



# Coomalie Community Government Council

Meeting date: **Tuesday, 28 June 2011** Started: **6:00 PM** Ended: **10:15 PM**

Location: Council Chambers, 141 Cameron Road, Batchelor NT 0845

Purpose/Notes: Regular scheduled meeting

Chaired by: Clr. Andrew Turner

Minutes rec. by: John Hughes

## Attendance:

Present: Clr. Robert Bright, Clr. Sue Bulmer, Clr. Darryl Butler, Clr. Linda Douglas, Clr. Tommy Fawcett, John Hughes, Clr. Bruce Jones, Clr. Deb Koch, Clr. Trevor Sullivan, Clr. Andrew Turner

Regrets:

Absent:

Late:

## Guests:

(none)

## Meeting Documents:

(no documents)

## Meeting Minutes:

### 1. Standing Agenda Items

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#### 1.1. Apologies and Leave of Absence

Status: Completed

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##### 1.1.1. Apologies and Leave of Absence

All Councillors and the Chief Executive Officer were in attendance and no apologies were noted.

Status: Completed

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#### 1.2. Declaration of Conflict of Interest

Having considered the Agenda and Business Documents, Councillors are requested to declare any possible, actual or perceivable conflicts of interest at this time.

Status: Completed

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##### 1.2.1. Declaration of Conflict of Interest

No conflicts of interest were noted in relation to items in the public agenda for the meeting.

Status: Completed

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#### 1.3. Confirmation Of Minutes

The minutes of the following Ordinary General Meeting(s) of Coomalie Community Government Council are to be reviewed and confirmed:

\* Meeting held on 17th May, 2011

#### Documents:

- Minutes\_17\_05\_2011 PUBLIC.pdf

Status: Completed

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### 1.3.1. Confirmation of Minutes

That the minutes of the ordinary general meeting held on 17 May 2011 be confirmed as circulated.

**Resolution #:** 28/06/2011/001

**Moved by:** Clr. Linda Douglas

**Seconded by:** Clr. Trevor Sullivan

**Status:**

Carried

**Vote:**

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## 1.4. Correspondence

The correspondence registers for the period from 13th May 2011 to 22nd June 2011 are to be reviewed and confirmed.

### Documents:

- CEO Incoming Emails.pdf
- CEO Outgoing Emails.pdf
- Correspondence Inwards.pdf

**Status:** Completed

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### 1.4.1. Confirmation of Correspondence Inwards

That Council notes and receives the incoming correspondence as detailed in the correspondence inwards register and as circulated.

**Resolution #:** 28/06/2011/002

**Moved by:** Clr. Tommy Fawcett

**Seconded by:** Clr. Deb Koch

**Status:**

Carried

**Vote:**

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### 1.4.2. Confirmation of Correspondence Outwards

That Council notes and confirms the correspondence outwards as detailed in the outgoing correspondence register and as circulated

**Resolution #:** 28/06/2011/003

**Moved by:** Clr. Tommy Fawcett

**Seconded by:** Clr. Deb Koch

**Status:**

Carried

**Vote:**

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### 1.4.3. Matters arising from correspondence - training courses

The CEO was directed to find a suitable enrollee in the Elected Member Capacity Development Train the Trainer Program as outlined in correspondence from LGANT.

The CEO was directed to consider enrolling in the Graduate Certificate in Local Government Leadership course as outlined in correspondence from the Department of Housing, Local Government and Regional Services.

**Status:** Completed

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## 1.5. Financial Statements

The Financial Report contains:

- Financial Report



- Monthly and Year to Date Operating Results Summary
- Monthly and Year to Date Operating Results Detail
- Balance Sheet
- Grant Report
- Reconciliation Report
- Payments Register

**Documents:**

- Bank Reconciliation Report.pdf
- Grants Report.pdf
- MAY 2011 BALANCE SHEET.pdf
- MAY 2011 MONTHLY ACCOUNTS DETAIL.pdf
- MAY 2011 MONTHLY ACCOUNTS SUMMARY.pdf
- Monthly Summary 2011-05-31.pdf
- Payments Register.pdf

**Status:** Completed

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**1.5.1. Confirmation of Financial Statements**

That Council receives and notes the financial statements for the month ended 31st May 2011 and confirms the payments as detailed in the payments register.

