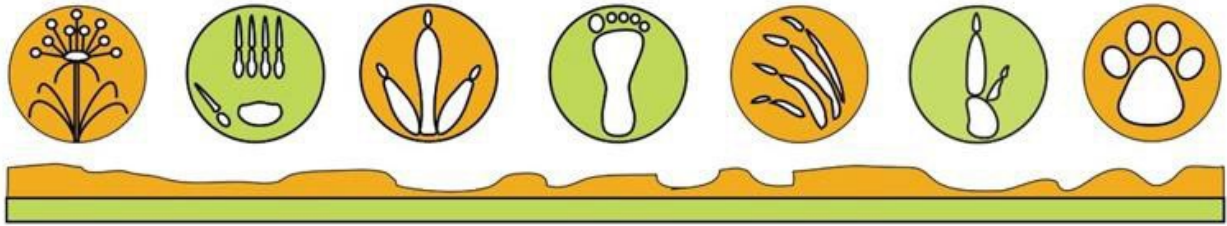


BARKLY REGIONAL COUNCIL



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 26 October 2023 at 8:30 am.

Russell Anderson

Acting 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.

1 OPENING AND ATTENDANCE

1.1 Elected Members Present

Meeting commenced at 8.30am with Manager Peter Holt as Chair.

1.2 Staff Members Present

Staff Members Present

- Romeo Mutsago - Acting Chief Executive Officer
- Murray Davies - Director of Corporate Services
- Faye Jennings - Executive Manager
- Emmanuel Okumu - Governance Manager
- Ryan Francis - Manager - Projects and Contracts
- Tash Adams - Executive Manager (online)

1.3 Visitors Present

Visitors Present

- Anna Malgorzewicz Dept Chief Minister – Local Government Unit
- Russell O'Donnell
- Lucy Jackson
- Lennie Barton
- Sharen Lake

1.4 Apologies and Leave of Absence

1.5 Review of Disclosure of Interest

SUPPLEMENTARY ITEM

1 CHIEF EXECUTIVE OFFICERS REPORTS

Chief Executive Officers Reports

1.1 CEO Report for October 2023

MOTION

That Council receives and notes a verbal report from the Acting CEO for October 2023.

RESOLVED

Moved: Official Manager Peter Holt

Resolved S-23/1

1. Item 1 – Departure of previous CEO – Russell Anderson who left 29.09.2023. Chief Financial Officer Romeo Mutsago was appointed as Acting CEO until the replacement CEO Ian Bodill, starts with BRC on the 6.11.2023. Chief Minister put Council into Administration, which resulted in Peter Holt stepping into the role in the interim. Romeo asked if Peter could address the Councillors present, explaining what it means to their position as Councillor, their remuneration, their attendance requirements.
2. Negotiations over the past months facilitated by an external consultant, culminating in a revised agreement with Fair Work for BRC employees. The most significant change to note is a move from weekly pay to pay fortnightly.
3. Westpac – At the last Council meeting, Council approved the move from Westpac Banking (bank accounts and term deposits) totalling \$6.3 million to a higher interest rate with ANZ. Council resolved to move entire balances of accounts to ANZ. Due to the Acting CEO leaving on 29.09.2023 and the Mayor being absent, we haven't had facility to address the change of signatories to date. Official Manager Peter Holt and Acting CEO Romeo Mutsago will arrange a change of signatures.
4. Tennant Creek Swimming Pool – Thank you to Ryan and his team for their continued efforts to get the pool open and operational again for public use. Based on advice from the team, the proposed re-open of the facility is between 6 – 20th November 2023.

Peter Holt reply to items captured in the CEO Report

1. The suspension of The Council by the Minister on 16.10.2023 results in the suspension of pay and support to the Councillors. The Councillors are suspended – not sacked, so they are welcome to attend any further Council meetings. The Minister has appointed Peter as official Manager to replace the Council for the next 5 – 6 months and appointed an investigator, Ruth Morley. Ruth is due to report on the 12.03.2024; in return, all Councillors will be able to view that report and be given 21 days to respond. The structure and frequency of meetings will be investigated; Peter would like to establish a group of advisory committees and will be in touch with existing Councils and elected Councillors, honouring the fact that their Communities elected them to represent them. Peter will speak to the Councillors over the coming weeks to see how we can best deal with Community and Tennant Creek issues to continue solid communication. Other Committees such as Purkiss Park working group, will continue. Peter will be reviewing grant funding that has been allocated for Council, ensuring what we've been funded is happening. The Chief Minister raised concerns that Government has funded both commonwealth and territory projects; services; and infrastructure and some of its taken years to get off the ground including Local Authority funding that is yet to be expended. We need to ensure that we, as a Council are making sure what we've committed to is getting done. The funding received is critical.
2. There is no change to existing Staff at Barkly Regional Council. Ian Bodill is due to start on the 6th November, 2023 as the CEO. He and Peter will work together over the next six months to stabilise the grant programmes. Peter addressed the Councillors and explained that their presence today is as an observer rather than a participating Councillor.

2 CONFIRMATION OF PREVIOUS MINUTES

Confirmation of previous Minutes

2.1 Confirmation of Previous Minutes OCM 27092023 and SCM 10102023

MOTION

That Council receive and note the Minutes of the XXXX Ordinary Meeting of Council as a true and accurate record on that Meeting.

