



MINUTES OF THE COUNCIL MEETING HELD IN THE VICTORIA DALY SHIRE  
COUNCIL REGIONAL OFFICE ON TUESDAY, 18 OCTOBER 2011 AT 9:04AM

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Meeting opened by Cr. King, Deputy Mayor

CEO Sandra Cannon advised the meeting that Cr Wilson has resigned his position as Mayor and a ballot would need to be held to elect a new Mayor  
CEO also advised that Council policy allowed Councillors Wilson and Minjin to participate in the vote by telephone, no action was taken on this matter.

Motion

Election of Mayor to be done by secret ballot.

Moved: Cr. Wooldridge

Seconded: Cr. Wegener

Resolution: Carried Unanimously

Cr. Hennessy nominated himself & Cr. King nominated himself for Mayor. Cr. King was elected as Mayor, 6 votes to 4

Deputy Mayor's position declared vacant. Cr. Hennessy nominated himself for Deputy Mayor and was elected unopposed.

PRESENT: Cr. Reg King, Mayor  
Cr. Steven Hennessy, Deputy Mayor  
Cr. Ray Wooldridge  
Cr. Andy McTaggart  
Cr. Don Wegener  
Cr. Georgina Macleod  
Cr. Stephanie Berida  
Cr. Marita Chula  
Cr. Kevin Slaven  
Cr Bryan Murielle

APOLOGIES: Cr. Harold Wilson  
Cr. Wally Minjin  
Moved: Cr. Hennessy  
Seconded: Cr. Slaven  
Resolution: Carried Unanimously

ABSENT:

OFFICERS: Ms. Sandra Cannon, Chief Executive Officer  
Mr. Greg Arnott, Director of Corporate & Community Services  
Mr. Trevor Troy, Director of Infrastructure & Civil Services  
Mr. Mark Conroy, Governance Coordinator  
Ms. Rose Peckham, Office Manager

## **DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF**

There were no declarations of interest at this Council meeting.

That items 9 & 18 be moved to confidential.

Moved: Cr. Wooldridge

Seconded: Cr. McTaggart

Resolution: Carried Unanimously

## **CONFIRMATION OF MINUTES**

That the minutes of the meeting of the 28<sup>th</sup> of June be accepted into the agenda

Moved Cr Wegener

Seconded Cr Wooldridge

Carried unanimously

## **Minutes of the Council Meeting held on 16 August 2011**

### **215/2011RECOMMENDATION:**

That the minutes be taken as read and be accepted as a true record of the Meeting.

Moved: Cr. Wegener

Seconded: Cr. Macleod

Resolution: Carried Unanimously

## **Minutes of the Finance Meeting held on 20 September 2011**

### **216/2011RECOMMENDATION:**

That the minutes be taken as read and be accepted as a true record of the Meeting.

Moved: Cr. Hennessy

Seconded: Cr. King

Resolution: Carried Unanimously

## **MINUTES OF MEETING 28 JUNE 2011.**

217/2011218/2011That the minutes be taken as read and accepted as a true record of the meeting.

Moved: Cr. Wegener

Seconded: Cr. McTaggart

Resolution: Carried Unanimously

## **CALL FOR ITEMS OF GENERAL BUSINESS**

Update on Bob Judges block – Cr. McTaggart

Confidential Work yard at Pine Creek – Cr. Wooldridge

Rates Charges Timber Creek – Cr. Wegener

Waste Collection Woolianna Road – Cr. Wegener

Budgets – Cr. Hennessy

Timber Creek Police Precinct – Cr. Hennessy

Invitation to Territory Housing, December meeting – Cr. Hennessy

Acquittals – Mr. Arnott

Pine Creek Rate Payer – Mr. Arnott

Leave of absence – Cr. Wegener

Motions – CEO

Cr. Christmas Party – CEO

Moved: Cr. McTaggart  
Seconded: Cr. Hennessy  
Resolution: Carried Unanimously

## **MAYORAL REPORT**

### **CEO REPORT**

#### **1) CEO's Report**

21 **Motion:**

9/2

01 That Council note the report.

1

Moved: Cr. Wooldridge  
Seconded: Cr. McTaggart  
Resolution: Carried Unanimously

### **REPORTS TO COUNCIL**

#### **2) Mayors Performance**

22 **Motion:**

0/2

01 That Council note this report.

1

Moved: Cr. Wooldridge  
Seconded: Cr. McTaggart  
Resolution: Carried Unanimously

