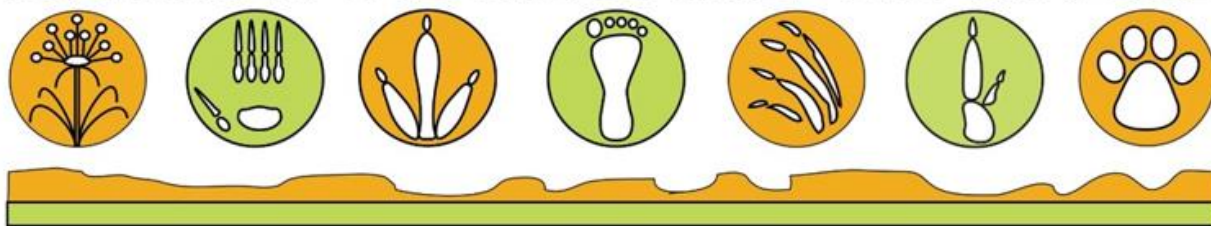


# BARKLY REGIONAL COUNCIL



## MINUTES ORDINARY COUNCIL MEETING

The meeting of the Ordinary Council Meeting of the Barkly Regional Council was held in Council Chambers, 41 Peko Road, Tennant Creek on Thursday 30 May 2024 at 8:30 am.

**Jeff MacLeod**

Acting Chief Executive Officer

### OUR VISION

We strive to be a responsive, progressive, sustainable council which respects, listens to and empowers the people to be strong.

### The Way We Will Work

**We will make it happen!**

**We will be engaged and have regular opportunities to listen.**

**We will have strong policies 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 through a culturally competent Council.**

**We are a responsible Council.**

**We will be a responsive Council.**

**We want to empower local decision making.**

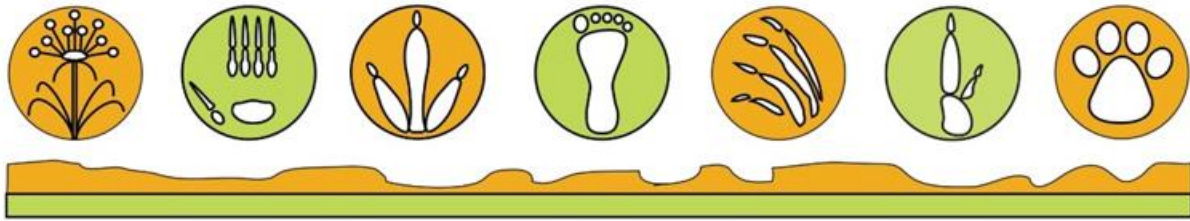
**We want to ensure that our services are sustainable and that our region has a standard consistent level of services.**

**We want to be able to sustain our environment – our communities, our physical places, our people, and our organisational culture.**

**We will aggressively pursue additional funding from both levels of government to improve the standard of living of people across the region.**

**We need to be realistic, transparent, and accountable.**

# BARKLY REGIONAL COUNCIL



## ACKNOWLEDGEMENT TO COUNTRY

We acknowledge the Traditional Owners of Warumungu, Mudberra, Jingili, Wakaya, Wambaya, Waanyi, Walpiri, Warlmanpa, Alyawarr, Anmatyerre and Kaytetye Country on which Barkly Regional Council live and work, and recognise their continuing connection to land, waters and culture. We pay our respects to the ancestors and elders of these lands, past, present and emerging.

May we continue to work together to Deliver sustainable outcomes through a process Based on mutual respect and understanding.

## 1 OPENING AND ATTENDANCE

### 1.1 Elected Members Present

#### **Audio Recording of the Meeting**

The A/CEO announced to all present that an audio recording of this meeting is being made for minute-taking purposes and should any member wish for any reason not to have it recorded due to a genuine concern relating to cultural business, the recording will be suspended until such time as that discussion has been concluded.

#### **Official Manager;**

The Official Manager began by requesting everyone to stand in honour and a moment of silence to pay tribute to Troy Koch, a long-term employee of the Council, having worked at Alpururulum for a number of years and afterwards at Tennant Creek.

He acknowledged Troy's service to the community, his good nature in the office and the fact that he was a good friend to many people.

