



# **AGENDA**

## **ORDINARY MEETING**

### **TUESDAY, 5 APRIL 2011**

Notice is given that the next Ordinary Meeting of Tiwi Shire Council will be held on:

- Wednesday, 25 May 2011 at
- Pirlangimpi
- Commencing at 10:00am

Your attendance at the meeting will be appreciated.

**Alan Hudson**  
**Chief Executive Officer**

## **AGENDA**

### **1 WELCOME & APOLOGIES**

- 1.1 WELCOME
- 1.2 PRESENT
- 1.3 APOLOGIES
- 1.4 LEAVE OF ABSENCE
- 1.5 CONFIRMATION OF PREVIOUS MINUTES

*Ordinary Meeting - 30 March 2011*

### **2 CORRESPONDENCE**

*Nil*

### **3 GENERAL BUSINESS**

*Nil*

### **4 REPORTS FOR INFORMATION**

|     |                                   |    |
|-----|-----------------------------------|----|
| 4.1 | INFRASTRUCTURE REPORT .....       | 3  |
| 4.2 | FLEET STATUS REPORT .....         | 6  |
| 4.3 | COMMUNITY DEVELOPMENT .....       | 8  |
| 4.4 | CDEP REPORT 30.3.11 .....         | 18 |
| 4.5 | COMMUNITY SERVICES .....          | 20 |
| 4.6 | TIWI YOUTH DIVERSION REPORT ..... | 21 |

### **5 REPORTS FOR DECISION**

|     |   |    |
|-----|---|----|
| 5.1 | CONSTITUTION RECOGNITION .....                                  | 24 |
| 5.2 | STATEHOOD .....   | 27 |
| 5.3 | COUNCIL COMMITTEE - SETTING OF DATES FOR ORDINARY MEETING ..... | 30 |

### **6 COMMON SEAL APPROVAL**

|     |  |    |
|-----|--|----|
| 6.1 | USE OF THE COMMON SEAL 11 MARCH 2011 ..... | 32 |
| 6.2 | USE OF COMMON SEAL - 11 MARCH 2011 .....   | 33 |

### **7 NOTICES OF MOTION**

*Nil*

### **8 RESCISSION MOTIONS**

*Nil*

### **9 OTHER BUSINESS**

### **10 NEXT MEETING**

Wednesday, 25 April 2011

## REPORTS FOR INFORMATION

---

|                    |   |
|--------------------|---|
| <b>ITEM NUMBER</b> | 4.1   |
| <b>TITLE</b>       | Infrastructure Report   |
| <b>REFERENCE</b>   | 78612   |
| <b>AUTHOR</b>      | Martin Waddington, Director of Infrastructure and Engineering |



Activities undertaken by the Civil Works teams and Infrastructure in March 2011.

### BACKGROUND

This report is provided for information

### ISSUES/OPTIONS/CONSEQUENCES

#### Persistent wet conditions

Since TC Carlos there has been little respite from heavy rain which has confounded attempts to begin work on repairs to our roads. However planning has taken place in preparation for significant work to bring our infrastructure back to the condition before the event.

Anticipated works that will form the backbone of the Shires civil works program are as follows:

- Repairs to Paru Bridge, re-establishing the road approaches to the bridge on the Paru side
- Improvements to Paru Bridge including realigning the creek on the upstream approach and protecting the banks with mesh cage mattresses.
- Repairs to major scoured out section of road to Wurankuwu
- Repairs to major damage of sections of road between Paru Bridge and Three Ways intersection
- Repairs to numerous damaged sections of road across the entire road network estimated to be 50% of the total length of all major roads.
- Reinstatement of road drainage along major connector roads. These are the side drains that convey water away from the road to the adjacent land which have been affected by road debris washing up and deposited in these drains. Most of these drains have been affected to a greater or lesser extent.
- Damage to bitumen roads, particularly in Wurrumiyanga that has been caused by excessive flood waters pooling for long periods of time around and on the roads. This has caused the pavement soften and fail resulting in large potholes at many locations. The same problem does not appear to be so widespread in Milikapiti and Pirlangimpi but this is probably due to the less number of particularly heavy vehicles using the road networks there.
- Damage to stormwater drains within Wurrumiyanga
- Removal of silt from large sections of roads throughout the entire road network.
- Clearing trees and debris

The Director of Infrastructure has secured permission from the Tiwi Lands Council to access existing pits across the islands to access road base material for the purposes of emergency roadwork. This being the case is granted on the proviso (for now) that there is no vegetation damage i.e. no enlargement of these pits. The Director is currently identifying those pits that are worth expanding (not all are) and will be subject to a further discussion and an application to the Tiwi Lands Council.

#### Barge landing update

Discussions are taking place with Consultants with a view to preparing final layout plans and detailed design for this facility. The NT Government are seeking to hand over to the Shire \$2,000,000 towards the cost of this development. Accordingly an agreement is currently

being drawn up with the NT Government through the Department of Lands and Planning to clearly set out deliverables and timeframes. Another related issue which is currently being addressed is that of land tenure/security. Shire is not currently the 'owner' or lease holder of the allotment that the barge landing is located on. To be assured that the responsibility and thus the control of the land remains with Council once the facility is built it is desirable that the Shire has secure tenure over the land. The Department of Lands and Planning is currently negotiating this through the Office of Township Leasing on Councils behalf.

With regard to the facility itself, members will recall that a previous grant submission was made on a far more ambitious scope which included a redevelopment of the barge landing and jetties at both Wurrumiyanga side and Paru side of the straight; a project that had been costed at over \$8M. Council was not successful in winning the grant in full at the time but it did manage to win the NT Governments contribution which is the \$2M that will be put towards this project. Other income Shire can use towards the project is the insurance payout for the original jetty that was burnt down and it is likely that 'in kind' support can be counted on from the larger civil contractors currently working on housing developments in Wurrumiyanga. This support has been regarded as one way that these contractors can repay Council its debts incurred through dumping of large amounts of construction waste at the landfill while not paying any fees.

