			
ADOPTED BY:	Council		
DATE OF ADOPTION:		DATE OF REVIEW:	
MOTION NUMBER:			
POLICY NUMBER:	CP000036		
AUTHORISED:	Chief Executive Officer		

THIS POLICY APPLIES TO:

All employees of the Barkly Regional Council and Elected Members

PREAMBLE

The aim of all policy is for Councillors to provide strategic input into the effective operational framework of the organisation under S.11 of the Local Government Act

SUMMARY

This Policy sets forth Council's intent to grow its own-source revenue base and achieve financial sustainability. Whilst acknowledging that financial sustainability is unlikely to be attainable in the foreseeable future the Policy identifies how the Council proposes working towards this goal and establishes principles to be applied when implementing a new revenue source, or increasing revenue from existing sources.

OBJECTIVES

This Policy is intended to improve the Council's financial sustainability and provide guidance to Elected Members and staff when developing strategies for growing Council revenues, assessing projects with revenue generating capacity and drafting Budgets and Business Plans.

BACKGROUND

The functions of a Council established by the Local Government Act of the Northern Territory include managing and developing 'all the resources available to the Council' whilst seeking to provide services, facilities and programs 'appropriate to the needs of its area' (Section 12 and Section 13 of that Act refer). It is widely acknowledged that Council revenues, particularly 'own-source' revenues are often insufficient to meet community needs and that this situation is unlikely to improve. Indeed Local Government financing is entering a critical period with additional pressure in terms of constrained revenue bases from traditional sources along with increased demand for services and costs pressures. Financial sustainability and the vigorous pursuit of revenue from sources other than rates is therefore of increasing importance.

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Review Date: MONTH YEAR

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POLICY



The 2006 *PriceWaterhouseCoopers 'National Financial Sustainability Study of Local Government'* identifies financially sustainable councils as having:

- a reasonable scale in operations and population
- a strong rates income
- a strong economic base
- a sophisticated asset management and financial management system in place.

Barkly Regional Council (BRC) has none of these attributes (although appropriate financial and asset management systems are being developed) and faces sustainability problems in both the immediate and longer term future. This situation is not unique to BRC: The PWC Study found that rural remote' and 'rural agricultural' local authorities demonstrated 'pronounced' problems with financial sustainability, and most of these councils required 'extra funding' for the urgent replacement of 'existing community infrastructure'.

The 2005 *Independent Inquiry into the Financial Sustainability of Local Government* recommended greater use of financial indicators by Councils. This led to the development of a set of standardised financial indicators applicable to all Councils. Subsequently all Local Government jurisdictions in Australia have agreed, in principle, to adopt the following three key financial indicators:

- Operating Surplus Ratio
- Net Financial Liabilities Ratio
- Asset Sustainability Ratio

for measuring sustainability.

POLICY STATEMENT

The functions of a Council established by the Local Government Act of the Northern Territory include managing and developing 'all the resources available to the Council' whilst seeking to provide services, facilities and programs 'appropriate to the needs of its area' (Section 12 and Section 13 of that Act refer). Barkly Regional Council's Strategic Plan includes amongst other statements

- Strategy 1.5 To broaden the economic base to develop resilience; and
- Goal 5 Outcome of maximizing Council resources for the benefit of the region

It is clear that in the foreseeable future BRC rates and other existing own source revenue will be insufficient to meet community needs. Having regard for its Strategic Plan and the functions of a Council prescribed by the Local Government Act, the Council is committed :

- To vigorously pursuing alternative revenue sources to grow and diversify its economic base, and
- To achieving *financial sustainability* (which is determined by a Council's ability to manage expected financial requirements and financial risks and shocks over the long term without the use of disruptive revenue or expenditure measures)

POLICY



BRC will work towards financial sustainability by:

- Managing Council finances for long-term viability, achieving funding to cover operational needs while allowing for appropriate asset replacement.
- Employing sound asset management practices – aim to maintain our infrastructure and assets to the required standard to ensure continued delivery of services to agreed standards
- Ensuring stable rate percentage changes
- Identifying and vigorously pursuing alternative revenue sources to reduce reliance on rate revenue
- Managing debt prudently
- Ensuring a fair sharing of the distribution of resources and financial burden between current and future users of our services and infrastructure (Intergenerational Equity)

To meet these needs BRC will vigorously pursue all available revenue sources. These include:

Rates

In setting rates, Council's primary consideration is the Regional Plan. Council considers the current economic climate, incorporating inflation rates and Consumer Price Index (CPI), Council's debt profile, imposed legislative change and the need to manage, maintain and improve the community's physical infrastructure assets for future generations. Council, in its deliberations, takes into consideration the effect of rates on all ratepayers and is mindful of maintaining the balance between economic and community development and ensuring funding equity within the community which along with an assessment of the impact of rates across the area forms the criteria for annual rates modelling which is then used to develop a planned review of the basis of rating each year.

Government Grants and Subsidies

The Commonwealth and Territory Governments both offer grants for a range of other purposes that Local Government can access, and allow them to pursue investments that will benefit their community. These grants which may be untied or specific purpose grants will be sought subject to compliance with Council's *Government Grants and Funding Agreements Policy*

Alternative Service Provision Models

Such as Private Public Partnerships (PPP) where private capital is utilised to meet a community need

Sale of Goods and Services

Through the identification of services being provided now which are currently funded from general revenue where some/all of the cost of provision can be recovered from the service user or the identification of new services that could be offered that would generate a price in excess of the costs of delivery and therefore earn a margin that can be distributed to assist in the cost of other services. Opportunities must be assessed with regard for the collection

BRC Policy – XX/XX/XXXX

Review Date: MONTH YEAR

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POLICY



costs that may be involved – and the issues of access for low income individuals (i.e. an equity context).

Appropriate Revenue Generating Business Opportunities

Revenue generating business activities to be pursued will be compatible with the Council's role as a local government. In identifying these opportunities the Council will have regard for the impact on existing local businesses and its obligations under the National Competition Policy (NCP) which requires the removal of competitive advantages or disadvantages of significant business enterprises undertaken by Councils arising from the public sector ownership of those businesses.

(The objective of competitive neutrality policy is the elimination of resource allocation distortions arising out of the public ownership of entities engaged in significant business activities: Government businesses should not enjoy any net competitive advantage simply as a result of their public sector ownership.)

Business opportunities will only be undertaken after an appropriate level of due diligence has been applied to the proposed activity with a view to risk minimisation and achieving best use of Council resources.

Fees and Charges

Consideration will be given to charging fees for services where there is some private benefit having regard for equity issues.

Sponsorship (or Co-Contribution)

Where there is a joint interest of Council and private operators to support certain activities (Having regard for Council's *Sponsorship Policy*).

Investment Income

Investments will be managed to maximise the return on investment subject to compliance with the Council's *Investment Policy*

Revenue from Sale of Underutilised Assets

Consideration will be given to the sale of underutilised assets where appropriate and consistent with the *Disposal of Property Policy*.

Debt

Funds will be borrowed where appropriate however In accordance with the Councils *Borrowing Policy* loans will be limited to the funding of major items of physical infrastructure whose life will exceed the term of any loans borrowed and which cannot be funded from the revenue sources of the Council, or; Major items of plant and equipment where the cost of borrowing (including the repayment of capital) will be matched over time by a reduction in the ongoing cost of the activity for which the loan is to be raised.

Principles to be Applied

The following principles will apply when implementing a new revenue source, or increasing existing revenue sources:

POLICY



- The type and level of taxes and fees will recognise the broader context – which includes the importance of tax and fee levels in terms of economic competitiveness and impact on households and businesses in the community
- Revenue sources need to have breadth to reduce overall exposure to one revenue type
- Revenue systems need to consider equity in their outcomes for all stakeholders
- User fees are an appropriate form of revenue, but must be set to private benefit level as to set beyond that level results in misallocation of community resources
- Consideration of revenue options will include recognition of the transaction costs (costs at the local government level and costs borne by the payer) involved in collecting the funds, to ensure that the revenue to costs ratio is as large as possible
- Where Council proposes to invest in business activity to generate revenue an appropriate level of due diligence will be applied to the proposed activity to minimise risk, consideration will be given to the impact on local businesses and any opportunity costs and Council's obligations under NCP will be met.

Reporting

Annual reports will include the following KPI's identified as measures of sustainability, viz.:

Indicator 1: Operating Surplus Ratio - (By what percentage does the major controllable revenue source vary from operating expenses?)

The operating surplus ratio is the operating surplus (deficit) expressed as a percentage of general and other rates, net of rate rebates and revenues from the NRM levy.

Council Target: To achieve, on average, an operating surplus ratio of between 0% and 15%

Indicator 2: Net Financial Liabilities Ratio - Net financial liabilities equals total liabilities less financial assets (excluding equity accounted investments in Council businesses).

The net financial liabilities ratio is calculated by expressing net financial liabilities at the end of a financial year as a percentage of operating revenue for the year.

Council Target: Net financial liabilities ratio is greater than zero but no more than 100% of total operating revenue.

Indicator 3: Asset Sustainability Ratio - (Are assets being renewed and replaced in an optimal way?)

It is calculated by measuring capital expenditure on renewal or replacement of assets, relative to the optimal level of such expenditure proposed in a Council's infrastructure and asset management plan (I&).

