



Victoria Daly
REGIONAL COUNCIL

MINUTES

**ORDINARY MEETING OF COUNCIL
HELD ON TUESDAY 27 SEPTEMBER 2022
AT 9:00 AM**

**AT THE REGIONAL OFFICE - KATHERINE
29 Crawford Street, Katherine East NT 0850**



VICTORIA DALY REGIONAL COUNCIL DISCLAIMER

No responsibility is implied or accepted by the Victoria Daly Regional Council for any act, omission or statement or intimation occurring during Council or committee meetings.

The Victoria Daly Regional Council disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or committee meeting does so at that person's or legal entity's own risk.

In particular and without detracting in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or officer of the Victoria Daly Regional Council during the Course of any meeting is not intended to be and is not taken as notice of approval from the Victoria Daly Regional Council.

The Victoria Daly Regional Council advises that anyone who has any application lodged with the Victoria Daly Regional Council shall obtain and should only rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Victoria Daly Regional Council in respect of the application.

A handwritten signature in black ink, appearing to read 'Russell Anderson'.

Russell Anderson
Chief Executive Officer



The meeting opened the time being 9:06 am.

1. Present

Elected Members Present

Mayor (Chair)	Brian Pedwell
Deputy Mayor	Shirley Garlett
Elected Member	Andrew McTaggart
Elected Member	Georgina Macleod
Elected Member	Yvette Williams

Staff Present

Chief Executive Officer	Russell Anderson
Director of Corporate & Community Services	Trudy Braun
Director of Operations	Matthew Cheminant
Manager of Executive Services	Michelle Will (minute taker)
Manager of Governance	Janelle Iszlaub

Guests

Department of the Chief Minister and Cabinet	Amanda Haigh
--	--------------

2. Apologies - Nil

3. Presentations - Deputations – Petitions - Nil

4. Public Question Time - Nil

5. Disclosure of Interest - Councillors and Staff

CEO Anderson declared a conflict of interest in relation to Confidential Item 18.2.1.3 'CEO's contract'.

6. Confirmation of Minutes

6.1. Ordinary Council Meeting held on 30 August 2022

Motion

That the minutes of the Ordinary Council Meeting held on 30 August 2022 be taken as read and be accepted as a true record of the meeting.

Mover: Cr Georgina Macleod

Seconder: Cr Yvette Williams

Resolution:OCM-2022/128: Carried 5 / 0

7. Call for Items of General Business



- Schedule of rates - key cutting issue (Cllr Macleod)
- National Roads Congress (early bird by 7 OCT 22) (Mayor Pedwell)
- NT Remuneration Tribunal
- Lingara Homelands
- Performance Audit of the Governance of the Northern Territory Land Councils
- In-kind support from Sitzler
- Confidential - Club

8. Mayoral Report

Mayor Brian Pedwell provided a verbal update.

- Mayor Pedwell attended an executive NLC meeting at Tiwi Islands.
- Mayor Pedwell provided an update regarding Fitzler Rd, Timber Creek and investigations into swapping Lots.
- Letter to Minister Paech thanking the Department of the Chief Minister and Cabinet for their support throughout the ICT project.
- CSIRO contacted council regarding water at Victoria River. CSIRO will collect data across the region and negotiations will continue with Traditional Owners over the coming years.
- Housing policy will remain unchanged for the time being due to the consultation required.
- NLC will hold elections this year across all seven regions.
- It has been identified that there was a low voter turnout in the VDRC region for the recent Federal election.

Deputy Mayor Shirley Garlett left the meeting at 9:27 am.

Deputy Mayor Shirley Garlett returned to the meeting at 9:29 am.

Motion

The Mayor will circulate a Mayoral report at the meeting and provide a verbal update.

Mover: Cr Georgina Macleod

Seconder: Cr Andrew McTaggart

Resolution:OCM-2022/129: Carried 5 / 0

9. CEO Update

9.1. CEO Report

Director of Corporate and Community Services addressed Council to update on A/CEO activities since the previous meeting.

- Discussions ensued regarding the grant opportunity (playgrounds) for Pine Creek and Timber Creek 50/50 contribution.
- Council deliberated the abovementioned opportunity.

