



AGENDA

ORDINARY COUNCIL MEETING

18th September 2017

Confidential Items Included

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A handwritten signature in black ink, appearing to read 'Paul McInerney', with a stylized flourish at the end.

Signed: Paul McInerney, Chief Executive Officer

AGENDA

ORDINARY COUNCIL MEETING

TO BE HELD IN THE COUNCIL CHAMBERS, BATCHELOR

ON MONDAY 18th August 2017

Chief Executive Officer of the Shire Council Paul McNerney will declare the meeting open at 6:00pm and welcome all in attendance.

1 PERSONS PRESENT

ELECTED MEMBERS PRESENT

Councillor	Sharon Beswick
Councillor	Sue Bulmer
Councillor	Max Corliss
Councillor	Christian McElwee
Councillor	Deborah Moyle
Councillor	Andrew Turner

STAFF PRESENT

Chief Executive Officer	Paul McNerney
Senior Administration Officer	Jasmine Douglas

DEPARTMENT ADVISORS PRESENT

Executive Director Local Government, Department of Housing and Community Development	Lee Williams
Senior Policy Officer, Local Government Division, Department of Housing and Community Development	Rolf Nilsson
Community Development officer, Local Government Division, Department of Housing and Community Development	Peter Wyatt

2 APOLOGIES AND LEAVE OF ABSENCE

Applicant:	N/A
Location/Address:	N/A
File Ref:	N/A
Disclosure of Interest:	Nil
Date:	18 th September 2017
Author:	Paul McInerney, Chief Executive Officer
Attachments:	Nil

SUMMARY

This report is to table, for Council's record, any apologies and requests for leave of absence received from Elected Members for the Ordinary General Meeting held on 18th September 2017.

BACKGROUND

Not applicable.

COMMENT

Council can choose to accept the apologies or requests for leave of absence as presented, or not accept them. Apologies or requests for leave of absence that are not accepted by Council will be recorded as absence without notice.

CONSULTATION

Not applicable.

STATUTORY ENVIRONMENT

As per the Local Government Act s.39 (1) A person ceases to hold office as a member of a Council if the person:
(d) is absent, without permission of the Council, from 2 consecutive ordinary meetings of the Council.

POLICY IMPLICATIONS

Not applicable.

FINANCIAL IMPLICATIONS

Not applicable.

VOTING REQUIREMENT

Simple majority.

RECOMMENDATION

That Council receive and notes the apologies for the Ordinary General Meeting held 18th September 2017.

Moved: Clr.

Seconded: Clr.

3 COUNCILLOR DECLARATION OF OFFICE

Applicant:	N/A
Location/Address:	N/A
File Ref:	
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Paul McInerney, Chief Executive Officer
Attachment:	Declaration for each Councillor to be tabled

SUMMARY

Whilst there is no formal requirement for Councillors to have a formal declaration of Office as CEO I believe it is very good practice for this to be held at the commencement of the first meeting.

This declaration was made by Coomalie Community Government Council elected members in 2012.

An attachment of the declaration is provided with the agenda.

BACKGROUND

Many Councils across the NT have a declaration of Office by Councillors at the first meeting.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

NOTE

That all Councillors have signed the presented Declaration of Office.

3.1 APPOINTMENT OF TITLE OF PRINCIPAL MEMBER OF COUNCIL AND APPOINTMENT OF PRINCIPAL MEMBER FOR 4 YEAR TERM

Applicant:	N/A
Location/Address:	N/A
File Ref:	
Disclosure of Interest:	Nil
Date:	18 th September, 2017.
Author:	Paul McInerney, Chief Executive Officer
Attachment:	

SUMMARY

The background information provides the relevant legislation guiding this decision.

Council is required at the first meeting to nominate the title of the Presiding member as either President or Mayor. (The title of President was used in the last term of the Council.)

The Council needs to appoint a Councillor to the position of President.

BACKGROUND

In relation to the title of the Presiding member of Council, Section 42 of the Local Government Act states:

S42 (3) The principal member of a regional council or a shire council is to have, at the election of the council, the title President or Mayor.

S44 details the requirement relating to the appointment of principal member

S44 (1) The principal member of a council is to be appointed or elected to the office.

(2) The council is taken to have chosen appointment as the basis of filling the office until the council changes the basis of filling the office under subsection (3)

(3) A council may, by special resolution, change the basis of filling the office.

(4) However, a change to the basis of filling the office:

(a) may only be made once during a council's term; and

(b) must be made at least 3 months, but not more than 9 months, before the end of that term.

Section 45 relates to the appointment or election of principal member (and deputy)

45 (1) If appointment is the basis of filling the office of the principal member of the Council, the council must, at the first meeting of a council to be held after a general election, appoint one of its members to be the principal member, and another to be the deputy principal member of the council.

Section 46 relates to the term of office and casual vacancies:

S46 (1). The principal member is elected or appointed for a term of office ending at the conclusion of the next general election.

(2) The deputy principal member is appointed for a term of office ending at the conclusion of the next general election or a lesser term fixed by Council when it makes the appointment.

(3) A casual vacancy occurs in the office of the principal member, or deputy principal member, if the person holding the relevant office:

(a) ceases for any reason to be a member of the council; or

(b) resigns from the relevant office by giving written notice of resignation to the CEO.

Section 61 relates to procedures at meetings

(5) Subject to this Act, a decision carried by a majority of the votes of the members present at a meeting of a council is a decision of the council.

(6) Each member present at a meeting has and must exercise one vote on a question arising for decision at the meeting and, if the council has a policy allowing the Chair to exercise a casting vote, the Chair must exercise, in the event of an equality of votes, a second or casting vote.

(7) A policy to allow the Chair to exercise a casting vote:

(a) may only be established by resolution of the council passed at the first meeting of the council to be held after a general election; and

(b) cannot be altered or revoked during the term of the council; and

(c) lapses at the conclusion of the next general election.

(8) Unless the council decides unanimously to take a vote by secret ballot voting is to be by show of hands.

(9) Subject to this Act, and any by-laws regulating the procedure at a meeting, a council may determine its own procedures.

Role of principal member (and deputy or acting principal member)

S43 (1) The role of the principal member of a council is:

(a) to chair meetings of the council; and

(b) to speak on behalf of the council as the council's principal representative; and

(c) to carry out the civic and ceremonial functions of the principal member.

(2) The role of the deputy principal member of a council is to carry out any of the principal member's functions when the principal member:

(a) delegates the functions to the deputy; or

(b) is absent from official duties because of illness or for some other pressing reason; or

(c) is on leave.

(3) If the principal member is absent from official duties on leave or for some other reason, and there is no deputy principal member or the deputy is not available to act in the principal

member's position, the council may, by resolution, appoint some other member of the council to act in the principal member's position for a specified period or until the principal member resumes official duties.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council appoint a presiding Member and also the title of either President or Mayor.

Moved: Clr.

Seconded: Clr.

3.2 APPOINTMENT OF DEPUTY PRINCIPAL MEMBER (VICE PRESIDENT)

Applicant:	N/A
Location/Address:	N/A
File Ref:	cc/111A
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Paul McNerney, Chief Executive Officer
Attachment:	

SUMMARY

Council is required to appoint a member of Council to be the Deputy Principal Member. Council also needs to determine if such appointment is for the term of Council or a lesser period.

BACKGROUND

Section 45 relates to the appointment or election of principal member (and deputy)

45 (1) If appointment is the basis of filling the office of the principal member of the Council, the council must, at the first meeting of a council to be held after a general election, appoint one of its members to be the principal member, **and another to be the deputy principal member of the council.**

Section 46 relates to the term of office and casual vacancies:

S46 (1). The principal member is elected or appointed for a term of office ending at the conclusion of the next general election.

(2) The deputy principal member is appointed for a term of office ending at the conclusion of the next general election or a lesser term fixed by Council when it makes the appointment.

(3) A casual vacancy occurs in the office of the principal member, or deputy principal member, if the person holding the relevant office:

(a) ceases for any reason to be a member of the council; or

(b) resigns from the relevant office by giving written notice of resignation to the CEO.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council appoint a deputy principal member, and also determine the length of this term in accordance with Section 46 (2), Local Government Act.

Moved: Clr.

Seconded: Clr.

3.3 POLICY TO ALLOW THE PRESIDENT TO EXERCISE A CASTING VOTE

Applicant:	N/A
Location/Address:	N/A
File Ref:	
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Paul McInerney, Chief Executive Officer
Attachment:	

SUMMARY

Council need to make a policy decision if it wishes to allow the presiding member to exercise a casting vote in the event of an equality of votes. This if provided would allow for the presiding manager to have a second or casting vote.

The previous Council had a policy to allow a casting vote.

