



MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE PIRLANGIMPI BOARDROOM ON WEDNESDAY, 17 DECEMBER 2014 AT 10:00AM

1 Welcome & Apologies

1.1 Welcome

The meeting opened at 10:30 am

The Mayor welcomed councillors and guests.

1.2 Present

Mayor: Lynette De Santis

Councillors: Manyi Rioli, John Naden, Anita Moreen, Gawin Tipiloura, Barry Puruntatameri, Venard Pilakui, Therese Bourke.

Officers: Alan Hudson (CEO), Rosanna De Santis (Director Community Support), Karl Sibley (Director Infrastructure), Lesley Palmer (Deputy Director Corporate Services), Saadia Ullungura (Governance Support).

Visitors: Colvin Crowe (DLGCS), Mae Mae Morrison (AMSANT), Richard Daiyi (AMSANT).

Minutes: Bruce Moller (Governance Manager).

1.3 Apologies

Accepted: Deputy Mayor Pirrawayingi, Cr Irene Tipiloura, Cr Leslie Tungutalum.

Not Accepted: Cr Crystal Johnson.

1.4 Leave of Absence

Nil

1.5 Declaration of Interest of Members or Staff

CEO Mr Alan Hudson advised Council that he has an interest in Report 8.2 (Confidential Agenda) being (CEO Annual Performance Appraisal).

1.6 Confirmation of Previous Minutes

Ordinary Meeting - 29 October 2014

59 RESOLUTION

Moved: Emmanuel Rioli

Seconded: Anita Moreen

That the minutes of the Ordinary Meeting held on 29 October 2014 as circulated, be confirmed as a true and correct record of that meeting.

CARRIED

60 RESOLUTION

Moved: Emmanuel Rioli

Seconded: Anita Moreen

That the minutes of the Confidential Ordinary Council held on 29 October 2014 as circulated, be confirmed as a true and correct record of that meeting.

CARRIED

2 VISITORS AND PRESENTATIONS

2.1 PRESENTATION BY DLGR REGARDING PROPOSED ELECTORAL REFORMS

Officers from the Dept. Local Government & Regions will be in attendance today to provide Council with an update in relation to proposed Electoral Reforms. A power point presentation will be given by Mr Frank Crawley.

Unfortunately Mr Frank Crawley was unable to attend the meeting and the presentation was done by Mr Colvin Crowe.

RECOMMENDATION:

That Council welcomes the DLGR representatives to today's meeting for their presentation to Council on the proposed Electoral Reforms.

3 BUSINESS ARISING

Nil

4 CORRESPONDENCE

4.1 LETTER FROM NT ENVIRONMENT PROTECTION AGENCY RE EPL LICENCE 78-01

Council are provided with a copy for information of a recent letter (received via email on 19/11/14) and Licence conditions from the NT Environment Protection Agency. The letter confirms renewal of the Environmental Protection Licence (EPL 78-01) for the Wurrumiyanga Landfill site.

RECOMMENDATION:

That Council notes the letter and the terms and conditions of the EPL 78-01 Licence for the operation of the Wurrumiyanga Landfill Site.

4.2 PROPOSED CEMETERIES ACT - PUBLIC CONSULTATION

Council are provided with a copy for information and discussion of a recent letter addressed to the Mayor, (received via email on 28/11/14) from the NTG Dept. Local Government & Regions.

The NTG DLGR is now undertaking a public discussion phase and has provided a position paper titled "**Outline of the Proposed New Cemeteries Act**" (Attachment A), and the policy rationale contained in the paper titled "**Policy on the Proposed Cemeteries Act**"(Attachment B).

Council is being invited to provide comments on the proposed changes. There is a three month public consultation period which opened from 28 November 2014 and closes on 27 February 2015.

RECOMMENDATION:

That Council notes the letter and attachments from the NTG Dept. Local Government & Regions in relation to proposed new Cemeteries Act – Public Consultation and decides if Council wishes to put in a submission before the closing date of 27 February 2015.

