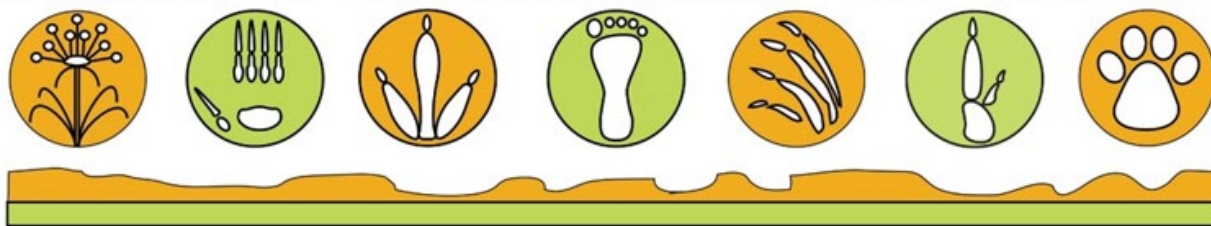


BARKLY REGIONAL COUNCIL



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 Friday 29 November 2024 at 9:00 am.

Chris Kelly
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.

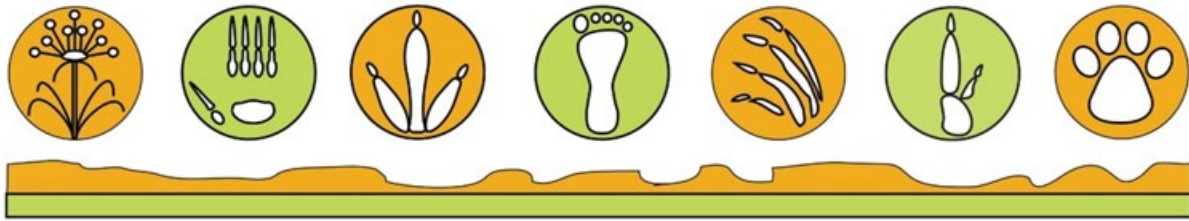
We want to ensure that our services are sustainable and that our region has a standard consistent level of services.

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 Countries on which Barkly Regional Council live and work, the lands which we meet on today, 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.

AUDIO RECORDING OF MEETING

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

1 MEETING OPENED

MEETING OPENED at 10 AM.

An audio recording of this meeting is being made for minute taking purposes as authorised by Council Policy. Councillors may request, via motion and majority vote if required, that no audio recording is made where issues of legitimate cultural or spiritual significance are to be discussed. Recordings are held in accordance with the outlined policy and Council's Privacy policy.

2 WELCOME

The Mayor, Sid Vashist welcomed those present to the meeting and acknowledged the traditional owners of the land. He informed all present that an audio recording of the Council meeting was being made for minute taking purposes as authorised by Council policy.

3 ATTENDANCE AND APOLOGIES

ITEM NUMBER: 3.1

TITLE: Attendance and Apologies

Elected Members Present

- Mayor Sid Vashist
- Cr. Ben Neade
- Cr. Darryl Rex Morton
- Cr. Dianne Stokes
- Cr Greg Marlow
- Cr Lennie Barton
- Cr. Noel Hayes (Deputy Mayor)
- Cr. Pennie Cowin
- Cr. Sharen Lake
- Cr. Valda Napurrula Shannon
- Cr. Valerie Campbell
- Cr. Zacieus Long

Staff Members Present

- Chris Kelly - Chief Executive Officer
- Susan Steele - Director of Community Services
- Sunil Neupane - Acting Chief Financial Officer
- Suryateja Godavarthi - Acting Director Infrastructure/Fleet
- Emmanuel Okumu - Governance Manager

Visitors Present

- Jeff MacLeod - Outgoing Official Manager
- Linda Weatherhead - Director, Strategic Projects and Development - NTLGU
- Sarah Strzelecki- Manager Compliance - NTLGU
- Grant Hanson – Guest

MOTION

That Council:

- a) noted the attendance.
- b) accepted the apologies received from Elected Members Andrew Tsavaris; and
- c) noted there were no absences without notice.

RESOLVED

Moved: Cr. Noel Hayes

Seconded: Cr. Dianne Stokes

CARRIED UNANIMOUSLY

Resolved OMC-24/309

4 LEAVE OF ABSENCE

ITEM NUMBER: 4.1

TITLE: Leave of Absence

MOTION

That Council:

- a) noted that no Elected Members made submissions for Leave of Absence; and
- b) noted the Senior Staff Members who will be on leave and Officers Acting in the role as follows;
 - a) CEO leave dates 16th December – 5th January. Acting CEO = Chief Operations Officer = Brody Moore.
 - b) Director of Infrastructure and Fleet leave dates 22nd November – 5th January. Acting Director of Infrastructure and Fleet = Suryateja Godavarthi.
 - c) Director of Community Services leave dates 23rd December – 6th January. On call for Community Care = Regional Manager Community Care, Rajib Thapa.

RESOLVED

Moved: Cr. Dianne Stokes

Seconded: Cr. Ben Neade

CARRIED UNANIMOUSLY

Resolved OMC-24/310

5 COUNCIL CODE OF CONDUCT

ITEM NUMBER: 5.1

TITLE: Council Code of Conduct

MOTION

That Council noted the Council Code of Conduct.