Action Item: 50:50 contribution grant opportunity to be put forward to the PCLA and TCLA in November for discussion.



Motion

- A. That the CEO Report be received and noted.
- B. That Council acknowledge the proposal through the Election Commitments;
and

AMENDMENT:

- C. That Council acknowledges the request made by Daguragu for sponsorship to hold a sports carnival following the upgrades to the Daguragu Sports Hall.

Mover: Cr Andrew McTaggart

Seconded: Deputy Mayor
Shirley Garlett

Resolution:OCM-2022/130: Carried 5 / 0

10. Reports to Council

10.1. Reports for Council Decision

10.1.1. Pine Creek Heritage items - NT Heritage Association

Councillor Williams expressed her support for the recommendation. A memorandum of understanding will be developed and executed.

Action Item: PC COM to provide a map of assets referred to in this report.

Motion

- A. That the Pine Creek Heritage items - NT Heritage Association report is received and noted.
- B. That the train, carriages, and shed be gifted to the Northern Territory National Trust for these heritage assets so they can be kept in good order for the benefit and continued enjoyment of the Pine Creek community

Mover: Cr Yvette Williams

Seconded: Cr Andrew McTaggart

Resolution:OCM-2022/131: Carried 5 / 0

10.1.2. Appointment of Deputy Principal Member

Motion

- A. That the Appointment of Deputy Principal Member report is received and noted
- B. That the nominee for the position of Deputy Mayor is Andrew McTaggart nominated by Georgina Macleod
- C. That Council appoints Andrew McTaggart as the Deputy Mayor of Victoria Daly Regional Council for a period of twelve (12) months.

Mover: Cr Georgina Macleod

Seconded: Deputy Mayor
Shirley Garlett

Resolution:OCM-2022/132: Carried 5 / 0



Only one nomination was received for the position of Deputy Principal member. The appointment of Andrew McTaggart to the position of Deputy Principal member will commence on 28 September 2022.

10.2. Reports for Information

10.2.1. Financial Report for the month of August 2022

Motion

A. That the Financial Report for the month of August 2022 is received and noted

Mover: Cr Georgina Macleod

Seconded: Cr Andrew McTaggart **Resolution:OCM-2022/133:** Carried 5 / 0

10.2.2. CDP Council Report

CDP Regional Manager addressed council

- Discussions took place regarding changes to the CDP contract, including 25% of the monthly service payments being redirected to fund innovative, new arrangements.
- Defence Force discussed as a option for employment - to investigate.
- Proposal will be submitted to NIAA for approval.
- CDP team will continue to brain storm and develop an action plan.
- Voluntary mutual obligations impacts appeal for potential applicants.

Deputy Mayor Shirley Garlett left the meeting at 11:55 am.

Deputy Mayor Shirley Garlett returned to the meeting at 11:57 am.

Motion

A. That the CDP Council Report is received and noted

Mover: Cr Georgina Macleod

Seconded: Cr Yvette Williams **Resolution:OCM-2022/134:** Carried 5 / 0

Action Item - update Ochre cards and police check for all members

10.2.3. Operations Report

Director of Operations provided an update on council operations.

- Ops team is investigating the project at Daguragu Sports hall and the preservation of the art work on roller doors.

Motion

A. That the report Operations Report is received and noted

Mover: Cr Andrew McTaggart

Seconded: Cr Georgina Macleod **Resolution:OCM-2022/135:** Carried 5 / 0



*The meeting adjourned for morning tea, the time being 10:11am.
The meeting resumed, the time being 10:25am.*

10.2.4. Annual Return of interest

Motion

- A. That the Annual Return of interest report is received and noted
- B. That Elected Members of Victoria Daly Regional Council declare their interest in accordance with the law.