This Council also has an even number of Councillors (6)

BACKGROUND

Section 61, Local Government Act prescribes requirements in relation to determining if the presiding member is to have a casting vote

61 Procedure at meeting

- (1) The Chair of a meeting of a council will be:
 - (a) if the principal member is present – the principal member; or
 - (b) if the principal member is not present but the deputy principal member is present – the deputy principal member; or
 - (c) if neither the principal member nor the deputy principal member is present but an acting principal member is present – the acting principal member; or
 - (d) if neither the principal member nor the deputy principal member is present and there is no acting principal member or the acting principal member is not present – a member chosen by the members present at the meeting to chair the meeting.
- (2) A quorum at a meeting of a council consists of a majority of the council's members.
- (3) If a quorum is not present within 30 minutes after the time appointed for a meeting, the meeting is postponed to a time and place to be fixed by the CEO and notified to the members.
- (4) A member who is not physically present at a meeting of a council is taken to be present at the meeting if:

- (a) the member's attendance at the meeting by means of an audio or audio-visual conferencing system is authorised in accordance with council policy; and
 - (b) communication is established by means of the conferencing system, at or around the commencement of the meeting, between the member and the members present at the place appointed for the meeting; and
 - (c) the member has the same or substantially the same opportunity to participate in debate, and to register an opinion, on questions arising for decision as if the member were physically present at the meeting.
- (5) Subject to this Act, a decision carried by a majority of the votes of the members present at a meeting of a council is a decision of the council.
 - (6) Each member present at a meeting has and must exercise one vote on a question arising for decision at the meeting and, if the council has a policy allowing the Chair to exercise a casting vote, the Chair must exercise, in the event of an equality of votes, a second or casting vote.
 - (7) **A policy to allow the Chair to exercise a casting vote:**
 - (a) **may only be established by resolution of the council passed at the first meeting of the council to be held after a general election; and**
 - (b) **cannot be altered or revoked during the term of the council; and**
 - (c) **lapses at the conclusion of the next general election.**
 - (8) **Unless the council decides unanimously to take a vote by secret ballot voting is to be by show of hands.**
 - (9) **Subject to this Act, and any by-laws regulating the procedure at a meeting, a council may determine its own procedures.**

COMMENT

Please note that the decision here will need be reflected in Council Policy 1.12 Meetings of Council.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 1.12 Meetings of Council Page 4.

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council consider a policy of allowing the presiding member a casting vote. (Note Policy 1.12 Meetings of Council will be updated accordingly with the decision)

Moved: Clr.

Seconded: Clr.

3.4 CODE OF CONDUCT, CONFLICT OF INTEREST AND CONFIDENTIAL PROVISIONS OF THE LOCAL GOVERNMENT ACT.

Applicant: N/A

Location/Address: N/A

File Ref:

Disclosure of Interest: Nil

Date: 18th September, 2017

Author: Paul McInerney, Chief Executive Officer

Attachment:

SUMMARY

The Local Government Act prescribes the requirements of Councils in relation to

- adopting a Code of Conduct of Elected Members,
- important provisions relating to Conflict of Interest and the declaration of such interests by Councillors, and
- provisions relating to certain prescribed matters that are treated as Confidential under the Local Government Act.

The Executive Director and senior staff of the Local Government Division will be in attendance for the first meeting of Council to observe the meeting and their comments would be appreciated on these important provisions of the Act.

BACKGROUND

This is an extremely important area for Councillors to have a strong understanding of in relation to the performance of their functions as a Councillor and in the operation of Council meetings. There can be significant penalties for Councillors if found to be in breach of the provisions.

In relation to the Code of Conduct the Act prescribes:

Division 1 Making or adoption of code of conduct

77 Obligation to have code of conduct

- (1) A council must have a code of conduct.

- (2) The code of conduct must govern the conduct of members of the council, members of local authorities, members of local boards, and members of council committees.
- (3) A council's code of conduct must be accessible on its website.

78 Making or adoption of code of conduct

- (1) A council may, by ordinary resolution:
 - (a) make or adopt a code of conduct; or
 - (b) amend its code of conduct.
- (2) Unless a council has a code of conduct that the council has itself made or adopted, the provisions set out in Schedule 2 constitute the council's code of conduct.
- (3) If a code of conduct made or adopted by a council is in any respect less stringent than a provision in Schedule 2, the relevant provision of Schedule 2 applies as a provision of the council's code.

79 Complaints of breach of code of conduct

- (1) A person (the complainant) who believes that a member has committed a breach of a council's code of conduct may lodge a complaint with the Agency:
 - (a) stating the name of the member alleged to have committed the breach (the respondent); and
 - (b) giving particulars of the alleged breach.
- (2) The complaint:
 - (a) must be in the approved form; and
 - (b) must include a statutory declaration verifying the allegations of fact made against the respondent; and
 - (c) must be made within 6 months after the date of the alleged breach.
- (3) The complaint is to be dealt with by a disciplinary committee in accordance with this Division.

In relation to Conflict of Interest provisions the Act stipulates:

Part 7.2 Conflict of interest

73 Conflict of interest

- (1) A member has a conflict of interest in a question arising for decision by the council, local board or council local authority, committee if the member or an associate of the member has a personal or financial interest in how the question is decided.
- (2) This section does not apply if the interest is:
 - (a) an interest in a question about the level of allowances or expenses to be set for members; or

- (b) an interest that the member or associate shares in common with the general public or a substantial section of the public; or
- (c) an interest as an elector or ratepayer that the member or associate shares in common with other electors or ratepayers; or
- (d) an interest that the member or an associate has in a non-profit body or association; or
- (e) an interest of the member or an associate:
 - (i) in appointment or nomination for appointment to a body with predominantly charitable objects; or
 - (ii) in payment or reimbursement of membership fees, or expenses related to membership, in such a body; or
- (f) an interest so remote or insignificant that it could not reasonably be regarded as likely to influence a decision.

74 Disclosure of interest

(1) As soon as practicable after a member becomes aware of a conflict of interest in a question that has arisen or is about to arise before the council, local authority, local board or council committee, the member must disclose the personal or financial interest that gives rise to the conflict (the relevant interest):

- (a) at a meeting of the council, local authority, local board or council committee; and
- (b) to the CEO.

(2) The CEO must record the disclosure in a register of interests kept for the purpose.

(3) A member must not, without the Minister's approval:

- (a) be present at a meeting of the council, local authority, local board or council committee while a question in which the member has a conflict of interest is under consideration; or
- (b) participate in any decision on the question.

(4) The Minister may approve a member's participation in the consideration of, or a decision on, a question in which the member has a conflict of interest on conditions the Minister thinks appropriate.

(5) A member is guilty of an offence if the member:

- (a) fails to disclose an interest as required under subsection (1); or
- (b) contravenes subsection (3) or a condition of an approval under subsection (4).

Fault element: Intention.

Maximum penalty: 100 penalty units or imprisonment for 6 months.

(6) If the Civil and Administrative Tribunal finds that a member has participated in the decision of the council, a local authority, a local board or a council committee contrary to this section, the Tribunal may, on application by an elector or ratepayer, declare the decision void.

Part 7.3 Confidential information

75 Improper disclosure of information

- (1) A person who discloses confidential information acquired as a member of a council, a local authority, a local board or council committee is guilty of an offence.

Fault elements:

- (a) the person makes the disclosure intentionally or recklessly; and**
- (b) the person knows or ought to know that the information is confidential.**

Maximum penalty: 400 penalty units or imprisonment for 2 years.

- (2) However, this section does not prevent the disclosure of confidential information:
 - (a) for the purposes of carrying out functions as a member of the council, local authority, local board or council committee; or
 - (b) as authorised by the person to whom the duty of confidence is owed; or
 - (c) to a court or tribunal; or
 - (d) to a law enforcement agency; or
 - (e) to an inspector.

76 Improper use of information

- (1) A person who makes improper use of information acquired as a member of a council, local authority, local board or council committee is guilty of an offence.

Fault element: Intention.

Maximum penalty: 400 penalty units or imprisonment for 2 years.

- (2) A person makes improper use of information if the person uses it to gain some private benefit, or to inflict harm on another.

In relation to Confidentiality of certain information the Act states:

65 Meetings to be open to the public

- (1) As a general rule, a meeting of a council, local authority, local board or council committee must be open to the public.
- (2) However, the public may be excluded while business of a kind classified by the regulations as confidential business is being considered.

Improper disclosure of information

- (1) A person who discloses confidential information acquired as a member of a council, a local authority, a local board or council committee is guilty of an offence.

Fault elements:

- (a) the person makes the disclosure intentionally or recklessly; and**
- (b) the person knows or ought to know that the information is confidential.**

Maximum penalty: 400 penalty units or imprisonment for 2 years.

(2) However, this section does not prevent the disclosure of confidential information:

- (a) for the purposes of carrying out functions as a member of the council, local authority, local board or council committee; or
- (b) as authorised by the person to whom the duty of confidence is owed; or
- (c) to a court or tribunal; or
- (d) to a law enforcement agency; or
- (e) to an inspector.

The Local Government Administration Regulations prescribe the occasions a Council may consider confidential information:

Part 4 Confidential information and business

8 Classes of confidential information

The following information is classified as confidential:

- (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) prejudice the interests of the council or some other person;
- (d) information subject to an obligation of confidentiality at law, or in equity;
- (e) information provided to the council on condition that it be kept confidential.

9 Closure of meetings for confidential business

For section 65(2) of the Act, business involving the discussion of confidential information is classified as confidential business.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act part 7.4 Code of Conduct provisions, Section 73 & 74 Conflict of Interest, Sections 75, 76, and 65 (2) relate to matters of a confidential nature.

POLICY IMPLICATIONS

Code of Conduct Policy

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Nil

Presentation noted.

3.5 SCHEDULE OF ORDINARY GENERAL MEETINGS

Applicant:	N/A
Location/Address:	N/A
File Ref:	
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Paul McInerney, Chief Executive Officer
Attachment:	

SUMMARY

The Local Government Act prescribes that Council must hold its ordinary meeting at least once in each successive period of 2 months.

Councils policy 1.12 Meetings of Council describes that meetings will be held on the third Tuesday of each month. The policy allows for a meeting to be rescheduled to another date and time if circumstances determine and a majority of Councillors agree. My understanding is that the January meeting is held one week later in the month.