The main components of this project are

- Hard stand areas raised well above high tide levels
- Undercover areas to sort shipping
- Offices
- Fencing and security
- Customer goods receive area
- Cold rooms
- Bulky goods area (e.g. sand and metal)
- Anchor points for the barge

The above will form stage 1 of future stages that will eventually see the delivery of the original scope as envisioned.

### **Murantingala**

Otherwise known as Shires vehicle ferry, this vessel has undergone some major repairs and refitting of motors in preparation for its annual survey inspection. The old twin 115HP Yamaha outboard Motors have reached the end of their useful life and have been replaced with twin 150HP Honda outboards which are the power requirements that the ferry was originally designed for. Major works were carried out on the hull where a portion of the hulls thickness of 6mm had worn away to as little as 3mm in places and did not pass inspection. Other work performed were renewing the bilge pump, welding cracks in the roof frame structure, providing a new anchor and 2 way radio survey for both the ferry and the land based radio at the boat shed. The vessel has now successfully passed inspection and has been reissued with a fresh certificate of survey.

### **Garbage Compactors**

Arrangements have been made to purchase two new garbage compactors to replace the two that have reached the end of their useful lives and currently out of service. Delivery of these units will be in 8 to 12 weeks necessitating Council to collect rubbish using utes and trailers. This has been a difficult task as it is very labour intensive and slow due to the limited number of bins that can be transported at one time. The new compactors will be of a size similar to that used at Pirlangimpi which is considered a suitable size for any of the three communities. Each will require a driver and an operator whose task it is to collect the wheelie bin and operate the mechanical arm that lifts and empties the bin into the compactor body. These compactors are not fully automatic as was the previous machine at Wurrumiyanga.

**RECOMMENDATION:**

**That Council receive this report**

**ATTACHMENTS:**

There are no attachments for this report.

## REPORTS FOR INFORMATION

---

|                    |                            |
|--------------------|----------------------------|
| <b>ITEM NUMBER</b> | 4.2                        |
| <b>TITLE</b>       | Fleet Status Report        |
| <b>REFERENCE</b>   | 78606                      |
| <b>AUTHOR</b>      | Sonia Guy, Assests Manager |



<This should set out what the report is about, why it was written and why it is relevant.>

### BACKGROUND

Late last year we purchased five new Dual Cab utes for our fleet and are expecting a further four to arrive from Darwin in the coming week. This report advises of the allocation of these vehicles.

We also continue to work towards a better management of our fleet and are looking at introducing a unique numbering system to clearly identify each vehicle.

### ISSUES/OPTIONS/CONSEQUENCES

- **Allocations of new Fleet.**  
Four of the existing vehicles, purchased last year, will be handed over to CDEP along with one of the new vehicles. The others will be allocated as follows:
  - + Shire Engineer
  - + Director Community Services (Milikapiti)
  - + Director Community Development (Pirlangimpi)
  - + Workshop Manager

- **Fleet Numbering (ID) System**

In the past there have been issues with the allocation and tracking of vehicles to the relevant person/group.

With the re-introduction of a Fleet ID System, this will give us quick and easy recognition of the vehicle, who the responsible driver is and who the vehicle is allocated to.

This numbering system will contain a series of letters and numbers which will be displayed on each vehicle in three highly prominent positions. As an example our first vehicle would have: **MV1** in large print displayed on each wing and also on the back of the vehicle.

### CONSULTATION & TIMING

Implementation of the Fleet ID System has commenced and it is recognised that this will happen over a long period of time and will be ongoing with the acquisition and disposal of vehicles along the way.

### RECOMMENDATION:

**That Council receive and note for information**

### ATTACHMENTS:

There are no attachments for this report.

## REPORTS FOR INFORMATION

---

|                    |  |
|--------------------|--|
| <b>ITEM NUMBER</b> | 4.3  |
| <b>TITLE</b>       | Community Development                          |
| <b>REFERENCE</b>   | 78622  |
| <b>AUTHOR</b>      | Lawrence Costa, Director Community Development |



Community Development Update

### BACKGROUND

#### **Library Services- Milikapiti/Pirlangimpi/Nguiu.**

Since my last report there has been various discussions between the Shire, NT Libraries, Xavier School, Red Cross and the Commonwealth (GBM Peter Penley) in regards to how we can get funding to fund a full-time position at Nguiu. In my last report I mentioned that there was between \$66,000-\$70,000 that could support this project, now that seems not the case according to the funding body.

In the interim both myself and Peter Penley are trying to seek other avenues in regards to get additional funding. The Shire currently gets \$62,000 to fund the 2 Libraries on Melville Island. This covers 2 salary positions at Pirlangimpi and a little bit of on costs to run the 2 centres.

I have spoken to our local Minister about our situation and she is going to speak with the Minister responsible for Library's to see if we the Shire can ask for an increase in funding for salaries for Nguiu. I will discuss this further in the next few days with the CEO and our Grants Officer to identify options.

This would be a good news story as it shows that all agencies are working together to assist the community of Nguiu. Remember Nguiu is a Growth Town therefore the NTG should support this.

Reports from Milikapiti and Pirlangimpi are that they are OK.

#### **Centrelink Milikapiti/Pirlangimpi.**

The Shire recently signed of on Variation to Contract.

Glenda Farmer and Dolores Brogan are doing great work in each of their communities. Glenda seems a lot more consistent than the previous person at Milikapiti according too reports from Centrelink agents and the Office Manager at Milikapiti.