Council Target: Capital outlays on renewing/replacing assets net of proceeds from sale of replaced assets are greater than 90% but less than 110% of the level proposed in the Infrastructure and Asset Management Plan (I&).

LEGISLATION, TERMINOLOGY AND REFERENCES

The Local Government Act (in particular Chapters 10 and 11) and the Local Government Act (Accounting) Regulations

POLICY



IMPLEMENTATION AND DELEGATION

The CEO has delegated authority to implement this policy

EVALUATION AND REVIEW

This Policy is to be reviewed every four (4) years, and may be reviewed at other times at the discretion of Chief Executive Officer.

DRAFT

GENERAL BUSINESS AND MATTERS FOR NOTING

ITEM NUMBER	9.8
TITLE	Elliott Housing Crisis
REFERENCE	121189
AUTHOR	Edwina Marks, Chief Executive Officer

RECOMMENDATION

That Council

- (a) Write to the Minister for Indigenous Affairs Senator Nigel Scullion informing him about the housing crisis in Elliott as a matter of urgency
- (b) Include this report as part of that correspondence and any other relevant reports and research
- (c) Facilitate a meeting between the relevant range of stakeholders (BRC, NLC, Traditional Owners, Housing Reference Group, community) to determine the next steps to progress this issue
- (d) Explore funding to scope the financial extent of renewal and repair required
- (e) Advocate and lobby for funding from the Commonwealth and Territory Governments for a housing renewal and upgrade program for the North and South camps and Malinja outstation.

SUMMARY:

This report provides an update of the housing situation in Elliott and Newcastle Waters, and the need for Barkly Regional Council to advocate on behalf of residents.

The Minister needs to be made aware about the extent of the problem. During the intervention, the Elliott community was repeatedly promised a range of things including housing as a Territory Growth Town. Instead, Elliott has received empty promises and residents feel they have been misled, and cannot understand why, on a Territory basis, they are constantly overlooked. In spite of continuously raising this issue with every visiting government department of the Commonwealth and Territory Government and Council, the issue of land tenure for Wilyugu and Gurungu seems to be just too hard for any government department to resolve.

BACKGROUND

Aboriginal housing in Elliott (Gurungu and Wilyugu) and Newcastle Waters (Marlinja) has reached a crisis point. No new stock has been built for over 15 years. There has been minimal maintenance and upgrade funding to the housing assets in these areas, resulting in the decline of stock to the point many houses are now considered to be beyond repair. In the past many buildings were not built to a reasonable standard with a wide range of workmanship being of a sub-standard. By way of example, ply board and chip board was been used for permanent flooring in most houses, including the wet areas. This has resulted in a rapid deterioration including rotting where some floors are now exposed.

Ply flooring, with sight to ground**Ply flooring in wet area gone soft and see daylight near drain – unsafe.**

In addition, to exacerbate this, for some properties, the materials used were untreated leaving them highly expose to white ant activity which has meant that some houses have required serious rectification and others most likely requiring same.

**Funding
Septics**

Funding was made available approximately 10 years ago to address septic tank and drainage issues by installing twin systems for each residence, one for grey water and one for black water. The black water tanks, because of water pressure issues, did not receive sufficient flow to operate effectively. As a consequence, this may well have contributed to the constant and increased number of pump-outs required.

Housing upgrades

A round of funding (approx. \$500,000) was made available for housing upgrades not long after the intervention commenced. These funds appear to have been spent ad hoc with no complete upgrades undertaken. Works (e.g. tiling) was left incomplete when funding ran out; with little evidence money had been spent in a responsible manner. No meaningful repairs were apparent.

Kitchen built-in shelving, chipboard in wet area.**Current management**

Barkly Regional Council has a building team of three people led by a local tradesman. The maintenance dollars can therefore stretch a little further. However due to the poor quality of stock, maintenance requests are numerous, stretching the capacity of this team. The continuing maintenance issues also impact on their ability to undertake major house upgrades, or stretching the time frame out for those upgrades.

BRC receives funding for maintenance of houses from the Department of Community Services, however this is rationalised at approximately \$2500 per house. Given the state of the housing in Gurungu and Wilyugu, this hardly has any effect and is little more than a bandaid. In order to undertake the work at the lowest cost possible, over 50% of the budget supports the wages of the building team. If specialised services are required, the cost plus travel, can easily take up the entire annual allocation for one house in just one visit. It is important to note that this budget must accommodate all expenses including materials, contractor services, vehicle expenses and maintenance and any replacement tools.

Renewal and repair costs

Approximately 18 months ago Barkly Regional Council sourced quotes for basic urgent repairs for over 20 houses in the two town camps. Quotes ranged from over \$1000 to \$46,000. It must be said, that most of these houses are at the end of life. At post 20 year construction in the NT with materials that are not durable, most are beyond economic repair. In addition white ant activity is becoming a major issue as these houses deteriorate and any pest control sits outside the funding scope. By way of example the cost of pest prevention or eradication costs approximately \$1500 to \$3500 depending on the size and infestation plus \$4000 travel from the closest contractor in Katherine. One quote for 3 houses including travel was \$9000.

Overcrowding is a persistent problem right across the Territory and Elliott is no exception. Most houses have an average of 10 occupants, which has a resultant impact upon maintenance, and exacerbates and creates its own social issues. As this next generation is starting families, they have nowhere to go, hence contribute to more overcrowding.

Currently five houses have been occupied in Marlinja which do not have water connected. Another 2 houses sit empty under the same conditions. **All houses in the camps have issues that are safety and health concerns.**

Geographically situated between Darwin and Alice Springs, Elliott is little visited by politicians, decision makers within government departments and the press, thus minimising opportunities for the Council to highlight the dire housing situation first hand.

Demand for social housing

There has been a push by the Council over the last 12 months for residents that require public housing to make an application to the Department of Housing to demonstrate demand need. There is currently only one house owned by the NT Government situated in Elliott and that house has had 20 year occupancy. Community members did not apply to the Department as it was common knowledge that there was no housing.

Many community members did not understand that they still needed to go on a waiting list in order to trigger need. However our feedback is that anyone who was willing to make an application was put off due to the complexity of public housing application forms. It is must be noted that Elliott and the Barkly Region houses some of Australia's most disadvantaged and marginalised residents with very low levels of literacy and numeracy as a direct result of that disadvantage.

One application form sighted required these details:

- Suitable i.d. for applicant and all other household members
- Evidence of current household structure.
- Marriage certificate or stat. dec. of de-facto relationship.
- Birth cert. and custody papers for dependants.
- If pregnant, confirmation and due date by doctor.
- Bank statements, asset statements, proof of loans.
- While on wait list application details must be kept up to date.
- Applications are to be lodged at nearest housing office, or by email.

Stakeholder feedback – social issues

Feedback from other agencies involved with families and children have included the following:-

- The current overcrowding creates huge pressures on families, who feel obliged to have many extra extended family members stay despite the problems created because there is simply nowhere else for them to go. This leads to increases in family argument and violence, with corresponding negative impacts on children.
- It is of great concern that half the occupied houses in Marlinja do not have connected water. I was approached by one family recently and asked to advocate for both water and sewerage attention – I was advised by the Council that a recent funding application by the Council seeking funding to address this issue had been turned down which meant there was no likelihood of these houses having plumbed water in the foreseeable future. There are children in these houses.
- There is not one day goes past in my dealings with families when I am not advised about a maintenance issue. I am very aware that any advocacy I provide with the Council regarding getting certain problems rectified for families I work with immediately disadvantages every other family, as there is not sufficient money to address all problems. There have been instances where Child Protection has asked for things to be fixed in a house as a condition of a family retaining care of a child, and when these things cannot be fixed due to lack of funds, the additional worry/stress that this places on a family, who is trying to do the right thing, is immense.
- I try to reinforce with families the need for good cleanliness practices to reduce the incidence of skin infections and other illnesses. It is hard to argue for these things when you know that houses are overcrowded, and unmaintained, contributing in large measure to the lack of cleanliness and hygiene. It is hard for families to feel pride about where they live, if there is no financial support for regular maintenance.

Community requests

On 20th March 2014 a delegation of residents addressed the Barkly Regional Council ordinary meeting presiding in Elliott. They again raised the ongoing concerns of overcrowding, maintenance issues not being carried out or delayed, and poor water

pressure and quality. They indicated that the need for new housing was a priority. **In short, they were crying out for help.** There was talk of a need for Council to develop an asset management plan (infrastructure listing) and audit of the current housing with a request to lobby the appropriate departments. Little, or nothing, seems to have been achieved because the Government does not own any of the housing, the land is under Aboriginal trust and the relevant committees and association are no longer active. Northern Land Council (NLC) as their representative have only just visited the community in July and August.

On 24th August 2014 NLC called a public meeting in Elliott to discuss the recently publicly exhibited Elliott Local Area Plan. Also on the agenda was housing maintenance. Housing certainly dominated the discussion for the two hours that our Councillors were there, with what seemed a considerable amount of misinformation being bandied about. There was no doubt community attendees considered that the Council was responsible for renewal of housing as well as funding and maintenance. Council understands that a housing reference group was formed at that meeting, but is unaware of the activities or outcomes of that group. At this point there has been no discussion with Council or the Elliott Local Authority and we are unaware of the terms of reference. Feedback from local Indigenous attendees have indicated they were disappointed there was not a more positive discussion and outcome at the NLC meeting.