Council in setting the monthly meeting schedule may also consider the resolution to include those matters raised in italics in the background section below.

BACKGROUND

The Local Government Act prescribes the requirements for Councils to hold their ordinary meetings.

58 Nature and timing of council meetings

- (1) A council must hold a meeting of its members (an ordinary meeting) at least once in each successive period of 2 months.
- (2) Subject to this Act, a council may deal with business of any kind at an ordinary meeting.
- (3) The first ordinary meeting of a council to be held after a general election must be held within 14 days after the conclusion of that general election.
- (4) The council may hold a meeting to deal with a particular item of business (a special meeting) whenever circumstances require.

Council Policy 1.12 Meetings of Council shows the existing policy statement in relation to procedures established for Coomalie Council meetings:

Date of Regular Ordinary General Meeting via Policy

An ordinary General meeting of council will be held on the third Tuesday of each month. A meeting may be rescheduled to another time and date if circumstances determine and majority of Councillors agree.

The majority of Councillors may determine not to hold a monthly meeting if they determine that there is insufficient business to warrant the calling of a meeting.

If council does not hold a monthly Council meeting it must still hold a monthly Finance Committee meeting. The members of the finance committee will be all the Councillors. The meeting may be conducted at an agreed venue or electronically by email.

Time of Regular Ordinary General Meeting

Meetings will normally commence at 6.00pm and will finish by 10.30pm. Council must resolve to extend the closing time if they wish to deal with business after 10.30pm.

Council sometimes allows presentations at 6.00pm. These may be outside of the business of the meeting. The meeting will commence immediately after the conclusion of the presentation. This will be considered the appointed meeting commencement time.

Location of Ordinary Council Meetings

Ordinary Council Meetings will be held in the Council Chambers at 140 Cameron Road Batchelor. Council may resolve to hold Council meetings at other locations from time to time

Special Council Meetings

A Special Council meeting may be called in accordance with the provisions of the Local Government Act and Regulations

COMMENT

The third Tuesday schedule of previous years fits in with Administration requirements.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act

POLICY IMPLICATIONS

Council Policy 1.12 Meetings of Council

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council appoint its monthly meeting cycle and also consider other relevant meeting criteria of Policy 1.12 meetings of Council

Moved: **Clr.**

Seconded: **Clr.**

3.6 COUNCIL COMMITTEES

Applicant:	N/A
Location/Address:	N/A
File Ref:	cc/81A
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Paul McInerney, Chief Executive Officer
Attachment:	

SUMMARY

Council's Audit Committee consists of an independent chair (Mr Russel Anderson) and two Councillors.

In the last term of council this was the President Clr Turner and Clr Bulmer.

The CEO and the Finance Manager sit on the committee as non-voting members.

BACKGROUND

A copy of the decision of council in 2014 is provided below.

7.6 APPOINTMENT OF A CHAIRPERSON TO THE AUDIT COMMITTEE

Applicant:	N/A
Location/Address:	N/A
File Ref:	N/A
Disclosure of Interest:	Nil
Date:	16 th October, 2014
Author:	Leigh Ashford, Chief Executive Officer
Attachments:	Resume MR R Anderson

SUMMARY

The CEO has negotiated with Mr Russell Anderson to Chair the Coomalie Community Government Council Audit Committee. Mr Anderson has a broad experience across the Northern Territory. Russell has worked in diverse roles from his early days as a Ranger, to Technical Services Manager in Parks and Wildlife and the recent role as CEO at Litchfield Council for seven years.

It is considered that the council should endorse Mr Andersons as the Chairman of the Audit committee and determine a date and time to hold the inaugural Audit Committee meeting.

BACKGROUND

Council established an audit committee in 2012. It appointed Cr Turner and Cr Bulmer as the councillor representatives, the CEO and the Finance Manager. It nominated that an independent chairperson be appointed with an appropriate accounting /local government background.

The Local Government compliance inspection carried out in late May found that Council did not have an effective audit committee and required Council to take appropriate remedial measures.

COMMENT

Mr Anderson has indicated that if Council appoints him as the Audit Committee Chairperson, he would like to hold the first meeting in late October as he will be overseas from early November 2014.

CONSULTATION

Finance Manager

STATUTORY ENVIRONMENT

The Local Government (Accounting) Regulations 10(2) (b) requires Council to establish and maintain an Audit Committee Act requires council to have an internal audit committee.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The cost to support the Audit Committee will be approximately \$4000 per annum. Provision has been made in this budget and will be an ongoing annual cost.

VOTING REQUIREMENT

Simple majority

RESOLUTION 21/10/2014/008

That Council appoints Mr Russell Anderson to the position of Chairperson of the Coomalie community Government Council Audit Committee.

Moved: Clr. Jones

Seconded: Clr. Crook

5/5

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council make appointments as required to the Audit Committee.

Moved: Clr.

Seconded: Clr.

3.7 COUNCILLOR WORKSHOPS POLICY

Applicant: N/A

Location/Address: N/A

File Ref:

Disclosure of Interest: Nil

Date: 18th September, 2017

Author: Paul McInerney, Chief Executive Officer

Attachment:

SUMMARY

Many NT Councils use workshops, informal gatherings or briefing sessions which allow for Councillors to hold discussions on topics, be briefed from government agencies and other parties, and importantly senior staff can be involved in discussion on matters before Council that require knowledge sharing.

Workshops, informal gatherings cannot be used as a means for decision making outside of the requirements of the Local Government Act and regulations. Workshops are non-decision making informal gatherings.

Council adopted the policy on the 1/6/2017 and held 2 workshops on a range of topics.

BACKGROUND

On the 1st June 2016 Council adopted the following policy in relation to the holding of informal briefings, presentations.

INTRODUCTION

Open and transparent Council meetings underpin representative democracy and ensure public confidence in Council's decision-making processes. Workshops, where appropriate, provide a valuable opportunity to enhance the decision-making processes by providing opportunities for Elected Members to become better informed on issues and seek further clarification. This policy is an extension to the rules and regulations required by the NT Local Government Act.

OBJECTIVE

The objective of the policy is to clearly outline Council policy in relation to providing opportunities for Elected Members to participate in workshops, to receive informal briefings and educational sessions and convene other workshops without prejudicing the requirements for openness and transparency as required by the Local Government Act.

Workshops allow informal gatherings to be held provided that the discussion does not lead to a decision, or to effectively obtaining a decision, on a matter that would ordinarily be dealt with at a Council Meeting. This policy reflects the intention that workshops are aimed at avoiding any perception that workshops will be used to build consensus for Council agenda items.

Workshops are events organised and conducted by or on behalf of the Council or Chief Executive Officer to which members of the Council, Staff and third parties have been invited and that involves discussions of a matter that is, or is intended to be, part of the agenda for a formal meeting of the Council.

At Coomalie Community Government Council, these are likely to include;

- Planning sessions associated with the development of policies or strategies
- Council workshops / briefings
- Operational briefings

PRINCIPLES

Elected Members should not obtain, or effectively obtain, a decision on a matter which would ordinarily form part of the agenda of a Council Meeting at a workshop. The Council recognises that formal decisions of Council may only occur by way of a resolution at a formal meeting of Council.

POLICY STATEMENT

Workshops will be used for information sharing, discussing of issues, relationship building and not to discharge Council's deliberative and decision making function.

Workshops may be used to discuss that involves strategy or policy or other matters of Council administration and to debrief Elected Members on issues relating to their decision making function.

Council is aware of the need to balance openness and transparency with opportunities for private discussions between Elected Members and between Elected Members and staff.

Workshops will be chaired by the President, Chief Executive Officer, or another Senior Officer, or may be chaired by an Elected Member on occasion.

Designating workshops

- The Chief Executive Officer and the Council are responsible for ensuring workshops are conducted in accordance with this policy.
- The Chair is responsible for ensuring the purpose, intent and outcomes of the workshops are consistent with the principles of this policy.
- Workshops are not subject to meeting procedures.
- Formal minutes will not be recorded from a workshop.

- For workshops, the following information will be published on Council's website:
 - the place, date and time at which the workshop will be held;
 - the matter that is to be discussed;
 - whether or not the workshop is to be held at a place open to the public;
- when closed to the public (held in confidence), the reason for excluding the public and whether the workshop will be partially or entirely held in confidence.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act

POLICY IMPLICATIONS

Council Policy 1.12.1 Councillor Workshops

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council consider the retention of Policy 1.12.1 Councillor Workshops.

Moved: Clr.

Seconded: Clr.

3.8 COUNCILLORS ALLOWANCES SET AS PART OF 2017/18 ANNUAL BUDGET

Applicant:	N/A
Location/Address:	N/A
File Ref:	cc/111A
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Paul McNerney, Chief Executive Officer
Attachment:	

SUMMARY

The Councillors Allowances are set as part of the annual budget and strategic plan process and this year was set at a Council meeting on the 20th June 2017.

These are provided for the information of Council.

Regulation 7 of the Local Government Accounting Regulations - General Instruction 2 relating to Council member allowances prescribes that a Council cannot after adoption increase the allowances. It is however able to decrease allowances if required, for example, as an austerity measure.

BACKGROUND

The allowances for 2017/18 are as follows:

Councillors have decided to adopt the Councillor fees and allowances which are less than the maximum set by the Department of Housing and Community Development for 2017/2018.

