

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 Thursday, 31 March 2022 at 8:30am.

Emma Bradbury
Chief Executive Officer

OUR VISION

We strive to be responsive, progressive, sustainable council which respects, listens 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 policy 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.

Meeting commenced at 8:35 am with Mayor Jeffrey McLaughlin as Chair.

1. OPENING AND ATTENDANCE

1.1 Elected Members Present

- Mayor Jeffrey McLaughlin
- Deputy Mayor Dianne Seri Stokes
- Cr Jack Club – Via phone
- Cr Noel Hayes
- Cr Hal Ruger
- Cr Greg Marlow
- Cr Derek Walker
- Cr Anita Bailey
- Cr Lennie Barton – Via phone
- Cr Pam Corbett – Via phone
- Cr Russell O'Donnell
- Cr Heather Wilson – Via phone

1.2 Staff Members Present

- Emma Bradbury – Chief Executive Officer
- Sid Vashist – Director of Corporate Services
- Santosh Niraula – Director of Infrastructure
- Troy Koch – Director of Operations
- Sharen Lake – Director of Community Development
- James Sanders – Acting Finance Manager
- Millicent Rushwaya – Governance Officer
- Renjith Kollakkombil – Record and Compliance Officer

1.3 Visitors Present

-

1.4 Apologies

- Cr Ronald Plummer

1.5 Absent Without Apologies

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1.6 Disclosure Of Interest – Councillors And Staff – Under Section 116(1) of the *Local Government Act 2019*

There were no declarations of interest made at this Ordinary Council Meeting.

MOVE TO CONFIDENTIAL AGENDA ITEM 18.3

MOTION

That council: move into confidential at 8.45 AM.

RESOLVED

Moved: Cr Noel Hayes

Seconded: Cr Russell O'Donnell

CARRIED UNANIMOUSLY

Resolved OC 43/22

18.4 PURKISS RESERVE REDEVELOPMENT CONCEPT

The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51 (e) (e) of the Local Government (General) Regulations 2021. It contains information provided to the council on condition that it be kept confidential; AND 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.

MOTION

That Council:

- a) receive and note there presentation by the Project Manager Ryan Francis from DIPL regarding Purkiss Reserve;
- b) approve the revised plan of works subject to the recommended multipurpose facility to include competition standard baseball and softball field; and
- c) move this item into ordinary.

RESOLVED

Moved: Cr Hal Ruger

Seconded: Cr Russell O'Donnell

CARRIED UNANIMOUSLY

Resolved OCCS 44/22

Ryan Francis provide update on budget, timeline, design etc. Council to approve the proposed delivery method and modified concept to balance the budget. Contract is going out only to the participants from Norther Territory.

- Monthly update will be provided.
- Multipurpose field will be incorporated.
- Contracts will be amended to reflect new design and costs.

Discussions

Cr Ruger clarified budget, drainage, and concerns on missing out on softball field, baseball, rugby, softball and the ways to include local content

Cr Marlow clarified two issues regarding budget and missing sports facility

Cr Russel expressed community concerns that the need of incorporating multipurpose/functional sports facility and delay in action for two years. Requested to commence some action urgently by sectioning off some part of the contracts which could be done earlier.

CEO explained that the original design concept was based on community expectation and the budget at the time. Updated the concept need to meet current community feedback and budget.

Santhosh Niraula clarified the Foot Path width as 2.5 meters.

Resume the Ordinary session

MOTION

That council: resume the Ordinary session at 9:20 AM.

RESOLVED

Moved: Cr Russell O'Donnell

Seconded: Cr Greg Marlow

CARRIED UNANIMOUSLY

Resolved OC 45/22

2. CONFIRMATION OF PREVIOUS MINUTES

2.1 CONFIRMATION OF PREVIOUS MINUTES

MOTION

That Council:

- a) confirm the Minutes from the Ordinary Council Meeting held on 24 February 2022 as a true and accurate record; and
- b) confirm the Minutes from the Special Council Meeting held on 10 March 2022 as a true and accurate record.