RESOLVED

Moved: Cr. Greg Marlow

Seconded: Cr. Pennie Cowin

CARRIED UNANIMOUSLY

Resolved OMC-24/311

6 CONFIRMATION OF MINUTES

NUMBER: 6.1

TITLE: Confirmation of previous meeting 31 October 2024

MOTION

That the Councils noted the Minutes of the 31 October 2024 was confirmed by the Official Manager - Jeff MacLeod as a true and accurate record of that Meeting.

RESOLVED

Moved: Cr. Lennie Barton

Seconded: Cr. Ben Neade

CARRIED UNANIMOUSLY

Resolved OMC-24/312

Key Notes

The discussion was that since all the newly elected members were not present in that meeting, The Official Manager who was in that meeting has confirmed the minutes as an accurate record of the proceeding. The Mayor informed Elected Members that they can still through the minute and understand what was discussed and resolved upon.

7 ACCEPTANCE OF THE AGENDA AND NOTIFICATIONS OF GENERAL BUSINESS

ITEM NUMBER: 7.1

TITLE: Notification of General Business Items

MOTION

That members raised matters to be discussed in General Council Business as follows:

1. Letter requesting Council to donate \$1000 towards the HIPPY Program, JCAC. -By the Mayor.
2. Bulk Rubbish Collection by Cr Marlow.
3. Update on Barkly Regional Deal – By Deputy Mayor
4. Council's Independent Auditors tenure vs the Act requirement – By the Mayor
5. Elected Members meals allowance – By Cr Stoke

RESOLVED

Moved: Cr. Sid Vashist

Seconded: Cr. Valda Napurrula Shannon

CARRIED UNANIMOUSLY

Resolved OMC-24/313

ITEM NUMBER: 7.2

TITLE: Acceptance of Agenda

MOTION

That the papers circulated were received for consideration at this meeting.

RESOLVED

Moved: Cr. Sharen Lake

Seconded: Cr. Darryl Rex Morton

CARRIED UNANIMOUSLY

Resolved OMC-24/314

8 CONFLICTS OF INTEREST

ITEM NUMBER: 8.1

TITLE: Conflict of Interest

MOTION

That Council:

- a) noted the Conflict of Interest Policy;
- b) that members did not declare any new Conflicts of Interest.

RESOLVED

Moved: Cr. Dianne Stokes

Seconded: Cr. Sharen Lake

CARRIED UNANIMOUSLY

Resolved OMC-24/315

9 NOTICES OF MOTION

Nil

10 RESCISSION MOTIONS

Nil

11 LOCAL AUTHORITY AND COUNCIL COMMITTEES

ITEM NUMBER: 11.1

TITLE: Draft Minutes of Local Authority Meetings

EXECUTIVE SUMMARY

The council considers the minutes of each Local Authority Ordinary Meeting or Provisional Meeting at the next Ordinary Council Meeting.

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

The Local Authority meetings covered in this report include:

- Alpururulam – 24/10/2024
- Arlparra – 04/11/2024

MOTION

That Council:

Alpururulam:

- a) Approves the recommendations contained within the minutes of the Ordinary Local Authority Meetings held in Arlpururulam.**
- b) notes the following new projects established by Alpururulam Local Authority:**
 - Approval of the quote provided for works adjacent to Basketball Court and allocated the funds \$9,339 towards that.
 - LA has allocated \$2,000 for the installation of the Give-Way signs.

Arlparra:

- c) Approves the recommendations contained within the minutes of the Ordinary Local Authority Meetings held in Arlparra.**
- d) notes the following new projects established by Arlparra Local Authority :**
 - LA has allocated \$63,242 for the remedial works of the Basketball court.

RESOLVED

Moved: Cr. Valerie Campbell

Seconded: Cr. Zacieus Long

CARRIED UNANIMOUSLY

Resolved OMC-24/316

Key Notes

1. The Council asked why the projects submitted were just for noting rather than for the Council's consideration and approval.
2. The Mayor informed members that through the delegation register that this new Council has inherited, the CEO has the delegation to approve LA projects.
3. The CEO clarified that the LA approves its own project, and the CEO's role in approval is just to check and confirm that the LA project meets the requirements under the Act and legislation.
4. He further explained that the CEO was delegated approval of LA funds to avoid delaying the LA projects in case the Council goes to a bi-monthly meeting.

ITEM NUMBER: 11.2

TITLE: Appointments of Elected Members to Local Authorities

EXECUTIVE SUMMARY

The report provides the Council with the recommendation to appoint elected members into the Local Authority meetings.

MOTION

That Council

- a. **appoints elected members into the Local Authority meetings.**

Amended Motion

- b. **Authorise elected members from other wards to be members and attend meetings of other LA wards to avoid even votes and overloading one Elected Member.**
- c. **Set numbers for each LA membership and appoints the following elected members to the LA's as below.**

Ali Curung LA Meeting

To have 7 LA members and 2 Elected Members.

The Elected Members includes (Cr Andrew Tsavaris and Cr. Noel Hayes)

Alpurrurulam LA Meeting

To have 7 LA members and 2 Elected Members.

The Elected members includes (Cr Valerie Campbell and Cr. Noel Hayes)

Ampilatwatja LA Meeting

To have 9 LA members and 2 Elected Members.