That Council adopt a base allowance and electoral allowance for Council members other than the President and Deputy President that shall be set at the rate of \$450 per calendar month (\$5,400 per annum) payable in arrears applicable from 1st July 2017, subject to Ministerial Guidelines and any Council policy adopted on or after 1st July 2017.

The base allowance and electoral allowance for the President shall be set at the rate of \$1,500 per calendar month (\$18,000 per annum) payable in arrears applicable from 1st July 2017, subject to Ministerial Guidelines and any Council Policy adopted on or after 1st July 2017.

The base allowance and electoral allowance for the Deputy President shall be set at the rate of \$850 per calendar month (\$10,200 per annum) payable in arrears applicable from 1st July 2017, subject to Ministerial Guidelines and any Council Policy adopted on or after 1st July 2017.

Acronyms for below allowance breakdown;

Ordinary Council Member (**OCM**) Deputy Principal Member (**DPM**) Principal Member (**PM**)

(a) Base and Electoral Allowance

ALLOWANCE TYPE	OCM	DPM	PM
Base allowance	\$4,000	\$8,700	\$16,000
Electoral allowance	\$1,400	\$1,500	\$ 2,000

(b) Professional Development Allowance

OCM	DPM	PM
\$0	\$0	\$0

(c) Extra Meeting Allowance

OCM	DPM	PM
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\$0 \$0 \$0

(d) Acting Principal Member

Daily Rate \$0

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council note the allowances set for the 2017/18 Financial Year

Moved: **Clr.**

Seconded: **Clr.**

3.9 ROLE OF COUNCIL MEMBERS AND REVIEW POLICY 1.12 MEETINGS OF COUNCIL

Applicant: N/A

Location/Address: N/A

File Ref:

Disclosure of Interest: Nil

Date: 18th September, 2017

Author: Paul McInerney, Chief Executive Officer

Attachment:

SUMMARY

Section 35, Local Government Act outlines clear the role of Council members in the NT.

Council Policy 1.12 MEETINGS OF COUNCIL provides procedures to assist in the functional running of the Coomalie Council. The policy provides for more detail on the operation of the governance of meetings and reinforcement of the following subject matter:

- Date, Time, Location of Regular Ordinary meetings (dealt with by earlier resolution 18/9/2017)
- Quorums for meetings
- Participation in meetings via electronic means.
- Agenda papers and Minutes of Meetings
- Request for Items to be included in the Agenda.
- Late Reports and Urgent Business.
- Urgent Business outside of ordinary Council meetings.
- Decision making Process (casting vote dealt with by earlier resolution 18/9/2017)
- Use of Information
- Conflict of Interest
- Disclosure of Interest
- Delegations and presentations to Council
- Resources.

BACKGROUND

Division 2 Role of members

35 Role of members

- (1) The role of a member of a council is:
 - (a) to represent the interests of all residents and ratepayers of the council area; and
 - (b) to provide leadership and guidance; and
 - (c) to facilitate communication between the members of the council's constituency and the council; and
 - (d) to participate in the deliberations of the council and its community activities; and
 - (e) to ensure, as far as practicable, that the council acts honestly, efficiently and appropriately in carrying out its statutory responsibilities.
- (2) However, a member of the council has no power to direct or control staff, or to interfere with the management of staff.
- (3) A member of the council has a duty to act, at all times, in what the member genuinely believes to be the best interests of the council's constituency

1.12 MEETINGS OF COUNCIL

Policy Number	1.12	Date Commenced	17/04/2013
Date Adopted	16/04/2013	Resolution Number	16/04/2013/010
Review Timeframe	4 years		
Last Review Date	September 2016	Next Scheduled Review Date	1 st meeting following the general election. Sept 2017
Policy Responsibility	Council and Chief Executive Officer		

Document History

Version	Date Amended	Details Comments e.g. Resolution Number
		Resolution of Council 297/95: That Council introduce a curfew upon its OGM's of 10.30 pm as from November 1995
	14/05/2006	14/05/06 That council resolve that Council meetings will commence at 6.00pm
	07/12/2011	Resolution of Council 07/12/2011/003- Procedure for taking minutes.
	21/02/2012	Resolution of Council 21/02/2012/016 Council resolve to pay \$1/km for OGM travel from home to the meeting and return within the Council Shire to the driver of the vehicle.
	16/04/2012	Resolution of Council 16/04/2012/003 Council will allow the Chair to exercise a casting vote.
	Sept 2016	Reviewed

INTRODUCTION

This document sets out the Council's policy for Council meetings and protocol for delegations to Council/Committees and for making presentations to Council.

All Council meetings must be carried out in compliance with the NT Local Government Act and the Local Government Administration Regulations.

POLICY STATEMENT

Council will hold Meetings of Council in accordance with the provisions of the Local Government Act, Regulations and the provisions of this policy.

PROCEDURES

Date of Regular Ordinary General Meeting

An ordinary General meeting of council will be held on the third Tuesday of each month. A meeting may be rescheduled to another time and date if circumstances determine and majority of Councillors agree.

The majority of Councillors may determine not to hold a monthly meeting if they determine that there is insufficient business to warrant the calling of a meeting.

If council does not hold a monthly Council meeting it must still hold a monthly Finance Committee meeting. The members of the finance committee will be all the Councillors. The meeting may be conducted at an agreed venue or electronically by email.

Time of Regular Ordinary General Meeting

Meetings will normally commence at 6.00pm and will finish by 10.30pm. Council must resolve to extend the closing time if they wish to deal with business after 10.30pm.

Council sometimes allows presentations at 6.00pm. These may be outside of the business of the meeting. The meeting will commence immediately after the conclusion of the presentation. This will be considered the appointed meeting commencement time.

Location of Ordinary Council Meetings

Ordinary Council Meetings will be held in the Council Chambers at 140 Cameron Road Batchelor. Council may resolve to hold Council meetings at other locations from time to time

Special Council Meetings

A Special Council meeting may be called in accordance with the provisions of the Local Government Act and Regulations

Quorum

A quorum at a meeting of a council consists of a majority of the council's members.

If a quorum must be present within 30 minutes after the time appointed for a meeting. If a quorum is not present, the meeting will be postponed in accordance with the provisions of the Local Government Act and Regulations.

Participation by Electronic Means

Members of the Shire Council may participate at Council Meetings by electronic means such as through the use of video or telephone conferencing by arrangement.

Agenda Papers and Minutes of Meetings

In preparing agenda papers the Chief Executive Officer shall have regard to the following structure:

- Notice of meeting
- Persons present or via telephone
- Apologies
- Declaration of interest
- Petitions and Deputations and Questions - With notice

- Confirmation of the minutes of the previous meeting
- Operation Managers Reports
- Chief Executive officers Report
- Reports that require decisions of Shire Council
- Finance Managers Report
- Community Recreation Reports
- Councillor reports
- Reports requiring the Common Seal
- General business of an urgent nature
- Reports to be dealt section of the council Meeting closed to the Public.
- Decisions arising from the closed section of the Meeting
- Next meeting
- Closure

Reports are to be written in clear English to ensure maximum understanding of the issue at hand.

Agenda will be circulated to council by email on the Friday prior to the meeting to be held on the following Tuesday. Hard copies will be made available at the same time. Agendas and supporting information will be placed in an individually named envelope. The envelopes will be placed in the Council office outside safe for collection by individual councillors

The Council agenda for the Ordinary General Meeting is to be uploaded to the website on the Friday prior to the Tuesday meeting.

The hardcopy of all agenda items to be considered in the closed section of the Council meeting will be handed back to the CEO at the end of the meeting for destruction.

Minutes of the Council meetings are to be circulated by e-mail, to Councillors within ten business days of the meeting. These minutes are then subject to confirmation and once this has occurred, they are to be placed on the Shire's Website in an accessible form for all Shire Councillors and members of the community to access.
Where a resolution is made to change the minutes of a meeting the minutes shall be changed in accordance with the resolution, in the Shire's records.

Requests for Items to be Included in the Agenda

Councillors may request the CEO to include an item in the agenda. Requests should be made one week before the meeting to allow a report to be prepared and included in the Agenda.

Late Reports and Urgent Business

Late Reports and Urgent Business are not ideal as they are not included in the Agenda. The community does not have an opportunity to view the report on the matter prior to the meeting.

Council may receive and consider late reports to the meeting if it is considered that the matter needs to be considered at that meeting and will not wait until the next meeting. Late items usually refer to comments regarding Development Applications where the NT Government only allow two weeks for comment.

Councillors may request that individual matter not listed on the agenda to be raised and discussed if the Council consider the matter is of an urgent nature and will not wait until the following meeting.

Urgent Business Outside of Ordinary Council Meetings

Where an urgent matter arises that cannot reasonably be delayed until the next Council meeting, it may be considered and determined by an out of session decision. All councillors will be emailed the necessary documents to make a decision. The item will be approved by when an absolute majority of members of the Council respond by email in the affirmative. The decision will be ratified at the next Ordinary Council Meeting. The president may have an additional vote in the case of a tied vote.

Where a matter is of such urgency that there is insufficient time to seek an absolute majority of Council, and a delay in the decision will have potentially significant adverse impacts on the Council, the President may make a decision subject to the Council ratifying it at its next meeting.

Decision Making Process

Decisions at Council meetings are made by resolution following a motion being moved and seconded by Councillors. Resolutions require an absolute majority of councillors present to vote in favour of motion.

Voting will be by show of hands unless by resolution Council decides otherwise on a case by case basis.