RESOLVED

Moved: Cr Noel Hayes

Seconded: Cr Russell O'Donnell

CARRIED UNANIMOUSLY

Resolved OC 46/22

3. ACTIONS FROM PREVIOUS MINUTES

3.1 ACTION ITEMS

MOTION

That Council:

- a) receive and note the Action Items; and
- b) remove the following completed items: 1,2,5,6,8,9, and 19.

RESOLVED

Moved: Cr Noel Hayes

Seconded: Cr Greg Marlow

CARRIED UNANIMOUSLY

Resolved OC 47/22

Implement Motion tracker to include with action list.

Mayor Jeffrey McLaughlin left meeting, the time being 9:30 AM

Mayor Jeffrey McLaughlin Joined meeting, the time being 9:32 AM

Cr Hal Ruger left the meeting, the time being 09:48 AM

Cr Hal Ruger Joined the meeting, the time being 09:55 AM

Pause meeting for presentation at 10:10 AM

4. ADDRESSING THE MEETING

4.1 PRESENTATION FROM AUSTRALIA ELECTRIC VEHICLE ASSOCIATION

MOTION

That Council: receive and note the Presentation by Hunter Murray from Australia Electric Vehicle Association.

RESOLVED

Moved: Cr Jack Club

Seconded: Deputy Mayor Dianne Stokes

CARRIED UNANIMOUSLY

Resolved OC 48/22

Presentation on:

- Reducing registration and stamp duty
- Installation of charging facility and to improve the network jobs
- Planning to facilitate car charging stations in every 130km distance range
- How the high ways will be prioritised, followed by communities
- Installation of power points at family homes
- The advantages of DC chargers (complete charging in 20 minutes)

Obtained clarification on Cr Greg Marlow's enquiry as, the nearby charging stations are located in Three Ways and the Outback Caravan Park.

Action Item: Instruct to consult with infrastructure team and give feedback; and to commence internal conversation between the CEO and the directors.

Cr Jack Club left meeting, the time being 10:37AM

Break for morning tea

MOTION

That Council: break for morning tea at 10:37 AM.

RESOLVED

Moved: Cr Noel Hayes

Seconded: Cr Russell O'Donnell

CARRIED UNANIMOUSLY

Resolved OC 49/22

Return from morning tea

MOTION

That Council: return from morning tea at 10:50 AM.

RESOLVED

Moved: Cr Noel Hayes

Seconded: Cr Russell O'Donnell

CARRIED UNANIMOUSLY

Resolved OC 50/22

5. QUESTIONS FROM MEMBERS OF THE PUBLIC

Nil

6. MAYOR'S REPORT

6.1 MAYOR'S REPORT

MOTION

That Council:

- a) receive and note the report from Mayor Jeffrey McLaughlin for the month of March;
- b) write to Tennant Creek Mining services regarding the proposed traffic management plan for the movement of products between mining site and freight station;
- c) invite TC Mining to address council; and
- d) request Power and Water to maintain the backup generator at Ali Curung as a community concern from Local Authority.
 - request the Local Member to lobby and support the application; and
 - Council to evaluate internal requirement of our ESO capabilities.

RESOLVED

Moved: Cr Noel Hayes

Seconded: Cr Derek Walker

CARRIED UNANIMOUSLY

Resolved OC 51/22

Cr Hal Ruger and Cr Russell O'Donnell asked update on Barkly Visitor Centre
Mayor updated that the matter is currently in discussion point.

Cr Heather Wilson left the meeting, the time being 11:01 AM

Cr Derek Walker left the meeting, the time being 11:11 AM

Cr Derek Walker returned to the meeting, the time being 11:17 AM

NT LIQUOR COMMISSION

MOTION:

That Council: write to NT Liquor Commission to request a permissible combination of beer and wine.

RESOLVED

Moved: Cr Hal Ruger

Seconded: Cr Derek Walker

CARRIED UNANIMOUSLY

Resolved OC 52/22

Cr Derek Walker left the meeting, the time being 11:19 AM

Cr Derek Walker returned to the meeting, the time being 11:21 AM

ROAD SERVICES DIVISION AND A GREEN TEAM

MOTION:

That Council: be provided with a report on options to structure our work Depot to create a road services division and a green team to optimise road services and explore revenue and capacity building opportunities.

