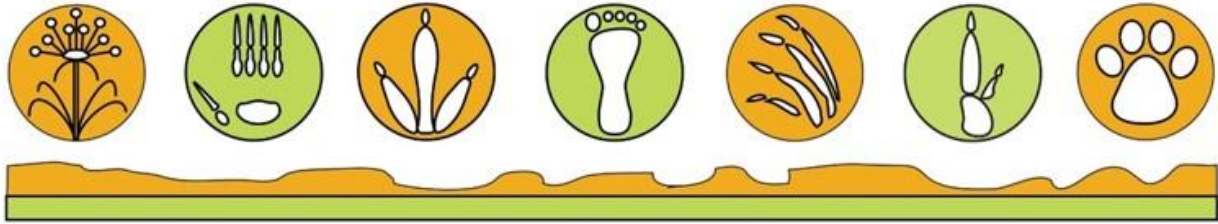


BARKLY REGIONAL COUNCIL



MINUTES ORDINARY COUNCIL MEETING

The meeting of the Ordinary Council Meeting of the Barkly Regional Council was held in Council Chambers, 41 Peko Road, Tennant Creek on Friday 23 February 2024 at 8:30 am.

Ian Bodill

Chief Executive Officer

OUR VISION

We strive to be a responsive, progressive, sustainable council which respects, listens to and empowers the people to be strong.

The Way We Will Work

We will make it happen!

We will be engaged and have regular opportunities to listen.

We will have strong policies and budgets to ensure our programs and services are progressive and sustainable.

Respect is shown in everything we do, and we have acceptance of all cultures in the Barkly Region and their practices through a culturally competent Council.

We are a responsible Council.

We will be a responsive Council.

We want to empower local decision making.

We want to ensure that our services are sustainable and that our region has a standard consistent level of services.

We want to be able to sustain our environment – our communities, our physical places, our people, and our organisational culture.

We will aggressively pursue additional funding from both levels of government to improve the standard of living of people across the region.

We need to be realistic, transparent, and accountable.

1 OPENING AND ATTENDANCE

1.1 Elected Members Present

Meeting commenced at 8:30 with Official Manager Peter Holt as Chair

Elected Members Present

Peter Holt - Official Manager

1.2 Staff Members Present

Staff Members Present

- Ian Bodill - Chief Executive Officer
- Romeo Mutsago - Chief Financial Officer
- Emmanuel Okumu - Governance Manager
- Faye Jennings - Executive Manager
- Ryan Francis - Acting Director Tennant Creek
- Gillian Molloy - Director Community Development
- Brody Moore - Operations Director
- Murray Davies - Corporate Services

1.3 Visitors Present

Visitors Present

- Ruth Morley

1.4 Apologies and Leave of Absence

Apologies

NIL

Absent without apologies

NIL

1.6 Review of Disclosure of Interest

NIL

2 CONFIRMATION OF PREVIOUS MINUTES

Confirmation of previous Minutes

2.1 Confirmation of Previous Minutes

MOTION

That Council receive and note the Minutes of the Special Meeting of Council held on 08 February 2024 as a true and accurate record on that Meeting.

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried Unanimously

Resolved OMC-24/71

3 ACTIONS FROM PREVIOUS MINUTES

4 ADDRESSING THE MEETING

Nil

5 OFFICIAL MANAGERS REPORT

Official Managers Report

5.1 Official Manager's Report

MOTION That Council receives and note the Official Manager's Report 23 February 2024

Local Authority Briefings

Meetings have now been held with Elliott, Ali Curung, Ampilatwatja, Tennant Creek and Alpururulam (no quorum) to provide a detailed update on the following items:

- The Official Management and Investigation

Explanation of the role of the Official Manager (in the place of the Barkly Regional Council) during the suspension of the Council pending an investigation into the councils' processes and procedures from January 1, 2022 to October 16, 2023.

The Investigation undertaken by Alice Springs based lawyer Ruth Morley, is due conclude on 12 March 2024. Based on the outcome of the investigation and responses received the Minister for Local Government will determine whether to reinstate or dismiss the council.