In the event of a tied vote the current Council has determined that the Chair person will hold a casting vote. The chairperson will use the casting vote in a manner in which the chairperson sees fit.

Council may resolve to determine standing orders for the running of a meeting or aspects within a meeting. In the absence of standing orders normal principles of good meeting procedures will apply.

Use of Information

Councillors and staff are to handle all information in a sensitive manner. Material of a confidential nature shall not be disclosed to outside parties.

The usage of confidential information for financial or other personal advantage is illegal.

Councillors and staff are expected to be careful and prudent about how they collect and use information. Judgements should balance the interests of the community and its right to information with the potential adverse impacts.

The disclosure of information must not cause significant damage or distress to a person or cause significant damage to the interests of the council or a person or cause unfair commercial or financial advantage.

Conflict of Interest

Councillors and staff are to ensure that there is no conflict of interest between their personal interests and the impartial fulfilment of their professional duties.

Councillors must seriously consider if they may be subject to a perceived conflict of Interest. This may include a perception within the wider community that the Councillor or staff member may not be impartial when considering an item

Councillors and Staff will comply with provisions of the Local Government act Regulations and guidelines produced by the Department of Local Government.

Disclosure of Interest

Shire Councillors and staff will disclose at the relevant meeting any interests which has the capacity to be in conflict with their public or professional duties.

If a Councillor declares that they have a real or perceived conflict of interest on a particular item they must leave the room and not participate in the discussion or vote.

Delegations and Presentations of Council

Persons requesting to address the council either as a delegation or a presentation must contact the CEO by email or writing one week prior to the meeting.

The CEO will determine that the presentation or delegation relates to the normal business of Council or will impact directly on the community within the council area prior to inclusion in the agenda.

Resources

A hard copy of any presentation material is to be provided the week before the meeting so that it can be circulated to Councillors with the meeting Agenda.

Electronic presentations should be supplied to the CEO prior to the meeting.

Time Allowed

As a general rule each delegation/presentation will be allowed 15 minutes followed by 15 minutes of questions and discussions.

The council may allow more time should it determine.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council note the report and Policy 1.12 Meetings of Council.

Moved: Clr.

Seconded: Clr.

3.9A ROLE OF THE CHIEF EXECUTIVE OFFICER

Applicant: N/A

Location/Address: N/A

File Ref:

Disclosure of Interest: Nil

Date: 18th September, 2017.

Author: Paul McInerney, Chief Executive Officer

Attachment:

SUMMARY

The role of a CEO is clearly defined in the Local Government Act.

BACKGROUND

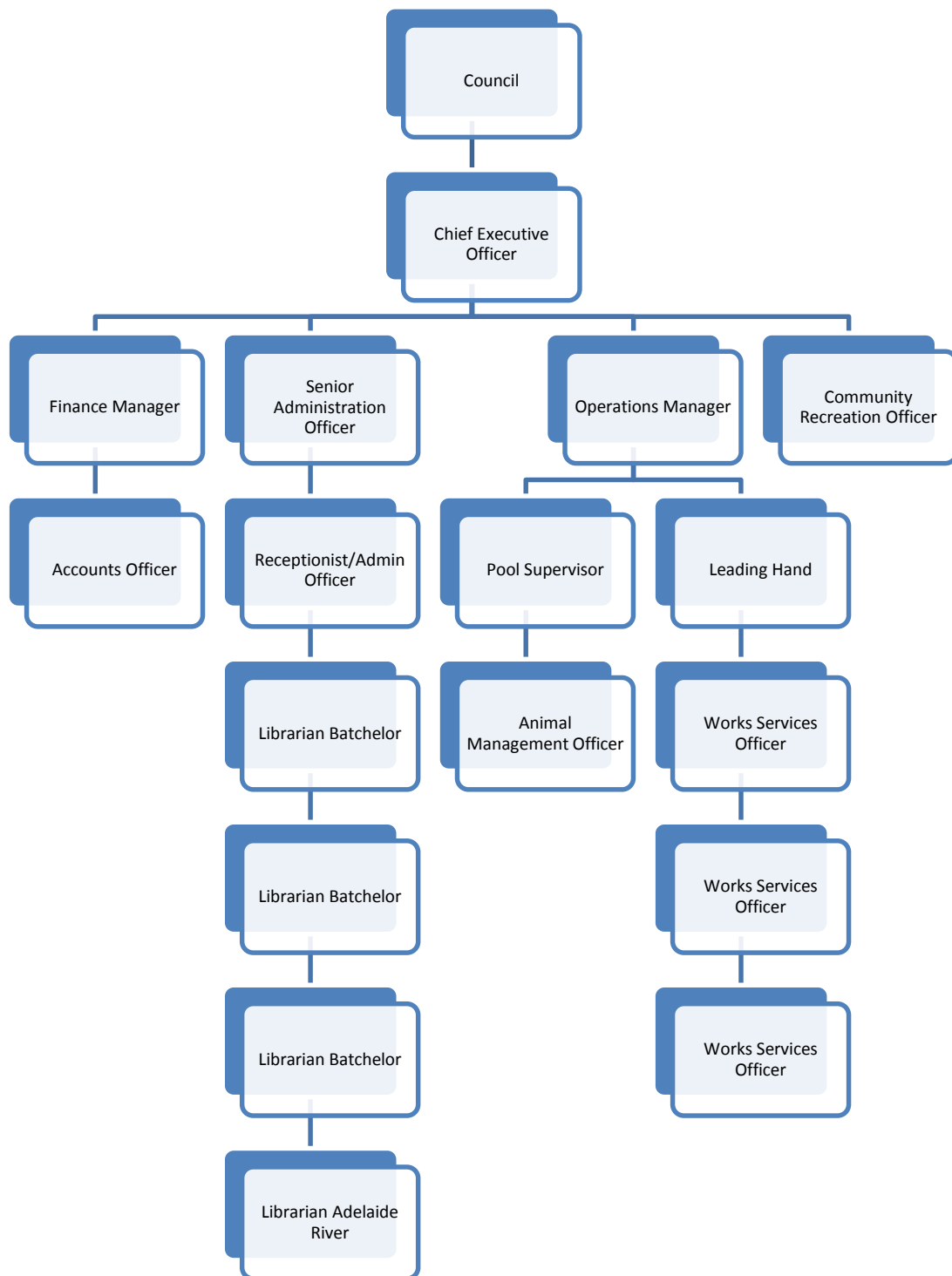
Councils are required to appoint a CEO who is the senior member or manager of the staff.

The CEO is responsible to the council:

- (a) to ensure that the council's policies, plans and lawful decisions are carried out;
- (b) to take on the day-to-day management of the council's operations (including the management of council staff);
- (c) to provide the information that council requires for effectively carrying out its functions;
- (d) to ensure that the council's residents are kept properly informed about council policies, programs and decisions and to ensure that appropriate and prompt responses are given to specific requests for information;
- (e) to ensure that the council's assets and resources are properly managed and maintained;

- (f) to ensure that proper standards of financial management are maintained and, in particular, proper controls over expenditure;
- (g) to ensure that financial and other records are properly made and maintained;
- (h) to appoint, manage and, where necessary, terminate the appointment of council staff (other than the CEO) and
- (i) to carry out other functions delegated to the CEO by the council or assigned to the CEO under the Local Government Act or any other Act.

Diagram 3: Example of a council organisational chart



COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

NOTE

That Council note the role of Chief Executive Officer report.

3.10 COUNCIL POLICIES

Applicant:	N/A
Location/Address:	N/A
File Ref:	
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Paul McNerney, Chief Executive Officer
Attachment:	

SUMMARY

Council policies provide the overall framework in which the Council operates.

Coomalie Council has a number of policies that in some cases also contain procedures to be followed for the ongoing management of Council activities. These policies are listed in the Background information below:

Policies are reviewed in cycles that may be 4 yearly through to annually depending on the Policy matter.

Council has in the past reviewed 2-3 policies each meeting on an ongoing basis.

BACKGROUND

SECTION 1.0 GOVERNANCE AND ADMINISTRATION

- 1.1 COMMUNITY COMMUNICATION
- 1.2 CUSTOMER SERVICE CHARTER
- 1.3 CUSTOMER COMPLAINTS HANDLING
- 1.4 CORPORATE CREDIT CARD
- 1.5 RESOURCES FOR COUNCILLORS
- 1.6 COMMUNITY GRANTS AND IN KIND SUPPORT PROGRAM
- 1.7 COUNCILLOR ATTENDANCE TO CONFERENCES, TRAINING AND DEVELOPMENT
- 1.8 POLICY DEVELOPMENT AND ADOPTION
- 1.9 LEGAL REPRESENTATION AND COSTS INDEMNIFICATION
- 1.10 PURCHASING POLICY
- 1.11 RATES AND CHARGES POLICY
- 1.12 MEETINGS OF COUNCIL
 - 1.12.1 COUNCILLOR WORKSHOPS
- 1.13 PRIVACY POLICY
- 1.14 EMPLOYEES GIFTS AND BENEFITS POLICY
- 1.15 ELECTED MEMBERS GIFTS AND BENEFITS POLICY
- 1.16 RECRUITMENT AND PROBATION
- 1.17 CARETAKER PERIOD POLICY
- 1.18 CASUAL COUNCILLOR VACANCIES
- 1.19 ASSET MANAGEMENT POLICY
- 1.20 DELEGATIONS REGISTER POLICY