#### **Bracs/RIBS.**

Congratulations should go to Malcolm Wilson, Ron Poantimulia and Pauline Puruntatameri who are employed full-time by the Shire as Broadcasters/Operators. They all have been transitioned off CDEP which is a great result for all.

They have for the past 3 weeks spent time in Darwin and Alice Springs doing training through both TEABA and Batchelor College.

Purchase Orders have been raised to TEABA for their technicians to visit all 3 sites on the communities to reinstall and replace equipment that have been damaged or to old. About \$34,000 will be spent doing the repairs.

**CDEP Report-** Please refer to Sean Philips Report.

**Youth Diversion/ Skin Groups-** Please refer to Kevin Doolans Report.

**Night Patrol Report-** Please refer to Deanne Rioli's Report.

Memorandum of Understanding (MOU) between the NT Police the Shire needs to be renegotiated taking into account comments from councillors regarding – Authorised Persons.

- Councillors reviewed the **Memorandum of Understanding – MOU – Sept 2010**

Page 4 of the MOU – Principle 2 – Patrols have no power to stop, question, detain, search or arrest people, except those persons authorised to do so.

However an Authorised Person can ask people to identify themselves, and formally ask for Police assistance.

If we appoint a person (other than a member of the council) subject to limitations and conditions – then maybe - Principle number 2 could be amended at the review time.

#### **RECOMMENDATION:**

**That Council receive and note this report for information**

#### **ATTACHMENTS:**

- 1 Attach - MOU NT Police and Tiwi Shire - Final example of Agreement.doc

[INSERT SHIRE LOGO HERE]



**MEMORANDUM OF UNDERSTANDING**

ON

**PRATICES AND PROCEDURES**

BETWEEN

**THE XXXXXXXXXXXX SHIRE**

AND

**NORTHERN TERRITORY POLICE**

This Memorandum of Understanding is agreed on the                    day of                    20

**BETWEEN**

**Northern Territory Police**

And

**The XXXXXXXXXXXX Shire.**

- A. On <<>> 20            the Northern Territory Police Force and The XXXXXXXXXXXX Shire entered a Memorandum of Understanding whereby it was agreed to establish a cooperative arrangement between Night Patrol Services and Northern Territory Police Force in the XXXXXXXXXXXX Shire.
  
- B. This document provides that the parties to the document agree to use their best endeavours to introduce Service Level Agreements at a community level between the local Community Night Patrol Service, local Police and other service providers where specified.
  
- C. The intent of this document is not to be restrictive, but to be adaptable and flexible to meet the expectations of the community and the policing requirements in the region. The MOU also seeks to ensure any existing and future arrangements between Police and the XXXXXXXXXXXX Shire Night Patrol Services are entered into in good faith and in the best interests of the community. The success of this cooperative arrangement is dependant on mutual respect, trust, understanding and good communications between each other.
  
- D. The document is not intended to provide a basis for legal rights or powers in the patrol and must not be construed as giving any such rights or powers.

## INTRODUCTION

**As an outcome of the Northern Territory National Emergency Response in 2007, extra funding was provided to Shires and various Service Providers to assist established Night Patrols, and to further establish Night Patrols in identified communities throughout the Northern Territory. As a result of this ongoing funding arrangement, patrols are to develop partnership arrangements with other service providers in their communities. Underpinning these arrangements is the need for a more collaborative, coordinated and participative approach to community safety.**

This agreement defines the way that the Northern Territory Police and the XXXXXXXXXXXX Shire Night Patrol Services work in partnership together and nominates what services can be provided. The agreement is provided as an overview and guidance to ensure consistency and cooperation between Police operations and the XXXXXXXXXXXX Shire Night Patrol Services. It also allows for other agencies to enter into local agreements with night patrol and police for the provision of services to increase community safety.

It is recognised that, by resolving disputes by early intervention strategies the destructive cycle of alcohol fuelled “payback”, anger, guilt, misunderstanding and frustration can be short circuited. There is also evidence that a Night Patrol operating in the community can substantially reduce crime.

The XXXXXXXXXXXX Shire Night Patrol Service provides a safe, culturally sensitive service that includes transportation as defined by the Attorney General’s Operational Framework, diversion from contact with the criminal justice system and intervention to prevent disorder in communities.

The role of the Night Patrol Service revolves around the following guiding principles:

1. all individuals have the right to be safe in the community, and
2. The community has a responsibility to work together to assist in the prevention of anti-social and unlawful behaviours.

It is to be stressed that the role of the night patrol is not simply to assist in the removal of intoxicated people from public areas, but to assist in the resolution of problems as they occur, whether they be in towns, special purpose leases or remote communities. Night Patrol Services may operate differently between communities as each community has its own unique issues and characteristics.

#### **PRINCIPLES**

1. Police and patrollers will work together to keep people safe.
2. Patrollers have no power to stop, question, detain, search or arrest people, except those persons authorised to do so.
3. A night patrol will not take the place of a police patrol.
4. Nothing prevents patrollers from requesting people to stop, wait, be searched, and have their vehicle or property searched, or any other lawful thing.
5. Police retain responsibility for the provision of police services across the Northern Territory.
6. Patrollers have a limited scope of operations and cannot be called on duty by police.

## PROTOCOLS

Police induction training for recruits will include an introduction to the protocols and principles of Night Patrol Services in the Northern Territory.

The XXXXXXXXXXXX Shire Night Patrol Service will assist in localised training of new police officers to the region by providing information about family relationships, social structures and community demographics. Police will undergo education by the patrol about local patrol procedures.