#### **3) Lease for Community Housing - Kalkarindji**

22 **Motion:**

1/2

01 That Council negotiate a sub lease on the 12 houses until August 2012 with all costs to the Department.

1

Moved: Cr. Wooldridge  
Seconded: Cr. Wegener  
Resolution: Carried Unanimously

#### **4) Internet Usage**

22 **Motion:**

2/2

01 That Council internet policy include a clause that major trading sites can only be accessed between 12 – 2pm.

1

Moved: Cr. Wooldridge  
Seconded: Cr. Hennessy  
Resolution: Carried Unanimously

#### **5) Lease of Office Space to RTC Building to Department of Children & Families**

22 **Motion:**

3/2

01 That Council agree to sign the license to occupy for the Department of Children and

1 Families.

Moved: Cr. Wooldridge  
Seconded: Cr. Wegener  
Resolution: Carried Unanimously

**6) Wadeye Fishing Competition**

22 **Motion:**

4/2

01

1

- a. That Council supports this community fishing competition.
- b. That Council conveys the information from our insurer to the Rangers and Thamarrurr Development Corporation and advise that they should seek coverage from their insurer.

Moved: Cr. Chula  
Seconded: Cr. Berida  
Resolution: Carried Unanimously

**7) Review of Meeting Procedure**

22 **Motion:**

5/2

01

1

That Council adopts recommended changes to meeting procedure

Moved: Cr. Wooldridge  
Seconded: Cr. McTaggart  
Resolution: Carried Unanimously

**8) CDEP Program, financial and performance report.**

22 **Motion:**

6/2

01

1

That Council note the contents of this report.

Moved: Cr. Wegener  
Seconded: Cr. Hennessy  
Resolution: Carried Unanimously

**10) Finance Report Month Ending 30th September 2011**

22 **Motion:**

7/2

01

1

That Council receives and notes the Finance Report for the period ending 30<sup>th</sup> September 2011.

Moved: Cr. Wooldridge  
Seconded: Cr. Slaven  
Resolution: Carried Unanimously

**11) Acquittal of Special Purpose Grant**

22 **Motion:**

8/2

01

1

That Council accept the acquittal of the Special Purpose Grant for the Nauiyu Nambiyu Land Trust rent charges as per attached documentation and instruct the Chief Executive Officer to sign as the Authorised Person on the Acquittal Form.

Moved: Cr. Wegener  
Seconded: Cr. Macleod  
Resolution: Carried Unanimously

**12) Acceptance of Funding Agreement - Sport & Recreation**

**22 Motion:**

9/2

01 That Council accept the funding agreement of \$160,000 (GST excl) from the  
1 Department of the Prime Minister and Cabinet for the Indigenous Sport & Recreation Program by instructing the Chief Executive Officer and a member of Council to sign the agreement under the Common Seal.

Moved: Cr. Wegener  
Seconded: Cr. Macleod  
Resolution: Carried Unanimously

**13) Community Grant - Feedback and thank you from Artback NT**

**23 Motion:**

0/2

01 That Council accept the feedback from Artback NT.  
1

Moved: Cr. Wooldridge  
Seconded: Cr. McTaggart  
Resolution: Carried Unanimously

**14) Wadeye Internal Roads - Condition and assessment of damage as a result of the recent Infrastructure Programs carried out as per the NTER.**

**23 Motion:**

1/2

- 01  
1
1. That Council accept and note this report as presented,
  2. That Council continue to lobby both the NT and Federal Govt's to provide the funding to meet the needs of the Shires communities relating to funds for R&M and improvements to street and road networks.
  3. That Council endorses the use of up to \$500,000 from our reserves for immediate repairs prior to the wet season.
  4. That Council develop costings and a plan to bring the entire road network in Wadeye up to (LGANT) town standards and investigate other financial options including borrowings.
  5. That Council use this commitment for further negotiations in leasing for the road network.

Moved: Cr. Wooldridge  
Seconded: Cr. Wegener  
Resolution: Carried Unanimously

**15) Conference Attendance**

**23 Motion:**

2/2

01 That Council note the report.  
1

Moved: Cr. Wegener  
Seconded: Cr. McTaggart  
Resolution: Carried Unanimously

**16) Update on the Legal Advice provided by Cridlands MB to LGANT relating to the Care, Control and Maintenance of Roads for Local Government in the NT**

23 **Motion:**

3/2

01 That Council endorse this report and continue to support LGANT in ongoing  
1 negotiations with the NT Govt on the transfer of the proposed road network.

Moved: Cr. McTaggart

Seconded: Cr. Hennessy

Resolution: Carried Unanimously

Councillor Marita Chula left the meeting, the time being 10:28 AM

Councillor Marita Chula returned to the meeting, the time being 10:33 AM

Councillor Bryan Murielle left the meeting, the time being 10:38 AM

Councillor Bryan Murielle returned to the meeting, the time being 10:40 AM

**17) Wadeye Community - Lot 380 - Condition report on Staff House ex Thamarrurr Development Corporation, transferred back to VDSC at completion of occupancy.**

23 **Motion:**

4/2

01 That Council accept this report and council wishes to express its dissatisfaction at the  
1 condition of the building at handover especially after the assistance and the help that the Shire has give to TDC in regards to the transfer of commercial assets for \$1 and other ongoing support.