SECTION 2.0 FINANCE AND ACCOUNTING

- 2.1 INVESTMENT POLICY
- 2.2 FEES AND CHARGES
- 2.3 ANNUAL AND TEN YEAR BUDGETS
- 2.4 BORROWING POLICY
- 2.5 STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES
- 2.6 SURPLUS FUNDS

- 2.7 FRAUD PROTECTION PLAN
- 2.8 FINANCIAL RESERVES POLICY
- 2.9 ASSET DISPOSAL POLICY

SECTION 3.0 EMPLOYEES

- 3.2 WORK HEALTH AND SAFETY
- 3.3 SMOKE FREE WORKPLACE
- 3.4 MEDICAL EXAMINATION
- 3.5 EQUAL EMPLOYMENT OPPORTUNITY
- 3.6 EMPLOYEE PERFORMANCE AND DEVELOPMENT
- 3.8 STAFF BENEFITS
- 3.9 EMPLOYEE CLOTHING ALLOWANCE
- 3.10 PROTECTIVE CLOTHING
- 3.11 STAFF APPOINTMENTS AND LEAVE
- 3.12 STAFF VEHICLE USE
- 3.13 STAFF TRAINING
- 3.14 POLICE CLEARANCE FOR STAFF
- 3.15 COUNSELLING, DISCIPLINING AND DISMISSING EMPLOYEES
- 3.16 DISPUTE RESOLUTION
- 3.17 FITNESS FOR WORK
- 3.18 ELECTRONIC MAIL / INTERNET

SECTION 4.0 COMMUNITY AMENITIES AND RECREATION

- 4.1 BATCHELOR SWIMMING POOL
- 4.2 COOMALIE BUSH CEMETERY
- 4.3 COOMALIE COUNCIL COMMUNITY BUS
- 4.4 ANNUAL RECOGNITION OF COUNCIL AND COMMUNITY EVENT – OCTOBER

SECTION 5.0 OPERATIONS

- 5.1 SUBDIVISION AND DEVELOPMENT OF UNZONED LAND – WORK WITHIN A ROAD RESERVE
- 5.2 CYCLONE RESPONSE
- 5.3 BATCHELOR SIGNAGE BAY

- 5.4 PARKS AND GARDENS
- 5.5 ROADS

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council note the Coomalie Community Government Council Policies.

Moved: Clr.

Seconded: Clr.

3.10A COUNCIL CODE OF CONDUCT

Applicant: N/A

Location/Address: N/A

File Ref:

Disclosure of Interest: Nil

Date: 18th September 2017.

Author: Paul McInerney, Chief Executive Officer

Attachment: The Code of Conduct and Governance Charter June 2012

SUMMARY

The Local Government Act (Schedule 2) provides for what the Code of Conduct should contain as core requirements.

Council has on its records a Code of Conduct and Governance Charter dated June 2012 and which flowed through from the Council term commencing in 2008

Council can develop a new Code of Conduct but must retain the following core provisions.

BACKGROUND**Part 7.4 Code of conduct**

Division 1 Making or adoption of code of conduct

77 Obligation to have code of conduct

- (1) A council must have a code of conduct.
- (2) The code of conduct must govern the conduct of members of the council, members of local authorities, members of local boards, and members of council committees.
- (3) A council's code of conduct must be accessible on its website.

78 Making or adoption of code of conduct

- (1) A council may, by ordinary resolution:
 - (a) make or adopt a code of conduct; or
 - (b) amend its code of conduct.
- (2) **Unless a council has a code of conduct that the council has itself made or adopted, the provisions set out in Schedule 2 constitute the council's code of conduct.**
- (3) If a code of conduct made or adopted by a council is in any respect less stringent than a provision in Schedule 2, the relevant provision of Schedule 2 applies as a provision of the council's code.

Schedule 2 Code of conduct – core provisions

section 78

1 Honesty and integrity

A member must act honestly and with integrity in performing official functions.

2 Care and diligence

A member must act with reasonable care and diligence in performing official functions.

3 Courtesy

A member must act with courtesy towards other members, council staff, electors and members of the public.

4 Conduct towards council staff

A member must not direct, reprimand, or interfere in the management of, council staff.

5 Respect for cultural diversity

A member must respect cultural diversity and must not therefore discriminate against others, or the opinions of others, on the ground of their cultural background.

6 Conflict of interest

A member must, if possible, avoid conflict of interest between the member's private interests and official functions and responsibilities.

Where a conflict in fact exists, the member must comply with the member's statutory obligations of disclosure.

7 Respect for confidences

A member must respect the confidentiality of information obtained in confidence in the member's official capacity.

A member must not make improper use of confidential information obtained in an official capacity to gain a private benefit or to cause harm to another.

8 Gifts

A member must not solicit or encourage gifts or private benefits from any person who might have an interest in obtaining a benefit from the council.

9 Accountability

A member must be prepared at all times to account for the member's performance as a member and the member's use of council resources.

10 Interests of municipality, region or shire to be paramount

A member must act in what the member genuinely believes to be the best interests of the municipality, region or shire.

In particular, a member must seek to ensure that the member's decisions and actions are based on an honest, reasonable, and properly informed judgment about what will best advance the best interests of the municipality, region or shire.

COMMENT

Council in adopting these core provisions outlined by the Local Government Act will be compliant. The Code of Conduct and Governance Charter June 2012 can also be adopted at this first meeting or reviewed later. This could be undertaken at a future Councillors Workshop.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council adopt as its Code of Conduct that provided by Schedule 2 of the Local Government Act and also adopts the Code of Conduct and Governance Charter from June 2012 as a supportive additional policy.

Moved: Clr.

Seconded: Clr.

3.11 COUNCIL STRATEGIC AND FINANCIAL PLAN

Applicant:	N/A
Location/Address:	N/A
File Ref:	
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Paul McInerney, Chief Executive Officer
Attachment:	

SUMMARY

The Local Government Act prescribes that Council must have Strategic Plans, Long term Asset Management Plans and the annual Budget and Service Plan.

On the 20th June, 2017 Council did adopt the Strategic Plan 2017/18- 2021/22 and Annual Plan 2017/18 and have been provided to Councillors. This is also available in full on Councils website.

Along with other detailed matters I would be proposing that subject to the Councillors Workshop Policy being retained that a Councillors Workshop will be conducted to review the plan and review future strategic directions over the next 12 months.

BACKGROUND

The Local Government Act stipulates the following:

Part 2.3 Role, functions and objectives of councils

11 Principal role of council

The role of a council is:

- (a) to act as a representative, informed and responsible decision-maker in the interests of its constituency; and
- (b) to develop a strong and cohesive social life for its residents and allocate resources in a fair, socially inclusive, and sustainable way; and
- (c) to provide and coordinate public facilities and services; and
- (d) to encourage and develop initiatives for improving quality of life; and
- (e) to represent the interests of its area to the wider community; and
- (f) to exercise and perform the powers and functions of local government assigned to the council under this Act and other Acts.

12 Functions of a council

(1) The functions of a council include the following:

- (a) to plan for the future requirements of its area for local government services;
- (b) to provide services and facilities for the benefit of its area, its residents and visitors;
- (c) to provide for the interests and well-being of individuals and groups within the council area;

- (d) to carry out measures to protect its area from natural and other hazards and to mitigate the effects of such hazards;
- (e) to manage and develop council facilities and services in its area in a sustainable way;
- (f) to manage and develop for the benefit of its area all the resources available to the council;
- (g) other functions assigned to the council under this or any other Act.

(2) The functions of a council may (if the council chooses to perform them) include the following:

- (a) to promote its area as a location for appropriate industries or commerce or as an attractive tourist destination;
- (b) to establish or support organisations or programs that benefit the council area.

13 Objectives of a council

A council has the following objectives:

- (a) to provide open, responsive and accountable government at the local level;
- (b) to be responsive to the needs, interests and aspirations of individuals and groups within its area;
- (c) to cooperate with Territory and national governments in the delivery of services for the benefit of its area;
- (d) to seek to ensure a proper emphasis on environmentally sustainable development within its area and a proper balance between economic, social, environmental and cultural considerations;
- (e) to place a high value on the importance of service to the council's constituency;
- (f) to seek to ensure that council resources are used fairly, effectively and efficiently;
- (g) to seek to provide services, facilities and programs that are appropriate to the needs of its area and to ensure equitable access to its services, facilities and programs;
- (h) generally to act at all times in the best interests of the community as a whole.

14 Operations outside area

(1) A council may provide services outside its own area but cannot exercise its regulatory powers outside its own area except:

- (a) by mutual agreement with the council in whose area the powers are to be exercised; or
- (b) if the powers are to be exercised outside council areas – with the Minister's consent.

(2) However, a council may exercise regulatory and other powers outside its own area without the agreement of another council or the Minister's consent (as the case requires), if the occasion for exercising the powers arises from circumstances occurring in the council's area.

Part 3.2 Municipal, regional or shire plans

22 Municipal, regional or shire plan

(1) Each council must have a plan for its area.

(2) The plan for a municipal council is called the municipal plan, for a regional council, the regional plan, and for a shire council, the shire plan.

(3) A council's municipal, regional or shire plan:

- (a) must be accessible on the council's website; and
- (b) must be available for inspection at the council's public office; and
- (c) must be available for purchase at a fee fixed by the council from the council's public office.