The Elected Members to include (Cr. Zacieus Long and Cr. Darryl Rex Morton)

Arlparra LA Meeting

To have 9 LA members and 2 Elected Members.

Elected Members to include (Cr. Zacieus Long and Cr. Darryl Rex Morton)

Elliott LA Meeting

To have 7 LA members and 2 Elected Members –

Elected Members to include (Cr. Lennie Barton and Cr. Ben Neade).

Council encourages having nomination from Marlinja (Newcastle Waters) in the Elliot LA.

Tennant Creek

To have 9 LA Members and 2 Elected Members plus a proxy of 1. If any of the two Elected Members cannot attend the LA meeting, Cr Sharen Lake will be the proxy.

The Elected Members include (Cr. Pennie Cowin and Cr Greg Marlow and Cr. Sharen Lake is the proxy)

Epenarra (Wutunugurra) LA Meeting

To have 10 LA members plus 2 Elected Members.

The Elected Members to include (Cr Hayes and Cr. Valda Napurrula Shannon)

RESOLVED

Moved: Cr. Sharen Lake

Seconded: Cr. Pennie Cowin

CARRIED UNANIMOUSLY

Resolved OMC-24/317

Key Notes

1. The discussion was around supporting each other as one united Council rather than looking at it as one Elected Members ward.
2. Elected Members said that there are Council Wards with strong LA Memberships like Alpururulam Ward yet there is only one Elected member.
3. Members pointed that this would overload one member if they had to attend all the LA meetings.
4. Members agreed that policy be changed to allow Elected Members different wards to attend an LA meeting of another Ward.
5. Based on that background, members were appointed to attend LA meetings across different wards to avoid having even numbers during voting and support Elected Members whose wards have several LA meetings.
6. It was pointed out that Council meeting policy allows attendance via audio visual facilities provided by the BRC. Members from one location can attend a meeting happening in another far location via teams if they can't make it in person.

ITEM 11.3
NUMBER:
TITLE: Council Committees Register and Abolition

EXECUTIVE SUMMARY

The report provides the Council with the register of the previous BRC Committees and their membership.

MOTION

That Council

- a. **Receives and notes the previous BRC committee register and its memberships.**
- b. **Resolves to abolish the Audit and Risk Committee in its current form.**
- c. **Added motion; Send acknowledgment letter thanking the Audit and Risk Committee members for the great work they have done.**
- d. **Resolves to abolish the Regional Advisory Committee.**
- e. **Resolves to abolish the Purkiss Reserve Advisory committee,**
- f. **Added motion; Send an acknowledgment letter to the Purkiss Reserve Advisory Committee Members thanking them for great work they have done.**
- g. **Council resolves that the Mayor should have discussion with the stakeholders including the relevant Minister and let them know Council's position regarding the Purkiss Reserve Upgrades.**
- h. **Obtains government direction on how they wish to progress further stages on the proposed development with a reference to the original scope of works**
- i. **Resolve to abolish the Animal Management Advisory Committee in its current form.**
- j. **Added motion; Send an acknowledgment letter to the Animal Management Advisory Committee Members thanking them for great work they have done.**

RESOLVED

Moved: Cr. Greg Marlow

Seconded: Cr. Pennie Cowin

CARRIED UNANIMOUSLY

Resolved OMC-24/318

Key Notes

1. Elected Members pointed out that the Purkiss Reserve Committee, Audit and Risk Committee and Animal Management Committee members played a vital role in supporting Council and closing the committee is not in any way to discredit the effort and work they did.
2. Members gave example and noted that Purkiss Reserve Committee represented the community voice towards the Purkiss re-development, and their participation will still be required should there be more funding.

3. Members also said the Audit and Risk Committee played vital role in pointing out issues in the Audit report and the outgoing members support as well as involvement will still be vital going forward.
4. Council also indicated that the Purkiss Reserve re-development still needs to be at the stage the community desired.
5. Members said that their position as a Council is that the Purkiss Project stage, as it is, cannot be called ready and at the final stage. It's actually at the first stage, and this position needs to be made clear to the NT Government before the Park is handed to Council.
6. Council requested the Mayor to discuss this Council's position with the stakeholders, including the Minister, to let them understand that the Purkiss Development stage is incomplete and disappointing plus request the government for a way forward.

Meeting posed for break 11:15 AM.

Meeting Back in Session 11:29 AM.

ITEM NUMBER: 11.4
TITLE: Council Committee Establishment

EXECUTIVE SUMMARY

The report provides the Council with the register of the previous BRC Committees and their membership.

MOTION That Council

- a. Resolve to establish a Finance Committee and approve the committee terms of reference attached.
- b. Resolve to establish the Audit & Risk Committee and approve the committee terms of reference attached.
- c. Resolve to establish the Animal Management Committee and approve the committee terms of reference attached; or
- d. Make any other direction.