RESOLVED

Moved: Official Manager Peter Holt

Resolved OM-23/152

Official Manager Peter Holt was not in attendance at this previous meeting so he has requested Cr. Sharon Lake , Cr. Russell O'Donnell, and Cr. Lennie Barton to observe the minutes to ensure an accurate record of events. October 10th Meeting observation – Anna Malgorzewicz spoke with the governance officer to reference Councillors names have not been listed as absent, in attendance, or with apology in the previous minutes; their arrival times had not been noted and the question of some resolutions not being addressed. These are to be rectified. These details were pertinent given that there were issues regarding Quorum and conflict of interest. That has now been resolved and a corrected minute will be presented to Peter Holt for his endorsement.

On the advice of the Councillors present at the time – Peter Holt accepts that the minutes are a true and correct account of the meetings held in September and October 2023.

3 ACTIONS FROM PREVIOUS MINUTES

Actions from previous Minutes

3.1 Actions from Previous Minutes

MOTION

That Council receives and notes the actions arising from previous Ordinary Council Meetings.

RESOLVED

Moved: Official Manager Peter Holt.

Resolved OM-23/153

4 ADDRESSING THE MEETING

Nil

5 MAYOR'S REPORT

Nil

6 CHIEF EXECUTIVE OFFICERS REPORTS

Chief Executive Officers Reports

6.1 Reviewed CEO Allowance Policy

MOTION

That Council resolves to endorse the CEO Allowances & Other Benefits Policy.

RESOLVED

Moved: Official Manager Peter Holt.

Resolved OM-23/154

Acting CEO and Chief Financial Officer Romeo Mutsago addressed the meeting:

- As at 30 September 2023 the financial report is currently with the Auditors for review. Once complete the results will be made available for publication in line with the NT Government guidelines by the 15.11.2023.
- As at 30 September 2023, the finance directorate is reasonably staffed to enable normal independent checks of work to enhance internal controls within finance and BRC broadly.
- YTD September 2023 financial statements results indicate a healthy financial position as at 30 September 2023.

Peter Holt requested the date of the Audit Committee. Romeo to advise.

Terms of reference for the Procurement Policy Review – Council previous resolved that BRC requests expressions of interest from consultants nationwide resulting in 3. All three were presented to Council for review. All supporting documentation attached. Council to review and established their preferred contractor based on data collected. This process will take up to 2 weeks to complete.

7 FINANCE REPORTS

Finance Reports

7.1 Financial Report - YTD 30 September 2023

MOTION

That Council receives and notes the Finance Report for the YTD 30 Sept. 2023.

RESOLVED

Moved: Official Manager Peter Holt.

Resolved OM-23/155

8 CORPORATE SERVICES DIRECTORATE REPORTS

Corporate Services Directorate Reports

8.1 ICT Report - October 2023

MOTION

That Council receives and notes the report

RESOLVED

Moved: Official Manager Peter Holt.

Resolved OM-23/156

Director of Corporate Services Murray Davies updated the Council on:

Installing Star Link into communities

- Tara - complete
- Canteen creek - ongoing
- Mungkarta - ongoing
- Murray Downs – ongoing

Proposed for the following 2 weeks.

No outages to report.

Official Manager Peter Holt requested that video access be made available to suspended Councillors to enable ease of communication with communities.

Corporate Services Directorate Reports

8.2 Barkly Regional Deal Local Community Projects Fund For Common Seal

MOTION

That Council accepts the agreements and applies the common seal.

RESOLVED

Moved: Official Manager Peter Holt.

Resolved OM-23/157

Corporate Services Directorate Reports

8.3 WARM funding project allocation

MOTION

That Council accept the report and recommendation for the WARM funding 2022/23

RESOLVED

Moved: Official Manager Peter Holt.

Resolved OM-23/158

Corporate Services Directorate Reports

8.5 WARM Reporting 2022 2023

MOTION

That Council accept the report for the expenditure of the WARM 2022 23 funding.

RESOLVED

Moved: Official Manager Peter Holt.

Resolved OM-23/159

9 COMMUNITY DEVELOPMENT DIRECTORATE REPORTS

Nil

10 TENNANT CREEK DIRECTORATE REPORTS

Tennant Creek Directorate Reports

10.1 Youthlinks School Holiday Program September-October 2023

MOTION

That Council receives and notes the Youthlinkx School Holiday Program.

RESOLVED

Moved: Official Manager Peter Holt.

Resolved OM-23/160

11 OPERATIONS DIRECTORATE REPORTS

Operations Directorate Reports

11.1 Local Authority Minutes

MOTION

That Council receives and notes the Ali Curung and Wutungurra Local Authority Minutes.

RESOLVED

Moved: Official Manager Peter Holt.

Resolved OM-23/161

12 GENERAL BUSINESS

Nil

13 CORRESPONDENCE

Nil

14 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 moves into a Confidential Session

RESOLVED

Moved: Official Manager Peter Holt.

The meeting moved into confidential session at 9.14am.

14.1 Confidential Items Register

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.

14.2 Advice regarding Anyinginyi Health Aboriginal Corporation rates exemption

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.

14.3 TCYC and ACYC update

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 NEXT MEETING AND MEETING CLOSE

The next Ordinary Council Meeting of Barkly Regional Council will be held on Thursday 7 December 2023.

The meeting closed at 9.41am

This page and the preceding 8 pages are the minutes of the meeting of the Ordinary Council Meeting held on 26 October and are unconfirmed.