- Regional Plan 2024-25

The BRC is commencing the planning for the development of the Barkly Regional Council Regional Plan for 2024-25 seeking input from local authorities on three matters:

- o What do the LA wish to pursue with their own available funds?
- o What are the priorities they want BRC to commit to in their community? and, o Where BRC should seek funding for or to advocate on behalf of the community?

- Action Register

With regard to BRC council meetings the concern that LA recommendations and requests for information were being put to the Barkly Regional Council by the LAs for noting but not for action we are now developing a Register for each local authority which lists requests for meetings, briefings or funding and this action list will be presented at each LA meeting.

- Unallocated LA Funds

Approximately \$800,000 of LA Project funds across the region were at risk of being returned, unspent, some dating back to 2016-17, so each LA has been asked to prioritise expenditure of any funds received more than two years ago. This matter has been raised with all LAs

- Arlparra LA

Repeated attempts have been made to reform the Arlparra LA and while the Director of Operations and Communities has succeeded in reinstating the membership the proposed LA meetings have all been postponed at the last minute.

The Barkly Regional Advisory Group

The initial meeting of the Barkly Regional Advisory Group (BRAG) was held on January 30, 2024. The Group whose members include the suspended councillors and chairs of all the regional local authorities will remain engaged during the investigation and will assist with budget planning and priorities for the 2024-25 Regional Plan.

While the local authorities will continue to meet and advocate on behalf of their communities the BRAG will consider regional issues with the maintenance and provision of infrastructure and community services that are common to the communities.

Ali Curung Youth Centre

Meetings with the Commonwealth and NT governments have confirmed that the ACYC construction should be able to continue after May 2024, due to program changes at the Commonwealth and the end of the Building Better Regions Fund. The LA and the community will need to decide if they wish

to keep the current design or whether there should be some reassessment of the centre's proposed design. This matter was raised at the February LA meeting and support has been offered by the BRC and the BRD Backbone team if further consultation is required.

Regional Plan

The highest priority at present is the community input to the 2024-25 Barkly Regional Council Regional Plan. Directors and Local Authorities have been asked to review the 2023-24 regional plan and to assess what is outstanding and what should be the operational priorities proposed for the next year.

The LAs have been advised that the meetings in March will focus on future planning and seek contributions to the Regional Plan draft which should be completed by 15 March.

Procurement Review

We have amended the Procurement Review Terms of Reference to include both a Policy Review, to ensure best practice, and an examination of the conduct of procurement activities to ensure policy is being followed. The Procurement Consultant is to report any act or omission observed in the procurement process that affects, or may affect, its integrity.

The Scope of the Review

The Procurement Consultant will undertake the following, but not limited to a review of the BRC procurement policy in line with best practice and relevant legislation to ensure BRC derives value for money in its procurement, and considering the following:

- Review of the policy against applicable NTG LGA 2019 requirements around procurement as well as any established Local, State and Federal Government best-practice guidance.
- Review of the policy against any best practice guidance established by Audit Agencies and Crime/Corruption Agencies.
- Review of the effectiveness of application of the policy to achieve value-for-money outcomes.
- Review integrity of the process around approval of project contract variations.
- Review should further consider that the procurement policy ensures:
 - Enhancement of local businesses and capabilities including regional opportunities.
 - Employment of local people within the regions, value add Indigenous Employment

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

CARRIED UNANIMOUSLY

Resolved OMC-24/72

6 CHIEF EXECUTIVE OFFICERS REPORTS

Chief Executive Officers Reports

6.1 Reviewed Vehicle Use Policy

MOTION

That Council

1. Notes and resolves to confirm the BRC Vehicle Use Policy and suggests further changes be made to the policy.

Action Items: Corporate services - Implement policy after review. Include the following:

- Logbooks
- Satellite phone
- remote travel in pairs
- pre-approval vehicle checks
- meal breaks
- fatigue management

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried Unanimously

Resolved OMC-24/73

Chief Executive Officers Reports

6.2 NT Remuneration Tribunal Report

MOTION

That Council

1. Receives and notes the NT Remuneration Tribunal Report on Determination no. 1 of 2024 allowance of local councils and Determination no. 1 of 2024 allowance of local authority.
2. Resolves to send a copy of the determination to each Council member and Local Authority member whose entitlements are affected.
3. Advice from the Department is that suspended Councilors are not sent a copy of the determination at this stage.