1. Council write to the CEO TDC expressing that they are unhappy as to the condition and state of which the House was returned to the Shire, and
2. Council will be seeking funding to cover the costs of the damage and neglect of the dwelling that is considered to be well above the level of normal wear and tear,

Moved: Cr. Wooldridge

Seconded: Cr. Wegener

Resolution: Carried Unanimously

The meeting be adjourned for morning tea, the time being 10:45am

That the meeting reconvene the time being 11:18am

**COMMUNITY REPORTS**

**19) Wadeye Community Update**

23 **Motion:**

5/2

01 That Council note the report.  
1

Moved: Cr. Hennessy

Seconded: Cr. McTaggart

Resolution: Carried Unanimously

**20) Nauiyu Community Update**

23 **Motion:**

6/2

01 That Council note the report.  
1

Moved: Cr. Hennessy

Seconded: Carried Unanimously

**21) Peppimenarti Community Update**

**23 Motion:**

That Council note the report.

Moved: Cr. Hennessy  
Seconded: Cr. McTaggart  
Resolution: Unanimously

**22) Yarralin Community Update**

**23 Motion:**

8/2

01 That Council note the report.

1

Moved: Cr. Hennessy  
Seconded: Cr. McTaggart  
Resolution: Carried Unanimously

**23) Pine Creek Community Update**

**23 Motion:**

9/2

01 That Council note the report.

1

Moved: Cr. Hennessy  
Seconded: Cr. McTaggart  
Resolution: Carried Unanimously

**24) Timber Creek Community Update**

**24 Motion:**

0/2

01 That Council note the report.

1

Moved: Cr. Hennessy  
Seconded: Cr. McTaggart  
Resolution: Carried Unanimously

**LOCAL BOARDS**

**25) Minutes from Local Board Meetings**

**24 Motion:**

1/2

01 For Council to determine.

12

42/ 1. That council officers report to council in December on implementing payment of  
20 quarterly rate instalments.

11

Moved: Cr. Wooldridge  
Seconded: Cr. McTaggart  
Resolution: Unanimously

Moved: Cr. Wooldridge  
Seconded: Cr. Macleod  
Resolution: Carried Unanimously

**28) CDL Workshop Report**

24 **Motion:**  
3/2  
01 That Council note the report.  
1  
Moved: Cr. Hennessy  
Seconded: Cr. Macleod  
Resolution: Carried Unanimously

**29) Resolutions Register**

24 **Motion:**  
4/2  
01 That Council note the report.  
1  
Moved: Cr. Wegener  
Seconded: Cr. McTaggart  
Resolution: Carried Unanimously

**CORRESPONDENCE IN & OUT**

**26) Correspondence In & Out**

24 **Motion:**  
5/2  
01 That Council accept the correspondence.  
1  
Moved: Cr. McTaggart  
Seconded: Cr. Wegener  
Resolution: Carried Unanimously

**GENERAL BUSINESS**

**31 UPDATE ON BOB JUDGES BLOCK - Councillor Andrew McTaggart**

**246/2011MOTION:**

That council write to the Lawyers for Nauiyu Nambiyu Land Trust and the Catholic Diocese in respect to organising a meeting between parties on ongoing land arrangements.

Moved: Cr. McTaggart  
Seconded: Cr. Murielle  
Resolution: Carried Unanimously

**32 WASTE COLLECTION - Councillor Don Wegener**

**247/2011MOTION:**

That council write to Ngaliwurru Wuli Association and the Department of Local Government, Housing & Regional Services in regards to rubbish collection at Gilwi, Muruning, Gulardi & Myatt which currently the Shire receives no funding for. Council requests funding for this activity or the waste collection will cease on 1 January 2012.

Moved: Cr. Wegener  
Seconded: Cr. Hennessy  
Resolution: Carried Unanimously

**33 BUDGETS - Councillor Steven Hennessy**

Noted

**34 TIMBER CREEK POLICE PRECINCT - Councillor Steven Hennessy**

**248/2011MOTION:**

That council express its disappointment to the National Trust Board in not receiving the sub-lease as promised in May and requests an urgent meeting to ensure that this is in place prior to the next tourist season.

Moved: Cr. Hennessy  
Seconded: Cr. Wegener  
Resolution: Carried Unanimously

### **35 INVITATION TO TERRITORY HOUSING - Councillor Steven Hennessy**

#### **249/2011 MOTION:**

That council invite both Ken Davies and Andrew Kirkman from the DLGHRs to attend the December briefing to update Council on housing and other current projects.