Peter suggested that a morning or afternoon tea be organised, and requested that those staff who know Troy's wife, to find out if there any possibility that she is returning to Tennant Creek as it would be nice to have her attend it if possible.

The A/CEO informed council that the information received was that Troy's wife was taking a year off. The A/CEO requested to know if anyone knew anything with regards to funeral arrangements so that Council can ensure that a proper tribute from Council is made available?

**Acting Director of Tennant Creek Mr Ryan Francis said he would consult with the Senior Administrative Assistant Lauren and request her to make communication with the family and seek for information then he would advise the CEO on the same.**

**The Official Manager then opened the meeting attendance.**

#### **Elected Members Present**

- Peter Holt - Official Manager

### 1.2 Staff Members Present

#### **Staff Members Present**

- Jeff MacLeod - Acting Chief Executive Officer
- Faye Jennings - Executive Manager
- Romeo Mutsago - Chief Financial Officer
- Emmanuel Okumu - Governance Manager
- Murray Davies - Director of Corporate Services
- Brody Moore - Director of Operations and Remote Communities
- Gillian Molloy - Director of Community Development
- Ryan Francis - Acting Director - Tennant Creek
- Barry Natrass - Work Health and Safety Manager



### 1.3 Visitors Present

Nil

### 1.4 Apologies and Leave of Absence

Nil

### 1.6 Review of Disclosure of Interest

There was no declared interest in any item on this Agenda.

## 2 CONFIRMATION OF PREVIOUS MINUTES

### Confirmation of previous Minutes

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#### 2.1 Confirmation of previous minutes

##### **MOTION**

That Council receives and confirms the minutes from the ordinary meeting of council held on 24 April 2024 and minutes of special meeting of council held on 3 May 2024 as true and accurate records of those meetings.

##### **Resolution;**

**That council makes changes to item 6.2, to read that the Tennant Creek Speedway Club seeks further support from council in the next financial year.**

##### **RESOLVED**

**Moved: Peter Holt**

**Seconded: Peter Holt**

{carried-unan}

*Resolved OMC-24/155*

##### **Minute note**

The Official Manager said that Council would like to offer them support in the new financial year if they decide to ask for further support.

### 3 ACTIONS FROM PREVIOUS MINUTES

#### **Actions from previous Minutes**

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##### **3.1 Action Register**

###### **MOTION**

That Council

1. Receives and notes the items in the action register.
2. Resolves to make any other direction in relation to the actions in the register.

###### **Resolution;**

**That council receives update from the CEO regarding status of the items in the register and closes items that are marked as complete.**

###### **RESOLVED**

**Moved: Peter Holt**

**Seconded: Peter Holt**

{carried-unan}

*Resolved OMC-24/156*

###### **Minute note**

The Official Manager requested an update about the Animal Management and the issue of the MOU (Memorandum of Understanding) with the vet practice.

The A/CEO informed Council that the new MOU has been drafted and sent to the vet with the intention to initiate negotiations until a proper understanding is reached that will guide animal management and vet practice in the region. He also said there will be a proper schedule of vet practice visits to the community, and this will enable Council to alert LA's (Local Authorities) of when the vet will be in their community. We'll have a booking officer who will be responsible for making accommodation bookings in all locations and if we know early enough, we can make those bookings and guarantee accommodation. We want the Animal Management Advisory Group to do an evaluation of the program about whether it's effective, what's the objective of it, and what's coming out of it. So, part of it was to look at census and population, whether we're controlling the population and what percentage of dogs are being neutered or sterilised.

On the issue of Collin Baker, the Official Manager said that this item should now be closed as the point was focused on receiving items from the Community to be included in the Regional Plan, so that has basically been done and the draft regional plan issued.

## 5 OFFICIAL MANAGER'S REPORT

On CEO recruitment, the Official Manager provided an update:

As Council has been through a recruitment process for the CEO, and is pleased to announce that Chris Kelly, a former employee of West Arnhem Regional Council (operations manager) and currently CEO of an organisation that provides veterinary services across North Queensland, he has accepted the position to commence from 1 July. John Browleit of Anson was selected as the recruiting agency, the panel being Brian Pedwell, the Mayor of Victoria Daly Regional Council, Simone Salek, the CEO of the Women's Refuge in Tennant Creek, Jeff and myself.

