

Nhulunbuy Town Board

Minutes of the Ordinary Meeting, held in the Boardroom of the Department of Chief Minister and Developing East Arnhem Limited Conference Room, Nhulunbuy, Northern Territory
Tuesday 21 February 2017 at 8.35am

Present

Adam Seiler (AS)	Chairperson (Nhulunbuy Corporation)
Gavin Law (GL)	Member
Lyn Percic (LP)	Member
Sharon Georganicas (SG)	Member (from 08:36)
Chris Putland (CP)	Member
Paul Seidel (PS)	Rio Tinto (RT) Gove Operations
Jim Rogers (JR)	NT Government (NTG) Representative
Alyce Fredriksen (AF)	Secretary
Wanda Sutter (WS)	Observer
Maria Robbins (MR)	Project Manager, Town Vision (observer)

1. Apologies

Nil

2. Conflict of Interest

N/A

3. Confirmation of Minutes – 17 January 2017

Moved: CP

Seconded: GL

Carried

Sharon Georganicas entered the meeting at 08:36

4. Business Arising from Minutes

- Crossing on Matthew Flinders Way (19/16): Town Board members agreed that the current crossing on Matthew Flinders Way opposite the Nhulunbuy High School needs action taken.

It was resolved that Town Board recommend the Chief Executive Officer, make the necessary arrangements to have the pedestrian crossing along Matthew Flinders Way reinstated with zebra-line markings to clearly complete the crossing and avoid future confusion surrounding the matter.

Moved: CP

Seconded: GL

Carried

Action complete.

- Water Fluoridation (28/16): Original action was for NCL to report back on the following 1. Does the town of Nhulunbuy fluoridate water 2. How often is water testing is conducted 3. Where are the results reported to or whom 4. What are the additives added to the water and 5. Is information made publicly available?

AS informed members there has been some ongoing discussion between NCL and RT around water testing, fluoridation of water and community consultation.

Members raised concerns around the public accountability of the water supply in Nhulunbuy. Members mentioned their understanding was for NCL to match the Northern Territory's Standards of public reporting on water supply, treatment and testing.

Action ongoing.

Secretary:

Date:

Chairperson:

Date:

- Town Centre (33/16): PS to investigate if RT have any plans in the future to clean up the Town Centre. PS informed members there will be some general maintenance conducted around the Town Centre in 2017, this consists of replacing and fixing the bump stops in the Woolworths carpark, painting of hand rails and additional painting to revitalise shop fronts.
Action complete.
- Abandoned Vehicle corner Wolsey Circuit and Sinclair Street (01/17): A blue Holden Commodore Sedan has been abandoned at the corner of Wolsey Circuit and Sinclair Street since prior to Christmas 2016. Town Board members requested the CEO to investigate removal of vehicle in accordance with the Abandoned Vehicle Procedure.

CEO investigated and the vehicle was considered abandoned, contact will be made with Nhulunbuy Police and owner (if identified) and will be removed in accordance with Procedure for Abandoned Vehicles.

Action complete

- Mosquito Fogging (02/17): The Town Board requested clarification on the frequency and location of Mosquito Fogging within the community. Response from Manager, Town Operations was as follows fogging is governed by high winds and rain, with days of fogging rotated by the weather patterns. At present we are fogging the below areas:
 - Lagoons x 3 days a week
 - Buffalo Creek x 3 days a week
 - Christian School x 3 days a week
 - Boundary Road to south x 3 days a week
 - Behind South 1 x week
 - Behind contractors area x 1 week
 - Bungguluy to behind fire beak at Banyan x 1 week
 - Golf club area x 3 week
 - Briquettes are placed into water catchment areas as water increases into the areas of catchment.

Action complete

5. Monthly Operations Report – January 2017

Report tabled and noted.

Feedback (complaints/ compliments/ feedback and suggestions)

No complaints, compliments, feedback or suggestions received for January 2017.