Police will respect the Night Patrol operations and assist with training for patrollers when requested by the XXXXXXXXXXXX Shire. This training may include assistance with first aid, four wheel drive techniques and information on police specific radio procedures and requirements.

Where radio communications exist between police and patrollers, local protocols are to be developed to ensure adequate and timely responses by all parties. *In the event a local protocol is not forthcoming, the police and patrollers radio communications guide (once developed) is to be used as a guide.*

If the police are called by patrollers, they will attend the situation as soon as possible. If unable to attend immediately, police will provide an estimated time of arrival and PROMIS number to the patrollers.

It is accepted that patrollers have the right to refuse to remove any person if they judge it is not in the best interests of their own safety, inappropriate for them to do so, or if they do not have the physical capacity to respond at that time.

Police will continue to conduct patrols in the community to keep the peace, for the protection of persons living in the community and to provide a visible police presence.

Patrollers have a specific scope of operations and cannot be called on duty by police. Where police are seeking the assistance of any Night Patrol Service at an event such as sports carnivals or football finals, prior approval must be sought from the relevant Shire before any arrangements are made.

Police are not to utilise the services of patrollers as official interpreters for record of interviews, statements and other official reasons. Should police require the services of an official interpreter, a trained interpreter should be engaged through the Aboriginal Interpreting Service.

In circumstances where any action is taken and patrollers or police cannot resolve the situation at their level a meeting will be held at the earliest opportunity between the Superintendent, Southern Division and the XXXXXXXXXXXX Shire Night Patrol Coordinator to resolve the dispute.

If more immediate action is required, it shall be pursued jointly by the XXXXXXXXXXXX Shire Community Safety Coordinator and the Police Watch Commander of the day.

In any event it is recognised that there will be times when police and Night Patrol Services will not agree on a course of action. This should not alter or interfere with the good relationship between the parties.

The service provider will be responsible for ensuring the community is aware of the role and responsibilities of the Night Patrol.

Police will hold regular meetings with the XXXXXXXXXXXX Shire to ensure the ongoing good management of the working relationship between police and Night Patrol.

Patrollers will be permitted to undertake Cell checks as per the Cell Watch Scheme Protocols at the various police stations within the XXXXXXXXXXXX Shire.

Arrangements by way of service level arrangements should be agreed upon by local police and Night Patrol Service in each community. The documents are meant to establish the day to day working arrangements between police and patrollers. In communities where Safe Places operate localised community agreements between Police and Night Patrol will include the Safe Places.

Safe Places aim to provide increased safety options in remote communities for people affected by and/or escaping family violence. Safe places also serve as hubs where services and activities may operate with the aim of community education and early intervention in the prevention of family violence. The Safe Places will work closely with Police and Night Patrols to strengthen community safety.

This MOU will be reviewed by all parties at a combined meeting after having been in operation for a period of six (6) months, in the first instance and every twelve months thereafter or, as required by either party.

Notwithstanding this timeline it is intended that the relevant police Divisional Officer and Shire representatives will act in good faith and that full and frank discussions will be regularly held to ensure the principles of this MOU are upheld.

Signed on the <<>> day of <<>>, 2010 for and on behalf of,

THE XXXXXXXXXXXX SHIRE: .....  
XXXXXXXXXXXX Shire President

.....  
XXXXXXXXXXXX Shire Chief Executive  
Officer

And,

NORTHERN TERRITORY POLICE, FIRE & EMERGENCY SERVICES:

.....  
Commander, Alice Springs & Southern  
Regional Command

.....  
Superintendent, Southern Division

---

## REPORTS FOR INFORMATION

---

|             |                             |
|-------------|-----------------------------|
| ITEM NUMBER | 4.4                         |
| TITLE       | CDEP Report 30.3.11         |
| REFERENCE   | 78615                       |
| AUTHOR      | Sean Phillips, CDEP Manager |



General CDEP information about the new Government structure around CDEP.

### BACKGROUND

#### Tiwi Islands Shire Council CDEP Division Report March 2011

##### Employment:

- CDEP Coordinator for Wurrumiyanga is currently being short listed and interviews to be held. This position will need to be filled with a community member or a partner of a worker in the community with accommodation
- CDEP Mentor for Pirlangimpi is currently being short listed and interviews to be held. This position will need to be filled with a community member or a partner of a worker in the community with accommodation
- CDEP Training officer for Milikapati is currently being short listed and interviews to be held. This position will need to be filled with a community member or a partner of a worker in the community with accommodation

##### Service Delivery:

- CDEP at Wurrumiyanga has one vehicle to deliver services to the participants at this time,
  - Registration of the vehicles are a factor as some of these vehicles need to be inspected
  - Ageing vehicle are another factor: this is not urgent for the CDEP however it will need to be considered in future funding applications
- CDEP has one supervisor in each community for project delivery and other duties. There are not any CDEP Women Supervisors at the moment.

##### Stats:

- Participants On CDEP: 264
- Currently the CDEP is running at 65.25%
  - This will have an effect on funding into the next financial year as our funding is determined on the numbers of CDEP Participants engaged with CDEP.
  - If the Participation rises above 70% there will be a minimal effect. The CDEP need the participation to raise to approx 20 participants to get over 70%.
- Non-attendance: there have been 30 non-attendance reports from the 1<sup>st</sup> January to the writing of this report 29<sup>th</sup> March 2011.
  - **Some of the reasons are:**
    - Too tired to get out of bed to go work
    - Baby sitting for the day
    - House needs cleaning
- **On CDEP 1st Feb-29<sup>th</sup> Mar: 51**
- **Off CDEP 1st Feb-29<sup>th</sup> Mar: 47**
  - There are many reasons for the terminations:
    - 8 Participants have moved into off CDEP fulltime employment at the writing of this report 29<sup>th</sup> March 2011

- 
- Total at the writing of this report is 28 employment outcome, *(the CDEP has 80 employment outcome as a goal in the TISC CDEP Contract for this financial year)*
  - Some participants are say they are sick and are unable to participate on the CDEP *(CDEP Mentor has requested that the participants get a sick cert for evidence. Participants do not come back and stay off CDEP for more then two week and are terminated. The New CDEP Participants are reported against and if they do not show up to the Activity for two weeks they should be terminated)*

### **CDEP Updates:**

The CDEP will continue into 2011-12 and beyond there will be a dramatic change to the funding. The CDEP wages will not come to the Contract holder instead the participants will be paid from Centrelink. This will happen around April 2012 (transition start date to be confirmed) and will impact on how the CDEP participants can be placed.