RESOLVED

Moved: Cr Hal Hal Ruger

Seconded: Cr Greg Marlow

CARRIED UNANIMOUSLY

Resolved OC 53/22

Cr Derek Walker left the meeting, the time being 11:47 AM

Cr Derek Walker returned to the meeting, the time being 11:49 AM

7. CHIEF EXECUTIVE OFFICER REPORTS

7.1 RATIFICATION OF COMMON SEAL

MOTION

That Council: ratify the execution of the following document under the Council's Common Seal:

- a. Deed of Variation 4 to Grant Agreement for the Youth Infrastructure across the Barkly under the Building Better Regions Fund, between Department of Industry, Science, Energy and Resources and BRC till 31 December 2022; and
- b. Barkly Aboriginal Alliance Project and Grant Summary under the Remote Australia Strategies Program through Barkly Regional Deal, between National Indigenous Australian Agency and BRC till 30 June 2025.

RESOLVED

Moved: Cr Hal Ruger

Seconded: Cr Pamela Corbett

CARRIED UNANIMOUSLY

Resolved OC 54/22

7.1 THE CHIEF EXECUTIVE OFFICER'S REPORT

MOTION

That Council: receive and note the Chief Executive Officer's Report for the month of March.

RESOLVED

Moved: Cr Derek Walker

Seconded: Cr Noel Hayes

CARRIED UNANIMOUSLY

Resolved OC 55/22

7.2 UPDATE FOLLOWING COMMUNITY CABINET MEETING WITH THE MINISTERS

MOTION

That Council: receive and note the report on the meeting with NT Government Ministers following the Community Cabinet Meeting.

RESOLVED

Moved: Cr Greg Marlow

Seconded: Cr Anita Bailey

CARRIED UNANIMOUSLY

Resolved OC 56/22

Cr Hal Ruger left the meeting, the time being 12:53 PM

Cr Derek Walker left the meeting, the time being 12:55 PM

Cr Hal Ruger returned to the meeting, the time being 12:59 PM

7.3 STRATEGIC PLAN

MOTION

That Council: approve the engagement of Karen Legge Consulting to facilitate the development of the Barkly Regional Council's long term Strategic Plan and Regional Plan.

RESOLVED

Moved: Cr Noel Hayes

Seconded: Cr Lennie Barton

CARRIED UNANIMOUSLY

Resolved OC 57/22

Break for lunch

MOTION

That Council: break for lunch at 1:15 PM.

RESOLVED

Moved: Cr Hal Ruger

Seconded:Cr Greg Marlow

CARRIED UNANIMOUSLY

Resolved OC 58/22

Cr Heather Wilson returned to the meeting, the time being 1:58 PM

Resume from lunch break

MOTION

That Council: resume from lunch break at 1:58 PM.

RESOLVED

Moved: Cr Russell O'Donnell

Seconded:Cr Hal Ruger

CARRIED UNANIMOUSLY

Resolved OC 59/22

8. CORPORATE SERVICES DIRECTORATE REPORTS

8.1 GRANTS

MOTION

That Council: receive and note the *Grants report* for the period to February 28, 2022 by Sid Vashist – Director of Corporate Services.

RESOLVED

Moved: Cr Russell O'Donnell

Seconded:Cr Noel Hayes

CARRIED UNANIMOUSLY

Resolved OC 60/22

8.2 CORPORATE SERVICES

MOTION

That Council: receive and note the *Corporate Services report* by Sid Vashist – Director of Corporate Services.

RESOLVED

Moved: Cr Russell O'Donnell

Seconded: Cr Hal Ruger

CARRIED UNANIMOUSLY

Resolved OC 61/22

8.3 COUNCIL SCHEDULE OF FEES AND CHARGES - TENNANT CREEK - CHAPEL AND FITNESS & WELLNESS CENTRE

MOTION

That Council:

- a) receive and note the Council Schedule of Fees and Charges for TC Chapel and TC Fitness & Wellness Centre;
- b) approves the Schedule of Fees and Charges for TC Chapel and TC Fitness & Wellness Centre; and
- c) affirm approval for fee free access for the Council staff as an employment benefit at the discretion of the CEO.