**Resolution #:** 28/06/2011/004

**Moved by:** Clr. Robert Bright

**Seconded by:** Clr. Darryl Butler

**Status:**

Carried

**Vote:**

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**1.5.2. Question on Notice from Councillor Bulmer**

At the 17th May Council Meeting, Councillor Bulmer put a question to the CEO regarding a transaction that was recorded in the March 2011 financial statements. After explaining that the transaction was probably just a journal reallocating a balance from one department to another, the question was taken on notice by the CEO for confirmation at the next Council meeting, as he did not have to hand a copy of the March financial statements.

The transaction in question concerned a journal adjustment that transferred \$57,093 from the capital plant and equipment account in Department 410 (roads) into the capital vehicle purchase account in sport and recreation.

This journal entry was raised by the finance officer and authorised by the CEO and was of a routine nature. Review of the financial reports indicated that when the vehicle was originally purchased it had been incorrectly allocated to works. The Journal entry that was processed cleared the balance from works and correctly allocated it to Department 312 (sport and recreation).

The Journal entry had no impact on the overall results of Council and no cash flow consequences.

If any further information or explanation is required, please let me know.

**Documents:**

- Journal Batch 772.pdf

**Status:** Completed

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### 1.5.3. Matters Arising from Financial Statements

Councillor Bulmer questioned the CEO as to his authority to authorise the purchase of a vehicle for Council without laying the quotations before Council for approval to commit to the purchase.

Councillor Bulmer cited "the Local Government Act" which the CEO understands her to mean Part 13 of the Local Government (Accounting) Regulations.

Specifically, the CEO understood Councillor Bulmer to be citing the following provision of the regulations:

28 Quotations

(1) Subject to the council's policies, a council need not obtain quotations for the provision of supplies if the cost of the supplies is \$10 000 or less.

(2) If a council proposes to obtain supplies at a cost of more than \$10 000 but not more than \$100 000, the council must obtain written quotations from at least 3 possible suppliers and the council must choose a supplier from amongst those submitting written quotations.

(3) If it is not practicable to obtain quotations from 3 possible suppliers under subregulation (2), the council must obtain as many as practicable and must record in writing its reasons for not obtaining this the 3 quotations.

Councillor Bulmer was of the view that notwithstanding the CEO's delegated purchasing authority, the regulations required the CEO to present quotations for the vehicle purchase to Council for endorsement prior to issue of the purchase order.

The CEO explained to Councillor Bulmer that his delegated authority to make such a purchase was conferred when Council adopted its purchasing policy in April 2010 and that accordingly provided:

\* the purchase was for less than \$50,000;

\* the value of the purchase was included in the budget; and

\* the purchase was carried out in accordance with the purchasing policy

then he could properly commit to the purchase without further reference to Council. No other Councillor challenged the CEO's explanation and no resolution or motion was put before / considered by council in relation to this matter at the meeting.

The CEO was directed to obtain confirmation from LGANT that:

1. Council can delegate purchasing authority to the CEO;

2. Council's purchasing policy as adopted is a valid example of such delegated authority in accordance with sections 32 and 102 of the Local Government Act (2008);

3. that the word "council" in the legislation is correctly interpreted in the circumstances described in this case to mean the Council or its duly authorised delegate.

**Status:** Completed

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## 1.6. Chief Executive Officer's Report

The Chief Executive Officer's Report is to be received and noted.

### Documents:

- Chief Executive Officer.pdf

**Status:** Completed

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### 1.6.1. Chief Executive Officer's Report

That Council receives and notes the Chief Executive Officer's report as presented

**Resolution #:** 28/06/2011/005

**Moved by:** Clr. Deb Koch

**Seconded by:** Clr. Linda Douglas



**Status:**

Carried

**Vote:**

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**1.6.2. Draft Budget and Shire Plan**

At the date of publication of the agenda Council is still waiting for confirmation of funding levels from the NT Government for the 2011/2012 Financial Year.

The current draft documents will be distributed to councillors under separate cover for review at a subsequent budget meeting at a date to be fixed as soon as the funding levels are confirmed.