**Continuing CDEP** participants are paid through TISC from CDEP funding and the Work Experience Employer (WEE). At this point in time the Continuing CDEP participants can work for 17.5hrs at \$16.04per/hr to a maximum of \$561.40 plus a top up of \$20.80 from Centrelink as a bonus of participating with CDEP. Then if the WEE agrees that the participants is needed to work for more hour then the WEE will pay for the extra hours the participants are working. This participant will need to be paid the award wage for their work they are doing, for example: if the hourly rate is \$26 then the WEE can have the participant there *(on the figure above of \$561.40)* will be twenty hours a fortnight.

**New CDEP** participants will be paid through Centrelink from Centrelink and the WEE. When the transition starts and the Continuing participants go across to Centrelink payment the WEE will need to do a Work Experience Agreement (WEA) and pay for every hour the New CDEP Participants is working for them. The participant will be paid from Centrelink and the WEE. This participant will need to be paid the industry award for the work they are doing. The WEE will need to apply for a wage subsidy for the time of the participant working for them if they would like to. The claim is for a 26 week period and can be claimed after the first six week.

### **ISSUES/OPTIONS/CONSEQUENCES**

There is a gap in the delivery of what CDEP should be delivering and what the CDEP is delivering. This will be highlighted with the loss of CDEP wages and the flexibility of how CDEP participants can be placed. This will apply to the CDEP Funded Supervisors also as they will move across to supervise CDEP Projects.

This will have an impact of the work areas the CDEP participants are in at the moment, for example: the Wurrumiyanga Post Office has a number of Continuing CDEP participants working (two in the morning and two in the afternoon). They will be transitioned out unless a WEA has been signed. The funds to pay these participants is to come from the WEE and Centrelink (CDEP will not be funded for CDEP Participants Wages after April 2012).

### **RECOMMENDATION:**

**That Council received and note this report for information**

### **ATTACHMENTS:**

There are no attachments for this report.

---

## REPORTS FOR INFORMATION

---



|                    |   |
|--------------------|---|
| <b>ITEM NUMBER</b> | 4.5   |
| <b>TITLE</b>       | Community Services                                      |
| <b>REFERENCE</b>   | 78629   |
| <b>AUTHOR</b>      | Ebony Costa, Regional Coordinator of Childrens Services |

Regional Community Services

### **BACKGROUND**

All Youth and Children's Service programs and staffing will be under review with this month by Myself the program Managers and the Assistant Manager. We will be spending time with each service and their staff in each community a full audit;

- Service Performance
- Staff Performance
- Service Resources
- Staff Rosters
- Service programming
- Training
- Facility

When the audit is completed the recommendations from that will be reviewed with Program Managers. We will then give all Supervisors direction for modifications to their program in compliance with the audit recommendations.

### **ISSUES/OPTIONS/CONSEQUENCES**

- We have had issues with staff members not attending training. A new training schedule has been set for all staff from TITEB.
- The lack of Service Delivery. A Service audit will be conducted in the next 2 weeks for all Community Service programs.
- Lack of Staff dedication. All staff positions and performance in Community Service programs will be under review.

All these issues will be reviewed in the Service Audit.

### **CONSULTATION & TIMING**

The Audit will take 4 weeks to complete.

### **RECOMMENDATION:**

**That Council receive and note for information.**

### **ATTACHMENTS:**

There are no attachments for this report.

---

## REPORTS FOR INFORMATION

---

**ITEM NUMBER** 4.6  
**TITLE** Tiwi Youth Diversion Report  
**REFERENCE** 78605  
**AUTHOR** Kevin Doolan, Coordinator - Youth Services



Youth Diversion Update

### BACKGROUND

#### SUMMARY OF PROGRAMS (AND STATISTICS) UNDERTAKEN BY TIWI YOUTH DIVERSION UNIT (TYDU) as at 28/02/2011

- Attendance Program MCS Primary School:  
Students absent picked up before and during school by TYDU Youth Workers.
- Preparation for ASC/VAC sport & activities program:  
Morning cleaning up and preparation for ASC/VAC sports/other activities program in afternoon
- Preparation for ASC/VAC Nutrition Program:  
(VAC program transferred back to TYDU as at December 2010)  
Morning preparing food for MCS student's nutrition program in afternoon at 1.40pm
- Delivery ASC/VAC Nutrition program:  
(VAC transferred back to TYDU as at December 2010)  
Stew/Chicken/Mince Veggies & rice Mondays – Wednesday; sandwiches & fruit (bananas from farms) Thursdays & Fridays
- Delivery ASC/VAC sport & activities program:  
(VAC transferred back to TYDU as at December 2010)  
Delivering After School Care program for 9yr olds to 12yr olds from 1.45pm to 4.00pm each school day and 6pm to 9.30pm evenings including Vacation Care during School holidays.
- ASC/VAC Evening program:  
(VAC transferred back to TYDU as at December 2010)  
Providing ASC sport and other activities in the evenings from 6.30pm – 8.30pm Mondays and Thursdays
- Formal Police Referrals/Youth Diversion Family and Victim Offender Conferencing:

