



**MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE MILIKAPITI BOARDROOM ON WEDNESDAY, 14 OCTOBER 2015 AT 10:00 AM**

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**1 Welcome & Apologies**

**1.1 Welcome**

**Note 1:** This Ordinary Council Meeting was originally scheduled for Wednesday 30 September, but due to the unavailability of a quorum at the last minute due to member's illness it was agreed to re-schedule the meeting to Wednesday 7<sup>th</sup> October.

**Note 2:** Due to the unavailability of the Mayor and Deputy Mayor on the 7<sup>th</sup> October, it was decided to defer the 7<sup>th</sup> October meeting by one additional week to Wednesday 14<sup>th</sup> October 2015.

The meeting opened at 10:08 am.

The A / CEO Garry Lambert welcomed Councillors, staff and visitors to this the first Ordinary Council Meeting following the reinstatement of the Council members. The Mayor, Lynette De Santis then took over chairing the meeting.

**1.2 Present**

**Mayor:** Lynette De Santis

**Councillors:** John Naden, Gawin Tipiloura, Therese Bourke, Venard Pilakui, Anita Moreen, Emmanuel Rioli, Irene Tipiloura.

**Officers:** Garry Lambert (A/Chief Executive Officer), Vince North (A/Director Infrastructure), Lesley Palmer (Corporate Services Director), Bill Toy (Deputy Director Community Support), Chris Smith (ICT & Systems Manager), Sally Ullungura (Governance Support).

**Visitors:** Shaun Hardy (DLGCS).

**Minutes:** Bruce Moller (Governance & Compliance Manager).

**1.3 Apologies**

Accepted: Councillors - Deputy Mayor Pirrawayingi, Barry Puruntatameri, Leslie Tungutalum, Crystal Johnson, Rosanna De Santis (Director Community Support).

**Apologies - Ordinary Meeting - 14 October 2015 ( Deferred from 30 September 2015 )**

**1 RESOLUTION**

Moved: John Naden  
Seconded: Anita Moreen

That the Apologies of Councillors - Deputy Mayor Pirrawayingi, Barry Puruntatameri, Leslie Tungutalum, and Crystal Johnson, plus staff member Rosanna De Santis (Director Community Support) be accepted by Council.

**CARRIED**

**1.4 Leave of Absence**

Nil

**1.5 Declaration of Interest of Members or Staff**

Nil

**1.6 Confirmation of Previous Minutes**

**Ordinary Meeting - 31 August 2015**

**2 RESOLUTION**

Moved: John Naden  
Seconded: Irene Tipiloura

That the minutes of the Ordinary Meeting held on 31 August 2015 as circulated, be confirmed as a true and correct record of that meeting.

**CARRIED**

**2 VISITORS AND PRESENTATIONS**

**2.1 PRESENTATION BY MUNUPI PTY LTD (TRUSTEE FOR THE MUNUPI FAMILY TRUST)**

Representatives from Munupi Pty Ltd will be in attendance today to provide a presentation to Council.

Unfortunately, due to the 2 week delay in re-scheduling this meeting the Munupi Pty Ltd representatives were unable to attend today's meeting due to other commitments, and will attend a future Council Meeting.

**RECOMMENDATION:**

**Unfortunately, due to the 2 week delay in re-scheduling this meeting the Munupi Pty Ltd representatives were unable to attend today's meeting and have advised that they will attend a future Council Meeting.**

**3 BUSINESS ARISING**

Nil

**4 CORRESPONDENCE**

**4.1 DRAFT PD - CULTURAL ADVISOR POSITION**

**RECOMMENDATION:**

That Council:

**A. Notes this report for information ..... and,**

**B. Confirms referral to the 1<sup>st</sup> Quarter 15/16 Budget Review to determine available funding and possible future recruitment action by the incoming CEO.**



#### **4.2 TIWI LAND COUNCIL - UPDATED POLICIES AND PROCEDURES**

This report is provided to Council for information in tabling a number of updated and new documents recently received from the Tiwi Land Council.

#### **RECOMMENDATION:**

**That Council notes this report for information.**

#### **4.3 LETTER FROM LITCHFIELD COUNCIL RE COMMON SERVICES AGREEMENT**

This report is provided to Council for information in relation to the attached letter dated 9<sup>th</sup> September 2015 from Litchfield Council.