In Kind Support

Date received	Organisation	Activity	Support granted	Financial cost
1 January 2017	Cancer Council	Relay For Life	Waive of fees for oval hire, chairs, tables, line marking and pool membership to raffle.	\$1,010
18 January 2017	Gove Peninsula Surf Club	Renovations	Waive of Building application fee	\$1,476
31 January 2017	NHS Year 12 Formal Committee	Year 12 High School formal	Waive of Town Hall hire fees	\$850
31 January 2017	Women's fishing competition	Presentation night	Waive of Town Hall hire fees	\$850
Month total				\$4,186
Year to Date				\$4,186

Secretary:
Date:

Chairperson:
Date:

6. Correspondence

In

- Appointment of Town Board member on behalf of RT - Paul Seidel

Out

- Letter of support sent to Eliza Skinner for an approved mobile vendor service: Gideon's Bush Espresso

7. Town Vision update

MR tabled an overview report and the Town Vision Success Measures results summary from the Town Vision Survey.

MR raised concerns around not having enough help with Town Vision events. In particular the monthly Community Market tables and the Town Centre Revitalisation project.

The Town Centre Bin project commenced on Monday 6 February 2017. In 10 days there were over 120 participants with 26-40 residents attending per day. 19 bins were completed which consisted of 95 panels. Altogether 14 groups attended the project over the 2 week period.

The Bin project had over 20 Organisation participants including Miwatj Employment and Participation, Miwatj Health, Datjala Work Camp, Anglicare NT, Dhimurru, Westpac, East Arnhem Regional Council, Nhulunbuy Primary School, Yirrkala School, Rio Tinto, Laynhapuy, Nhulunbuy Corporation and the general community.

Sponsors included Rio Tinto, Sodexo, Woolworths, Kamayan Café, Peninsula Bakery and Café, Gove Warehouse and the Nhulunbuy Corporation. MR tabled photography slides of the Bin project capturing the local flora and fauna designs chosen throughout the 2 week period. Each bin will have the finishing touch of a plaque that states whom completed the artwork and what the design is with transcript in English, Scientific and Yolŋu Matha.

Moving forward, MR's focus is working on scoping the history plaques and murals for the Town Centre Revitalisation project.

MR discussed with all members the results from the Town Vision Survey. MR mentioned there were 3 strategic categories identified as key indicators for measuring the success performance and focus areas for the Nhulunbuy Town Vision:

1. Project – overall rating ok
2. Stakeholder Engagement – overall rating very good
3. Community Awareness – overall rating good to very good

MR stated the evaluation of the Survey results will be utilized to provide key stakeholders with information to make informed decisions regarding the future of the Nhulunbuy Town Vision as a project and ongoing strategy. They will provide insight into aspects that require further focus and or community engagement. Discussions were held around the summary slide 3 and the conclusion slide 4 which covers opportunities and challenges.

AS advised the Town Board, MR's Contract of Employment has been extended in support of the Town Vision Project until Friday 1 September 2017.

The Nhulunbuy Corporation has taken a lead approach with the recruitment of a reclassified position of Community Engagement Facilitator (CEF) following the resignation and departure of the Community Recreation Officer. Amongst other duties, the new incumbent to that role will act as protégé to the Project Manager and work with the Town Vision Governance Committee as well as provide overall supervision of the Nhulunbuy Aquatic Centre.

MR added, the intention to extend contract was to enable the Project Manager- Town Vision, to be able to focus at a strategic level with the stream owners and to start embedding those streams in their businesses and current projects. The overall aim is for stream leads to act autonomously with overarching support from Governance.

8. General Business

– Home Trading application: Remedial and relaxation Massage

AS tabled a Home Trading application NCL received from Michelle Finnan.

Michelle Finnan is requesting for the Town Board to support her application to operate a Home Trading business conducting Remedial and Relaxation Massage from her residential property, 22 Wolsey Circuit, Nhulunbuy.