Moved: Cr. Hennessy  
Seconded: Cr. Macleod  
Resolution: Carried Unanimously

### **36 ACQUITTALS – Mr. Greg Arnott**

250/2011 That Council endorse the Special Purpose Grant acquittals on

#### **Governance Training**

Income = \$94,815.94

Expenditure = \$94,819.47

Surplus/(Deficit) = (\$3.53)

This grant has been fully spent and this acquittal will finalise the process.

#### **Community Hall/Cyclone Shelter – Pigeon Hole**

Income = \$315,000

Expenditure = \$44,297.02

Surplus/(Deficit) = \$270,702.98

This funding will be brought forward into the 11/12 financial year.

#### **Community Access Space – Timber Creek**

Income = \$150,000

Expenditure = \$0

Surplus/(Deficit) = \$150,000

This funding will be brought forward into the 11/12 financial year.

#### **Waste Management Audits**

Income = \$100,000

Expenditure = \$0

Surplus/(Deficit) = \$100,000

This funding will be brought forward into the 11/12 financial year.

#### **Prime Mover & Step Deck Trailer**

Income = \$200,000

Expenditure = \$167,922.63

Surplus/(Deficit) = \$32,077.63

We will be sending a letter to the Department of Housing, Local Government and Regional Services to vary the use of this surplus to purchase another trailer for the Prime Mover to allow the Shire to maximise the use of the Prime Mover.

#### **Nganmariyanga (Palumpa) Causeway**

Income = \$449,782.20

Expenditure = \$449,782.24

Surplus/(Deficit) = (\$0.04)

This grant has been fully spent and this acquittal will finalise the process.

#### **NT Library Grant**

Income = \$135,772.73

Expenditure = \$209,358.92

Surplus/(Deficit) = (\$73,586.19)

This grant has been fully spent and this acquittal will finalise the process.

Moved: Cr. Wegener

Seconded: Cr. McTaggart

Resolution: Carried Unanimously

### **37 LEAVE OF ABSENCE - Councillor Don Wegener**

251/2011 That Council authorise Cr Wegener's request for three months leave of absence.

Moved: Cr. McTaggart

Seconded: Cr. Murielle

Resolution: Carried Unanimously

### **38 STRUCTURAL REFORM - CEO**

252/2011 **MOTION:**

Victoria Daly Shire Council rejects the view that the Shires need structural reform. It has taken 5 years to develop the current structure and governance and with councils election in March both councillors and staff need a clear view as to the future.

Victoria Daly Shire Council believes this is a political stunt by both political parties in order to gain votes in the bush. Victoria Daly Shire is supportive of increasing the powers of Local Boards and the financial sustainability reviews. The council is appalled that "emotion" rather than facts are leading the debate.

Council therefore;

1. Suspends its media policy on this issue to allow all councillors, CEO and Directors to make media statements / interviews to ensure the facts are known at every opportunity. Councillors/staff will email each other when this occurs.
2. The CEO to discuss with LGANT and other CEO's about an ongoing media campaign including paid public notices in the newspapers.
3. Council will investigate social media for ensuring the true facts are available.
4. Council to write to the appropriate Commonwealth and Northern Territory Ministers in regards to their position and support.
5. That this issue be placed on the Local Boards agenda in November in regards to motions of support.
6. That the VDSC requests this as an agenda item on the LGANT General Meeting in November.

Moved: Cr. Wooldridge

Seconded: Cr. Wegener

Resolution: Carried Unanimously

### **39 COUNCILLORS CHRISTMAS PARTY - CEO**

Noted for information

### **DECISION TO MOVE TO CLOSED SESSION**

253/2011 **RECOMMENDATION:**

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. Wooldridge  
Seconded: Cr. Hennessy  
Resolution: Carried Unanimously

- 27 Update on Job Matched Employees** - *The report will be dealt with under Section 65(2) (a) 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.*
- 30 Confidential Resolutions Register** - *The report will be dealt with under Section 65(2) of the Local Government Act 2008 and Regulation 8 of the Local Government (Administration) Regulations 2008. It contains .*

### **RESUMPTION OF MEETING**

#### **RECOMMENDATION:**

That the decisions of Closed Session be noted as follows:-

### **CONFIDENTIAL ITEMS**

- 9) Tender for acceptance by Council**
- 18) Short term Hire of plant & Equipment for Civil related projects**
- 27) Update on Job Matched Employees**
- 30) Confidential Resolutions Register**
- 40 WORK YARD - PINE CREEK** - *Councillor Raymond Wooldridge*
- 41 WADEYE FISHING COMP.** - *Councillor Kevin Slaven*
- 42 PINE CREEK RATE PAYER QUERY** – *Mr. Greg Arnott*

The meeting terminated at 13:11pm.

This page and the preceding 9 pages are the minutes of the Meeting of Council held on Tuesday, 18 October 2011 and are to be confirmed on Friday, 16 December 2011.