Investigators report went to the Minister on the 12 of March they were given until 15<sup>th</sup> of May to provide their feedback.

We requested to be given the opportunity to have the report on the issues raised around governance so that we can start to improve in those areas. However, this has not yet been made available to us.

It's important that this recommendation is not lost but improvement be made in the governance area.

The Official Manager thanked the CEO, ELT and especially Murray Davies the Director of Corporate Services for putting in long hours of work to make the regional plan successful.

## 6 CHIEF EXECUTIVE OFFICERS REPORTS

### Chief Executive Officers Reports

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#### 6.1 AMAC Chairperson

##### **MOTION**

That the Official Manager resolves to appoint the Animal Management Advisory Committee Chairperson.

##### **Resolution;**

**That council resolves not to appoint the AMAC Chairperson.**

##### **RESOLVED**

**Moved: Peter Holt**

**Seconded: Peter Holt**

{carried-lost}

*Resolved OMC-24/157*

##### **Minute Note;**

The Official Manager advised that his understanding is that the principal member is the chair for all committee meetings.

(The governance manager during the meeting break, advised the A/CEO that under the Act, the chair of the committee is a member appointed by council to be the chair of the committee).



## 7 FINANCE REPORTS

### Finance Reports

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#### 7.1 Finance Directorate Report - YTD 30 April 2024

##### MOTION

That Council receives and notes the Finance Report for the YTD 30 April 2024.

##### Resolution.

**That Council receives and notes the Finance Report for the YTD 30 April 2024 and requests the CFO to make further follow-up with the Bank regarding the transfer of funds and including of the CEO as one of the signatories.**

##### RESOLVED

**Moved: Peter Holt**

**Seconded: Peter Holt**

{carried-unan}

*Resolved OMC-24/158*

##### Minute Note:

CFO Informed Council that there is urgent need for the Council to do more hunting for grants as that would help free up overburdening of the little untied funds through fees, charges, administration fees, that will then give us the money that we can then put back into our assets.

The Official Manager requested an update regarding the trust account that was approved yet seems to have not been concluded. He asked what is happening with signatories for that and why the Acting CEO Jeff has not yet been added to that?

CFO In reply, informed Council that he had attempted twice to communicate with the Bank, and he was informed that it was being done. He said he also does not know the reason for the hold up there, but he will communicate with them again and do a further follow-up.

The A/CEO said he was less than impressed with the bank and he wished that there was another option in town, and would have changed banks by now.

The Official Manager said the whole point of moving all our funds out of Westpac is now not being achieved as months later we still do not have access to the account.

The CEO said the focus is for this action to happen prior to the end of the financial year. The money must be transferred out of that account and put where council has decided.

The Official Manager further asked for an explanation on the reason for the overspends.

The CFO in reply said that this resulted from the lack of equipment, as in the case of the plant and machinery, the \$67,000, is mainly hire costs. BRC is hiring a large piece of equipment at present, which is costing \$11,000 a month, for the operation of our waste management facility.

This has resulted in half a million dollars over budget in that area; unfortunately, it was unavoidable at the time as services had to continue.

There are also overspends on the LAs, addressed as instead of having 12 meetings a year, LAs will meet six times yearly, as the expenses apparently of running the LAs have been well over what was budgeted. A policy may be required relevant to that.

The CFO further informed the Council that the Finance Directorate is concerned about the overspend around overtime payments. He said these risks are straining Councils budget especially for the nonfunded programs. The CFO said he would be okay if the overtime is minimal, policy around approval is followed and work falls outside the staff's normal work hours.

He said, as most programs are non-funded, overtime needs to be reduced otherwise it risks impacting the budget and service delivery.

The Official Manager asked whether this was happening across the board or in particular areas?

The CFO said the concern was mainly around the youth centre and swimming pool staff where overtime seems to be high and may not be sustainable over time.

The A/CEO said that while there is an issue of overspend and overtime payments, it seems to be reflective of Tennant Creek area. In the community, staffing levels have been low and challenging. BRC really needs to ensure that service levels out in the community are not affected, preferably to fill vacancies there with local people.

The Official Manager further asked why the matter of purchase orders is still in the public session rather than the confidential session.