**Status:** Completed

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**1.7. Operations Manager's Report**

The Operations Manager's Report is to be received and noted.

The Operations Manager will be on leave for approximately 3 weeks during which time Robert Bright will be acting in the role.

The grading program is close to completion.

Remaining budget for roads includes some unspent money totalling about \$40,000 that I would like to transfer into re-sheeting to fund more intensive work on critical sections of the gravel road network.

Work on the Solomon Road sealing project will commence shortly.

John Hughes CEO

**Status:** Completed

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**1.7.1. Operations Manager's Report**

That Council receives and notes the Operations Manager's Report as presented.

**Resolution #:** 28/06/2011/006

**Moved by:** Clr. Trevor Sullivan

**Seconded by:** Clr. Linda Douglas

**Status:**

Carried

**Vote:**

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**1.8. Community Recreation Officer's Report**

The Community Recreation Officer's Report is to be received and noted.

We have not been able to fill the position of Community Recreation Officer to date.

The casual officer has been engaged to deliver the school holiday program and a number of candidates have applied for the re-advertise position and interviews will take place shortly.

**Status:** Completed

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**1.8.1. Community Recreation Officer's Report**

That Council receives and notes the Community Recreation Officer's Report as presented.

**Resolution #:** 28/06/2011/007

**Moved by:** Clr. Linda Douglas

**Seconded by:** Clr. Robert Bright

**Status:**

Carried

**Vote:**

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## 1.9. Library Reports

The Community Library Reports for Adelaide River and Batchelor are to be received and noted.

### Documents:

- AR Library Report.pdf

**Status:** Completed

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### 1.9.1. Library Reports

That Council receives and notes the Library Reports as presented.

**Resolution #:** 28/06/2011/008

**Moved by:** Clr. Deb Koch

**Seconded by:** Clr. Robert Bright

**Status:**

Carried

**Vote:**

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## 1.10. Batchelor Swimming Pool Report

The Batchelor Swimming Pool Report is to be received and noted.

**Status:** Completed

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### 1.10.1. Batchelor Swimming Pool Report

No report presented

**Status:** Completed

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## 1.11. Dog Management Report

The Dog Management Report is to be received and noted.

**Status:** Completed

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### 1.11.1. Dog Management Report

No report presented

**Status:** Completed

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## 1.12. Weeds Management Report

The Weeds Management Report is to be received and noted.

**Status:** Completed

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### 1.12.1. Weeds Management Report

That Council receives and notes the Weeds Management Report as presented

**Resolution #:** 28/06/2011/009

**Moved by:** Clr. Darryl Butler

**Seconded by:** Clr. Trevor Sullivan

**Status:**

Carried

**Vote:**

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## 2. Business Brought Forward From Previous Meetings

## 3. General Business



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### 3.1. Fencing of Gazetted Pathway

The new owners of number 45 and 43 Kirra Crescent in Batchelor have constructed a boundary fence around their blocks that has effectively sealed off a gazetted pathway that runs from Kirra Crescent to Flynn Crescent between number 41 Kirra Crescent and number 43 Kirra Crescent.

Council officers have spoken with the owners who have agreed to remove the fence if Council so requires.

The owners have requested that Council considers allowing the fence to remain and either selling or leasing the pathway to them. The owners have made representations that a narrow pathway fenced on either side between number 41 number 43 Kirra Crescent will become a venue for antisocial behaviour.

Council has received one complaint from a local resident regarding the action of the fence specifically with regard to the fences encroachment on the pathway.

It is recommended that Council requires the owners to remove the fence to the extent that it encroaches on the pathway.

#### Documents:

- Kirra Map 1.pdf

**Status:** Completed

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#### 3.1.1. Removal of Fence Encroaching on Gazetted Pathway

That Council requires the owners of number 43 Kirra Crescent Batchelor to remove the fence that they constructed to the extent that it encroaches on the gazetted pathway that runs between number 41 and number 43 Kirra Crescent Batchelor.

**Resolution #:** 28/06/2011/010

**Moved by:** Clr. Sue Bulmer

**Seconded by:** Clr. Bruce Jones

**Status:**

Carried

**Vote:**

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### 3.2. Sponsorship Request

The United Nations Police Association of Australia has requested Council support by way of sponsorship of the morning tea for its members at Adelaide River in September.

