



MINUTES OF THE ORDINARY MEETING HELD IN THE PIRLANGIMPI OFFICE ON WEDNESDAY, 30 SEPTEMBER 2009 AT 10:00AM

1 Welcome & Apologies

1.1 Welcome

The meeting opened at 11:00am
The Mayor welcomed councillors and guests.

1.2 Present

Mayor: Lynette DeSantis
Councillors: Councillors Henry Dunn, Raelene Mungatopi, Marius Puruntatameri, Emmanuel Rioli, Kathleen Tipungwuti and Richard Tungutalum
Officers: David Bond (acting CEO), Craig Rutherford (Director and Minute Taker), Maurice Rioli (Director), Larence Costa (Director) and Tracey Nagle (Contracts Manager)

1.3 Apologies

Councillors David Boyd and Teresita Puruntatameri

1.4 Absent

Councillors Walter Kerinauia and Barry Puruntatameri and Maralampuwi Kurrupuwu

Discussion was had regarding Councillors being absent from meetings. Des informed the Council that in accordance with s39(1)(d) Councillors are officially deemed to have been absent without leave from Council on 2 occasions automatically forfeit their position and a by-election is required in that Ward.

COUNCIL RESOLUTION

RESOLUTION

Moved: *Richard Tungutalum*
Seconded: *Raelene Mungatopi*

That the following Council members are absent without leave of Council namely Maralampuwi Kurrupuwu, Walter Kerinauia and Barry Puruntatameri. And further that each shall have a whole month's Councillor Allowance deducted in accordance with Council policy.

CARRIED

1.5 Confirmation of Previous Minutes

Ordinary Meeting - 26 August 2009

The meeting of the previous Ordinary Council Meeting of the 26th August 2009 were confirmed subject to the following amendments:

- a) At item 5.1 sub-point 5 be amended to read "That Council appoints the CEO, Director of Corporate Services and Director of Infrastructure to manage the tender process for a new Garbage Truck in accordance with S29 (2) (b) of the Local Government (Accounting) Regulations 2008"
- b) That an additional item of General Business be added under "RBM Tender" to reflect

that a discussion was held as to why the Council was not successful in the tender for this work and that the Council is to make contact with the funding body to ascertain exactly why the tender failed.

71 RESOLUTION

Moved: Kathleen Tipungwuti

Seconded: Marius Puruntatameri

That the minutes of the Ordinary Meeting on 26 August 2009 as circulated, be confirmed as a true and correct record of that meeting.

CARRIED

2 CORRESPONDENCE

Nil

3 GENERAL BUSINESS

3.1 REQUEST FOR RATES EXEMPTION FROM NGARUWANAJIRRI INC (THE KEEPING HOUSE)

The report outlines a request from Ngaruwanajirri Inc. (The Keeping House) for Rates Exemption

Craig Rutherford briefed the Council on the application for exemption from Rates and Charges by the Keeping House and supplied copies of their PBI and ATO status.

72 RESOLUTION

Moved: Henry Dunn

Seconded: Marius Puruntatameri

- (a) **That Council resolves to provide a Rates Concession fully exempting Ngaruwanajirri Incorporated (The Keeping House) from Rates and Charges until further notice. The Council adopts this as a policy on the basis that Ngaruwanajirri Incorporated provides cultural activities and promotes community health or welfare.**

CARRIED

3.2 ACTIVITY REPORT

Activity Report 19th August to 21st September 2009.

David Bond talked of this report and general discussion was had regarding the opening of the Paru ferry service for the next Tiwi Bombers game at Nguuu on Saturday 03.10.09. Henry Dunn asked that it be noted he did not agree with Council's decision to open the Ferry service on that weekend due to costs involved. There was also further discussion regarding the use of the Paru Ferry by the Arafura Pearl and the fact that they do not pay/contribute to the use of the Paru ferry. It is resolved that a \$10.00 return trip cost be charged on each Arafura Pearl passenger to cover this cost. Other discussions were had regarding people making new off-road tracks around the islands which is leading to erosion and other environmental concerns. Marius Puruntatameri asked if the Pickertaramoor to Cape Gambier road could be repaired. David Bond asked if Traditional Owners could work with Council to supply and locate gravel for road improvements and repairs. It was agreed that a letter be written to the Tiwi Land Council requesting their assistance to utilise gravel across the islands.