4.3 LETTER FROM MURRUPURTIYANUWU CATHOLIC PRIMARY SCHOOL

Council are provided with a copy for information of a recent letter and Sponsor Appreciation Certificate from the Principal Daniel Graves of the Murrupurtiyanuwu Catholic Primary School. The School were very successful with the annual School Fete.

RECOMMENDATION:

That Council notes this report for information.

4.4 LETTER FROM NTG DEPT. TRANSPORT RE MELVILLE ISLAND LINK ROAD UPGRADING PROJECT

Council are provided with a copy for information of a recent letter from NTG Dept. Transport received on the 3rd December 2014 in relation to Tiwi Islands Economic Development – Melville Island Link Road Upgrading Project.

RECOMMENDATION:

That Council notes this report for information.

5 GENERAL BUSINESS

Please refer to the Other Business Agenda Section (after Section 7 – Reports for Information).

6 REPORTS FOR DECISION

6.1 FINANCE AND AUDIT COMMITTEE - TERMS OF REFERENCE

This report provides a copy of the draft Terms of Reference for the Tiwi Islands Regional Council (Finance & Audit C'tee) and seeks Council endorsement.

61 RESOLUTION

Moved: Barry Puruntatameri

Seconded: John Naden

That Council adopts the attached Draft Terms of Reference of the Finance and Audit C'tee.

CARRIED

6.2 FINANCE AND AUDIT COMMITTEE - MEMBERSHIP

This report requests Council to consider alternate membership of the Finance & Audit C'tee.

62 RESOLUTION

Moved: Therese Bourke

Seconded: Emmanuel Rioli

That Council nominate alternate committee members to the Finance & Audit C'tee to attend meetings when primary members are unable to attend.

CARRIED

6.3 COUNCILLOR'S PORTFOLIOS - UPDATE DECEMBER 2014

Councillors are allocated portfolios so they have the knowledge in that related area to report back to the community on the progress in that particular area. Following the recent By-Election in the Wurankuwu Ward (new Councillor Venard Pilakui) it is recommended that Council may wish to reallocate previous Councillor Brian Tipungwuti portfolios.

63 RESOLUTION

Moved: Emmanuel Rioli

Seconded: Barry Puruntatameri

That Council resolves to update and re-allocate Councillor portfolios to replace Cr Brian Tipungwuti and to now include Cr Venard Pilakui.

CARRIED

6.4 GRANT ACQUITTAL - 13/14 LOCAL AREA TRAFFIC MANAGEMENT

This report covers the September 2014 Quarter for the Local Area Traffic Management Grant Acquittal (funded via Dept. Local Government & Regions) and is required to be endorsed by Council.

64 RESOLUTION

Moved: John Naden

Seconded: Emmanuel Rioli

That Council endorses the acquittal of the LATM Grant listed above for the reporting period to 30 September 2014.

CARRIED

6.5 WURRUMIYANGA LOCAL AUTHORITY - COMMUNITY PROJECTS FOR COUNCIL APPROVAL

This report provides Council with the first project for approval arising out of the Tiwi Islands Local Authorities (Community Projects). Separate funding has been provided by the Dept. Local Government & Regions to Council for specific community projects to be undertaken.

It is a requirement of the funding conditions that Council provides final approval before each project can proceed.

65 RESOLUTION

Moved: John Naden

Seconded: Barry Puruntatameri

That Council endorses the WLA Project 14-11 (Wurrumiyanga Pool – replace 2 x pool filters) and approves for this work to proceed.

CARRIED

7 REPORTS FOR INFORMATION

7.1 WURANKUWU WARD - BY-ELECTION RESULTS

This report is to inform Council of the final results of the casual vacancy for the Wurankuwu Ward following the resignation of Councillor Brian Tipungwuti. The NT Electoral Commission has now confirmed the declaration of the poll and our new Councillor is Mr Venard Pilakui.