23 Contents of municipal, regional or shire plan

(1) A municipal, regional or shire plan:

- (a) must contain:
 - (i) a service delivery plan for the period to which the municipal, regional or shire plan relates; and
 - (ii) the council's budget; and
 - (b) must contain, or incorporate by reference:
 - (i) any long-term, community or strategic plan adopted by the council or a local authority or local board and relevant to the period to which the municipal, regional or shire plan relates; and
 - (ii) the council's long-term financial plan; and
 - (c) must contain, or incorporate by reference, the council's most recent assessment of:
 - (i) the adequacy of constitutional arrangements presently in force for the council under this Act and, in particular, whether they provide the most effective possible representation for the area; and
 - (ii) the opportunities and challenges for local government service delivery in the council's area; and
 - (iii) possible changes to the administrative and regulatory framework for delivering local government services in the council's area over the period to which the plan relates; and
 - (iv) whether possibilities exist for improving local government service delivery by cooperation with other councils, or with government agencies or other organisations; and
 - (d) must define indicators for judging the standard of its performance.
- (2) A council must make or revise an assessment of the matters mentioned in subsection (1)(c) at least once in the council's term and, until the council makes or revises the assessment, the municipal, regional or shire plan is to include the assessment (if any) made during the previous term of the council.
- (3) A municipal, regional or shire plan incorporates a plan or assessment by reference if it refers to the plan or assessment and includes a link or reference to a webpage on which the plan or assessment is accessible.

24 Annual review of municipal, regional or shire plan

- (1) A council must adopt its municipal, regional or shire plan (or revisions to its municipal, regional or shire plan) between 1 April and 31 July in each year and forward a copy of the plan (or the revised plan) to the Agency by the latter date.

- (2) Before the council adopts its municipal, regional or shire plan (or revisions to its municipal, regional or shire plan) for a particular year, the council must:
- (a) prepare a draft of the plan (incorporating any proposed revisions); and
 - (b) make the draft plan accessible on the council's website and make copies available for public inspection at the council's public offices; and
 - (c) publish a notice on its website and in a newspaper circulating generally in the area inviting written submissions on the draft plan within a period (at least 21 days) from the date of the notice; and
 - (d) consider the submissions made in response to the invitation and make any revisions to the draft the council considers appropriate in the light of the submissions.
- (3) Although the council's budget forms part of its municipal, regional or shire plan, this section does not apply to the adoption of the budget or of amendments to it.
- (4) The adoption of a budget, or of amendments to it, operates to amend the municipal, regional or shire plan so that it conforms with the most recent text of the council's budget.

24A Core services

The Minister may, by Gazette notice, advise one or more regional councils or shire councils as to the services that, in the Minister's view, are services that the regional council or councils or shire council or councils should, as a priority, provide and the regional council or councils or shire council or councils must consider such a list when adopting and renewing their plan.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council notes the report as information.

Moved: Clr.

Seconded: Clr.

3.12 KEY CONTRACTS AND AGREEMENTS

Applicant:	N/A
Location/Address:	N/A
File Ref:	
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Paul McInerney, Chief Executive Officer
Attachment:	

SUMMARY

Council has a number of contracts with external contractors.

These are listed for the information of Council.

BACKGROUND

Council has chosen to outsource a number of contracts from road maintenance, parks and gardens maintenance, cleaning of public amenities, waste management commercial and domestic pickup etc. These contracts are called period contracts whereby tenders have been invited and successfully awarded and are for up to 3 years with an annual review.

PERIOD CONTRACTORS				
Contractor	Contract Type	Original Contract Start Date	Original Contract End Date	Extension
RS Gardening Care	Mowing & Landscape Maint	1/07/2017	30/06/2018	2 x additional extension years
Oolloo Investments	Road Constr & Maint Grading	1/07/2017	30/06/2018	2 x additional extension years
Shannon Landscaping	Batchelor Landfill	3/02/2017	3/05/2017	Ongoing monthly rolling contract
H&K Earthmoving	Seal Milton Road	Apr-17	Dec-17	
Fin Bins (VTG Waste & Recycling - Dolmoat)	Waste Collection	1/07/2016	30/06/2017	2 x additional extension years, extended 01/07/2017-30/06/2018
Batchelor Property Services	Cleaning	1/07/2015	30/06/2016	2 x additional extension years, Extended 01/07/2016-30/06/2017, Extended 01/07/2017 - 30/06/2018
Rum Jungle Constructions	Cleaning	1/07/2015	30/06/2016	2 x additional extension years, extended 01/07/2016-30/06/2017
Cleaning Contractor	Cleaning	1/07/2015	30/06/2016	2 x additional extension years, Extended 01/07/2016-30/06/2017, Extended 01/07/2017 - 30/06/2018

COMMENT

For information.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council note the major period contracts.

Moved: Clr.

Seconded: Clr.

3.13 POLICY REVIEWS RELATING TO THE FIRST MEETING OF COUNCIL – POLICY 1.12 MEETING OF COUNCIL

Applicant:	N/A
Location/Address:	N/A
File Ref:	Nil
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Chief Executive Officer, Paul McNerney.
Attachment:	Policy 1.12 Meetings of Council

SUMMARY

Council has a number of policies which were due to be reviewed in April 2016. The review process began in February 2016. Council will be presented with policies to review each month until the review process is complete. This month the policy to be reviewed is 1.12 Meetings of Council.

BACKGROUND

Policy 1.12 Meetings of Council is contained in Item 3.12.

COMMENT

Nil

CONSULTATION

Senior Administration Officer

Finance Manager

STATUTORY ENVIRONMENT

Local Government Act

VOTING REQUIREMENT

Simple majority

RECOMMENDATION

That Council review, amend and adopt policy 1.12 Meetings of Council with a new review date of April 2021.

Moved: Clr.

Seconded: Clr.

3.14 DEVELOPMENT CONSENT AUTHORITY NOMINATION OF REPRESENTATIVES

Applicant:	Nil
Location/Address:	Coomalie Community Government Council Area
File Ref:	CC/11
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Paul McInerney, Chief Executive Officer
Attachments:	

SUMMARY

The NT Planning Act allows Council to appoint 2 persons to the Batchelor Division of the Development Consent Authority. The position is held for two years and the current nominees' term is due to expire in June 2018. The Development Consent Authority meets irregularly in Batchelor. It is understood that it has only met twice in the last two years.

BACKGROUND

Council's current members of the Batchelor Division of the Development Consent Authority are Cr Andrew Turner and Cr Dave Gray. **Council also nominated Cr Max Corliss as an Alternative Member.**

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Planning Act Section 89

Appointment of members within a Council Area

- (1) *If all or part of a division area is within a Council area, the Minister must, in writing, appoint:*
 - (a) *2 persons in accordance with subsection (4); and*

- (b) 2 other persons
To be Division members in respect of the Division area
- (2) If an appointment is to be made under subsection (1)(a):
- (a) The local authority may nominate to the minister a person for appointment: or
 - (b) If the minister does not receive a nomination under (a)-the minister must by notice in writing to the local authority request the local authority to nominate a person for appointment.
- (3) A local authority that receives a notice under subsection (2) (b) may within 30 days nominate to the minister the person it thinks fit to be a Division member.
- (4) If a person:
- (a) Is nominated under subsection (2)(a) or (3) by the local authority)- the minister must under subsection (1)(a) appoint the person to be a member; or
 - (b) Is not nominated by the local authority subsection (2) (a) or within the period specified in subsection (3)) - the minister must under subsection (1) (a) appoint a person he or she thinks fit to be a member.
- (5) If all or part of a division is within a council area, the local authority may nominate to the Minister persons it thinks fit to be members under subsection (1) (b) and the Minister may take into account that nomination as he or she thinks fit.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple majority

RECOMMENDATION

That Council nominate 2 representatives to be appointed as members of the Batchelor Division of the Development Consent Authority.

Moved: Clr.

Seconded: Clr.

3.15 LOCAL GOVERNMENT ASSOCIATION OF NT (LGANT) VARIOUS APPOINTMENT

Applicant:	N/A
Location/Address:	N/A
File Ref:	
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Paul McInerney, Chief Executive Officer
Attachment:	Nomination and Delegation form

SUMMARY

Council may wish to nominate members to various LGANT committees.

BACKGROUND

Colleagues,

I would be grateful if the following could be considered for inclusion in the agenda of the first meeting of Council.

1. **Nominations to the LGANT Executive for the following positions:**
 - Vice President -Municipal
 - Vice President -Regional and Shires
(**Note:** The Regional and Shire position sits on the ALGA Board. The Municipal position acts as an alternate Director on the same Board.)
 - Executive positions
 - 2 for Regional and Shires
 - 1 for all councils
2. **The names of your two delegates for LGANT general and annual general meetings (as required under LGANT's constitution)**
3. **Nominations to the following LGANT committees:**
 - Animal Welfare Advisory Committee
 - Heritage Council
 - NT Ministerial Council on Multicultural Affairs
 - NT Place Names Committee
 - NT Water Safety Advisory Council
 - National Local Government Drug and Alcohol Advisory Committee.

I realise you will probably already have a packed agenda but I definitely need 1 & 2 to get them in the LGANT agenda for November 2017 general and annual general meetings.

Many thanks for your help.

Tony Tapsell

CEO, Local Government Association of the Northern Territory

COMMENT

Council may wish to consider nominations to the LGANT Executive as per Item 1 of the letter.

In relation to item 2 of the letter Council need to appoint 2 of its elected members to be delegates to LGANT general and annual general meetings. (Note the CEO can only have observer status).

Protocol is that this would normally be the Presiding Member and Deputy presiding member.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council appoint two delegates for appointment to the LGANT general meetings and annual general meetings.

Moved: Clr.