73 RESOLUTION

Moved: Kathleen Tipungwuti

Seconded: Raelene Mungatopi

That the Monthly Activity Report be received and noted

CARRIED

74 RESOLUTION

Moved: *Richard Tungutalum*
Seconded: *Marius Puruntatameri*

That Council resolves to write to the Tiwi Land Council seeking assistance from Traditional owners to utilise gravel across the Tiwi Islands for road repairs and improvements.

CARRIED

75 RESOLUTION

Moved: *Kathleen Tipungwuti*
Seconded: *Richard Tungutalum*

That Council resolves that David Bond and Lawrence Costa are to meet with the Arafura Pearl owners and inform them that a \$10 return (or \$5 each way) fee will be imposed on their passengers using the Paru ferry.

CARRIED

3.3 APPLICATION TO WRITE OFF TILG DEBT OF \$419,343.43

A report regarding the recommended write-off of outstanding debts from Tiwi Islands Local Government (TILG) to the total value of \$419,343.43

Craig Rutherford spoke to this report and outlined the legislative requirements for Council in this matter and the efforts that had been made to analyse and claim this debt.

76 RESOLUTION

Moved: *Henry Dunn*
Seconded: *Emmanuel Rioli*

- (a) **That Council resolves, under s27 of the Local Government (Accounting) Regulations 2008, to write off bad debts relating to the former Tiwi Islands Local Government to the cumulative value of \$419,343.43 as per the attached Debtors Schedule 'Appendix B'.**

CARRIED

3.4 REPORT REGARDING PROPOSED AMENDEMENTS TO COUNCIL'S APPROVED FINANCIAL DELEGATIONS

This report outlines recommended amendments to the current Financial Delegations of Shire Operations Staff relating to the raising of Purchase Orders and the authorising of payments (Cheques and Electronic Transfers).

Craig Rutherford spoke to this report and outlined the reasons why the proposed changes to the Financial Delegations are required.

77 RESOLUTION

Moved: *Marius Puruntatameri*
Seconded: *Henry Dunn*

- (a) **That Council resolves to adopt the revised Financial Delegations (version September 2009) as attached.**

CARRIED

3.5 CORPORATE SERVICES REPORT FOR PERIOD 2 - AUGUST 2009

This report provides Council with an update on Shire finances up until the end of August 2009. The report is provided on behalf of the CEO in accordance with s18 of the Local Government (Accounting) Regulations 2008.

78 RESOLUTION

Moved: Kathleen Tipungwuti

Seconded: Raelene Mungatopi

- (a) **That Council adopt this report by resolution.**

CARRIED

3.6 REPORT REGARDING TISC REPRESENTATIVE ON COUNCILBIZ BOARD

The Tiwi Shire is required to appoint a new representative to the board of CouncilBiz due to the ceasing of employment of the previous TISC CEO, Mark Goode.

Craig Rutherford spoke to this report.

79 RESOLUTION

Moved: Emmanuel Rioli

Seconded: Marius Puruntatameri

- (a) **That Council resolves that the Acting CEO, David Bond, be appointed to the CouncilBiz Board until a new Tiwi Islands Shire Council CEO is appointed and commences in that role.**

- (h) **That Council nominate the new permanent CEO as the nominated representative to the CouncilBiz Board once they are appointed and commence in that role.**

CARRIED

4 REPORTS FOR INFORMATION

4.1 YOUTH REPORT BY KEVIN DOOLAN

This is an update of September 2009 programs

Maurice Rioli spoke to this report.

80 RESOLUTION

Moved: Kathleen Tipungwuti

Seconded: Raelene Mungatopi

- (a) **That Council note and receive this report**

CARRIED

4.2 CHILD CARE SERVICE - NGUIU

Maurice Rioli spoke to this report.

81 RESOLUTION

Moved: Kathleen Tipungwuti

Seconded: Raelene Mungatopi

- (a) **That Council note and receive this report**

CARRIED

4.3 YOUTH DIVERSION - SUMMARY AS AT 31.08.09 - TYDDU PROGRAMS

This report provides an update of Youth Diversionary Programs.