Council was contacted after this meeting with a request for information around expenditure of the funding allocated for these areas and information was passed on accordingly.

At Councils November Finance and Operations meeting, the Homelands Maintenance levy and Tenancy agreement was an agenda item. This item tabled the need for tenancy agreements and a consistent maintenance levy. The decision for consideration was the need to levy each adult resident \$50 per fortnight with a view for this recommendation to be go the December Ordinary Council meeting.

Currently, no householder tenancy agreements are in place, which places Council at a disadvantage because there is no obligation for tenants to cover wilful damage, which translates to more of a burden on the current maintenance funding.

Rent contributions are paid by house occupants (per adult occupant) and are deducted from Centrelink payments, or Council wage deductions. These deductions can be cancelled or varied, and often are, at any time.

Section 19 leases

Section 19 leases have never been discussed in Elliott, and recent feedback indicates that community members are receptive to those discussions. Many are aware that there is little likelihood of new/replacement housing stock without lease agreements.

The problem seems to be that there is no clear classification of Gurungu and Wilyugu living areas. The classifications applied by the NT Government have undergone regular change from outstations, to homelands, to urban living areas, now to town camps.

One suspects this may well be to suit funding guidelines. Elliott residents determined years back the living areas need to be "suburbanised", and afforded the same living standards as mainstream Australians.

Given the urgency of the issue with houses clearly at the end of life, with no clear avenue to pursue a resolution, Council needs to progress this issue and elevate it to get a response from the Commonwealth. The Council also need to activate stakeholder engagement to determine next steps as well as lead the campaign to lobby effectively for a satisfactory outcome.

ISSUE/OPTIONS/CONSEQUENCES

Nil

CONSULTATION & TIMING

A stakeholder meeting should be called around the issue with Traditional Owners, the Housing Reference Group, Northern Land Council, Barkly Regional Council and community members.

ATTACHMENTS:

There are no attachments for this report.

**GENERAL BUSINESS AND MATTERS FOR NOTING**

ITEM NUMBER	9.9
TITLE	Aged Care Tender Group Councils
REFERENCE	121218
AUTHOR	Edwina Marks, Chief Executive Officer

RECOMMENDATION

That Council endorse their participation in a joint tender for the delivery of aged care services in Central Australia led by Macdonnell Regional Council

SUMMARY:

Council will participate in a joint council funding application for aged care services by the 19 December 2014.

BACKGROUND

Council is considering a consortia arrangement for the delivery of Aged Care services across Alice Springs and the Barkly Region.

Currently the Regional Assessment Service tender closes on the 19 December 2014.

The Commonwealth is encouraging participation of consortia arrangements across the 52 regions where the Regional Assessment Services (RAS) will operate.

Accordingly Macdonnell Regional Council have approached the Barkly Regional Council to participate in consortia arrangements. This would be lead and managed through the Macdonnell Regional Council and allow Barkly Regional Council to access better costed services more in line with other Councils. Council currently provides a funded service that requires additional input of Council funds to cover regional management, vehicles and travel.

Despite repeated requests for additional assistance, funding is static. A consortia arrangement allows Council to apply for increased funding that covers the cost of the service we operates.

This application would be lodged on or before the 19th December 2014.

ISSUE/OPTIONS/CONSEQUENCES

The administration of the grant would be lead by Macdonnell Regional Council and the Barkly Regional Council would be in receipt of funds to deliver the services. Most importantly the service level would be determined by the funding received. Council can apply as a single provider

CONSULTATION & TIMING

Application deadline 19th December 2014

ATTACHMENTS:

There are no attachments for this report.

GENERAL BUSINESS AND MATTERS FOR NOTING



ITEM NUMBER	9.10
TITLE	Landfill Access during Christmas New Year period 2014
REFERENCE	121255
AUTHOR	Edwina Marks, Chief Executive Officer

RECOMMENDATION

That Council

- a) Waive the fees for landfill entry during 26, 27 and 28th December 2014 across all classes
- b) Advertise the free Xmas/New access over these dates accordingly

SUMMARY:

The Christmas /New Year period has a high exposure to illegal dumping. The removal of landfill fees for dumping over the dates of the 26th , 27th and 28th December when this risk is highest is a mitigation strategy for the township and surrounding area.

BACKGROUND

Council implemented a fee free period during Xmas/New Year in 2013.

ISSUE/OPTIONS/CONSEQUENCES

Post Christmas is a peak risk period for illegal dumping. Landfill charges are a barrier to those residents who cannot financially afford to pay them and in the past there has been increased illegal dumping activity. Removal of fees during this period is a mitigation strategy for this kind of activity and also mitigates the cost of council clean up should it occur.

CONSULTATION & TIMING

Fee Waivure should be advertised in the Tennant Creek and District times and on councils website.

ATTACHMENTS:

There are no attachments for this report.

GENERAL BUSINESS AND MATTERS FOR NOTING

ITEM NUMBER	9.11
TITLE	Animal Health Program 2014
REFERENCE	121448
AUTHOR	Edwina Marks, Chief Executive Officer; David Heron, Director Corporate Services

RECOMMENDATION

That Council receive and note the report.

SUMMARY:

This report summarises the activities of the animal management program for 2014.

BACKGROUND**2014 Dog Health Program**

This year has been a big effort for the Barkly Regional Council dog health program. These are the following highlights:-

- ✓ 22 programs, 2 Conference's
- ✓ 3 Councils across 2 states
- ✓ 3 Training Trips Sydney Uni, Calumbaroo, WA and Darwin
- ✓ 12 Vets
- ✓ 3900 health treatments
- ✓ We are at the end of the AMRRIC ABA
- ✓ 900 desexing funding finished.
- ✓ 9 DHP Talks to Stake Holder/Service Providers.
- ✓ Changeover of vets Malcom leaving to go traveling and Walwa vet coming on broad taking up the challenges
- ✓ Major car and trailer break downs

We started the year at Ali Curung and ended in Tennant Creek with all our community's receiving minimum 2 visits.

Ali Curung

We have had great response here with the Healthy Dog Healthy Community program run in conjunction with ICV/PARK VICTORIA. 3 desexing programs with 290 treatments 60 dog desexed 15 dog euthanized 70% dog desexed, the community dogs are in good condition.

Ampilatwatja

We still have too many dogs here, working with community to reduce numbers. 2 desexing programs 180 treatments 40 dog desexed 7 euthanized 60% dogs desexed .3 Complaints about cruelty to animals, Kids/slingshots/donkeys working with stake holder on education program.

Arlparra

2 desexing programs a joint program with the Canberra mob/B.R.C this is the 7th time we have teamed up together with great outcomes with a 70% decrease in human skin diseases attributed to the dog program. 300 treatments 160 dog desexed 24 euthanized 62% dogs desexed.

Alpururulam

2 desexing programs this year both trips having their problems a big wet and footy carnival slowed us up, 180 treatments, 22 dogs desexed, 4 euthanized and 92% overall desexed.

Elliott

2 desexing and 3 treatment trips, we worked with locals on Mozzie and Cain toad eradication. 180 treatment's 39 dogs desexed 9 handovers for euthanizing. Removal of peacocks from B.P complex. 56% overall desexed.

Wutunugurra

1 visit we went out and worked with the Army vets, they were there for 5months doing a desexing program, still chasing figures from there. This will be our first job next year.

Tennant Creek

A 3 week education/desexing program was delivered to T.C with all major stakeholders on broad with great outcome 90 dogs desexed 20 cats and 5 euthanized a 59% overall desexed

Trips.

Sydney University training with 9 animal health workers from the N.T, B.R.C was the only ones to complete and pass all the training, a great effort.

Calumbaroo W.A, training was completed at Halls Creek then off to the top of W.A putting training in to practice our team was highly praised for their high standards and work ethics from the Environmental health Team W.A.

Darwin, a week long training program held with vet nurses from across the country B.R.C lead the way with remote dog health training delivered to the nurses/vets.

Other Works

- 6 programs delivered to Central Desert Regional council with a total of 180 dogs desexed.
- Canteen Creek donkey mitigation ongoing.
- Outstations north of Tennant Creek parasite control.
- Trapping of feral cats/dogs in town and outskirts.
- Cain toad's eradication Program (Lake Woods).
- Rehoming of unwanted cats and dogs.
- Education programs

ISSUE/OPTIONS/CONSEQUENCES

Nil

CONSULTATION & TIMING

Nil

ATTACHMENTS:

There are no attachments for this report.



PRESIDENT REPORT

ITEM NUMBER	10.1
TITLE	Presidents Report
REFERENCE	120903
AUTHOR	Regan Randle, Executive Assistant to The President

RECOMMENDATION

That Council receive and note the Presidents Report.

SUMMARY:

The President Reports to Council her activities since the last Ordinary Council Meeting.

BACKGROUND

The President, as part of her role attends a range of meetings and public engagement activities. Accordingly meetings, appointments, functions, media commitments, civic receptions and committee meetings have been listed below.