#### **3 RESOLUTION**

*Moved: John Naden*  
*Seconded: Venard Pilakui*

- A. That Council notes this report for information and confirms that a future report covering the Council's possible participation in the Common Services Agreement will be provided.**
- B. That Council receives and notes the Correspondence Reports 4.1 to 4.3 for information**

**CARRIED**

#### **5 GENERAL BUSINESS**

##### **5.1 WURRUMIYANGA LANDFILL SITE**

The A / CEO advised Council that he had recently commenced the process to confirm land tenure arrangements for the Wurrumiyanga Landfill site.

An email has been sent to the Dept. Local Government & Community Services requesting assistance and advice to progress this matter and assist Council in obtaining clear tenure over the Wurrumiyanga Landfill site.

#### **4 RESOLUTION**

*Moved: Emmanuel Rioli*  
*Seconded: Therese Bourke*

**That Council notes the brief report from the A/CEO that advice is being sought from the Dept. Local Government & Community Services to assist Council with land tenure arrangements for the Wurrumiyanga Landfill site.**

**CARRIED**





## 5.2 DIESEL REBATE

Cr John Naden raised the question of whether the Council was claiming the Diesel Rebate, and if Council had lodged any back claims as there could potentially be substantial money to be claimed back from the ATO going back a number of years.

The A/CEO advised that he would need to check on the current status of Council's Diesel Rebate Claims and would request an answer from the Senior Accountant to be provided at the next Council Meeting.

### 5 RESOLUTION

*Moved: Emmanuel Rioli*

*Seconded: Therese Bourke*

**That Council requests the A/CEO to seek a report from the Senior Accountant in relation to the current status of Diesel Rebate Claims and that a report be provided to the October Ordinary Meeting.**

**CARRIED**

## 5.3 COUNCIL NEWSLETTER

Cr John Naden raised the suggestion that an information section featuring the activities of the Community Safety Program (Night Patrol) be included in the next edition of the TIRC Newsletter. There was still a continuing need to clarify and clearly communicate the activities of this important community program to all Tiwi Islands Communities and what Council responsibilities are being delivered under the Contract with the Australian Government.

The next edition of the Council Newsletter was due to be issued during November 2015 (per advice from the ICT & Systems Manager Chris Smith).

### 6 RESOLUTION

*Moved: Emmanuel Rioli*

*Seconded: Therese Bourke*

**That Council requests the next edition of the TIRC Newsletter to include a feature on the activities of the Community Safety Program (Night Patrol).**

**CARRIED**



#### 5.4 WURRUMIYANGA FORESHORE DRAIN PROJECT

The A/CEO tabled a letter and Capital Funding Agreement from the NT Minister for Transport outlining Council's successful grant funding application under the Regional Economic Infrastructure Fund to the value of \$ 403,898.

This project will significantly improve the drainage and flooding on the foreshore by clearing existing vegetation and mud, form up earthworks, construct concrete drain and grass and beautify the area to enhance the local and tourist experience.

Two copies of the deed of agreement are now required to be signed by Council to formally accept the offer.

#### 7 RESOLUTION

Moved: *Emmanuel Rioli*  
Seconded: *Lynette De Santis*

**(A) That the Capital Funding Agreement be accepted by Council and that the Acting CEO and Mayor execute the signing of the documents**

**(B) That the Common Seal of the Council be affixed to the agreement.**

**(C) That the use of the Common Seal be recorded in the appropriate register.**

**CARRIED**

#### 5.5 WURRUMIYANGA TOURIST PRECINCT

Cr John Naden raised the question of the proposed Tourist Precinct Development by Tiwi Enterprises at the Wurrumiyanga Foreshore area and whether Council was aware of what was being planned / proposed.

Council agreed that the A / CEO send an invitation to Tiwi Enterprises for them to provide a briefing to Council at the next Council Meeting (Wed 28<sup>th</sup> October 2015) at Wurrumiyanga.

#### 8 RESOLUTION

Moved: *John Naden*  
Seconded: *Lynette De Santis*

**That Council requests the A/CEO to invite Tiwi Enterprises to provide a briefing to Council at the October Ordinary Meeting to be held at Wurrumiyanga on Wednesday 28<sup>th</sup> October 2015.**

**CARRIED**





## 5.6 2015-16 HOMELANDS EXTRA ALLOWANCE ( ROUND ONE )

The A/CEO tabled a letter dated 25<sup>th</sup> September 2015 and Funding Agreement from the NT Dept. Local Government & Community Services outlining the Council's successful grant funding applications (5) for the Homelands Extra Allowance to the value of \$ 5,720 per eligible homeland dwellings for 15/16 F/Y.

A copy of the Funding Agreement is now required to be signed by Council to formally accept the offer.