The A/CEO in reply said it will be presented in the confidential meeting following OCM.

The A/CEO said he has directed all directors to review all outstanding purchase orders with their staff prior to the financial year ends as there may be a number of purchase orders which have been created that for whatever reason did not proceed, resulting in a commitment within the financial system. Understanding this will help us get a much better picture of what our real financial situation is.

## 8 CORPORATE SERVICES DIRECTORATE REPORTS

### Corporate Services Directorate Reports

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#### 8.1 Corporate Services Directorate Report

##### **MOTION**

That Council receives and notes this report

##### **Resolution;**

**That Council receives and notes the Corporate Services Directorate report.**

##### **RESOLVED**

**Moved: Peter Holt**

**Seconded: Peter Holt**

{carried-unan}

*Resolved OMC-24/159*



**Minute Note:**

The Director of Corporate Services informed Council that the current annual plan has been reviewed and assessed against its KPIs (key performance indicators).

There are currently seven key goal areas determined by Council, which includes services, facilities and programs, council and community infrastructure, leadership and governance, tourism and economic development, culture, environment and heritage, stakeholder engagement and employer of choice, with 57 main deliverables across those seven areas.

The ELT (Executive Leadership Team) has determined that of these twenty-two have been achieved yet may also be ongoing, twenty-four are progressing and appropriately embraced multiple years to achieve.

Three embraced services either Council does not provide or provided by NTG (Northern Territory Government).

The remainder were either dependent upon receiving grant funding or with unmeasurable KPIs and if appropriate will be reformatted within the 24-25 Plan. Council staff have prepared the 2024-2025 strategic and operational plans, with the strategic plan to be presented to this meeting. (A pie chart was presented highlighting the above)

On the issue of the workforce requirement to possess valid Working with Children Check Cards, the Director noted that one the issues is that individuals, particularly new staff members, appear not to have sufficient ID point scores to apply for such. Human Resources are addressing this matter.

The A/CEO said he had raised this at the Economic Committee, which was discussing this exact matter. It is not just a matter that is unique to us. There are many businesses in town with the same issue, waiting on Ochre Cards, White Cards and matters like that as well.

The problem has been for the person to be able to produce sufficient 100 points to submit the application. Unfortunately, there's no one in town here, I believe, who does what Tang does. In Alice Springs, they provide an ID card which is approved as a form of ID for people who don't have a driver's license or anything else, any other photo ID.

The Official Manager said maybe something that I think we can start looking at now is how we can get 100 points up for these people to make our work force in the community stable.

## 9 COMMUNITY DEVELOPMENT DIRECTORATE REPORTS

### Community Development Directorate Reports

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#### 9.1 Community Development Directorate Report

##### **MOTION**

That Council receives and accepts the Community Development Directorate report.

##### **Resolution;**

**That Council receives and accepts the Community Development Directorate report.**

##### **RESOLVED**

**Moved: Peter Holt**

**Seconded: Peter Holt**

{carried-unan}

*Resolved OMC-24/160*

##### **Minute Note:**

The Director informed Council that there have been operational challenges due to absenteeism, unauthorised absence in some communities which if not checked, can affect levels of service delivery.

Elliott Safehouse is running very smoothly with our acting coordinator, supported by local staff doing a great job there. However, we still have issues in Alpururulum and in Ampilatwatja due to staffing. This potentially could affect our funding and I'm seeking for some sort of resolution on that.

The Official Manager asked for clarification on the Safehouse, whether council has statistics of people using them?

In reply, the director said yes, they are happy to provide if required.

The Official Manager said it does not necessarily need to be forwarded to him, but he just wanted to know, because there was a question in Tennett Creek yesterday about the Safehouse receives 50 times as many requests as there is capacity for and this made him wonder whether Council has capacity, and whether the services Council is providing are actually being used and whether people are aware of them?

The Director in reply said Yes. She informed Council that it was one of the items she was going to mention. There's been a decline in Ali Curung. We speak to the Police quite a lot and a lot of our referrals come from them, but there has been a decline for this service in Ali Curung. The Director commented that she was not aware whether it is due to shelter seekers leaving community and going elsewhere, but going forward will provide a report on that.