21/11/2014 -	Regional Development Australia Northern Territory Meeting - via phone
24/11/2014 -	Anyinginyi Stronger Families – Tennant Creek
25/11/2014 -	Regional Economic Development Committee Meeting - Tennant Creek
25/11/2014 -	Chamber of Commerce Christmas reception - Tennant Creek
26/11/2014 -	Finance and Operations Committee Meeting - Tennant Creek
26/11/2014 -	Tennant Creek Local Authorities Meeting - Tennant Creek
26/11/2014 -	Tennant Creek High School Award Presentations - Tennant Creek
28/11/2014 -	ABC Garden Awards Presentations - Tennant Creek
02/12/2014 -	Local Government Association Northern Territory Meeting - via phone
02/12/2014 -	Kerry Grace –Strategy Session - via phone
03/12/2014 -	International day of people with disability breakfast - Tennant Creek
03/12/2014 -	Elliott visit - Elliott
04/12/2014 -	Agenda briefing with CEO - Tennant Creek
05/12/2014 -	The Barklow Medal Awards - Tennant Creek
05/12/2014 -	Barkly Regional Council Christmas Party - Tennant Creek
09/12/2014 -	International Women's Day Meeting - Tennant Creek
10/12/2014 -	Tennant Creek Skate Park Launch - Tennant Creek
Ongoing -	Chief Minister Darwin, discussions planning launch of Alcohol Management

The Presidents Facebook Page is becoming more popular with a recent post on Cr Pat Braun attracting a lot of attention. Cr Braun was runner-up in the Chief Minister's Award for Enriching our Society, and this was posted on Facebook, along with a picture of Cr Braun and myself. We reached 424 people, with 21 likes and six comments – our best post yet.

HIGHLIGHT:

Previous Barkly Regional Council President Rosalie Kunoth-Monks has recently been awarded Northern Territory Australian of the Year on the 5 November 2014.

ATTACHMENTS:

**CHIEF EXECUTIVE OFFICER'S REPORTS**

ITEM NUMBER	11.1
TITLE	Executive Director Operations Report - November
REFERENCE	121021
AUTHOR	Henry Szczypiorski, Executive Director Operations

RECOMMENDATION

That Council

- a) Receive and note the report of the activities within the Operations Directorate for the month of November 2014

SUMMARY:

The report addresses Operations and Infrastructure activities for the month of November 2014.

OPERATIONS REPORT NOVEMBER 2014**Update on Waterparks at Ali Curung and Elliott**

At the November meeting Council approved an additional \$206,600 to complete the supply and installation of the two waterparks and a total of \$76,143 to cover the costs to install the ablution amenities.

The October report identified the provision of site services as a remaining unknown cost to Council. The budget allocation of \$90,000 (incl GST) has been allowed for the provision of water, sewer and power connections to the nominated sites.

The preferred Ali Curung site requires further investigation to identify if existing services on the proposed lot including water, overhead power lines and more recently fibre optic will require relocation. If the relocation of existing services is confirmed by Power Water the other two nominated sites will be investigated and a report prepared for the Local Authority.

The Elliott site is to be investigated to establish if any additional service connection costs can be identified. Prior to progressing the project the costs of providing services to both locations need to be confirmed to establish if the allocated budget is adequate. This investigation will be completed during December/January, with a report to Council in February 2015.

Update on \$3.6m Purkiss Reserve Upgrade

The tender call for the Swimming Pool Complex and the tender call for the Football Change Rooms occurred on the weekend of 15/16 November 2014. Tenders were advertised in the Advocate and the Tennant and District Times on Friday 15 November and in the NT News and the Adelaide Advertiser on Saturday 16 November. The Tender closing date is Friday 12 December 2014.

A tender assessment panel has been identified including, Michael Lambert (Hames Sharley), Darcy Dunbar (Department of Infrastructure), Steven Edgington (Department of the Chief Minister), Narelle Bremner (Elected Member), and Henry Szczypiorski (Executive Director Operations).

While both tenders close on 12 December, a priority will be given to assessing the Swimming Pool Complex tenders commencing Tuesday 16 December. Tenders for the Football Change Rooms will be assessed during week commencing 5 January 2015, with a

Tender Assessment Report to the Finance and Operations Committee for week commencing 12 January 2015. A letter of offer for the Swimming Pool Complex is scheduled for Monday 19 January 2015, allowing a 4 week period for possession of site for Monday 16 February 2015. The letter of offer for the Football Change Rooms will follow.

Alpururulam Laundry Contract

The rectification works associated with the site water and sewer connections were commenced following Council approval on 20 November 2014. Local rain has delayed site works and the completion prior to Christmas will be weather dependent. The installation of the washing machines will be delayed until all site services are corrected to allow the operational commissioning of the installed machines.

Housing Management Programme (HMP) Fencing

The new fencing and repair works at Ampilatwatja Community were completed during November 2014.

New fencing and repair works have commenced at Imangara with a scheduled completion date of 12 December 2014. Material orders have been placed for Ali Curung with work expected to be completed by mid February 2015.

Council has commenced the scoping of fencing works at Wutunugurra to ensure fencing materials are available at Wutunugurra for a smooth transition after the completion of works at Ali Curung. The final community to be completed under this contract is Alpururulam. The Department of Housing is currently seeking confirmation of available funding to allow the communities of Tara and Canteen Creek to be added to the current fencing contract. The successful delivery of the works at Ampilatwatja has prompted the Department of Housing to consider extending the scope of the current contract.

Tennant Creek Waste Management Scoping Study

Tonkin Consulting has been requested to review the proposed scope of works for their further engagement to provide a plan for the management of the landfill site to ensure the full life expectancy potential of the landfill is realised. Tonkin will provide a return brief and a fee offer to completed this valuable work.

Trial of CAT 816F Landfill Compactor

The Barkly Regional Council has continued with weekly survey of the final landfill surface to allow compacted volumes to be calculated. This information will allow the compactive effort of the machine to be measured and valuable calculations completed regarding the expected life of the landfill. Data will be gathered during the entire 6 month dry hire period with the aim of providing supportive evidence for the purchase of the machine.

Supply and Installation of Boundary Signage

While the final design of the proposed indigenous graphics remain to be finalised, the general size and layout of the boundary and change of country signs has been agreed. As part of the approval process the frame size and proposed wording has been sent to the Department of Infrastructure for approval for installation within the road reserve. The Department will provide location and installation guidelines.

The frame details have been sent out for pricing by local contractors and Council will liaise with the Department of the Chief Minister regarding recently prepared tourism signage. Cost estimates and an installation programme will be included in the February 2015 report.

Free Public Access to Landfill 26, 27 and 28 December 2014.

The traditional high incidence of illegal dumping over the Christmas holiday period has prompted Council to promote the three day period of 26, 27 and 28 December as days of free dumping of domestic rubbish at the landfill. All users will be asked to comply with Council's

recycling strategy in using the landfill during this period. The free dumping will be advertised in the local paper and on the Council Website.

Tennant Creek Depot Operations

- Cleaning of all Council ablution blocks daily.
- Servicing of all plant daily.
- Depot personnel used for yard maintenance on Council houses in Tennant Creek.
- The Field Service Maintenance program visited Ali Curung and Elliott during November, completing the first round of the field service to communities. Minor mechanical repairs were also completed at Arlparra and Ampilatwatja
- The Depot has taken over some of the Fleet Management responsibilities allowing better control of repairs and maintenance, equipment listing and the transfer of fleet.

Movement of plant and equipment within the Region

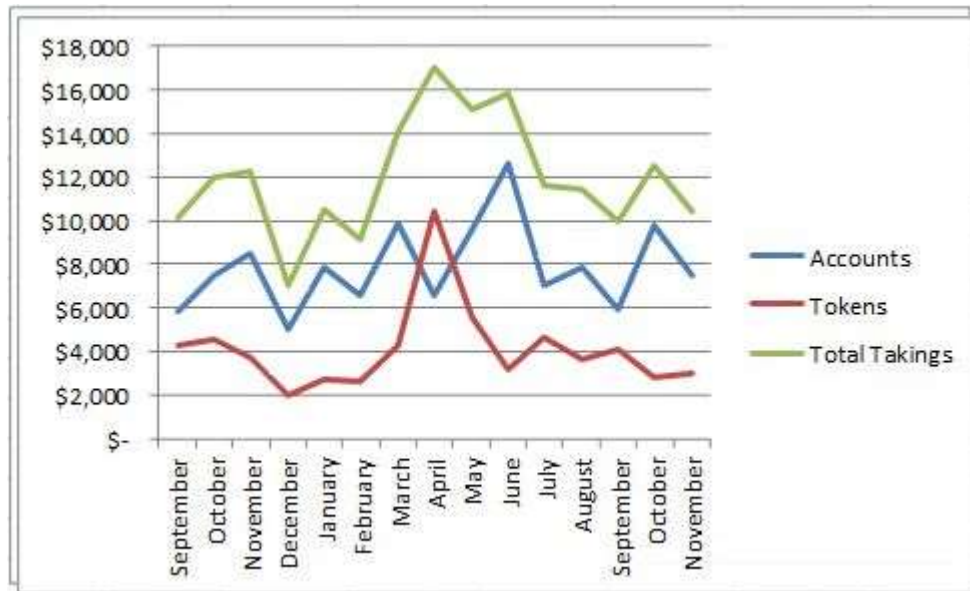
- The repairs to the Alpururulam grader continued during November.
- The Arlparra backhoe was transported to Tennant Creek with hydraulic leaks. These repairs will be completed under warranty with the backhoe returned to Arlparra during December. A temporary machine is on loan while these repairs are being completed.
- The Arlparra skid steer was returned to community after major repair works.