Amended Motion

- e. **Resolve to establish the Audit & Risk Committee and the membership to consist of the Chief Executive Officer, Chief Finance Officer, Independent Chair, the Mayor, and 4 Elected Members. (Cr Noel Hayes, Cr Valda Napurrula Shannon Cr. Pennie Cowin, Cr. Ben Neade)**

- f. **Resolve to re-appoint Mr. Shane Smith - The Current Chair as the Audit & Risk Committee Chair to enable continuity.**
 - a. **Resolve to establish the Animal Management Advisory Committee and the membership to consist of the CEO, COO, the Mayor, 1 representative from the Barkly Vet Practice and (4 Elected Members) - Cr Sharen Lake, Deputy Mayor Noel Hayes, Cr Lennie Barton, Cr Zacieus Long.**
 - b. **Council requests the CEO to contact and invite the Barkly Vet Practice to be a member of the Animal Advisory committee.**
 - c. **Resolved to establish the Finance Committee and the membership to consist of the CEO, CFO, the Mayor, Deputy Mayor, (3 Elected members) - Cr. Sharen Lake, Cr. Lennie Barton, Cr Greg Marlow.**

RESOLVED

Moved: Cr. Greg Marlow

Seconded: Cr. Noel Hayes

CARRIED UNANIMOUSLY

Resolved OMC-24/319

Key Notes

1. The discussion was that this being a Council committee, it should have more Elected Members and possibly some independent members and less Staff members.
2. The reason pointed was that there might be conflict of interest with staff members who oversee Council operation being able to advise Council against their own actions.
3. The Council resolved that membership be amended to consist of more elected members and fewer staff members.
4. Also, members pointed that membership should not focus on Wards alone but Council as a team as well as having the relevant understanding of the activities expected of the Committee.
5. Members gave example of the Finance Committee. It was agreed that membership of this committee needs to consist of individuals who understand accounting terms and figures so that they can quickly understand and scrutinise what the Officers are presenting and advise Council accordingly.

12:29 PM Cr. Valda Napurrula Shannon left the meeting

12 :35 PM Cr Valda Napurrula Shannon Returned to the meeting.

12 STANDING ITEMS REPORT

ITEM NUMBER: 12.1

TITLE: Action Register

EXECUTIVE SUMMARY

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

MOTION

That Council:

- a) notes the progress on the actions in the register; and
- b) makes any other direction.

Council Direction

- c) hard copies of annual report made available in the December OCM and copies be distributed to all communities within the Council area.

RESOLVED

Moved: Cr. Lennie Barton

Seconded: Cr. Greg Marlow

CARRIED UNANIMOUSLY

Resolved OMC-24/320

Key Notes

1. The discussion was that the Council should still find a way to write to Chris Neade to acknowledge his significant contribution to Elliot LA and the need for his continued support in the Barkly.
2. Hard copies of the annual report should be given to each Elected Member in the December OCM.
3. Copies of the report be distributed to communities as well.

Standing Items Report

12.2 Common Seal Document
<p>MOTION</p> <p>That Council resolves to approve the affixing of the Common Seal for the Capital Grant Funding Agreement attached.</p> <p>RESOLVED Moved: Cr. Noel Hayes Seconded: Cr. Valda Napurrula Shannon</p> <p><i>Resolved OMC-24/321</i></p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>

ITEM NUMBER: 12.3
TITLE: Outgoing Correspondence Report

EXECUTIVE SUMMARY

This report provides Councillors with an update on correspondence sent by the BRC in the period following the past Council meeting.

12.3 Outgoing Correspondence Report
<p>MOTION</p> <p>That Council</p> <ul style="list-style-type: none"> a. note the correspondence sent by BRC in this reporting period. b. make any other direction. <p>Amended Motion.</p> <ul style="list-style-type: none"> c. Note that this was a Council resolution that a letter be written to CouncilBiz ending our services with them, but was never actioned. It has now been actioned through this outgoing correspondence. <p>RESOLVED Moved: Cr. Noel Hayes Seconded: Cr. Sharen Lake</p> <p><i>Resolved OMC-24/322</i></p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>

Key Notes

1. The Mayor mentioned he had received some correspondence and it will be included in the agenda in the next OCM.
2. Members indicated their disappointment to learn that Council made a resolution, but this was not actioned. They said this costed Council a big sum of money and continues to cost Council as CouncilBiz and Telstra still needed to be paid, which is potentially doubling up council expenditure with no additional services provided by them.
3. They pointed out that this is one of the areas where Official Manager failed to control and ensure that his resolutions were being implemented.

ITEM NUMBER: 12.4

TITLE: Incoming Correspondence Report

EXECUTIVE SUMMARY

This report provides Councillors with an update on correspondence received by the BRC in the period following the previous Council meeting.

MOTION

That Council

- a. receives and notes the correspondence received by BRC in this reporting period.
- b. make any other direction.

Added Motion

- c. Writes to PowerWater seeking further information regarding water issues in Alpururulam community.
- d. Does not to support a response to the letter and wishes Diane Hood well with her PhD program.
- e. Resolves to authorise the granting of sponsorship for \$2000 to the Tennant Creek High School.
- f. Send a letter to Mayor John Wilson to congratulate him.
- g. Note as received only but not do anything further regarding the resolution and information provided by Port Hedland Council.

RESOLVED

Moved: Cr. Dianne Stokes

Seconded: Cr. Valerie Campbell

CARRIED UNANIMOUSLY

Resolved OMC-24/323

Key Notes

1. The Mayor and Cr. Valda Napurrula Shannon will be attending the high school award ceremony.
2. Discussion around not supporting Diane Hood's PhD request was that due to the Council being newly elected and Council just coming out of administration and investigation, much time is needed for the new Council to settle and learn a lot on how to do better. As such, the environment does not fit supporting the PhD program.