Mover: Cr Andrew McTaggart

Seconder: Cr Yvette Williams

Resolution:OCM-2022/136: Carried 5 / 0

11. Community Reports

11.1. Pine Creek Community Report

Motion

- A. That the Pine Creek Community Report is received and noted

Mover: Cr Yvette Williams

Seconder: Cr Georgina Macleod

Resolution:OCM-2022/137: Carried 5 / 0

11.2. Kalkarindji/Daguragu Community Report

Motion

- A. That the Kalkarindji/Daguragu Community Report is received and noted

Mover: Cr Georgina Macleod

Seconder: Cr Yvette Williams

Resolution:OCM-2022/138: Carried 5 / 0

11.3. Nauiyu Community Report

Motion

- A. That the Nauiyu Community Report is received and noted

Mover: Cr Andrew McTaggart

Seconder: Cr Georgina Macleod

Resolution:OCM-2022/139: Carried 5 / 0

11.4. Yarralin Community Report

Motion

- A. That the Yarralin Community Report is received and noted

Mover: Mayor Brian Pedwell

Seconder: Cr Georgina Macleod

Resolution:OCM-2022/140: Carried 5 / 0

11.5. Timber Creek Community Report

Motion



A. That the Timber Creek Community Report is received and noted

Mover: Deputy Mayor Shirley Garlett

Seconded: Cr Andrew McTaggart **Resolution:OCM-2022/141:** Carried 5 / 0

12. Local Authority

12.1. Local Authority Minutes

12.1.1. Bulla Local Authority meeting held on 16 August 2022

Motion

That the minutes of the Bulla Local Authority meeting held on 16 August 2022 be adopted as a resolution of Ordinary Council.

Mover: Deputy Mayor Shirley Garlett

Seconded: Cr Andrew McTaggart **Resolution:OCM-2022/142:** Carried 5 / 0

12.1.2. Timber Creek Local Authority meeting held on 16 August 2022

Motion

That the minutes of the Timber Creek Local Authority meeting held on 16 August 2022 be adopted as a resolution of Ordinary Council.

Mover: Deputy Mayor Shirley Garlett

Seconded: Cr Andrew McTaggart **Resolution:OCM-2022/143:** Carried 5 / 0

12.1.3. Amanbidji Local Authority meeting held on 17 August 2022

Motion

That the minutes of the Amanbidji Local Authority meeting held on 17 August 2022 be adopted as a resolution of Ordinary Council.

Mover: Deputy Mayor Shirley Garlett

Seconded: Cr Andrew McTaggart **Resolution:OCM-2022/144:** Carried 5 / 0

12.2. Local Authority Resignations/Nominations

12.2.1. Resignation of Karen Giumelli from the Pine Creek Local Authority

Motion

A. That the Resignation of Karen Giumelli from the Pine Creek Local Authority is received and noted

Mover: Cr Yvette Williams

Seconded: Cr Andrew McTaggart **Resolution:OCM-2022/145:** Carried 5 / 0

13. Action Sheet

13.1. Action Sheet

- Discussion took place regarding the Action Item 26.1. Director of Operations is investigating historical LA records regarding a gazetted road in Nitjpurru.
- Relocation of Nitjpurru remains a top priority.



Motion

A. That the Action Sheet report is received and noted

Mover: Cr Georgina Macleod

Seconded: Cr Yvette Williams

Resolution:OCM-2022/146: Carried 5 / 0

14. Correspondence In & Out

14.1. Correspondence

Motion

A. That the Correspondence is received and noted

Mover: Cr Georgina Macleod

Seconded: Cr Yvette Williams

Resolution:OCM-2022/147: Carried 5 / 0

15. General Business

The meeting continued, the time being 12:58pm

15.1 Title Schedule of fees and charges - key cutting (Cllr Macleod)

15.2 Title National Roads Congress (early bird by 7 OCT 22) (Mayor Pedwell)

15.3 Title NT Remuneration Tribunal

15.4 Title Lingara Homelands

15.5 Title Performance Audit of the Governance of the Northern Territory Land Councils

15.6 Title In-kind support from Sitzler

15.7 Title LGANT CEO Recruitment Workshop

15.8 Title Waste Charges

15.9 Title Confidential - Club

15.1 Title - Schedule of fees and charges - key cutting (Cllr Macleod)

- Key cutting is not currently on the schedule of fees and charges
- Cllr Macleod is suggesting that the charge is reinstated on the schedule.