### 9 RESOLUTION

*Moved: Emmanuel Rioli*

*Seconded: John Naden*

**(A) That the Homelands Extra Allowance Funding Agreement be accepted by Council and that the Acting CEO and Mayor execute the signing of the document**

**(B) That the Common Seal of the Council be affixed to the agreement.**

**(C) That the use of the Common Seal be recorded in the appropriate register.**

**CARRIED**

## 5.7 OFFICIAL MANAGERS REPORT TO THE MINISTER

Cr John Naden raised the question with the A/CEO whether the Official Managers Report to the Minister could be released to the public.

The A/CEO responded by advising that the Official Managers Report was prepared for the Minister only, and the Minister had jurisdiction and control over the report.

Councillors were provided a copy by the Minister for their information as part of the Official Management process and each councillor had the option to respond direct to the Minister during August 2015.

The Mayor stated that the Official Manager's Report had clearly identified that the Elected Members were not at fault for the compliance issues, but management were.

On this basis the Minister had made her decision to re-instate the Council on the 14<sup>th</sup> September 2015. Nothing would be gained by raising these older compliance issues and it was time to move ahead now with rebuilding the Council.

The Dept. Local Government & Community Services representative at the meeting Mr Shaun Hardy also advised Council that the Official Managers Report to the Minister was unlikely to be released by the Ministers Office based upon other similar precedents in recent times.

**That this General Business item was discussed as part of the meeting but the proposed motion was later withdrawn by Cr John Naden with no vote recorded.**



## 6 REPORTS FOR DECISION

### 6.1 PROPOSED MEETING DATES FOR COUNCIL AND LOCAL AUTHORITIES FOR 2016

This report provides Council with a listing of the proposed dates for the Ordinary Council and Local Authority Meetings for next year 2016.

#### 10 RESOLUTION

*Moved: Emmanuel Rioli*

*Seconded: John Naden*

**That Council adopts the 2016 Meetings schedule as presented for 2016.**

**CARRIED**

### 6.2 GRANT ACQUITTALS (VARIOUS GRANTS)

Financial Grant Acquittals covering a number of various grants (SPG, CTG, NDRRA, and LATM) are required to be endorsed by Council. Listed below are seven (7) grant acquittals that require endorsement.

#### 11 RESOLUTION

*Moved: John Naden*

*Seconded: Venard Pilakui*

**That Council endorses the acquittal of the seven (7) grants listed above for the reporting period ending 30 June 2015.**

**CARRIED**

### 6.3 PIRLANGIMPI LANDFILL PLANNING STUDY

This report provides Council with the recently completed consultants report in relation to a new Pirlangimpi Landfill site.

#### 12 RESOLUTION

*Moved: Emmanuel Rioli*

*Seconded: John Naden*

**That Council accepts the report and new location and notes other recommendations for further consideration.**

**CARRIED**





**6.4 2 X REQUESTS FOR CONFIRMATION OF ABORIGINAL DESCENT - SUSANNE MUNKARA AND NICHOLAS LYNCH**

Two requests for Confirmation of Aboriginal Descent have recently been received. Now that full Council has been reinstated these applications can be placed before Council for confirmation.

**13 RESOLUTION**

Moved: Lynette De Santis

Seconded: Irene Tipiloura

**That Council approves and endorses the confirmation of Aboriginal Descent for the 2 applicants, and approves for the Council Common Seal to be applied to each application.**

**CARRIED**

**6.5 LETTER FROM UNIVERSITY OF SYDNEY - REQUEST FOR ACCESS TO LOCAL GOVERNMENT MINING RATES DATA**

**14 RESOLUTION**

Moved: John Naden

Seconded: Irene Tipiloura

**That Council :**

**Approves for Thomas Michel to be granted access to the assessment records (as defined by Section 152 of the Local Government Act) of all mining tenements within the Tiwi Islands Regional Council boundaries for the purposes of academic research, provided that information on individual assessment records will not be published.**

**CARRIED**

**7 REPORTS FOR INFORMATION**

**7.1 TIRC - REMEDIAL ACTION IMPLEMENTATION PLAN (120 ACTIONS)**

This report provides Council with an update for information on the attached document which contains the 120 actions / recommendations from the following source documents.

The Remedial Action Implementation Plan (RAIP) is based broadly on the following 4 reports:

- Official Manager's Report to the Minister dated June 2015.
- Merit Partners Agreed Upon Procedures Report 3 June 2015.
- Asset Audit Report dated May 2015.
- TIRC Compliance Review Report 2014.

**RECOMMENDATION:**

**That Council notes the report for information on the Remedial Action Implementation Plan actions / recommendations and monitors progress over the next 12 months.**





## **7.2 COUNCILLOR'S PORTFOLIOS - UPDATE SEPTEMBER 2015**

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 period of Official Management the attached listing provides Councillors with the current listing for information.