Waste Management

The landfill is operating effectively. Council did not receive any complaints during November.

Token Takings

Month	Amount
September 2013	\$10,130
October 2013	\$11,995
November 2013	\$12,270
December 2013	\$ 6,980
January 2014	\$10,520
February 2014	\$ 9,160
March 2014	\$14,110
April 2014	\$10,450
May 2014	\$15,075
June 2014	\$12,595
July 2014	\$11,615
August 2014	\$11,455
September 2014	\$ 9,995
October 2014	\$12,535
November 2014	\$10,430



Weed Control

Reported infestations are dealt with as required. 5 new species of weeds have been earmarked for attention in the NT. These will be added to the Weed Management Plan.

An infestation of Caltrop and the common bindi has been reported within Tennant Creek and a program has been implemented to carry out removal of this specie. A programme of 2 hour daily spraying is continuing for containment and eradication.

All Roads are kept clean through regular street sweeping.

No footpath repairs carried out during November.

Maintenance of Parks, Gardens, Cemetery

All parks, gardens and the cemetery are managed and maintained through regular scheduled works. Work at the cemetery during November has included mowing and the removal of ant hills

Broken Glass

While the cleaning of broken glass on our street and footpaths remains a focus for Council, November has seen a reduction in the amount of broken glass dealt with by Council. The expanse of concrete forming the new skatepark has attracted some broken glass.

Swimming Pool and Small Projects

Daily testing of water clarity and free chlorine level are being carried out as part of the Pool Management Programme. Cleaning and maintenance of the pool and surrounding areas is being carried out as required to maintain a high appearance standard.

- 96 Staunton Street: Maintain lawns and gardens as required.
- 9 Jubilee Street: Maintain lawns and gardens as required.
- 9 Griggs Street: Maintain lawns and gardens as required.
- Mow and whipper snip the grounds of all Council owned houses.
- Monitor and maintain irrigation systems on all Council properties including Parks and Reserves.
- R & M carried out on council buildings where and when required.

Fleet Officer

The Vehicle and Plant audit covering Tennant Creek and the six communities which include: Wutunugurra, Elliott, Ali Curung, Ampilatwatja, Arlparra and Alpururulam was completed during November.

Insurance claims

Council currently has 3 claims pending.

Location	Description	Comments	Status
Arlparra	Reg: CB14DL	Vehicle rolled on un-sealed road causing extensive damage to vehicle. Staff member was hospitalized with suspected back/neck injuries. Accident reported to police.	Vehicle currently at Tennant Creek Depot a mechanical report carried out to ascertain possible cause of accident.
Tennant Creek	Reg: 914 003	BRC vehicle side swiped by another vehicle turning into Purkiss Reserve. Low impact damage resulted with no medical treatment required.	Police were informed and insurance claim has been lodged.
Ali Curung	Reg:	BRC community vehicle reversed into gate. Vehicle to have sustained minor scratches to door panel	Awaiting response from CC to determine extent of damage and receive pictures.
Ali Curung	Reg: 612046	Police backed into bus	Police report received. Awaiting outcome.

Paterson Street Contract Operational.

Community Airstrips Contract Operational.

Elliott median Strip Contract Operational.

Roads to Recovery A new programme of works is being prepared for this financial year.

Community Work A number of street signs and speed bumps were constructed at Ali Curung with the project to be completed in January 2015. The Tennant Creek Street sweeper was in Elliott for three days completing street sweeping and the cleaning out of side entry pits.

Flammables No action during November.

Depot Quotations have been received and are being assessed for the construction of a large storage shelter in the yard at the Tennant Creek Depot.

Plant & Machinery The new Mobile Field Service Maintenance programme continued during November.

Municipal Tip The 2000 CAT 816F Compactor on dry hire from Phillips Earthmoving continued to be used during November.

Football toilet upgrade Completed.

Verges Routine maintenance works carried out during November.

Peko Park & rear laneway Depot staff are working on a landscaping strategy for Peko Park and Peko Road.



CHIEF EXECUTIVE OFFICER'S REPORTS

ITEM NUMBER	11.2
TITLE	Corporate Services Report
REFERENCE	121051
AUTHOR	David Heron, Director Corporate Services

RECOMMENDATION

That Council receive and note the report

SUMMARY:

This report details the activities of the Corporate Services Directorate for November 2014.

BACKGROUND

During the period the Director was also acting as ED Communities and during the period attended a Cross Cultural Course and a Finance and Operations Committee meeting.

Finance

The Finance Report for November is attached.

Grants

The Grants report for November is attached.

The Commonwealth Government has delayed the decision of the successful applicants for the Indigenous Advancement Strategy from December to March. This will affect the budgeting process for 2015/16 without the certainty of that income.

Customer Service

The Customer Relationship Management (CRM) package is undergoing trials with full training to be undertaken for staff in January.

CRM's primary purpose is to implement a more productive recording and reporting system for handling Council's customer complaints. During set up and admin training we were able to implement a range of extra benefits to tie in with CRM, to assist not only external customers but also internal staff.

Below are a list of functions and outlines that staff will report and track through the new CRM system.

REQUESTS – any sort of request for service

- Report and track each individual customer complaints - Animal, Rates, HR, Infrastructure etc.
- Gas refill – Request to fill Council owned gas Bottles (Peko Pk, Mary Ann Lake)
- Garbage Collection – Request to collect garbage from Wheelie bin
- Requests for Payment – Payments requested from Rates and AR Officer
- Dump Token Requests – Service Station requests for Dump Tokens and delivery
- Peko Park Booking – Request to notify the Depot

INFORMATION – most handled customer enquiries

- Community Information
- Pool Information
- Phone numbers

The system is still being set up but already it has proven to be a great asset to Council.

Records Management

The introduction to council's records management system is now part of the standard induction process for new staff. It is currently delivered remotely by Latitude 12 staff but includes a Barkly Regional Council staff member who should be able to deliver the training in the near future.

Information Technology

It continues gaining structure and integrity with the local IT Officers working closely with Councilbiz technicians to support the IT services of Barkly Regional Council.

ISSUE/OPTIONS/CONSEQUENCES

Nil

CONSULTATION & TIMING

Nil

ATTACHMENTS:

- 1 Financial Report - November 2014.pdf
- 2 Grants Unit Report December 2014.pdf

Financial Management Report

November 2014

Section 1 – Executive Summary

Section 2 – Financial Results

2.1 - Budget Summary Report

2.2 - Investments Report

2.3 – Debtors (including rates) Summary Report

Section 1 - Executive Summary

RESULT

This report provides a comparison of total income and expenditure against budgets for 2014-15.

Expenditure

- Depreciation charge for the year to date is not yet accounted for, due to Assets not rolled over to 2014-15. As we completed the Audit in November 2014, therefore, December 2014 report will have the assets rolled over and depreciation accounted for.

Income

- Council received \$500k from Northern Territory Grants Commission as its quarterly General Purpose and Local Roads Funding.
- Council received \$1.8M as NT Operational Funding for the first two quarters of 2014-15.
- Rates and Charges have been levied in the financial system. Rates Declaration for 2014-15 has been published in the newspaper and on the website. Rates notices have been issued to the rate payers before 28 August 2014 in order to provide minimum 28 days notice before the first instalment date.
- Council received the first milestone payment of \$1.2M for the Night Patrol Program 2014-15. The Night Patrol Program has been extended until 30 June 2015.
- Council received the first instalment of \$250k for Indigenous Sports and Recreation Program. Total funding for 2014-15 is \$446k.
- Council received the first instalment of \$225k under the matched funding agreement. Total funding allocated under this agreement is \$899k for 2014-15.

CASH POSITION

As at the end of November 2014, Council had \$6.1M invested in term deposits (see section 2.2 Investment Report for details) and \$0.45M in Operating Account and Trust Account with Westpac.

Section 2 - Financial Results

2.1 Budget Summary Report as at 30 November 2014

Column1	Annual Revised Budget	YTD Actuals	Commitments	Actual Including Commitments	Budget Remaining \$	Budget Remaining %
Total Income	(24,938,521)	(11,031,133)	-	(11,031,133)	(13,907,388)	55.77%
Total Expenditure	24,362,244	9,986,115	-	9,986,115	14,376,129	59.01%
(Surplus)/Deficit	(576,277)	(1,045,018)	-	(1,045,018)	468,741	

Section 2 - Financial Results

2.2 Investment Report as at 30 November 2014

Description	Institution	S & P's Credit Rating	Maturity Date	Amount	Rate of Interest	% of Total Portfolio
Term Deposit	Westpac	A-1+ Short Term and AA- Long Term	13-Jan-15	3,096,958	3.61%	50.80%
Term Deposit	NAB	A-1+ Short Term and AA- Long Term	11-Dec-14	3,000,000	3.51%	49.20%
				6,096,958		100.00%

Section 2 - Financial Results

2.3 Debtors (including rates) Summary Report as at 30 November 2014

Debtors' Category	Current	30 days	60 days	90 days	90 days +	Balance
Sundry debtors	8,017	67,150	17,392	-	26,623	119,182
Staff debtors	-	-	-	-	-	-
NT Gov. debtors	115,478	(11,855)	12,054	-	8,284	123,961
Fed Gov. debtors	-	-	144,089	3,036	(147,125)	-
Library debtors	19	-	212	(55)	904	1,080
Dump Access Debtors	10,020	3,008	640	480	1,660	15,808
GST Balance	52,988	-	-	-	-	52,988
Total	186,522	58,303	174,387	3,461	(109,654)	313,019