The discussion around the Port Hedland Council resolution was that people took COVID-19 vaccines through advice from the Australian Government's trusted medical body and their confirmation was that it was safe. Members concluded that being aware that there is misinformation out there, this sort of information may be seeking to cause unnecessary fear-mongering in the community, therefore, should be ignored and not acted upon.

13 OFFICIAL MANAGER, AND CEO'S REPORT

ITEM NUMBER: 13.1

TITLE: Official Manager's Report

EXECUTIVE SUMMARY

This report details the meetings attended and official activities by the Official Manager - Jeff MacLeod since the last OCM.

MOTION

That Council receives the Official Manager's Report for the months of November 2024.

RESOLVED

Moved: Cr. Noel Hayes

Seconded: Cr. Dianne Stokes

CARRIED UNANIMOUSLY

Resolved OMC-24/324

Key Notes

1. The Official Manager - Jeff MacLeod, thanked the newly elected members for putting their hands up to serve their community. He said that starting today, this area of the report will now be the Mayor's section of the report.
2. He said the Council has a great representation that includes the youngest elected member in history, and this is good because it will show the young people that they have a voice in Council and it helps prepare the next generation.



3. The Outgoing Official Manager further appreciated the staff's tremendous effort to support him and his predecessor, Peter Holt. He said enormous work has been done and believes the Council is now in a better position.

Meeting Posed for Lunch 1:00 PM

ITEM NUMBER: 13.2

TITLE: NTEC - BRC Result 2024

EXECUTIVE SUMMARY

The purpose of this report is to formally present to Council the advice received from the Northern Territory Electoral Commission (NTEC) regarding the result of the general election for the Barkly Regional Council held on 2 November 2024

MOTION

That Council

1. **notes and accepts the notification by NTEC as to the result of the 2024 local government general election for BRC; and**
2. **posts the result to Council's website.**

RESOLVED

Moved: Cr. Greg Marlow

Seconded: Cr. Sharen Lake

CARRIED UNANIMOUSLY

Resolved OMC-24/325

ITEM NUMBER: 13.3

TITLE: Appointment of deputy principal member.

EXECUTIVE SUMMARY

The report provides the Council with the opportunity to appoint deputy principal member. Council is encouraged to undertake a secret ballot to determine the Deputy Principal Member of Barkly Regional Council.

MOTION

That Council

1. **Determined that the term of Deputy Principal Member, will be for a term of 12 months;**
2. **unanimously resolves, by a show of hands, to vote on the appointment of the Deputy Principal Member by secret ballot.**
3. **confirms the title of the Deputy Principal Member shall be Deputy Mayor.**
4. **agrees to the rules established for the appointment of the Deputy Principal Member;**
5. **informs the following organisations of the result of the ballot for the Deputy Principal Member: The Northern Territory Electoral Commission; The Department of the Chief Minister and Cabinet (Local Government Division); Barkly Regional Council staff; The Local Government Association of the Northern Territory; and**
6. **The outcome of the ballot to be uploaded to Council's website along with the Deputy Principal Member's photograph; and**
7. **at the conclusion of the declaration of the ballot, all ballot papers be destroyed.**

Added Motion.

- 8.
9. **Noted and Accepted that Cr Noel Hayes is the winner and is declared the Deputy Mayor of Barkly Regional Council.**

RESOLVED

Moved: Cr. Sharen Lake

Seconded: Cr. Darryl Rex Morton

CARRIED UNANIMOUSLY

Resolved OMC-24/326

Key Notes

Council decided to have term of the deputy mayor for 12 months on rotational basis. The reason was that to enable for rotation of the deputy role allows other members to have an opportunity to serve as a Deputy within the elected term.

ITEM NUMBER: 13.4

TITLE: Annual Return of Interest

EXECUTIVE SUMMARY

A Council Elected Member, Committee Member, Chief Executive Officer, Senior Executive and identified Senior Managers must provide details required for each type of interest that the individual holds.

MOTION

That Council

- 1. receives and notes the Annual Return of Interest Declaration Form**
- 2. note that each elected member must fill out the Return of Interest Declaration and submit the completed form to CEO for the register.**

RESOLVED

Moved: Cr. Lennie Barton

Seconded: Cr. Valda Napurrula Shannon

CARRIED UNANIMOUSLY

Resolved OMC-24/327

ITEM NUMBER: 13.5
TITLE: CEO's Report

EXECUTIVE SUMMARY

This report details organisational updates and the meetings attended by CEO Chris Kelly from 25th October 2024.

MOTION

That Council

1. **Receives the CEO's Report for the months of October and November and:**
2. **Notes key personnel leave during Christmas and the CEO's succession plan to ensure business continuity as follows;**
 - a. CEO leave dates 16th December – 5th January. Acting CEO = Chief Operations Officer = Brody Moore.
 - b. Director of Infrastructure and Fleet leave dates 22nd November – 5th January. Acting Director of Infrastructure and Fleet = Suryateja Godavarthi.
 - c. Director of Community Services leave dates 23rd December – 6th January. On call for Community Care = Regional Manager Community Care, Rajib Thapa.