It was resolved that:

The Town Board are happy to support and approved the Home Trading application presented by Michelle Finnan to operate a Remedial and relaxation Massage business from 22 Wolsey Circuit, Nhulunbuy.

Moved: GL

Seconded: LP

Carried

– Marika Lookout Tower

AS tabled a report that was prepared and sent with the agenda providing a detailed update on the progress of the Marika Lookout Tower as follows:

AS advised a purchase order has been raised and issued to a local Engineering firm, with the project expected to be complete by 30 April 2017. AS mentioned the works that need to be conducted consist of replacing the stair treads, sandblasting and painting of the tower and also replacing the hand rails. Once all works has been completed the facility will be up to standard and code.

Dhimurru has supported the closure of the facility, Aboriginal Areas Protection Authority (AAPA) has confirmed the existing certificate covers the maintenance works at the Water Tower and the AAPA certificate encompasses Mt Saunders and the Marika Lookout.

Northern Land Council has provided correspondence confirming: *'The Northern Land Council do not object to the Nhulunbuy Corporation or its agents or contractors commencing the urgent repair works to the Marika Lookout as outlined above, however we note that tenure is. We note that any works or installations on the land prior to the securing of a lease or licence of the land covering the area in question are at Nhulunbuy Corporation's own risk.'*

Dhimurru Aboriginal Corporation has further confirmed: *Mandaka Marika, our Managing Director, has met with Bakamumu Marika and discussed the planned works on the lookout tower at Nhulun. Mandaka who is also a senior Rirratjingu traditional owner and one of Bakamumu's brothers, discussed the plans to replace decking, replace the stairs, and repaint the structure. He also discussed the understanding that whilst the works would necessitate closing the tower to the public whilst they are undertaken there is not expected to be any impact on the surrounds. Mandaka advised that Nhulunbuy Corporation are funding and supervising the works and that AAPA, Dhimurru, and the NLC have all been consulted. Bakamumu is happy for the work to proceed.*

AS informed members NCL have engaged a contractor to facilitate and undertake the project.

– **Town Board Election**

AS tabled information around the Town Board Election process for 2017.

AS informed members, in accordance with the Nhulunbuy Town Board Incorporated Election By-Laws, the Town Board has the responsibility for:

- Scheduling an election biannually;
- Preparation of a timeline for election process;
- Appointing a Returning Officer;
- Appointing a Deputy Returning Officer; and,
- Facilitating all advertising and notice requirements

AS advised the two vacancies that are due for election in 2017 are for GL and SG, with this election being for two positions over a 4-year term.

Through relationship, the administrative components of the election are handled by the Town Board Secretary (Nhulunbuy Corporation Information Officer).

To this end, the following timetable has been developed, together with draft advertisements for publication locally through Social Media and on the Nhulunbuy Corporation website:

- Enrolment Day closure: Thursday 9 March 2017
- Existing members last meeting: 21 March 2017
- Nomination Day closure: Friday 24 March 2017
- Election Date Saturday 8 April 2017
- First meeting thereafter: 18 April 2017

AS informed members, Part 7 of the Election By-Laws has particular reference regarding the Appointment of a Returning Officer which 'The Board may, not less than 14 days before Nomination Day, appoint a person to be the Returning Officer to preside at the Election.'

In normal circumstances (ie. Local Government) this responsibility would fall to the Chief Executive Officer (CEO). However, in accordance with the Nhulunbuy Town Board Constitution, part 15 (Composition of Board), section 15.1(a) states the CEO will be the Chairperson of the Nhulunbuy Town Board. Furthermore, part 7.5 of the Local Law discloses 'A person who is (c) a member of the Board shall not be appointed as Returning Officer, presiding Officer or poll clerk for an election or supplementary election.