RECOMMENDATION:

That Council notes and welcomes the newly appointed Councillor Venard Pilakui representing the Wurankuwu Ward

7.2 MEETINGS ATTENDED BY THE CHIEF EXECUTIVE OFFICER - EOM OCTOBER & NOVEMBER 2014

This report is presented to provide information to council on meetings attended by the Chief Executive Officer and to raise any topics for discussion.

The meetings listed below involve discussions that influence or may affect the operations of the Council or relationships with external agencies.

RECOMMENDATION:

That Council notes this report for information

7.3 EXAMPLE OF EASC ELECTED MEMBERS REPORTING PACK - OCTOBER 2013

This report provides Council with an example of the EASC Elected Members Reporting Pack (October 2013) for information (attached).

RECOMMENDATION:

That Council notes this report for information.

7.4 MINUTES - WURRUMIYANGA LOCAL AUTHORITY MEETING HELD ON 28 OCTOBER 2014

Minutes of the Wurrumiyanga Local Authority Meeting held on 28 October 2014.

RECOMMENDATION:

That Council notes the Minutes of the Wurrumiyanga Local Authority Meeting held on 28 October 2014.

7.5 MINUTES - PIRLANGIMPI LOCAL AUTHORITY MEETING HELD ON 25 NOVEMBER 2014

Minutes of the Pirlangimpi Local Authority Meeting held on 25 November 2014.

RECOMMENDATION:

That Council notes the Minutes of the Pirlangimpi Local Authority Meeting held on 25 November 2014.

7.6 MINUTES - FINANCE & AUDIT COMMITTEE MEETING HELD ON 26 NOVEMBER 2014

Minutes of the first TIRC Finance & Audit Committee Meeting held on 26 November 2014.

RECOMMENDATION:

That Council notes the Minutes of the TIRC Finance & Audit Committee held on 26 November 2014.

AT THIS POINT OF THE MEETING A LUNCH BREAK WAS CALLED AT 12:23 PM.

THE MEETING RESUMED AT 1:10 PM.

CR EMMANUEL RIOLI REJOINED THE MEETING AT 1:23 PM.

7.7 HUMAN RESOURCES END OF MONTH REPORT - DECEMBER 2014

RECOMMENDATION:

That Council notes this report for information.

7.8 CORPORATE SERVICES END OF MONTH REPORT - DECEMBER 2014

RECOMMENDATION:

That Council notes this report for information.

7.9 DIRECTOR COMMUNITY SUPPORT

This report illustrates the business within units including; Children's Services, Youth and Community, Sports and Recreation, Community Safety, Centrelink and Libraries.

RECOMMENDATION:

That Council notes this report for information.

7.10 FINANCE END OF MONTH REPORT - OCTOBER 2014

RECOMMENDATION:

That Council notes this report for information.

7.11 FINANCE END OF MONTH REPORT - NOVEMBER 2014

RECOMMENDATION:

That Council notes this report for information.

7.12 INFRASTRUCTURE - EOM REPORT FOR OCTOBER & NOVEMBER 2014

This report outlines activities for the Infrastructure Directorate for the previous two months.

RECOMMENDATION:

That Council notes this report for information

7.13 GOVERNANCE MANAGERS REPORT - END OF MONTH - OCTOBER AND NOVEMBER 2014

66 RESOLUTION

Moved: Venard Pilakui
Seconded: Therese Bourke

That Council notes Reports 7.1 to 7.13 for information.

CARRIED

OTHER BUSINESS

5.1 WURRUMIYANGA POST OFFICE – XMAS HOURS

Cr Barry Puruntatameri enquired what the opening hours of the Post Office would be over the coming Christmas period.

The CEO responded by advising that the Post Office would be open standard hours until Friday 19th December and would close 10am Friday 19th to allow staff to attend the end of year Council Xmas function. The Post Office would re-open after Christmas on Monday 5th January 2015.