RESOLVED

Moved: Cr. Dianne Stokes

Seconded: Cr. Darryl Rex Morton

CARRIED UNANIMOUSLY

Resolved OMC-24/328

Key Notes

1. The Council asked the CEO to clarify what he has had to do with the functions and staff that were under the Corporate Directorate.
2. The CEO advised that he has divided the different roles into different directorates. He gave the example that until the position of the CFO is filled, roles such as governance, IT and records report directly to the CEO.
3. The Council said the CEO needs to assure the Council that there is a good emergency management plan in place during the period when staff will be standing down and several staff members, including the CEO, will be going on leave.
4. The CEO advised that he will still be available and working during the first week of his leave dates, but the Acting CEO will be the contact point in case of emergencies while he is away.

ITEM NUMBER: 13.6

TITLE: Investigation Progress Report

EXECUTIVE SUMMARY

The report provides the Council with the progress and measures Barkly Regional Council is implementing following the investigation report and the recommendations outlined in the report.

MOTION

That Council

- a. receives and notes the investigation progress report.

Amended Motion

- b. acknowledges the current progress and defers the report pending receiving the updated report from the Department of Housing, Local Government and Community Development.

RESOLVED

Moved: Cr. Noel Hayes

Seconded: Cr. Valerie Campbell

CARRIED UNANIMOUSLY

Resolved OMC-24/329

Key notes

Council agreed to defer the report until the updated version is available. The discussion noted that the CEO indicated many items out of the investigation report had been resolved and that the department was still reviewing the outcome.

ITEM NUMBER: 13.7

TITLE: Establishing Ordinary Meetings Schedule

EXECUTIVE SUMMARY

The report aims to establish a meeting schedule for the term of the Council as required under Section 90 of the Act.

Council is to discuss the schedule of meetings to establish the dates for the Ordinary Council meetings for the remainder of the 2024 calendar year and the term of Council.

MOTION

That Council

- a. **endorse the schedule Date of Ordinary Meeting of Council for one Council term.**
- b. **approve bi-monthly meetings to reduce the impact of travel requirements to Councillors.**
- c. **approve the establishment of the Finance Committee and delegate Council's financial function to the committee as per regulation 19(1).**

RESOLVED

Moved: Cr. Greg Marlow

Seconded: Cr. Darryl Rex Morton

CARRIED UNANIMOUSLY

Resolved OMC-24/330

Key Notes

1. The Council considered going to bi-monthly meeting due to the following reasons;
2. The CEO explained to the Council that monthly meetings engage staff mainly with writing agenda reports rather than planning and delivering service, which they can then report on. The CEO said bi-monthly meetings will enable staff time to work and finish the project and then report to the Council.
3. Council also considered the geographical location as the majority of the Councillors live hundreds of kilometres away from the meeting location,
4. The Council considered that the Finance committee would still enable it to monitor its Finances.
5. The Council directed that the community should still be informed on a regular basis through Council media outlets such as social media, letting them know that even though the Council meeting has been moved to every two months, Councillors are still doing their oversight through LAs, Finance committee, Animal Management Committee and Audit and Risk Committee meetings.

ITEM NUMBER: 13.8

TITLE: Reviewed BRC Organisation Structure

EXECUTIVE SUMMARY

The report provides the Council with the BRC Organisation Structure.

MOTION

That Council receives and notes the reviewed BRC Organisation Structure.

RESOLVED

Moved: Cr. Greg Marlow

Seconded: Cr. Pennie Cowin

CARRIED UNANIMOUSLY

Resolved OMC-24/331

1. The Council sought assurance from the CEO and asked if the staff reduction with the new structure would not affect the service delivery to the community. The report is only for the Council to note rather than approve.
2. The CEO advised that he considered the required services and noted that no services would be affected. He added that the CEO is responsible for the Organisation's structure changes, and the Council can only be involved if the change is outside budget and approved FTE numbers.

ITEM NUMBER: 13.9

TITLE: BRC Delegation Manual

EXECUTIVE SUMMARY

The report provides the Council with the BRC Delegation Manual.

MOTION

That Council

- a. receive, note, and approve the BRC Delegation Manual 2024 – 2028; OR
- b. make any other direction.

RESOLVED

Moved: Cr. Greg Marlow

Seconded: Cr. Sharen Lake

CARRIED UNANIMOUSLY

Resolved OMC-24/332

1. The Council questioned some delegations, especially one that delegates the authority to approve LA projects to the CEO.
2. The Mayor explained to the Council that, since this is the first Council meeting since the election, the New Council is inheriting many things, including the delegation manual as presented.
3. He explained that the Official Manager had already approved the delegation manual; however, the new Council can change the register at any stage if necessary.
4. The CEO advised that under this delegation manual, each LA approves where or what it wants to spend its money; however, his role as the CEO with approval of the LA project is merely to confirm that LA uses the funds in projects and areas that are in line with the regulation.
5. The CEO explained that this was done to avoid delaying the LA project if Council meets bi-monthly. However, the Council can still change the delegation if it wishes.

Deputy Mayor returned 4 :47 PM

ITEM NUMBER: 13.10

TITLE: Council Policies.

EXECUTIVE SUMMARY

The report provides the Council with all BRC Policies which require Council resolution.