This clearly disqualifies the CEO from this process. To this end, the Town Board is requested to authorise a recommendation to NCL to call for Expressions of Interest from appropriately experienced and qualified individuals to fulfil the role of Returning Officer, with remuneration for this position to be funded directly by NCL, which will be paid in accordance with the Australian Electoral Commission 'OIC 1 – 3 issuing points'.

AS tabled the following recommendations:

1. That the Nhulunbuy Town Board Incorporated schedule the Town Board Elections 2017 to occur on Saturday, 8 April 2017
2. Acknowledge the timeline prepared, identifying Enrolment Day (4pm 9 March 2017) and Nomination Day (24 March 2017)
3. Call for Expressions of Interest for the position of Returning Officer, with this appointment to occur no later than Thursday 9 March 2017
4. Appoint Ms Alyce Sandra Fredriksen to the position of Deputy Returning Officer
5. Request the Nhulunbuy Corporation provide all necessary assistance in relation to the provision of the Town Board Elections 2017

It was resolved that:

1. That the Nhulunbuy Town Board Incorporated schedule the Town Board Elections 2017 to occur on Saturday, 8 April 2017

Secretary:
Date:

Chairperson:
Date:

2. Acknowledge the timeline prepared, identifying Enrolment Day (4pm 9 March 2017) and Nomination Day (24 March 2017)
3. The Chief Executive Officer be authorised to directly appoint a Returning Officer from within the existing staff portfolio of the Nhulunbuy Corporation, with this appointment to come into effect prior to 9 March 2017
4. Appoint Ms Alyce Sandra Fredriksen to the position of Deputy Returning Officer
5. Request the Nhulunbuy Corporation provide all necessary assistance in relation to the provision of the Town Board Elections 2017

Reason for alteration to the recommendation:

The Town Board indicated support for retaining the election function completely in-house as opposed to engaging an external party under specific contract (as stated above).

Moved: CP

Seconded: GL

Carried

– **Triple J Radio**

CP informed members he has received a number of concerns from residents around the radio station Triple J dropping in and out of signal. CP questioned why does this happen and how can the issue be resolved.

AS stated the equipment used is relatively simple and there could be a number of reasons as to why the signal drops in and out. AS told members NCL will investigate which component is breaking down and see if the issue can be resolved.

AS indicated he would also investigate the Australian Communication and Media Authority (ACMA) licensing stipulations to see what frequency's and radio services are available in the Nhulunbuy area on the free-to-air network.

– **Lyn Percic Resignation as Town Board Member**

LP informed members that she will be resigning from her role as a Town Board member due to taking long service leave. LP resigned verbally in this meeting however confirmed she would send formal documentation to AS. LP's final Town-Board meeting will be 21 March 2017.

As a result of member Percic's resignation, the Returning Officer will construct the 2017 election to call for nominations to fill 2 x vacancies for a 4-year term and 1 x vacancy to fill the remaining 2-year term.

– **Hydraulic Fracturing**

Hydraulic Fracturing enquiry - JR stated the chairperson, Justice Pepper, is visiting Nhulunbuy on the 22 February 2017 to hold an informal discussion with key stakeholders and organisations around the process of the Hydraulic Fracturing enquiry and how to engage the community and traditional owner involvement. AS will be attending on behalf of NCL.

– **Melville Bay Shoulders**

GL asked PS to provide members with an update on the works being conducted on Melville Bay shoulders along Melville Bay Road. PS said things are progressing, purchase orders have been issued and the contractor has been engaged. PS stated the permits are in place and all paperwork has been completed ready for the project to commence.

– **Alcohol Reference Group (ARG)**

GL informed members the next ARG meeting is scheduled for 16 March 2017. GL said the discussions in the last meeting were held around the Harmony Program and taking the

harmonistic approach moving forward. The ARG spoke about the possibility of having a full time local Licensing officer in Nhulunbuy. Further updates will be provided after the next meeting.

There being no further business, the Chairperson declared the meeting close at 10:13am.

Next meeting: Tuesday 21 March 2017 at 8:30am.