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried unanimously

Resolved OMC-24/74

Chief Executive Officers Reports

6.3 Governance Tab Proposed Changes

MOTION

That Council notes the proposed changes to the governance tab on the Council website.

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried unanimously

Resolved OMC-24/75

Chief Executive Officers Reports

6.4 CEO REPORT

MOTION

That Council receives and notes the CEO report with the omission of the procurement policy review.

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried Unanimously

Resolved OMC-24/76

Chief Executive Officers Reports

6.5 Regional Advisory Committee Terms of Reference.

MOTION

That Council notes the reviewed Regional Advisory Committee Terms of Reference.

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried unanimously

Resolved OMC-24/77

7 CHIEF FINANCE OFFICER REPORTS

Chief Finance Officer Reports

7.1 Finance Directorate Report

MOTION

That Council receives and notes the finance report for the year-to-date 31 January 2024.

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried unanimously

Resolved OMC-24/78

8 CORPORATE SERVICES DIRECTORATE REPORTS

Grants Report

8.1 Grants Report

MOTION

That Council notes and accepts the Grants Report.

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried unanimously

Resolved OMC-24/79

Corporate Services Directorate Reports

8.2 ICT Report

MOTION

That Council receives and notes the ICT service delivery report for the month of January 2024.

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried unanimously

Resolved OMC-24/80

Corporate Services Directorate Reports

8.3 HR report: Workforce Profile Report

MOTION

That Council receives and notes the ICT HR Workforce Profile report.

ACTION: Director Operations/Director Corporate Services to investigate Smart Sheet as a user friendly alternative for capturing action from meetings.

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried unanimously

Resolved OMC-24/81

9 COMMUNITY DEVELOPMENT DIRECTORATE REPORTS

Children Specialist DFSV worker for Safe Houses 9.1 Children Specialist DFSV worker for Safe Houses

MOTION

That Council receives and approves the new position, Children Specialist DFSV worker for safe house.

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried Unanimously

Resolved OMC-24/82

Community Development Directorate Reports

9.2 Community Development Council Report

MOTION

That Council receives and accepts the Community Development January report

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried unanimously

Resolved OMC-24/83

Community Development Directorate Reports

9.3 Animal Management Advisory Committee Terms of Reference

MOTION

That Council;

1. noted and accepts the proposed Animal Management Advisory Committee Terms of Reference
2. Appointed Animal Management Advisory Committee members as discussed at the last meeting.

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried unanimously

Resolved OMC-24/84

10 TENNANT CREEK DIRECTORATE REPORTS

Tennant Creek Directorate Reports

10.1 Tennant Creek Project's Report

MOTION

That Council receives and notes the January report from the Tennant Creek Directorate and Project Team Report.

Actions: Return detail of the Zero Emissions solar installations in the Annual Plan future forecast.
Director Tennant Creek to prepare a report to present at the LA Meeting.

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried unanimously

Resolved OMC-24/85

Tennant Creek Directorate Reports

10.2 Tennant Creek Directorate Report

MOTION

That Council received and notes the Tennant Creek Directorate Report

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried unanimously

Resolved OMC-24/86

Tennant Creek Directorate Reports

10.3 Tennant Creek Directorate- Mary Anne Dam Report

MOTION

That Council received and notes the Tennant Creek Directorate report on Mary Ann Dam

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried unanimously

Resolved OMC-24/87

Tennant Creek Directorate Reports

10.4 Tennant Creek Directorate - Library Report

MOTION

That Council notes and accepts the Tennant Creek Directorate Library Report

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried

Resolved OMC-24/88

11 OPERATIONS DIRECTORATE REPORTS

Operations Directorate Reports

11.1 Ali Curung - LA Minutes and Action Tracker

MOTION

That Council;

- A. Accepts and confirms the Minutes of the Ali Curung Local Authority Meeting, conducted on 5th February 2024 including updated Action Tracker as an accurate record of meeting.