Please refer to the attached correspondence.

#### Documents:

- UNPA Sponsorship.pdf

**Status:** Completed

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#### 3.2.1. Sponsorship Request

The CEO was directed to write to the United Nations Police Association of Australia advising that Council regrettably could not provide the requested sponsorship.

**Status:** Completed

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### 3.3. Local Government Electoral Reforms

The Minister for Local Government has released the Reilly Report on Electoral System Reform Options For Northern Territory Local Government Elections.

Please find a copy attached.

Professor Reilly's report concludes that the existing Northern Territory electoral system (for local



government) should be changed. His advice is that the optimal reform from an electoral system standpoint would be the introduction of a Single Transferable Vote counting system.

Professor Reilly advises that "such a system would require no change to existing procedures in single-member electorates, would be congruent with other Australian jurisdictions, and would produce fair results overall.

Submissions and comments can be made up to 31 July 2011.

**Documents:**

- Reilly Report into Electoral System.pdf

**Status:** Completed

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**3.3.1. Local Government Electoral Reforms**

The CEO was directed to respond to the Senior Executive Director, Local Government, Regional and Community Services advising that Council has discussed Professor Reilly's report and is of the view that the suggested changes will have no significant bearing on Coomalie Community Government Council.

**Status:** Completed

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**3.4. Appointment of Returning Officer - March 2012 Local Government Elections**

Council is required to appoint a returning officer for the March 2012 Local Government elections.

It is proposed that the Northern Territory Electoral Commission be appointed to carry out these duties for the Coomalie Community Government Council Shire elections.

**Status:** Completed

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**3.4.1. Appointment of Returning Officer-March 2012 Local Government Elections**

That Council confirms the appointment of the Northern Territory Electoral Commission to carry out the duties of Returning Officer for Coomalie Community Government Council Local Government Elections in March 2012

**Resolution #:** 28/06/2011/011

**Moved by:** Clr. Deb Koch

**Seconded by:** Clr. Robert Bright

**Status:**

Carried

**Vote:**

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**3.5. Batchelor Museum Development Association**

At Council's April Meeting it was resolved:

That the CEO writes to the Batchelor Museum development Association:

- \* indicating Council's in-principle support for their funding request;
- \* requesting more information on the proposed scope, costs and timetable of the works required to make the museum operational;
- \* requesting more information on health, safety and regulatory clearance requirements of the Museum site and the buildings generally and especially with regard to asbestos.

Resolution number:19/04/2011/007

Moved by:Clr. Linda Douglas

Seconded by:Clr. Robert Bright

Status:Carried

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The attached correspondence has been received from The Batchelor Museum Development Association in response to Council's request for further information.





In addition the document entitled "A Strategic Plan for the Future Interpretation of the Batchelor Museum" has also been received.

The documents are attached.

**Documents:**

- BMDA Response.pdf
- BMDA Strategic Plan.pdf

**Status:** Completed

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**3.5.1. Batchelor Museum Development Association**

After discussion, the CEO was directed to write to the Batchelor Museum Development Association indicating that notwithstanding Council's continued support of the project, Council still has some reservations surrounding the provision of a cash grant.

The CEO was also directed to discuss the matter further with the Batchelor Museum Development Association and to make a further report with recommendations to the next Council meeting.

**Status:** Completed

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**3.6. PA2011/0061 - A proposal to amend the NT Planning Scheme**

Under section 13(2)(b) of the Planning Act, the Minister for Lands and Planning has initiated an amendment to the NT Planning Scheme that aims to clarify the measurement of residential building height.

Council is invited to submit comments on the proposed amendment.

An extension of time for a response has been obtained.

**Documents:**

- PA2011-0061 Exhibition Package.pdf

**Status:** Completed

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**3.6.1. PA2011/0061 - A proposal to amend the NT Planning Scheme**

After discussion, the CEO was directed to write to the Department of Lands and Planning indicating that Council had no objections and no comments in relation to the proposal to amend the NT Planning Scheme PA2011/0061.

**Status:** Completed

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**3.7. Request for Support from Lingalonga Festival Committee**

The Lingalonga Festival Committee has made a request for in-kind and financial support of the 2011 Lingalonga Festival.