### **RECOMMENDATION:**

**That Council notes this report for information in relation to the current Councillor Portfolios as at September 2015.**

## **7.3 HUMAN RESOURCES END OF MONTH REPORT AUGUST 2015**

### **RECOMMENDATION:**

**That Council notes the content of this report for information.**

**Council also wanted to place on record an official vote of thanks to Hugh Palmer in recognition of the voluntary work that Hugh Palmer had been undertaking over recent months at the Wurrumiyanga Swimming Pool Complex.**

## **7.4 CORPORATE SERVICES END OF MONTH REPORT - AUGUST 2015**

### **RECOMMENDATION:**

**That Council notes the content of this report for information.**

## **7.5 INFRASTRUCTURE SERVICES - END OF MONTH - AUGUST 2015**

The following summary is a report of activity, issues and initiatives taken for August 2015.

### **RECOMMENDATION:**

**That Council notes this report for information.**

## **7.6 COMMUNITY SUPPORT END OF MONTH REPORT AUGUST 2015**

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.**



**7.7 WURRUMIYANGA COMMUNITY SAFETY PLAN MEETING MINUTES DATED 5TH AUGUST 2015**

The attached Minutes were requested by the A/CEO Garry Lambert to be tabled at the next available Ordinary Council Meeting for information.

**15 RESOLUTION**

Moved: Lynette De Santis  
Seconded: Venard Pilakui

**That Council:**

**A. Notes this report for information and requests a future report be prepared outlining TIRC activities in support of Community Safety Committees.**

**B. Nominates Councillor Barry Puruntatameri to represent Council as a representative on the Wurrumiyanga Community Safety Committee noting that Barry Puruntatameri was already nominated as a potential committee member as a Tiwi Elder.**

**CARRIED**

**7.8 FINANCE END OF MONTH REPORT - AUGUST 2015**

**RECOMMENDATION:**

**That Council notes this report for information.**

**7.9 GOVERNANCE & COMPLIANCE MANAGERS REPORT - END OF MONTH - AUGUST 2015**

**RECOMMENDATION:**

**That Council notes this report for information.**

**7.10 MINUTES - WURRUMIYANGA LOCAL AUTHORITY MEETING HELD ON 28 JULY 2015**

Minutes of the Wurrumiyanga Local Authority Meeting held on 28 July 2015.

**RECOMMENDATION:**

**That Council notes the Minutes of the Wurrumiyanga Local Authority Meeting held on 28 July 2015.**



**7.11 MINUTES - PIRLANGIMPI LOCAL AUTHORITY MEETING HELD ON 25 AUGUST 2015**

Minutes of the Pirlangimpi Local Authority Meeting held on 25 August 2015.

**16 RESOLUTION**

*Moved: John Naden*  
*Seconded: Emmanuel Rioli*

**That Council receives and notes the Reports for Information 7.1 to 7.11.**

**CARRIED**

**8 Confidential Items**

**12:25 pm**

**17 RESOLUTION**

*Moved: John Naden*  
*Seconded: Lynette De Santis*

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.

**CARRIED**

**ADJOURNMENT OF OPEN MEETING**

**12:25 pm**

**18 RESOLUTION**

*Moved: John Naden*  
*Seconded: Lynette De Santis*

That the open section of the meeting be adjourned to allow the confidential section of the meeting to commence.

**CARRIED**

***The Closed Session of Council was completed at 12:35 pm, and the Mayor re-opened the Council Meeting to record those resolutions that may be made public as follows:***

It was confirmed that at the conclusion of the discussion on the confidential item(s), the meeting was reopened and the decision on the item(s) noted.



**CONFIDENTIAL ITEM DECISIONS**

**8.1 CONFIRMATION OF PREVIOUS CONFIDENTIAL MINUTES FROM 24/08/15 AND 31/08/15**

There is a requirement at today's meeting to confirm the Confidential Minutes from 2 previous Meetings (whilst under Official Management).

A Closed session of Council will be required to table and confirm these draft Minutes.

**19 RESOLUTION**

Moved: John Naden  
Seconded: Lynette De Santis

**That Council confirms the Confidential Minutes from 24 August 2015, and 31 August 2015.**

**CARRIED**

**9 Next Meeting**

Wednesday, 28 October 2015.

**10 Closure**

The meeting closed at 12:40 pm.

**These Minutes were confirmed at the Ordinary Meeting of the Council held on 28<sup>th</sup> October 2015.**

Signed: \_\_\_\_\_



**Mayor**