The Official Manager said it does not necessarily require the numbers in the report, but whether there is adequate support for referrals.

The Director further informed the Council that Youth, Sport and Recreation programs have not been running in Ampilatwatja and Ali Curung. The Director indicated that there is an intention to resolve this shortly and resume delivery of these programs.

There have been break-ins reported to the last LA meeting. Currently there are 14 vacancies in community safety. The team will be going out and supporting the community at the country and town AFL match that are coming up.

The Aged Care program addresses the needs of 74 elders. Again, the challenge is unauthorised staff absences. On a brighter side, last week the notification was received that we were successful in obtaining \$628,000 from the Department of Health and Aged Care to upgrade our facilities.

## 10 TENNANT CREEK DIRECTORATE REPORTS

### Tennant Creek Directorate Reports

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#### 10.1 Mural Artwork to Purkiss Park Assets

##### MOTION

That the Council receives and considers the proposal by Anyinginyi Health Aboriginal Corporation.

##### Resolution;

**That Council supports the proposal, seeks a copy of the proposal and suggests they wait until works at Purkiss Reserve are finished and grass take root, due to dust around the area.**

##### RESOLVED

**Moved: Peter Holt**

**Seconded: Peter Holt**

{carried-unan}

*Resolved OMC-24/161*

## Tennant Creek Directorate Reports

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### 10.2 WaRM Funding 23/24 Project Recommendation

#### **MOTION**

That the Council receives and notes the following recommendations for the acquittal of the 23/24 WaRM Funding.

#### **Resolution;**

**That Council Supports and endorses the project.**

#### **RESOLVED**

**Moved: Peter Holt**

**Seconded: Peter Holt**

{carried-unan}

*Resolved OMC-24/16*

## Tennant Creek Directorate Reports

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### 10.3 Director Tennant Creek Report

#### **MOTION**

That the Council receives and notes the April report from the Tennant Creek Directorate.

#### **Resolution;**

**That Council received and noted the report from the Tennant Creek Directorate.**

#### **RESOLVED**

**Moved: Peter Holt**

**Seconded: Peter Holt**

{carried-unan}

*Resolved OMC-24/163*

## 11 OPERATIONS DIRECTORATE REPORTS

### Operations Directorate Reports

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#### 11.1 Barkly Region - Local Authority Minutes and Actions

##### MOTION

That Council;

1. Notes and accepts the Minutes of the Ali Curung, Ampilatwatja and Tennant Creek Local Authority Committee meeting minutes, as accurate records of meetings.
2. Notes and approves the recommendations contained with the minutes of the Local Authority Meetings held in Ali Curung, Ampilatwatja and Tennant Creek.
3. Notes and approves the following new actions established by the Local Authorities:
  - Ampilatwatja – That Council approves the purchase of two (2) new commercial washing machines.
  - Tennant Creek – to note and accept the Stolen Generation correspondence from Ms. Lorraine Gibson

##### Resolution;

**That council accepts and approves the LA recommendations and directs the CEO to report the council decision back to LA's.**

##### RESOLVED

Moved: Peter Holt

Seconded: Peter Holt

{carried-unan}

*Resolved OMC-24/164*

### Operations Directorate Reports

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#### 11.2 Operations Directorate Report

##### MOTION

That Council notes and accepts the Operations Directorate and Service Delivery Report.

##### Resolution;

**That Council noted and accepted the Operations Directorate and Service Delivery Report.**

##### RESOLVED

Moved: Peter Holt

Seconded: Peter Holt

{carried-unan}

*Resolved OMC-24/165*

## 14 CORRESPONDENCE

### Correspondence

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#### 14.1 Correspondence

##### MOTION

That Council receives and notes the BRC incoming and outgoing correspondence since the last OCM.

##### Resolution;

**That council defer this matter until elected members are reinstated or new council is elected, and they can then make decision on how they want it.**

##### RESOLVED

**Moved: Peter Holt**

**Seconded: Peter Holt**

{carried-unan}

*Resolved OMC-24/166*

##### MINUTE NOTE;

CEO said a copy of that first letter about superannuation for Council will probably be a matter more relevant once we have the Councillors back in place. It has been an ongoing question for many years.