- Family Intervention:  
Provided on an 'as required' basis by TYDU Youth Workers. Families encouraged to resolve conflicts peacefully through family negotiations and discussions.
- Skin Group meetings:  
(Program extended to Milikapiti and Pirlangimpi once Skin Group project officers are appointed October/November 2010)  
Meetings facilitated by TYDU and held to provide a forum for Tiwi people to participate in discussions on community issues. Meeting Minutes emailed to all stakeholders for action i.e. Tiwi Islands Shire Council CEO, Directors etc
- Pre-court conferencing:  
Meetings held from 1.30pm before Community Safety Plan meetings each month. Community Court Panel recommendations for referrals to community court provided through Community Court Coordinator and NAAJA solicitors to court magistrate
- Community Court Referrals  
Tiwi Leaders, Elders and Family of offenders sit with Magistrate and assist in the court process. Legal education and training is to be provided to the Nguiu circle sentencing panel by NAAFVLS Solicitor Wayne Connop and Shaun Thomas. (Negotiations continuing with NAAFVLS regarding the provision of this training)
- Community Safety Plan: Meetings held 2pm the day before monthly circuit court sessions at Nguiu. Community safety issues and action plan options are discussed and implemented by the appropriate authority i.e. pig eradication/dog culling/community hygiene/alcohol behaviour issues.

## **ISSUES/OPTIONS/CONSEQUENCES**

## **CONSULTATION & TIMING**

## **RECOMMENDATION:**

**That Council receive and note this report for information**

## **ATTACHMENTS:**

- 1 Tiwi Youth Diversion Unit - Programs and Statistics - 2011.pdf

**TIWI YOUTH DIVERSION UNIT (TYDU) PROGRAMS AND STATISTICS-2011**

| Date      | Students Picked Up Before School | Students Picked Up During School | Prep-ASC/VAC Sports/Activities-Nos. of workers | Prep-ASC/VAC Nutrition Program-Nos. of Workers | ASC/VAC Nutrition Program-PM-Nos. of Meals prepared | ASC / Sports Program PM-Nos of Children attending | ASC / Sports Program Evening Nos of Children Attending | Formal Police Referrals to Youth Program | Court Referral Community Service Orders | Family Interventions-Nos of interventions | Skin Group/Advisory board Meeting Nos of Meetings | Pre-Court Conferencing (Nos of Meetings) | Community Court referrals | Community Safety Plan meetings | VAC-AM | VAC-PM | VAC-Evening |
|-----------|----------------------------------|----------------------------------|--|--|---|---|--|--|---|---|---|--|---------------------------|--------------------------------|--------|--------|-------------|
| 2011      |                                  |                                  |  |  |   |   |  |  |   |   |   |  |                           |                                |        |        |             |
| January   | 16                               |                                  | 41   | 19   | 825   | 50  | 45   |  |   |   |   |  |                           |                                | 760    | 800    | 1100        |
| February  | 388                              | 202                              | 61   | 52   | 1525  | 950   | 1105   |  |   |   |   |  |                           |                                |        |        |             |
| March     |                                  |                                  |  |  |   |   |  |  |   |   |   |  |                           |                                |        |        |             |
| April     |                                  |                                  |  |  |   |   |  |  |   |   |   |  |                           |                                |        |        |             |
| May       |                                  |                                  |  |  |   |   |  |  |   |   |   |  |                           |                                |        |        |             |
| June      |                                  |                                  |  |  |   |   |  |  |   |   |   |  |                           |                                |        |        |             |
| July      |                                  |                                  |  |  |   |   |  |  |   |   |   |  |                           |                                |        |        |             |
| August    |                                  |                                  |  |  |   |   |  |  |   |   |   |  |                           |                                |        |        |             |
| September |                                  |                                  |  |  |   |   |  |  |   |   |   |  |                           |                                |        |        |             |
| October   |                                  |                                  |  |  |   |   |  |  |   |   |   |  |                           |                                |        |        |             |
| November  |                                  |                                  |  |  |   |   |  |  |   |   |   |  |                           |                                |        |        |             |
| December  |                                  |                                  |  |  |   |   |  |  |   |   |   |  |                           |                                |        |        |             |
| TOTAL     | 404                              | 202                              | 402  | 71   | 2350  | 1600  | 1150   |  |   |   |   |  |                           |                                | 760    | 800    | 1100        |

**TYDDU Program Statistics-2011**

---

## REPORTS FOR DECISION

---

|                    |                                      |
|--------------------|--------------------------------------|
| <b>ITEM NUMBER</b> | 5.1                                  |
| <b>TITLE</b>       | Constitution Recognition             |
| <b>REFERENCE</b>   | 78613                                |
| <b>AUTHOR</b>      | Alan Hudson, Chief Executive Officer |



Ensuring that local government is properly recognised in all government structures including the Australian Constitution.

### BACKGROUND

There is a long history of debate on Constitutional recognition for Local Government in Australia, with referendums having previously been put before the voters in 1974 and 1988, with both being defeated.

During 2008 the ALGA actioned a strategic approach aimed at securing a referendum which involved.

- Some initial resource materials to assist Local Governments to conduct a conversation at the local level on the Constitutional recognition
- Zone or region level discussions, where appropriate, based on WALGA agenda items
- Statewide forum to determine a state Local Government position (resolved at Local Government Convention)
- A national experts forum a National Constitution Summit (Melbourne December 2008)

In 2009/10 ALGA focused advocacy around national political forums, political parties and key influential academics, while State Association built up state profiling campaigns to improve the image and perception of their local government jurisdictions.