RESOLVED

Moved: Cr Greg Marlow

Seconded: Cr Russell O'Donnell

CARRIED UNANIMOUSLY

Resolved OC 62/22

8.4 FINANCE REPORT FEBRUARY

MOTION

That Council: receive and note the *February Finance report* by James Sanders – Acting Finance Manager.

RESOLVED

Moved: Cr Greg Marlow

Seconded: Cr Jack Club

CARRIED UNANIMOUSLY

Resolved OC 63/22

9. INFRASTRUCTURE DIRECTORATE REPORTS

9.1 INFRASTRUCTURE DIRECTORATE REPORT

MOTION

That Council: receive and note the report by Santosh Niraula – Director of Infrastructure.

RESOLVED

Moved: Cr Lennie Barton

Seconded: Deputy Mayor Dianne Stokes

CARRIED UNANIMOUSLY

Resolved OC 64/22

9.2 5 YEAR INFRASTRUCTURE PLAN WISH LIST

MOTION

That Council: receive and note the *Five Year Infrastructure Plan Wish List* report by Santosh Niraula – Director of Infrastructure.

RESOLVED

Moved: Cr Greg Marlow

Seconded: Cr Anita Bailey

CARRIED UNANIMOUSLY

Resolved OC 65/22

10. COMMUNITY DEVELOPMENT DIRECTORATE

10.1 COMMUNITY DEVELOPMENT FEBRUARY 2022 REPORT TO COUNCIL

MOTION

That Council: receive and note the Community Development Report for February 2022 by Sharen Lake – Director of Community Development.

RESOLVED

Moved: Cr Greg Marlow

Seconded: Cr Lennie Barton

CARRIED UNANIMOUSLY

Resolved OC 66/22

Cr Hal Ruger left the meeting, the time being 03:03 PM

11. LOCAL AUTHORITY MINUTES AND REPORTS

Nil

12. COMMITTEE REPORTS

Nil

13. NOTICES OF MOTION

Nil

14. RESCISSION MOTIONS

Nil

15. OPERATIONS

15.1 DIRECTOR OF OPERATIONS REPORT - MARCH

MOTION

That Council:

- a) Receive and note the *Operations Director's* report by Troy Koch.

RESOLVED

Moved: Cr Russell O'Donnell

Seconded: Deputy Mayor Dianne Stokes

CARRIED UNANIMOUSLY

Resolved OC 67/22

Card making machine: Troy Koch will work with Ray Hocking (Area Manager Elliott), for all options to bring further insight to Council.

16. GENERAL BUSINESS

Nil

17. CORRESPONDENCE

17.1 CORRESPONDENCE

MOTION

That Council:

- a) Receive and note the correspondence for the month of March; and
b) Approve the Tennant Creek Turf Club to hire chairs for their annual 2 Cup Race Day on Saturday 14th May 2022 subject to deposit.

RESOLVED

Moved: Cr Russell O'Donnell

Seconded: Deputy Mayor Dianne Stokes

CARRIED UNANIMOUSLY

Resolved OC 68/22

18. THE REGIONAL COUNCIL'S PROPOSED REGIONAL PLAN

Nil

19. DECISION TO MOVE INTO CLOSED SESSION at 3:30 PM

DECISION TO MOVE INTO CLOSED SESSION

MOTION

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 lists come within the following provisions:-

- (a) 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;
- (b) information about the personal circumstances of a resident or ratepayer;
- (c) information that would, if publicly disclosed, be likely to:
 - (i) cause commercial prejudice to, or confer an unfair commercial advantage on, any person; or
 - (ii) prejudice the maintenance or administration of the law; or
 - (iii) prejudice the security of the council, its members or staff; or
 - (iv) subject to subregulation (3) – prejudice the interests of the council or some other person;
- (d) information subject to an obligation of confidentiality at law, or in equity;
- (e) 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;
- (f) subject to subregulation (2) – information in relation to a complaint of a contravention of the code of conduct.