Council deliberated. Council discussed that the machine could be gifted to a stakeholder for the service to continue to operate.

Motion

That key cutting be added to the schedule of fees and charges for \$15 per instance. One machine to be located at Yarralin and one at Timber Creek; and That one key cutting machine be gifted to Green Rivers Aboriginal Corporation from Nauiyu.



Mover: Cr Georgina Macleod	
Seconded: Deputy Mayor Shirley Garlett	Resolution:OCM-2022/148: Carried 5 / 0

15.2 Title - National Roads Congress (early bird by 7 OCT 22) (Mayor Pedwell)

Motion	
That arrangements be made for Mayor Pedwell with one staff member to attend the National Roads Congress in Hobart.	
Mover: Cr Andrew McTaggart	
Seconded: Cr Georgina Macleod	Resolution:OCM-2022/149: Carried 5 / 0

15.3 Title - NT Remuneration Tribunal

- Mayor Pedwell acknowledged the meeting with the NT Remuneration Tribunal at the briefing meeting.
- Council support the inclusion of superannuation for elected members.
- Regional council elected members have considerably larger distances to travel, however municipal allowances are higher.
- Categories do not accurately reflect the burden (e.g. distance, time off work, wear and tear on vehicles) on regional elected members.
- A suggestion deliberated was that category 3 rates are raised to be in line with category 2 to more appropriately remunerate regional council elected members.
- Work load for regional council elected members is considerable and includes:
 - travelling extensive distances
 - attending local authority meeting (in particular Timber Creek where there are three local authorities across a vast region with only one elected member)
 - responsible for multiple programs including CDP, aged care, NDIS, Night Patrol etc.

Further suggestions deliberated:

- Ordinary Council Members - from category 3 to category 1
- Principal Member - from category 3 to category 2

Motion	
Submission to be developed by Mayor and CEO in line with council discussion	
Mover: Cr Andrew McTaggart	
Seconded: Deputy Mayor Shirley Garlett	Resolution:OCM-2022/150: Carried 5 / 0

15.4 Title - Lingara Homelands

Cllr Shirley Garlett declared a conflict of Interest regarding the Homelands Lingara item. The nature of the conflict is that Cllr Garlett is on the Board of NAAJA.



Cllr Garlett left the meeting, the time being 1:49pm.

- Director of Operations provided an update to Council on Homelands Lingara.
- Council received a letter from the North Australian Aboriginal Justice Agency (NAAJA) regarding Lingara Water Strategy.
- A response to NAAJA is being developed.
- Council is doing everything possible to rectify the bore issues at Lingara.
- There has been a constant and concerted effort to rectify issues.
- Council is able to prove that there has been extensive efforts to engage the community.
- The draft response to NAAJA was discussed and feedback provided.

Cllr Garlett returned to the meeting, the time being 2:05pm.

Motion

That a letter from the Mayor be sent to the North Australian Aboriginal Justice Agency in response to the letter received on 15 September regarding the Lingara Water Strategy.

Mover: Cr Andrew McTaggart

Seconder: Cr Georgina Macleod

Resolution:OCM-2022/151: Carried 5 / 0

15.5 Title - Performance Audit of the Governance of the Northern Territory Land Councils

Mayor Pedwell declared a conflict of interest in regard to general business item 15.5. The nature of the conflict being that Mayor Pedwell is on the Executive Board of NLC. Mayor Pedwell left the meeting, the time being 2:08pm.

- CEO provided some background to council regarding experiences with NLC and CLC.
- The stakeholder relationship with NLC has always been a positive one in his experience.
- CEO - suggested that the Land Councils conduct regular consultation.
- CLC Board Members have not attended council meetings to meet and discuss issues facing VDRC communities.
- Relationship with NLC is positive and on some occasions members have attended council meeting.
- Relationship with CLC is less engaging.

Action: Letter from Deputy Mayor in response to the Performance Audit of the Governance of the Northern Territory Land Councils in line with discussions.

Mayor Pedwell returned to the meeting, the time being 2:22pm

15.6 Title - In-kind support from Sitzler

- Cllr McTaggart is proposing that council seek in kind support from Sitzler in the development of Fitzer Rd project.