The ALGA Board further refined the national position in 2010 to focus specifically on financial recognitions and the WALGA position was also aligned to this focus.

- The Federal Government has committed to a referendum on Constitutional recognition for Local Government, likely to be held in conjunction with the 2013 election.
- A national position was developed at the Local Government Constitution Summit held in Melbourne in December 2008, and has been refined by the ALGA Board to focus the referendum on financial recognition.
- ALGA has requested that all Local Government formally resolve to support the conduct of the referendum.

Whilst the Federal Government has said that it will run a referendum, their willingness to do so in any sort of reasonable time frame will be heavily influenced by their perceptions of its likely success. A major factor in their perceptions will be the degree to which the conversation reflects broad community engagement.

It is important that local community support is marshalled to ensure that community ownership is injected into the campaign. If the campaign is seen purely as one being run by and for the local government system, then success will be difficult to achieve.

---

## **ISSUES/OPTIONS/CONSEQUENCES**

### **Policy Implications**

Adoption of the recommendation will formalise council's policy position and align it with the national campaign.

### **Budgetary Implications**

Expenditures could involve expenses such as venue hire and minor catering and administrative charges including telephone calls, printing, etc. These are likely to be minimal and manageable within the constraints of budgeted operational expenditure.

## **CONSULTATION & TIMING**

### **RECOMMENDATION:**

#### **That Council;**

- 1. Support the ALGA campaign for the Constitutional recognition of local government;**
- 2. Call on Federal Government to conduct a referendum to achieve the Constitution recognition of local government at the 2013 federal election;**
- 3. Develop a local level campaign, in support of the national campaign, to inform the local community and garner its support;**
- 4. Acknowledge that funding implications need to be considered as part of the ongoing financial planning process.**

### **ATTACHMENTS:**

- 1 Letter from ALGA through LGANT.pdf**

Dear Mayor/President

Recently your Local Government will have received correspondence from ALGA President Cr Genia McCaffery inviting you to become directly engaged in the campaign for constitutional recognition by carrying resolutions supporting a 2013 referendum on financial recognition of our sector. She has outlined a number of avenues through which Councils can offer their support, including resolutions of Council and discussions with State and Federal members of parliament.

I encourage you to accept Cr McCaffery's invitation and begin your local campaign as part of the broader national campaign effort.

I believe it is important that we make it very clear that this is not a campaign to encourage the Commonwealth to take over responsibility for Local Government, nor will constitutional recognition affect the current rights of the State Government regarding our sector.

Our campaign for constitutional recognition is about making sure that the Federal Government has the continuing legal capacity to do what it has been doing for a number of years – provide funding directly to local governments. Its ability to do so has been placed in serious doubt by the 2009 challenge by Mr Bryan Pape to the validity of the Commonwealth retail stimulus package. Although this challenge was defeated, it is seen by many legal experts to have effectively narrowed the Federal Government's power to act in this way, restricting its efforts to situations of national or international emergency. Clearly regular payments to local governments would have difficulty in meeting this threshold requirement. Therein lies the importance of achieving recognition for Local Government in the Australian Constitution.

Local Government in WA already receives, on average, approximately \$90million in direct federal funding through the Roads to Recovery (R2R) program and the Community Infrastructure fund (RLCIP). The importance and effectiveness of this funding to the lives of people in West Australian communities is undeniable.

Not only does direct Federal funding benefit local governments, it effectively benefits the State Government too, by enabling a greater spend of the national tax take within WA - extra funds that would not come to WA if it wasn't for the direct local government funding programs that make it possible.

An effective national "Yes" campaign will be built on the back of local and state based campaigns that raise the profile of local government within the broader community. It is these initial campaign efforts that will highlight the importance of local government to peoples daily lives and underpin the logic of securing a fair share of the national tax take directly to those communities. We are in an enviable position here, with awareness amongst West Australian communities already increasing as a result of the television based promotional campaigns WALGA has been running over the past five years.

Local Governments can contribute to this important stage of the constitutional recognition campaign by passing a council resolution supporting the call for a 2013 referendum and continuing to raise awareness of the services delivered by Local Government and the benefits achieved for all communities from the current direct funding relationship with the Federal Government.

I urge you to carry an appropriate resolution and proclaim the case for constitutional recognition in your local community, and encourage you to contact *(WFS + details)* at the Association should you need advice or assistance.

President, Mayor TP, etc...

---

## REPORTS FOR DECISION

---

**ITEM NUMBER** 5.2  
**TITLE** Statehood  
**REFERENCE** 78614  
**AUTHOR** Alan Hudson, Chief Executive Officer



Support for Statehood via the NT Statehood Constitutional Convention.

### **BACKGROUND**

A letter was received on 7<sup>th</sup> March from Alice Springs Town Council, Damien Ryan Mayor

### **ISSUES/OPTIONS/CONSEQUENCES**

### **CONSULTATION & TIMING**

### **RECOMMENDATION:**

That Council supports discussions at the NT Statehood Constitution Convention seeking to enshrine protection of the interests of the regions in any new constitution and endorses the resolution as attached.