RESOLVED

Moved: Cr Russell O'Donnell

Seconded: Cr Greg Marlow

CARRIED UNANIMOUSLY

Resolved OC 69/22

20. RESUMPTION OF MEETING

RECOMMENDATION:

That Council move back into open session at 4:38 PM

18.2 CONFIDENTIAL ACTION LIST

The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51 (d) (d) of the Local Government (General) Regulations 2021. It contains information subject to an obligation of confidentiality at law, or in equity; AND information subject to an obligation of confidentiality at law, or in equity.

MOTION

That Council:

- a) to send a letter expressing thanks to Anyinginyi Health Aboriginal Corporation for their support in maintaining and processing the Gym transfer with Barkly Regional Council; and
- b) move this item to ordinary.

RESOLVED

Moved: Cr Noel Hayes

Seconded: Cr Russell O'Donnell

CARRIED UNANIMOUSLY

Resolved OCCS 70/22

18.5 LOCAL AUTHORITY NOMINATIONS

The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51 (d) (d) of the Local Government (General) Regulations 2021. It contains information subject to an obligation of confidentiality at law, or in equity; AND information subject to an obligation of confidentiality at law, or in equity.

MOTION

That Council:

- a) receive and note the report;
- b) approve the nominations of the following seven Members to the Tennant Creek Local Authority; and
 - Deborah Cain
 - Nathan Mills
 - Darrin William Whatley
 - Heather Anderson
 - Catherine Lynch (Katie)
 - Lindy Brodie
 - Heather Burton
- c) write to all applicants.

d) move the resolution to Ordinary.

RESOLVED

Moved: Cr Russell O'Donnell

Seconded: Deputy Mayor Dianne Stokes

CARRIED UNANIMOUSLY

Resolved OCCS 71/22

18.6 APPOINTMENT OF AUDIT AND RISK COMMITTEE CHAIR

The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51 (c(ii)) of the Local Government (General) Regulations 2021. It contains prejudice the maintenance or administration of the law.

MOTION

That Council:

- a) receive and note the Appointment of the Audit and Risk Committee Chair report;
- b) appoint Mackenzie Godson to the Chair of the Audit and Risk Committee; and
- c) write to all applicants.
- d) move the resolution to Ordinary.

RESOLVED

Moved: Cr Hal Ruger

Seconded: Cr Russell O'Donnell

CARRIED UNANIMOUSLY

Resolved OCCS 72/22

18.7 SUPPLY AND DELIVERY 10 TONNE SINGLE CAB TIPPER

The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51 (c(i)) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

MOTION

That Council:

- a) rescind decision 18.2. of the February council meeting;
- b) receive and note the updated quote;
- c) approve the attached quote from CJD Equipment Pty LTD; and
- d) move the resolution to ordinary.

RESOLVED

Moved: Cr Hal Ruger

Seconded: Cr Greg Marlow

CARRIED UNANIMOUSLY

Resolved OCCS 73/22

18.9 RATES WAIVER REQUEST

The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51 (b) (d) (b) (d) of the Local Government (General) Regulations 2021. It contains information about the personal circumstances of a resident or ratepayer; AND information subject to an obligation of confidentiality at law, or in equity; AND information about the personal circumstances of a resident or ratepayer; AND information subject to an obligation of confidentiality at law, or in equity.

MOTION

That Council:

- a) receive and note the report;
- b) decline the rates concession application from Artists of Ampilatwatja; and
- c) move the resolution to ordinary.

RESOLVED

Moved: Cr Hal Ruger

Seconded: Cr Russell O'Donnell

CARRIED UNANIMOUSLY

Resolved OCCS 74/22

21. CLOSE OF MEETING

The meeting terminated at 4:40 pm.

This page and the proceeding 16 pages are the minutes of the Ordinary Council Meeting held on Thursday, 31 March 2022 and are unconfirmed .

Jeffrey McLaughlin
Council Mayor

Emma Bradbury
Chief Executive Officer