Motion

That a letter from the Mayor be sent to Sitzler seeking in-kind support for the projects taking place in Timber Creek for the benefit of the people of Timber Creek.

Mover: Cr Andrew McTaggart

Seconded: Deputy Mayor
Shirley Garlett

Resolution:OCM-2022/152: Carried 5 / 0

15.7 Title - LGANT CEO Recruitment Workshop

Motion

That arrangement be made for the following elected members to attend the LGANT CEO recruitment workshop in Darwin on 4 October: Georgina Macleod and Andrew McTaggart.

Mover: Deputy Mayor Shirley Garlett

Seconded: Cr Yvette Williams

Resolution:OCM-2022/153: Carried 5 / 0

15.8 Title - Waste Charges

- CEO addressed council regarding outstanding rates and waste charges.
- Wooliana Rd - several residents have written to council complaining about being charged for the Nauiyu waste management facility when they are not users of the facility.
- The following motion was put forward.

Motion

That waste charges are not to be waived.

Mover: Cr Andrew McTaggart

Seconded: Cr Georgina Macleod

Resolution:OCM-2022/154: Carried 5 / 0

16. Notices of Motion - Nil

17. Supplementary Reports - Nil

The meeting adjourned for afternoon tea, the time being 2:40pm

The meeting resumed, the time being 2:53pm

18. Confidential

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 closed to the public to consider the Confidential items of the Agenda.

Moved: Cr Andrew McTaggart

Seconded: Cr Yvette Williams

18.2. Confidential Reports to Council

18.2.1. Reports for Council Decision



18.2.1.1. Nauiyu River Pump

Status 51(1)(c)(iv) - *This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) 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: subject to subregulation (3) - prejudice the interests of the council or some other person*

18.2.1.2. Council Policies CEO Approved

Status 51(1)(c)(iii) - *This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iii) 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: prejudice the security of the council, its members or staff*

18.2.1.3. CEO's Contract

Status 51(1)(b) - *This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(b) 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 personal circumstances of a resident or ratepayer.*

18.2.2. Reports for Information

18.2.2.1. Progress Report on Grant Applications

Status 51(1)(c)(iv) - *This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) 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: subject to subregulation (3) - prejudice the interests of the council or some other person*

18.2.2.2. Certification of Local Authority Project Funding for the period ending 30 June 2022

Status 51(1)(c)(iv) - *This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) 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: subject to subregulation (3) - prejudice the interests of the council or some other person

18.2.2.3. Acquittal of One-Off Grant 2021-22 Timber Creek Waste Management Facility

Status 51(1)(c)(iv) - *This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) 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: subject to subregulation (3) - prejudice the interests of the council or some other person*

18.2.2.4. Acquittal of Waste and Resource Management grant received to undertake feasibility study for waste management

Status 51(1)(c)(iv) - *This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) 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: subject to subregulation (3) - prejudice the interests of the council or some other person*

18.2.2.5. Acquittal of Local Government Priority Infrastructure Fund Grant 2020-21

Status 51(1)(c)(iv) - *This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) 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: subject to subregulation (3) - prejudice the interests of the council or some other person*

18.2.2.6. Acquittal of Waste and Resource Management (WaRM) grant 2021-22

Status 51(1)(c)(iv) - *This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) 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:*



subject to subregulation (3) - prejudice the interests of the council or some other person

18.2.2.7. Aerodrome Contract SK5098/18 (Kalkarindji, Timber Creek, Yarralin, Pigeon Hole)

Status 51(1)(c)(iv) - *This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) 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: subject to subregulation (3) - prejudice the interests of the council or some other person*

18.2.2.8. By-Laws

Status 51(1)(c)(iii) - *This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iii) 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: prejudice the security of the council, its members or staff*

***The closed session ceased, and open session resumed, the time being 4:48pm
Mayor Pedwell closed the meeting, the time being 4:49pm***

Next Meeting

The next Ordinary General Meeting of Victoria Daly Regional Council will be held 25 October 2022.

This page and the preceding 14 pages are the minutes of the meeting of Ordinary Council held on 27 September 2022.

Mayor Brian Pedwell