The issue behind it is mainly that the principal members are effectively nearly full time, particularly in the large communities, large towns. Particularly, younger members who may be mayors or presidents give up four years in their term and then do not receive superannuation during that time which can have long term effects in their older years.

The problem is the ATO deems elected members to be that (elected members) and not staff members.

This is an issue that the department has been looking into. It is reviewing various sections that it refers, e.g., around recommendations that if a council member receives a pension would entering into a PAYG arrangement and receiving super affect their pension?

So, I encourage all councils to consider opting into the PAYG arrangements enabling members to be paid superannuation on top of their allowances which would be consistent with the enduring national policy goal of helping more Australians be financially well prepared in retirement. It would be appreciated if you could table a copy of this letter at the next council's next ordinary meeting.



## 15 DECISION TO MOVE INTO CONFIDENTIAL SESSION

### Resolution;

That members of the press and public be excluded from the meeting of the Closed Session and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld. This action is taken in accordance with *Section 99(2) of the Local Government Act 2019 and Regulation 51 of the Local Government (General) Regulations 2021* as the items listed to be discussed are of a confidential nature.

### RESOLVED

Moved: Peter Holt

Seconded: Peter Holt

{carried-unan}

Resolved OMC-24/167

At 11:50 am, the meeting moved to confidential session.

## 15.1 Tender Close- Street Lighting Project Kargaru Camp Road & Elliot

### REASONS FOR CONFIDENTIALITY

*Status 51(1)(c)(i) - This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(i) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to: cause commercial prejudice to, or confer an unfair commercial advantage on, any person.*

Confidential Motion

That council

1. Notes and accepts the quotations received for the supply of solar lighting for projects BRC02-24 & BRC03-24.
2. Approves the recommended quotation received from Leadsun Australia Pty Ltd for \$119,356.60.
3. Seeks clearance from CLC for the project to commence.
4. Resolves to move the successful quotation into open council and display publicly.

### Confidential Resolution

That council

1. Notes and accepts the quotations received for the supply of solar lighting for projects BRC02-24 & BRC03-24.
2. Approves the recommended quotation received from Leadsun Australia Pty Ltd for \$119,356.60.

3. Seeks clearance from CLC for the project to commence.
4. Resolves to move the successful quotation into open council and display publicly.

**RESOLVED**

**Moved: Peter Holt - Official Manager**

**Seconded: Peter Holt**

**Resolved OMC-24/151**

## **15.2 Tender Close- Supply of Weighbridge for Tennant Creek Landfill**

### **REASONS FOR CONFIDENTIALITY**

*Status 51(1)(c)(i) - This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(i) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to: cause commercial prejudice to, or confer an unfair commercial advantage on, any person.*

Confidential Motion;

That Council

1. Receives and notes the procurement process as a select tender due to the specialized nature of the project supply of weighbridge BRC 01-24
2. Approves the recommended quotation received from Australian Weighing Equipment RFQ001-24 for the supply of a weighbridge to Tennant Creek Landfill project BRC01-24 for \$141,752.06.
3. Resolves to move the successful tender into open and displays publicly.

**Confidential Resolution;**

- 1. Receives and notes the procurement process as a select tender due to the specialized nature of the project supply of weighbridge BRC 01-24**
- 2. Approves the recommended quotation received from Australian Weighing Equipment RFQ001-24 for the supply of a weighbridge to Tennant Creek Landfill project BRC01-24 for \$141,752.06.**
- 3. Resolves to move the successful tender into open and displays publicly.**

**RESOLVED**

**Moved: Peter Holt - Official Manager**

**Seconded: Peter Holt**

**Resolved OMC-24/152**

## 15.3 Confidential Action Register

### REASONS FOR CONFIDENTIALITY

*Status 51(1)(d)* - This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(d) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information subject to an obligation of confidentiality at law, or in equity.

### Resolution;

That pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 50(1) of the Local Government (General) Regulations 2021 the meeting be re-opened to the public. 12:15pm.

### RESOLVED

Moved: Peter Holt

Seconded: Peter Holt

{carried-unan}

Resolved OMC-24/168

## 16 NEXT MEETING AND MEETING CLOSE

The next OMC meeting is scheduled for 28 June 2024.

The Meeting closed at 12.20pm