Rates & Charges: 2014/15 Financial Year

	\$			
Balance brought forward from previous years	585,222			
Rates Levied in 2014-15	3,090,726			
	3,675,948			
Rates collected during 2014-15	(2,178,562)			
Total Outstanding Balance	1,497,386			
Outstanding amounts of instalment not yet due	1,028,634			
Current Outstanding Balance	468,752			
Outstanding balance of arrears brought forward	366,742			
Outstanding balance of first instalment of 2014-15	102,010			
Current Outstanding Balance	468,752			

**ITEM NUMBER**

TITLE Grants Unit Report

REFERENCE December 2014

AUTHOR Susan Wright – Grants Manager
Sandra Dix – Assisting Grants

SUCCESSFUL APPLICATIONS:

- Australia Day \$ 3,300.00

APPLICATIONS SUBMITTED THIS MONTH:

- Department of Business – LLN Ampilatwatja & Arlparra (in lieu of IAS unsuccessful, IAS has been postponed) \$ 47,976.62

CURRENT APPLICATIONS OUTSTANDING:

- NT Disaster Relief Fund \$
- ACAR – 10 HACC positions \$ 303,062.00
- CBF Major Grant Auspiced by CAYLUS – Ampilatwatja Ablution Block \$ 199,547.50
- DSS – Emergency Relief (4.5 years, first year \$30,000, \$60,000, \$64,000 \$ 30,000.00
\$68,000, \$72,000)
- DSS – Volunteer – Building Effective Volunteers (4.5 years first yr \$ 44,000.00
\$44,000, \$59,000, \$64,000, \$69,000, \$74,000)
- DSS - Community Capacity Building – Barkly Region Youth Governance Strategy (3.5 yrs, first year \$50,000, \$100,000 each after) \$ 50,000.00
- DSS – Aged Care Service – Vehicle for Arlparra (2.5 yrs, first \$ 16,800.00
year \$16,800, \$28,000 next two years each)
- DSS – Aged Care Service – Strengthening Employee Capacity (2.5 yrs, \$ 50,000.00
First year \$50,000, \$100,000 next two years each)
- Tennant Creek Regional Sporting and Recreational Facilities Upgrade Master Plan (DSRR) \$ 20,000.00

Special Purpose Grants

- Ampilatwatja Staff Housing \$ 125,000.00
- Alpururulum Rubbish Truck \$ 301,206.59
- Ali Curung Basketball Court \$ 332,709.95
- Indigenous Advancement Strategy \$ 6,766,160.24
- International Women's Day \$ 5,000.00
- Youth Week \$ 4,000.00

\$ 8,247,486.28

APPLICATIONS FAILED:

- MAGNT – Library Upgrade \$ 94,171.96

SUMMARY:

- IAS has extended its decision for funding contracts ending December 2014, to March 2015 due to enormous response. In the meantime, SNP has been extended to June 30, 2015.
- DSS has extended any current contracts for two months as their last funding round contained 5,500 applications worth \$36 billion, their pool is \$800 million nationally.
- First Quarter Financials still being prepared (all quarterlies due are in to the relative departments).
- Assisted Theresa Nicolussi (Accountant) with implementing the new COA (cost codes) by ensuring that every project/program only has the essential cost codes assigned to it (to prevent "cost code clutter").
- Assisted Theresa Nicolussi (Accountant) and Community Coordinators with the NT Department of Communities' *Homelands MES-HMP* performance reporting.
- BRC Community Grant Round applicants notified and cheques actioned.
- Potential funding opportunities being worked on include:
 - RAAASS – Multi Media;
 - Community Broadcast Foundation (Multi Media and Radio).

Grants Officer Jason van Riel left Tuesday, November 18th. Sandra Dix, A/R has been assisting grants.

CHIEF EXECUTIVE OFFICER'S REPORTS

ITEM NUMBER	11.3
TITLE	Communities Report
REFERENCE	121057
AUTHOR	David Heron, Director Corporate Services

RECOMMENDATION

That Council receive and note the report

SUMMARY:

This report details the activities of the Communities Directorate for November

BACKGROUND**Governance**

The Local Authorities continue to strengthen with very successful meetings being conducted at Arlparra, Ampilatwatja, Ali Curung and Tennant Creek. Among the discussion points was budget planning training to enable the Authorities to make considered decisions.

A governance training session over a couple of days for the Authority Chairs and Deputy Chairs had been organized for the first week in December but had to be postponed due to heavy rain on several of the communities. It is now being planned for the first week in March 2015.

Community Services

Aged Care has been delivered effectively on the communities with another round of quality assurances inspections passed with flying colours. The coordinators came into a workshop 2 December to 4 December to review the success to date and plan for the future.

Ali Curung had good news delivered with a new creche to be constructed by the NT Government. The service is being delivered well but can be so much more with the new facility.

Library Services

The closure dates for the library are the 29 to the 31st January, rather than the 28 – 30th as previously advised. Relevant signage and advertisements will be scheduled.

Night Patrol

Night Patrol has been functioning on all communities except for Murray Downs due to the inability to recruit patrollers. Staffing issues are still the biggest challenge to the delivery of the service. Still over 2200 people were assisted over the month with more than half of those who were returned home after the sport and recreation programs on the communities.

Animal Welfare

The Animal Welfare program is winding down after a hugely successful 2014. The last program in Tennant Creek included an education program and clinics delivered in the towns camps. Over the Christmas break the officer will be having a break but the Regional Manager will be on duty as dogcatcher and to after the pound.

Ali Curung

This month has seen the continuing improvement being seen in the delivery of services and projects on the community. Apart from undertaking the regular collection of bins and maintenance of the landfill, the municipal crew continued the collection of derelict cars that was started by the Tennant Creek crew. Bus shelters were constructed and street signs were erected during the month.

Alpururulam

Council has been buoyed by the recruitment of several staff to vacant in Night Patrol, Municipal Services and Office Administration. This allows council to better deliver on the services in the community. The biggest job the teams have is in the annual maintenance grade of the Sandover Highway on behalf of the Department of Infrastructure. Rain has however begun falling which has put a halt to the road works for the time being. Council is also working closely with PowerWater to take corrective action on community power failures in recent time.

Ampilatwatja

During the past month progress has been steady with the collection of rubbish and maintenance of the tip. With the new fences in place there is an opportunity to trap the litter better and maintain the cleanliness of the community. Community members have expressed a desire to be involved in a community cleanup. There was a fire at the dump one evening which took the municipal crew four hours to contain. The new landfill perimeter fence is expected to be completed in the next few weeks which should prove a sufficient deterrent for the future.

Arlparra

A septic remediation program being conducted in the Arlparra region has seen immediate results with a 50% reduction in pump-outs in November from the previous months. The next project is the new landfill construction which will begin as soon as the cultural clearances are sorted.

The water issues at Pungalindum and the Utopia Clinic have been sorted however community members are still leaving taps on resulting in the tanks being emptied on regular occasions. Education programs are being developed to address the community responsibilities on this issue.

Housing maintenance continues however it is becoming evident that the money allocated from the NTG will be insufficient despite the work done by CAT earlier in the year. Council is working with the NTG in the reporting of the maintenance issues so that proper data is collected for future government investment.

Elliott

Services in Elliott are being delivered by the municipal crew every day up to the minimum standards set. Work is continuing on trying to keep the houses on the Town Camps livable which includes works on septic tanks and drains.

Wutunugurra

Municipal services are being delivered effectively and efficiently despite the mid 40's degree temperatures being experienced at the community. The team has been working flexible hours during the hottest of the day and has also spent time in the office working on policies and procedures.

The Community Centre and Workshop have been officially handed over to the Barkly Regional Council for the care and maintenance of those buildings. An amount was included in the budget before the buildings were constructed but now a more detailed study will be conducted to determine the true costs and the possible revenue streams that can cover those costs.

ISSUE/OPTIONS/CONSEQUENCES

Nil

CONSULTATION & TIMING

Nil

ATTACHMENTS:

There are no attachments for this report.

CHIEF EXECUTIVE OFFICER'S REPORTS

ITEM NUMBER	11.4
TITLE	Chief Executive Officers Report - November
REFERENCE	121075
AUTHOR	Edwina Marks, Chief Executive Officer

RECOMMENDATION

That Council receive and note the report.

SUMMARY:

The report provides an overview of the activities of the Chief Executive Officer during October 2014.

BACKGROUND

Local Authorities

Local Authority (LA's) are now starting to work well. Priority planning sessions have occurred across most Local Authorities other than Wutunugurra Local Authority which was postponed due to lack of quorum. Governance training has also been postponed due to road closures and wet weather for travelling regional chairs and deputy chairs. This has been rescheduled for March 2015.

Councillor development and training

Councillors currently have a survey open to capture information about training and development needs in order for an annual calendar to be developed. Hard copy surveys will also be available at the December meeting for completion.

Indigenous Advancement Strategy grant funding selection process

The Indigenous Advancement Strategy grant round has been extended. This is due to the large number of applications received, and in order to allow the considered assessment of each application, the assessment period has been extended.