B. Notes and decides on the Local Authorities request for the purchase of a new Fire Fighting Trailer.

C. Accepts and decides on the Ali Curung Local Authorities request to draft correspondence to;

- a. Power and Water – Inviting them to Ali Curung to address on-going service issues.
- b. Northern Territory Government regarding the allocation of funds for the proposed Airstrip Project.
- c. Northern Territory Health seeking clarification on the protocol and policies for the treatment of injured community members and after-hours call-outs.
- d. Northern Territory Health to request an update on the proposal of the Renal Health Clinic in Ali Curung community.
- e. Department of the Chief Minister to advocate for reliable back-up generator and systems to address on-going power issues in community.

ACTION: Director of Operations to draft correspondence to Power and Water; NTG; Commonwealth for the CEO's approval.

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried Unanimously

Resolved OMC-24/89

Operations Directorate Reports

11.2 Plant and Machinery Report

MOTION

That Council

- A) Notes and accepts the report on the current condition of Council plant and machinery
- B) Accepts and approves the plant repair and maintenance approximate costs
- C) Seek external funding to purchase priority plant required; Excavator, Loader and Backhoe

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried Unanimously

Resolved OMC-24/90

12 COMMITTEE REPORTS

Nil

13 GENERAL BUSINESS

Nil

14 CORRESPONDENCE

Correspondence

14.1 Correspondence register

MOTION

That Council receives and notes the register of BRC incoming and outgoing correspondence.

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried Unanimously

Resolved OMC-24/91

15 DECISION TO MOVE INTO CONFIDENTIAL SESSION

Members of the press and public be excluded from the meeting of the Closed Session and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld. This action is taken in accordance with *Section 99(2) of the Local Government Act 2019* and *Regulation 51 of the Local Government (General) Regulations 2021* as the items listed to be discussed come within the following provisions: -

information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual;
information about the personal circumstances of a resident or ratepayer;

information that would, if publicly disclosed, be likely to: cause commercial prejudice to, or confer an unfair commercial advantage on, any person; or prejudice the maintenance or administration of the law; or prejudice the security of the council, its members or staff; or subject to subregulation

(3) – prejudice the interests of the council or some other person; information subject to an obligation of confidentiality at law, or in equity;

subject to subregulation (3) – information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest; subject to subregulation (2) – information in relation to a complaint of a contravention of the code of conduct.

MOTION

That Council moved into Confidential Session

RESOLVED

Moved: Peter Holt - Official Manager

Seconded: Peter Holt - Official Manager

Carried unanimously

Resolved OMC-24/92

The meeting moved into confidential session a 10:15am.

15.1 Alpurururam Fuel Supply Lease.

REASONS FOR CONFIDENTIALITY

***Status 51(1)(c)(i)** - This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(i) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to: cause commercial prejudice to, or confer an unfair commercial advantage on, any person.*

15.2 Common seal ratification: lease

REASONS FOR CONFIDENTIALITY

***Status 51(1)(c)(i)** - This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(i) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to: cause commercial prejudice to, or confer an unfair commercial advantage on, any person.*

15.3 Barkly Regional Deal Lease.

REASONS FOR CONFIDENTIALITY

Status 51(1)(c)(i) - This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(i) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to: cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

15.4 Regional Municipal Services Support

REASONS FOR CONFIDENTIALITY

Status 51(1)(a) - This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(a) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual.

15.5 CEO recruitment

REASONS FOR CONFIDENTIALITY

Status 51(1)(a) - This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(a) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual.

That pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(a) of the Local Government (General) Regulations 2021 the meeting be re-opened to the public at {time}.

RESOLVED

Moved: {mover}

Seconded: Peter Holt

CARRIED UNANIMOUSLY

Resolved OMC-24/93

16 NEXT MEETING AND MEETING CLOSE

The next Ordinary Council Meeting of Barkly Regional Council will be held 23 February 2024

The meeting closed at 11:10am

This page and the preceding pages are the minutes of the meeting of the Ordinary Council Meeting held on 23 February 20 and are unconfirmed.

UNCONFIRMED