Maurice Rioli spoke to this report. Richard Tungatalum raised concerns he had regarding Night Patrol at Nguiu with Maurice Rioli and was asked by Maurice to take up his concerns with the Night Patrol Manager at Nguiu.

82 RESOLUTION

Moved: Kathleen Tipungwuti

Seconded: Raelene Mungatopi

- (a) **That Council note this report.**

CARRIED

4.4 HOUSING REPORT SEPTEMBER 2009

David Bond spoke to this report. The issue of staff taking leave at short or no notice was raised and it was agreed that a memo should be issued to all staff instructing that at least 5 working days notice is required before leave is taken (if approved).

83 RESOLUTION

Moved: Kathleen Tipungwuti

Seconded: Raelene Mungatopi

- (a) **That Council develop a policy regarding notice needed for full time employees to take annual leave.**

CARRIED

4.5 GARBAGE TRUCK, COMPACTOR

Tender for One (1) Garbage Truck, Compactor

David Bond spoke to this report.

84 RESOLUTION

Moved: Kathleen Tipungwuti

Seconded: Raelene Mungatopi

- (a) **That Council received and note this report.**

CARRIED

4.6 DIRECTOR COMMUNITY SERVICES REPORT (TENDERED TO COUNCIL ON THE DAY)

Maurice Rioli tendered a Director of Community Services Report to Council and spoke to it.

85 RESOLUTION

Moved: Kathleen Tipungwuti

Seconded: Raelene Mungatopi

That Council notes this report.

CARRIED

5 REPORTS FOR DECISION

Nil

6 NOTICES OF MOTION

Nil

7 RESCISSION MOTIONS

Nil

8 Other Business

8.1 COUNCILLORS CONTACT WITH SHIRE STAFF

David Bond raised his concerns that some Councillors are contacting shire staff directly and that sometimes this contact is aggressive. David asked for all such contact be made through the CEO.

8.2 TRAINING FOR ELECTED MEMBERS

Councillors discussed their concerns that they had still not received training and that they are keen to receive this training.

8.3 COUNCILLORS PORTFOLIO RESPONSIBILITIES

Councillors raised their concerns that although each had been assigned certain portfolio responsibilities that nothing more had been done about this since Lawrence Costa handed out the list. It was agreed that David Bond would develop a strategy for Directors and Elected Members to engage on portfolios.

86 RESOLUTION

Moved: Henry Dunn

Seconded: Marius Puruntatameri

Council resolved to have David Bond develop a strategy for how Councillors will be briefed and kept up-to-date on issues within their portfolio responsibility.

CARRIED

8.4 COMMUNITY LIAISON REPORT - EMMANUEL RIOLI (TENDERED AT COUNCIL MEETING)

Emmanuel Rioli provided a report to which he spoke and updated Council on a range of issues at Pirlangimpi in his role as Council Liaison Officer.

8.5 AIRPORT FENCING

Marius Puruntatameri raised his concerns about the unfinished fencing at Pirlangimpi. Des Harris suggested that Territory Housing R&M Funding could be (with prior written approval) be applied to fix this issue if there are spare funds left over. Marius asked that Council find another way and not wait for the possibility of spare funding . John Ramsay offered to advise Council at the next meeting of what the NTER funding might be able to do to finish this project as it originated with them.

8.6 EDUCATION MEETING UPDATE

Richard Tungatalum updated Council on recent Education meetings held on the Tiwi Islands.

8.7 SKIN GROUP MEETINGS

Maurice Rioli briefed Council on recent skin Group meetings held at Nguiu by Kevin Doolan. Des Harris asked that he be kept informed of the results of the meetings as he does a weekly briefing to the Minister.

8.9 CLOSED SESSION OF COUNCIL HELD - AS PER S65(2) OF THE LOCAL GOVERNMENT ACT 2008

See separate confidential meeting minutes.

9 NEXT MEETING

The next Ordinary Meeting of Council is to be held on Wednesday, 28 October 2009.

Meeting closed at 3.15pm