Minister Scullion has accepted the department's advice that more time is required to effectively assess applications made under the Indigenous Advancement Strategy (IAS) national round. The Government now expects the results of the round to be announced by early March 2015.

Cultural Awareness Pilot

Council has completed a cultural awareness pilot with the intention of developing a cultural awareness framework specifically for the Barkly. An evaluation report is currently being developed about feedback for the development of a customised strategy. Attached is also a snapshot of what staff think are the strengths, challenges and strategies that should be considered around the development of a Barkly Regional Council framework.

NDIS Local Reference Group

National Disability Insurance Agency have set up a Local Advisory Group in Tennant Creek. The purpose of the Local Advisory Group is to:

- provide advice and feedback on the National Disability Insurance Scheme (NDIS) and its services, supports and processes, thereby contributing to the continuous improvement cycle of the Agency
- provide a collaborative identification and resolution forum about disability issues in Barkly Trial Site.

PUBLIC RELATIONS AND EVENTS**Website update**

The Barkly Regional Council website has been completed with regards the design and training for the Public Relations and Events Manager. Throughout December and January the entire content of the current website will be re-evaluated, rewritten and uploaded on to the new website, ready for the re-launch in late January/early February 2015. Google is now pushing those websites that are mobile friendly to the top of its Search engine. The decision to update the Council website to mobile friendly is timely.

Media Releases

Regular media releases, including the Council President's recent awards win in the ABC Gardening Competition, continue to be distributed and the President's Facebook page is growing in popularity with an increase in likes and comments. Council documents, including the Annual Report 2013-2014 and the Regional Plan 2014-2015, have been sent to the printers. They are important documents for the Council and make excellent future reference material.

Australia Day

Organisation and planning for Australia Day 2015 is also gearing up with sponsorship money coming in and nominations for Australia Day Awards 2015 now completed. A detailed report about nominations is included as part of this agenda.

Barkly Buzz

The Barkly Buzz edition will be produced over December for dissemination to all staff, Councillors and stakeholders. This will be a bumper issue.

Skatepark Launch

The new Skate Park at Purkiss Reserve will be launched before the Christmas holiday break so the youth of Tennant Creek and the Barkly can enjoy this new community facility. This launch has been scheduled for the 10 December during the day to accommodate and increase student attendance. This event will occur at the new Purkiss Reserve site.

Councillor and Committee Members Bulletin

Councillors, Committee Members and Local Authority Members will also have received their fourth monthly bulletin full of information about upcoming meetings and local, national and Territory wide news and updates about the Barkly region. Feedback is always welcome.

Major Tenders

Council will be issuing major tenders in relation to the Purkiss Reserve upgrade, audit services and Work Health Safety services during November 2014.

MEETINGS / EVENTS

Meetings, appointment, functions, media commitments, civic receptions and committee meetings that the Chief Executive Officer has attended since the last Ordinary Council Meeting;

17/11/14 – Lorraine Werner, Tennant Creek Bowling Club
18/11/14 – Arlparra Local Authority Meeting; Arlparra
18/11/14 – Funding Distribution Meeting; Arlparra
19/11/14 – Ampilatwatja Local Authority Meeting; Ampilatwatja
20/11/14 – Ordinary Council Meeting; Ampilatwatja
20/11/14 – Emmerson Business Dinner; Tennant Creek
21/11/14 – Malcolm Mill, NDIS; Tennant Creek
25/11/14 – Ali Curung Local Authority Meeting; Ali Curung
25/11/14 – TC Regional Economic Development Committee Meeting; Tennant Creek
26/11/14 – Wayne Green and Steve Edgington, BAFL; Tennant Creek
26/11/14 – Tennant Creek Local Authority Meeting; Tennant Creek
27/11/14 – Cross Cultural Training; Tennant Creek

28/11/14 – Cross Cultural Training; Tennant Creek

01/12/14 – Ms. Jill Kleiner, Department Local Government and Regions; Tennant Creek

02/12/14 – Cr. Bob Bagnall; Tennant Creek

03/12/14 – NDIA – International Day of People with Disability Event; Tennant Creek

04/12/14 – NT Police, Patta Group. Re; Lake Mary Anne; Tennant Creek

05/11/14 – Barkly Regional Council Staff Christmas Party.

ATTACHMENTS:

CHIEF EXECUTIVE OFFICER'S REPORTS

ITEM NUMBER	11.5
TITLE	Director Human Resources - November Report
REFERENCE	121267
AUTHOR	Peter Ryan, Director of Human Resources

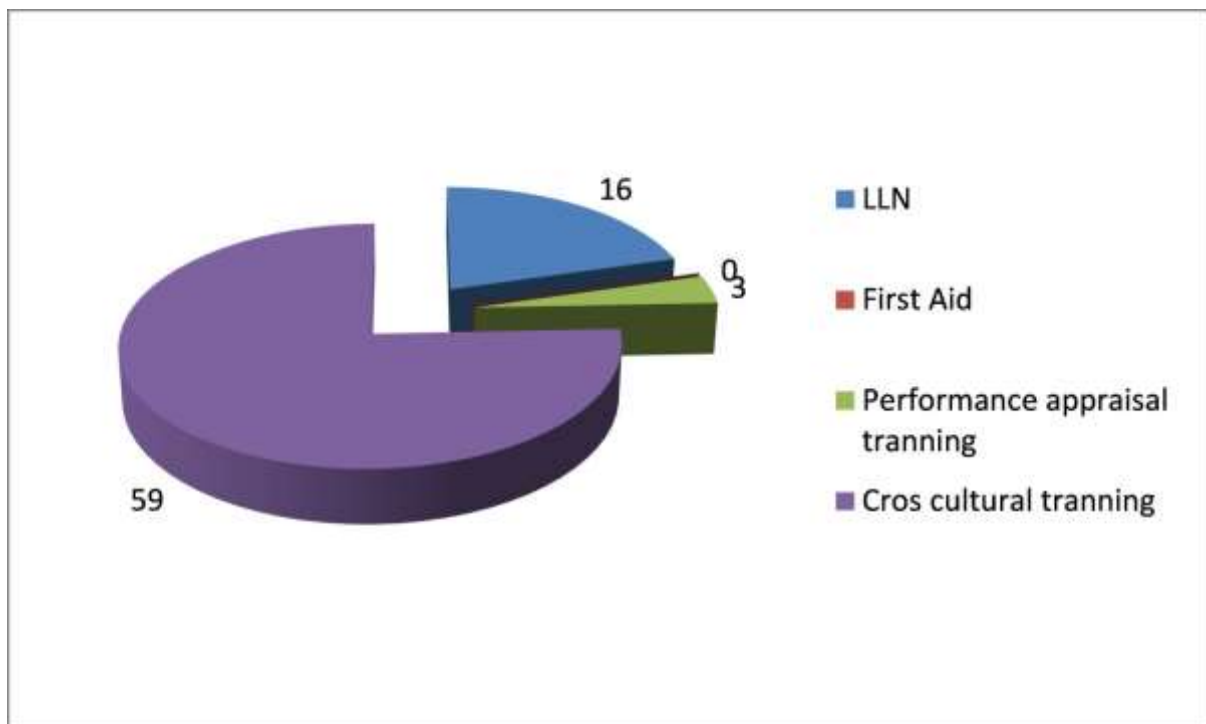
RECOMMENDATION

That Council note and receive the report of the activities of the HR Directorate for the month of November 2014.

SUMMARY:**Learning and Development**

Total number of trainings delivered – 78

Chart 1: Participant distribution in training programs



Training has continued this month with the LLN Pilot Project at Ampilatwatja ongoing. This project has 16 participants all of whom are Aboriginal employees of Council. To ensure an appropriate implementation of the newly designed Performance Appraisal System training of three staff has brought this 'roll out' to its conclusion. Council also had 59 participants in its Cross Cultural Training Pilot. The feedback from Aboriginal and non-Aboriginal people has been outstanding. This was truly a worthwhile training exercise for us. It is anticipated that this will continue in the New Year to ensure that all employees undergo this development.