MOTION

That Council

- a. receives, notes and approves BRC Policies attached; or
- b. make any other direction as may be considered appropriate.

Amended Resolution

- c. That Council defer this report to the December OCM.

RESOLVED

Moved: Cr. Valerie Campbell

Seconded: Cr. Noel Hayes

CARRIED UNANIMOUSLY

Resolved OMC-24/333

Council deferred the report pointing that the policies being many, they require more time to read through the presented policies before they can comment or approve.

ITEM 13.11
NUMBER:
TITLE: Appointment of Authorised Officers

EXECUTIVE SUMMARY

The report provides the Council with a request for approval of BRC Authorised Officers.

13.11 Appointment of Authorised Officers

MOTION

That Council appoints the following people as BRC Authorised Officers.

- 1. Brody Moore**
- 2. Dean Pollock**
- 3. Rachel Baker**
- 4. Paul Hyde Kaduru**

Added Motion

That Council specify on the authorized officer cards the list of authority they are appointed to enforce.

RESOLVED

Moved: Cr. Sharen Lake

Seconded: Cr. Pennie Cowin

Resolved OMC-24/334

CARRIED UNANIMOUSLY

14 OFFICERS' REPORTS

ITEM NUMBER: 14.1

TITLE: Budget Refresh

EXECUTIVE SUMMARY

The report provides Council with the amended budget statement as per section 203 of the Local Government Act 2019.

MOTION

That Council receives, notes, and approves the updated budget 2024-2025.

RESOLVED

Moved: Cr. Sharen Lake

Seconded: Cr. Pennie Cowin

CARRIED UNANIMOUSLY

Resolved OMC-24/335

1. The CEO informed the Council that he has inherited several issues; however, he is working around the clock to bring the budget under control.
2. The CEO said that a balance needs to be found between what the Council can afford towards staff benefits and what can be accepted as okay considering the available EBA.

NUMBER: 14.1
TITLE: Finance Report

MOTION

That the Council

- a. **Receives and notes the report entitled "Financial Report for the period ended 31 October 2024."**

Added Motion

- b. Notes and accept the Lowry's audited financial report and the discussion matters raised in the management letter.
- c. Write to the Minister and ask the NT Government to institute a review, scrutiny and accountability into period of Official Management of Council that has resulted to Council being in a worse financial position and those responsible be made to account.
- d. Write and ask the NT Government to proactively increase untied funding's to BRC operational budget within this financial year.
- e. Include an ongoing item in the Finance Committee agenda that provides how Council is tracking with it's progress on the issues raised by the Lowry's internal management letter.

RESOLVED

Moved: Cr. Greg Marlow

Seconded: Cr. Noel Hayes

CARRIED UNANIMOUSLY

Resolved OMC-24/336

1. Council indicated that they are disappointed to know that there was lack of accountability, overspending and lack of control of budget during Official Management period.
2. Members pointed that before Council was put under Official Management, Council was in a better financial position with over 12 million in the bank but under Official Managements watch, there was overspent, and Council was left without sufficient funds.
3. Members said they want the Government to review the operation during the Official management and those who were in charge made to explain and provide break down of where the money went plus if there was any mismanagement, those responsible should be made accountable.
4. The CEO advised members that the Audited financial report provides some detailed explanation of some of the areas where funds may have gone. However, as it happened during the time when Official Managers and different CEO's were in charge, he advised that Council should follow up with the Minister and NTG and seek solution.
5. The Mayor pointed out that members should also be aware that this is a new government, and the Mr. Kelly is also new so they inherited all these issues. However, Council would like the new Government to investigate this matter and help support Council with immediate increase and provision of operational untied funding noting that the new Council has been left with insufficient funds.

Cr. Sharen Lake left at 4:54 PM
Deputy Mayor - Noel Hayes left at 4 :55 PM

ITEM NUMBER: 14.3
TITLE: Chief Operations Officer Report

EXECUTIVE SUMMARY

This report outlines the activities of the Operational Services Directorate in the areas of Municipal, Administrative and Local Government services delivery as well as the performance of contractual commercial services.

MOTION

That Council

- a. **note and accept the Operational and Commercial Services Directorate report.**

Amended Motion

- b. **defer the Operational and Commercial Services Directorate report to the December OCM.**

RESOLVED

Moved: Cr. Pennie Cowin

Seconded: Cr. Dianne Stokes

CARRIED UNANIMOUSLY

Resolved OMC-24/337

The report was deferred due to time factor.

ITEM NUMBER: 14.4

TITLE: Directorate of Community Services

EXECUTIVE SUMMARY

This Community Services Directorate report is the update on current Community Care (Aged Care, NDIS), Community Safety (Night Patrol, Safe Houses) and Youth Services (Youth, Sport and Recreation) for the month of October, 2024.

MOTION

That Council

- a. accepts the Community Services Directorate report.**

Amended Motion.

- b. defer the Community Services Directorate report to the December OCM.**

RESOLVED

Moved: Cr. Darryl Rex Morton

Seconded: Cr. Lennie Barton

CARRIED UNANIMOUSLY

Resolved OMC-24/338

ITEM NUMBER: 14.5

TITLE: Directorate of Infrastructure/Fleet

EXECUTIVE SUMMARY

The following report provides the Council with an overview and relevant update on Infrastructure projects managed by the directorate across the Barkly Region for the past month.