5.2 TIWI LEADERS FORUM MEETING – FRIDAY 12th December 2014

Cr John Naden raised the issue of the ongoing legal action between the Regional Council and the Tiwi Land Council (TLC) as there seemed to be some confusion at the Tiwi Leaders Forum meeting held last Friday 12th December as to the current status of this.

The CEO advised that the Regional Council was still following up with the Tiwi Land Council on the long overdue outstanding Rates & Charges (Garbage Charges).

The CEO also advised that Council was now required to operate the Wurrumiyanga Landfill Site in accordance with the Environmental Protection Licence (EPL 78-01) which raises the bar considerably in regard to the Licence conditions imposed on the Regional Council.

Cr John Naden proposed that as a goodwill gesture between the Regional Council and the Tiwi Land Council that the Regional Council could offer a trade off. Council could waive the TIRC Waste Management Fee (Garbage Charges) and any tip dumping charges, and in return the TLC would continue to offer free access to gravel for Council road / tip site use and waive any TLC Lease charges for using the tips.

This was proposed as an even trade-off for both parties as a way of working together for the betterment of the Tiwi people.

5.3 COUNCIL MOTION - REFUSE DISPOSAL – PROPOSAL TO OFFSET O/S GARBAGE CHARGES

Following discussion by Council in relation to the outstanding Waste Management Charges (Garbage Charges) currently owed by the Tiwi Land Council it was recommended that Council propose a trade off by writing off the outstanding garbage charges and also not charge the Tiwi Land Council for any tip dumping fees, and to offset these charges to allow Tiwi Islands Regional Council continued free access to gravel for roads and tips and for the Tiwi Land Council to also waive any current or future lease fees for the tips.

67 RESOLUTION

Moved: John Naden
Seconded: Barry Puruntatameri

That Council seek leases on refuse disposal sites and access to gravel in exchange for NIL charges to Tiwi Land Council for refuse disposal and environmental charges.

CARRIED

5.4 COUNCIL MOTION - REQUEST FOR DLGCS STAFF TO ATTEND COUNCIL MEETINGS

Council were supportive of the continued attendance by Regional Departmental staff at Council Meetings and requested that the CEO write a letter to the Dept. LGCS requesting that Regional Department staff be allowed and encouraged to attend all Council Meetings.

68 RESOLUTION

Moved: Venard Pilakui
Seconded: Barry Puruntatameri

That Council requests the CEO to write a letter to Dept. LGCS requesting continued attendance of regional staff at Council Meetings.

CARRIED

5.5 BUS HIRE BY MANTIYUPWI

The Mayor Cr Lynette De Santis asked the CEO if he was aware of the recent hiring of the council bus by Mantiyupwi.

The CEO responded by advising that this was a one off request for hire of the bus due to non availability of other vehicles, and this was approved as a goodwill measure to assist Tiwi Land Council.

It was also noted that this bus was to remain at Milikapiti community.

At this point of the meeting the Mayor called for a short break at 2:20 pm.

The meeting recommenced at 2:33 pm.

8 CONFIDENTIAL ITEMS

Time 2:33 pm.

The Mayor called for the Council Meeting to now move into Closed Session.

Members of the public and staff were asked to leave the room during the closed session with the exception of the CEO and Governance Manager (to record the confidential minutes).

RECOMMENDATION

That pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider a Confidential matter.

The Closed Session of Council was completed at 3:30 pm and the Mayor re-opened the meeting.

9 Next Meeting

Wednesday, 25 February 2014 at Milikapiti Community.

Note : Council has now resolved to move to holding bi-monthly Ordinary Council Meetings, with Finance and Audit Committee Meetings to be held in the alternate months.

This came into effect from the 29 October Ordinary Council Meeting and will operate for a trial period (till the end of June 2015).

10 Closure

The meeting closed at 3:32 pm.