Projects

Projects	Comments	Actions
Designation review	Review completed with EDs	Approval by CEO
HR Policy Appraisal - Performance Appraisal	- currently being conducted on performance appraisal for managers	
HRIS	- Currently researching to find out the most suitable HRIS for the council	

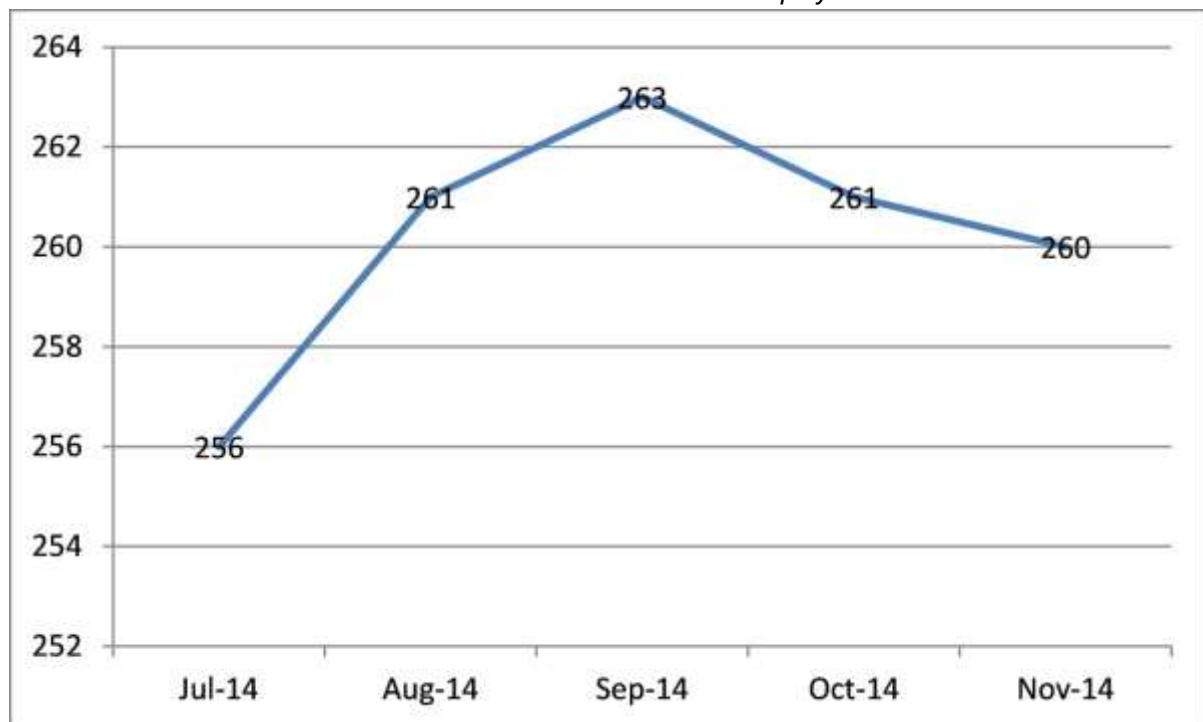
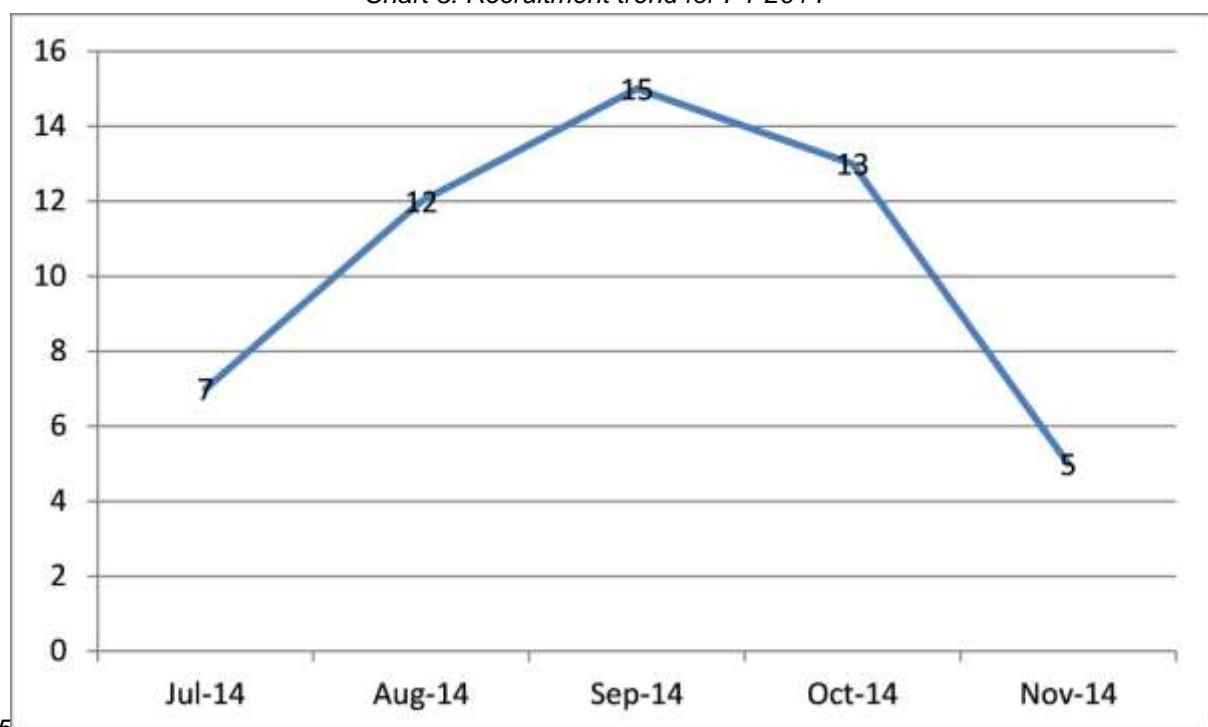
The Performance Appraisal system as developed recently by the HR Department has now been implemented across the organisation. During this month all Managers were given the forms to complete in relation to their own appraisal. This information will then be collated by the Department and used to assess amongst other things the training and development needs for the organisation. This will allow the Department to put together a Training Needs Analysis for the next 12 months. This analysis will assist in identifying not only the training required but the cost of such training to ensure it falls within the parameters of our budget allocation.

The Department is also researching a Human Resource Information System (HRIS). Such a system will make the management of HR and WHS data easier to obtain by way or reports. The Director is to receive costs and information on such a system and will report on that once received.

HR Operations

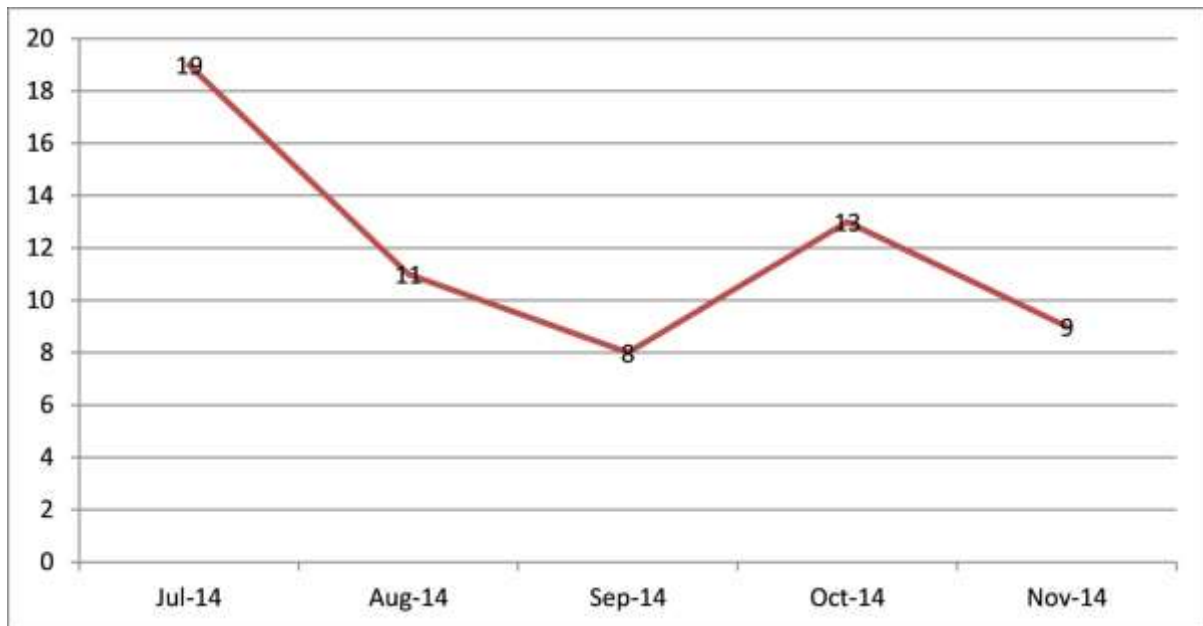
HR Operational Issue Tracker

NOVEMBER	Operational Issues	Number	Comment	Action
	Disciplinary issues	2	N/A	All cases being actioned
	Workers Comp Claims	3	N/A	All cases being actioned
	Grievances	0	N/A	N/A
	Performance Issues	2	N/A	All cases being actioned

Staffing*Chart 2: Total number of Council Employees**Chart 3: Recruitment trend for FY 2014-*

Council has engaged 5 personnel this month. Included in this figure is the employment of the Workplace Health and Safety Manager. This engagement will ensure the commencement of the building of a strong Safety Culture within council.

Chart 4: Exit trend for FY 2014-15



Council had nine people resign this month. The reasons stated are varied but in the main they revolve the need to move away to be near family or to take up a better opportunity elsewhere. The Human Resources team have now developed a new Exit Interview form which every person leaving the organisation will be requested to be involved in so that we can identify trends as to why people are leaving. This will then give us the opportunity to formulate Retention strategies for employees. The Exit Interview will be introduced organisation wide on the 3rd December 2014.

Aboriginal and Torres Strait Islander Information

At this time Council employs 260 personnel. Of this number 63% are Aboriginal. These people work in a very diverse range of jobs for council. These roles include Municipal and Plant Operator workers in each of our communities and spread to Coordinator (Front Line Management) level in other fields. It is noted that management and senior management is greatly unrepresentative from an Aboriginal perspective. This issue will be addressed in the New Year with HR currently developing training needs for the advancement of Aboriginal people within the council. This will include the formulation of a plan to ensure that training such as Front Line Management courses etc. are offered to Aboriginal personnel. A career plan for Aboriginal personnel is currently under development and information in relation to this initiative will be supplied to council early in the New Year.

ATTACHMENTS:

There are no attachments for this report.