### **ATTACHMENTS:**

1 Letter - Alice Springs Town Council - Statehood - 15 Feb 2011.pdf



Mayor's Office



15 February 2011

Mr Alan Hudson  
 Chief Executive Officer  
 Tiwi Islands Shire Council  
 PO Box 104  
 PARAP NT 0804

Dear Mr Hudson

**RE: STATEHOOD**

At the LGANT General Meeting held in November 2010 the following motion was passed:

*That the Local Government Association of the Northern Territory (LGANT):*

- 1) *affirms in principle support for Statehood;*
- 2) *recognises the tensions concerning the relationship between the capital centre and regions as an obstacle to the Territory moving forward;*
- 3) *recognises the concentration of political power in the capital centre as impacting upon these tensions;*
- 4) *identifies the process of designing and endorsing a constitution for a new State as a unique opportunity to address these tensions and move forward as a united and inclusive Territory. And further recognises the opportunity to address these tensions to create a modern and new constitution where other States have failed to do so;*
- 5) *respectfully requests the Statehood convention process include the following for discussion and consideration:*
  - a) *a constitution statement that reflects the rights and responsibilities of all people of the new State, including specific statements in relation to regions;*
  - b) *a constitutional formula that ensures equitable distribution of financial resources across the regions, particularly discretionary and non-essential infrastructure; and*
  - c) *constitutional protection of regions in the way that political power is dispersed.*

As a follow up to that resolution, the Alice Springs Town Council is requesting that Councils, Shires and major representative bodies adopt the following motion:

***That Tiwi Islands Shire Council supports discussions at the NT Statehood Constitutional Convention seeking to enshrine protection of the interests of the regions in any new constitution and endorses the resolution (detailed above) passed at the November LGANT General Meeting.***

Car Todd Street and Gregory Terrace • PO Box 1071 Alice Springs NT 0871  
 Tel: (08) 89 500 500 • Fax: (08) 89 530 558  
 Email: [astc@astc.nt.gov.au](mailto:astc@astc.nt.gov.au) • Web: [www.alicesprings.nt.gov.au](http://www.alicesprings.nt.gov.au)



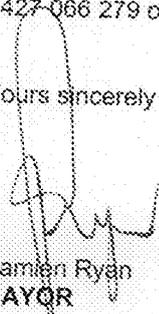
- 2 -

Please find enclosed a DVD which contains a short (9 minute) presentation on this subject which we would ask be played to your Council/Shire/Representative Body prior to any discussion on this matter.

Only through united, active collaboration can this message of protection of the interests of the regions be delivered to the delegates to the Statehood Convention in a manner that will ensure inclusion. We seek your support.

Should you have any questions, please contact Alderman John Rawnsley on 0427-066 279 or [rawnsleyj@gmail.com](mailto:rawnsleyj@gmail.com) for further information.

Yours sincerely



Damien Ryan  
**MAYOR**

Enc.

---

## REPORTS FOR DECISION

---

|                    |   |
|--------------------|---|
| <b>ITEM NUMBER</b> | 5.3   |
| <b>TITLE</b>       | Council Committee - Setting of Dates for Ordinary Meeting |
| <b>REFERENCE</b>   | 78617   |
| <b>AUTHOR</b>      | Alan Hudson, Chief Executive Officer                      |



This report is for council to consider changing our ordinary monthly meetings to bi monthly meetings for the rest of the year.

### **BACKGROUND**

Requirements under the Local Government Act 2008 – Chapter 6 Meetings:

6.1 Council Meeting – Section 58 – Nature and timing of council meetings:

(1) A council must hold a meeting of its members (an **ordinary meeting**) at least once in each successive period of 2 months.

### **ISSUES/OPTIONS/CONSEQUENCES**

### **CONSULTATION & TIMING**

### **RECOMMENDATION:**

**That Council agree on the set dates to hold ordinary meetings every two month for rest of 2011**

### **ATTACHMENTS:**

1 Proposal Set Dates for Council Committee 2011.doc

**COUNCIL COMMITTEE – SET DATES FOR ORDINARY MEETINGS 2011**

| DATE         | TIME  | PLACE        |
|--------------|-------|--------------|
| 25 May       | 10 AM | Pirlangimpi  |
| 27 July      | 10 AM | Wurrumiyanga |
| 28 September | 10 AM | Milikapiti   |
| 30 November  | 10AM  | Pirlangimpi  |

---

## **COMMON SEAL APPROVAL**

---

**ITEM NUMBER** 6.1  
**TITLE** Use of the Common Seal 11 March 2011  
**REFERENCE** 78610  
**AUTHOR** Patricia Brogan, Office Manager - Pirlangimpi



The Common Seal was used on the 11 March 2011 to enter into an agreement for the provision of Community Development Employment Projects

### **BACKGROUND**

An agreement was received on the 22 February 2010 from AG Indigenous Coordination Centre for the provision of CDEP Programs - amount of funding available is \$14,941,110.00

### **ISSUES/OPTIONS/CONSEQUENCES**

### **CONSULTATION & TIMING**

The variation becomes effective from the date of this Deed.

### **RECOMMENDATION:**

**That Council receive and gratify the use of the Common Seal**

### **ATTACHMENTS:**

There are no attachments for this report.

---

## **COMMON SEAL APPROVAL**

---

|                    |   |
|--------------------|---|
| <b>ITEM NUMBER</b> | 6.2   |
| <b>TITLE</b>       | Use of Common Seal - 11 March 2011            |
| <b>REFERENCE</b>   | 78611   |
| <b>AUTHOR</b>      | Patricia Brogan, Office Manager - Pirlangimpi |



The common seal was used on the 11 March 2011 to enter into an variation of agreement for the provision of Community Fitness Program

### **BACKGROUND**

An agreement was received on the 1 March 2010 from AG Indigenous Coordination Centre for the provision of Community Fitness Program for Pirlangimpi and Milikapiti – amount of funding available is \$8,500.00

### **ISSUES/OPTIONS/CONSEQUENCES**

### **CONSULTATION & TIMING**

The variation becomes effective from the date of this agreement

### **RECOMMENDATION:**

**That Council receive and gratify the use of the Common Seal.**

### **ATTACHMENTS:**

There are no attachments for this report.