MOTION

That Council

- a. receives and accepts the report from the Director of Infrastructure and Fleet.**

Amended Motion

- b. defers the Director of Infrastructure and Fleet.**

RESOLVED

Moved: Cr. Valda Napurrula Shannon

Seconded: Cr. Pennie Cowin

CARRIED UNANIMOUSLY

Resolved OMC-24/339

Cr. Sharen Lake returned at 4:59 PM

Deputy Mayor - Noel Hayes returned at 4 :59 PM

15 GENERAL BUSINESS AS RAISED AT ITEM 7.1.

ITEM NUMBER: 15.1
TITLE: General Business Items

MOTION **That Council**

1. Discusses the General Council Business raised at Item 7.1

Added Motion

2. Writes to the Barkly Backbone Team, Executive Officer and invites them to attend the 13 December OCM and provide the new Council with a induction and a brief on the Barkly Regional Deal.
3. Authorise the sponsorship of \$1000 to the HIPPY program, JCAC.
4. Holds agenda briefing day one day before every Council meeting.
5. Defer the information on Bulk rubbish pickup to the December OCM.

RESOLVED

Moved: Cr. Noel Hayes

Seconded: Cr. Sharen Lake

CARRIED UNANIMOUSLY

Resolved OMC-24/340

1. The discussion was that having a briefing a day before the Council meeting is vital in helping the elected members understand what is on the agenda.
2. Members raised concerns regarding the meal/travel allowance when elected members came to town or went for programs out of Council areas. Members indicated that they would like the travel allowances to be paid a day in advance before they travel.
3. The CEO advised the Council that under the current policy, the Council pays the accommodation and fuel so that they can travel. It's only the meal we require them to pay and request a expense claim.
4. He gave the example that when staff travel for training or any official program, they pay for their meals and ask for an expense claim, and the same applies to elected members. This aims to solve issues where the Council makes the payment, then the person fails to travel.
5. He added that the Council could decide to amend the policy if they wish to do so.

Cr Greg Marlow returned 5 :2 PM

Cr Cowin returned 05:04 PM

16 CLOSURE TO THE PUBLIC FOR DISCUSSION OF CONFIDENTIAL ITEMS

ITEM NUMBER: 16.1

TITLE: Closure to the Public for Discussion of Confidential Items

EXECUTIVE SUMMARY

Pursuant to section 99(2) of the *Local Government Act 2019* and clauses 51 and 52 of the *Local Government (General) Regulations 2021*, the meeting is to be closed to the public to consider confidential matters.

MOTION

That Council approves the closure of the meeting to the public as confidential items are about to be discussed. The meeting is closed in accordance with clause 51(1)(c)(iv) of the *Local Government (General) Regulations 2021* as the matters to be discussed include information that, if publicly disclosed, would be likely to prejudice the interests of the council or some other person.

RESOLVED

Moved: Cr. Valerie Campbell

Seconded: Cr. Zacieus Long

CARRIED UNANIMOUSLY

Resolved OMC-24/341

Meeting moved to confidential at 5 :23 PM.

17 CONFIDENTIAL REPORTS

ITEM NUMBER: 17.1

TITLE: Confirmation of previous confidential Minutes 31 October 2024

REASONS FOR CONFIDENTIALITY

This item is considered 'Confidential' pursuant to clause 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.

ITEM NUMBER: 17.2

TITLE: Confidential Items Register

REASONS FOR CONFIDENTIALITY

This item is considered 'Confidential' pursuant to clause 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.

ITEM NUMBER: 17.3

TITLE: Breach of Code of Conduct - LA Member

REASONS FOR CONFIDENTIALITY

This item is considered 'Confidential' pursuant to clause 51(1)(f) 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, subject to subregulation (2) - information in relation to a complaint of a contravention of the code of conduct .

ITEM NUMBER: 17.4
TITLE: Purchase Order List

REASONS FOR CONFIDENTIALITY

This item is considered 'Confidential' pursuant to clause 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.

18 DISCLOSURE OF CONFIDENTIAL RESOLUTIONS AND RE-ADMITTANCE OF THE PUBLIC

ITEM NUMBER: 18.1
TITLE: Disclosure of Confidential Resolutions and Re-admittance of the Public

EXECUTIVE SUMMARY

The report is to enable Council Pursuant to section 99(1) of the *Local Government Act 2019* and clauses 50(1) of the *Local Government (General) Regulations 2021*, to move the meeting to open session and resolve to disclose confidential motions out of confidential.

MOTION

That pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(a) of the Local Government (General) Regulations 2021 the meeting be re-opened to the public at 6:00 PM.

RESOLVED

Moved: Cr. Lennie Barton
Seconded: Cr. Dianne Stokes

CARRIED UNANIMOUSLY

OMC-24/342

19 DATE OF NEXT MEETING

The next Council meeting is scheduled for 13 December 2024.

20 MEETING CLOSURE

The meeting concluded at 06:06 pm.

This page and the preceding 35 pages are the minutes of the meeting of the Ordinary Council Meeting held on 29 November 2024 and are unconfirmed.

Mayor - Sid Vashist

UNCONFIRMED