As previously advised to Council, an application was made for \$5000 funding under the Centenary Grants program for the festival which has been successful.

Council has also been able to cover the public liability insurance requirements of the festival at no additional cost to Council for activities conducted at the Batchelor Oval and other Council controlled or owned space.

Please refer to the request attached.

**Documents:**

- Lingalonga Letter.pdf



Status: Completed

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### **3.7.1. Request for Support from Lingalonga Festival Committee**

That Council makes a grant of \$500 to the Lingalonga Festival Committee to be distributed in the form of cash awards and prizes to Coomalie Shire resident youth participating in the 2011 Lingalonga Festival.

**Resolution #:** 28/06/2011/012

**Moved by:** Clr. Andrew Turner

**Seconded by:** Clr. Sue Bulmer

**Status:**

Carried

**Vote:**

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### **3.7.2. Request for Support from Lingalonga Festival Committee**

The CEO was directed to ensure that appropriate in-kind support of the type requested by the Lingalonga Festival Committee was provided by Council staff and contractors.

**Status:** Completed

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### **3.8. PA2010/0555: Rum Jungle Caravan Park**

Please find additional information attached in relation to the original application for a caravan Park proposed at Lot 337 (31) Rum Jungle Road, Town of Batchelor.

Please also find a copy of the condition of deferral as determined by the Batchelor Division of the Development Consent Authority in November last year.

Development Assessment Services seeks Council's comment on the additional information and amended plans.

An extension of time for comment has been obtained.

#### **Documents:**

- PA2010 0555 Caravan Park Additional Info 16 6 2011 (2).pdf
- PA2010.0555 Notice of Deferral. 6.12.2010.pdf
- PA2010.0555 Caravan Park Additional Info 16.6.2011 01.pdf
- PA2010.0555 Caravan Park. Additional Info. 16.6.2011.pdf
- PA2010.0555 Original Application in Full Nov 2010.pdf
- PA2010.0555 Original Application in Full. Nov 2010.pdf

**Status:** Completed

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### **3.8.1. PA2010/0555: Rum Jungle Caravan Park**

The CEO was directed to write to Development Assessment Services, advising that Council had no comment to make on the additional information and amended plans as supplied.

**Status:** Completed

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### **3.9. Batchelor Tree Farm Subdivision - Sewer Rising Main Alignment**

The Developer's Engineering Consultants have written:

"As part of the subdivision Design, Power Water Corporation have requested that the existing sewer pump station in Batchelor Road be decommissioned and its current catchment (including Council Office Area) gravitate through the new subdivision to our new Pump Station.

We would then have a rising main that would rise back up through our subdivision to Batchelor Road and



run along Batchelor Road to an existing Sewer Manhole.

For preliminary design purpose we have selected an alignment of 5.0m to the north of the existing Power Lines in the road reserve that are located north of the existing road.

We are now about to start detail design and require Council Input/approval. Could you please review the attached drgs and provide any comment you may have.

The location we have selected has been done so as to remove as few trees as possible. We have also included photos to assist.

Please refer to documents and photographs attached.

**Documents:**

- BATCHELOR RSM ALIGNMENT 11 05 30.pdf
- P1010981.jpg
- P1010986.jpg
- P1010988.jpg
- P1010994.jpg
- P1010995.jpg
- P1010999.jpg

**Status:** Completed

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**3.9.1. Batchelor Tree Farm Subdivision - Sewer Rising Main Alignment**

The CEO was directed to write to the developer's consultant, advising that Council had no objection or comment to make on the proposed sewer rising main alignment as portrayed in the documents supplied to Council.

**Status:** Completed

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**4. Confidential Items and Conclusion**

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**4.1. Confidential Session**

Council moves into closed session to deal with confidential items at this time.

**Status:** Completed

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#### **4.6. Conclusion of Confidential Session**

**Status:** Completed

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#### **4.7. Next Meeting**

The next ordinary meeting of Coomalie Community Government Council will be held at Batchelor on Tuesday 19th of July 2011 at 6.00pm.

**Status:** Completed

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#### **4.8. Conclusion**

The Pres closed the meeting at 10:15 PM

**Status:** Completed

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