Seconded: Clr.

3.16 LGANT INDUCTION AND TRAINING PROGRAMS FOR NEW COUNCIL

Applicant:	N/A
Location/Address:	N/A
File Ref:	
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Paul McNerney, Chief Executive Officer
Attachment:	

SUMMARY

LGANT is offering training programs/induction for Councils across the NT

BACKGROUND

The following information has this week been provided to Council by LGANT relating to their training program for Councils across the NT.

The training sessions are extremely important for continuing members and new members to Council. It assists in shared learning and team work and more importantly fundamental training to assist Councillors perform their role adequately.

LGANT Information

LGANT aims to increase Local Government capacity and Councillor performance by coordinating and running activities which focus on member councils' issues and assist with professional development. As part of its annual priorities it will therefore continue to facilitate training and professional development activities for elected and local authority members and staff.

LGANT in the past through the Local Government Excellence Program (the Program) with the Department of Housing and Community Development (DHCD) has been developing training resources and also provided face to face training at the request and in partnership with member councils.

On the 27 April 2017 LGANT received a letter from the Department informing us that the three-year Excellence in Local Government Agreement would not be continued. Reason given was tighter financial fiscal constraints on government as reported in previous business papers at this meeting.

The Department indicated that LGANT could apply and submit proposals for Special Purpose (SPG), one off grants which will be considered on a case by case basis.

LGANT are working with the Executive on a number of initiatives supporting the upcoming elections and training for newly elected members after August which has been reported to delegates in business papers at this meeting.

One of the strategies includes a business model based on a fee for service, paid by member councils, on deliverables negotiated with individual member councils using existing resources developed.

There will be continued review and improvements of materials with member councils. Such courses will not be accredited

LGANT officers in developing such a business model will continue to support member councils and local authorities in building capacity and skills of elected members and community representatives with less reliance on grants and modelled around individual needs of member councils.

User pays business model

LGANT will charge councils for material development and delivery by trainer for a one off user pay approach per council per day /per course.

A one-day preparation time is required for the trainer to develop and work with councils to contextualize training. All travel, meals and accommodation is the responsibility of respective councils requesting training and therefore costs must be met by councils in addition to material preparation and trainer costs will be charged at the hourly rate per day (eg \$62.50 x 8 h/p/d)

Note: Fees charged by external training organisations facilitated by LGANT, determine their own fees and as such, apply their own cancellation costs, which LGANT has no control over. Councils will be notified of these conditions by LGANT during the registration process.

TRAINER COSTS + GST

Material development

8 hours @ \$62.50 p/h	\$500.00	\$550.00
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Training delivery

8 hours x \$62.50 p/h	\$500.00	\$550.00
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TOTAL	\$1000.00	\$1100.00
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Travel, meals & Accommodation Invoiced to council

COMMENT

Nil

CONSULTATION

LGANT

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council determine Training Programs it will participate with through the LGANT Programs to assist all Councillors in the performance of their roles for the term of Council.

Moved: Clr.

Seconded: Clr.

3.17 DECLARATION OF INTEREST OF MEMBERS OR STAFF

Applicant:	N/A
Location/Address:	N/A
File Ref:	N/A
Disclosure of Interest:	Nil
Date:	18 th September 2017
Author:	Paul McInerney, Chief Executive Officer
Attachments:	Nil

SUMMARY

Elected Members are required to disclose an interest in a matter under consideration by Council at a meeting of the Council or a meeting of a Council committee by:

- 1) In the case of a matter featured in an officer's report or written agenda item by disclosing the interest to the Council by disclosure as soon as possible after the matter is raised.
- 2) In the case of a matter raised in general debate or by any means other than the printed agenda of the Council by disclosure as soon as possible after the matter is raised. Under disclosure, the Member must abide by the decision of Council on whether he/ she shall remain in the Chambers and/ or take part in the vote on the issue. The Council may elect to allow the Member to provide further and better particulars of the interest prior to requesting him/ her to leave the Chambers.

Staff Members of the Council are required to disclose an interest in a matter at any time at which they are required to act or exercise their delegate authority in relation to the matter. Upon disclosure the Staff Member is not to act or exercise his or her delegated authority unless the Council expressly directs him or her to do so.

BACKGROUND

Nil

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act s73 & s74 (Elected Members).

Local Government Act (2008) s107 Conflict of interest (Staff Members).

POLICY IMPLICATIONS

Conflict of Interest – Code of Conduct.

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple majority.

RECOMMENDATION

That Council receives the declarations of interest as listed for the Ordinary General Meeting held 18th September 2017

Moved: Clr.

Seconded: Clr.

4 PETITIONS AND DEPUTATION

Nil

5 CONFIRMATION OF PREVIOUS MINUTES FOR THE ORDINARY GENERAL MEETING OF 15TH August 2017

Applicant:	N/A
Location/Address:	N/A
File Ref:	N/A
Disclosure of Interest:	Nil
Date:	18 th September 2017
Author:	Jasmine Douglas, Senior Administration Officer
Attachments:	Copy of Minutes will be tabled at the meeting

SUMMARY

Minutes of the Ordinary General Meeting held on 15th August 2017 are submitted to Council for confirmation that those Minutes are a true and correct record of the meetings.

BACKGROUND

Not applicable.

COMMENT

Not applicable.

CONSULTATION

Not applicable.

STATUTORY ENVIRONMENT

The Minutes as submitted must comply with part section 67(2) Local Government Act 2011 and that confirmation of Minutes is compliant with section 67(3) of the Local Government Act 2011.

POLICY IMPLICATIONS

Not applicable.

FINANCIAL IMPLICATIONS

Not applicable.

VOTING REQUIREMENT

Simple majority.

RECOMMENDATION

That the Minutes of the Ordinary General Meeting held on 15th August 2017 be confirmed by Council as a true and correct record of the meeting.

Moved: Clr.

Seconded: Clr.

6 OPERATIONS MANAGER'S REPORTS

6.1 OPERATIONS REPORTS

Applicant:	N/A
Location/Address:	N/A
File Ref:	CCGCDocs\Operations Manager
Disclosure of Interest:	Nil
Date:	18 th September 2017
Author:	Robert Bright, Operations Manager
Attachments:	Nil

Roads-

Coach Road at the front of Fawcett's is still to be done. When the funds are rolled over in October, 2017 by Council and then this project can commence.

Milton/Coach Road to 8.0km's has been sealed, driveways in the 8.0 Km's sealed. The final stage estimated to be 2-3km subject to funding will commence when the Contractors (H&K Contractors) return towards the end of September. This grant funded project over last financial year and this financial year.

Council need to look at doing an opening grade on roads and accesses to our north Collett Creek and surrounding areas, as the operations staff is getting a lot of enquires about basic road access.

As advised in last month's report a meeting held with the Department of Infrastructure, Planning and Logistics achieved agreement on works required to fix the drainage problem on Cheeney Road. This project will also

require the return of the Contractors on Milton/Coach Road. Prior to this the Operations Manager will take levels and begin preliminary backfill of washed areas that will allow for determination of the final table drain.

Council period contractor (Oolloo Investments) will be starting to water grade and roll gravel roads in the council area also clear drains where road width allows.

Waste-

Both Batchelor and Adelaide River dumps are running satisfactorily.

Adelaide river seems to be generating a lot of waste at present.

Council have received the insurance money for replacing the fire damaged tarp and awaiting final insurers approval for the quote for the sand blasting and painting to be approved.

Parks-

Maintenance is ongoing on all our parks sprinklers. Anzac Park has water leaks occurring more regularly. Low pressure is a problem at the Adelaide River Oval. Council staff are investigating this system in relation to filters, solenoids etc. Council needs to be on the lookout for grant programs that will assist with staged improvements over time.

Ironbark have been given paint to paint storm water drains and culverts in town area ongoing.

Council staff will undertake an Audit on trees in the Batchelor oval and parks areas to carry out selective pruning and maintenance of trees in this area. This will be costly and built into a tree management program.

Subdivisions-

Batchelor solar Farm and Manton Dam solar farm has had no decision made and no permits issued. I have been advised that there is a DAC meeting in Batchelor on the 18th September, 2017.

Optus towers at the Stapleton area there was no public submission so they will proceed in the following year.

The CEO has received correspondence from Dr John Cooper, Silkwood, Adelaide River (Dorat Road) regarding the subdivision going back to 2010-12 and application of Condition 16 in relation to land to be set aside on Lot 3 for Waste Management purposes in association with the Adelaide River Waste Transfer Station as it is now. Lot 3 on the preliminary plans appear to be adjacent the Adelaide River Waste Site but in the final accepted plans Lot 3 is located well away from the existing site and would require a new Site to be assessed through EPA. Lot 3 is low lying and would not suit Councils needs for a new site at Adelaide River.

I believe that Council could waive exercising Condition 16 as a new site would require working closely with the EPA on all site specific environmental factors.

Pool-

Council has received grant funding to upgrade the change rooms, replace damaged sail shades over the pool. As importantly funding is available to purchase 3 replacement pumps.

Quotes for Bathroom facilities were requested.

New pumping equipment, (3 pumps, sand filters, chlorinators etc.) have been ordered and arrived awaiting now installation on the 26th and 27th September, 2017.

Shade Cloth has been ordered and awaiting arrival.

Staff-

Staffing levels due to leave and other issues have been low. Operation Manager with CEO have commenced interviews to create casual pool of workers to fill any short fall in numbers when permanent staff are on annual leave or sick or special leave. This will also allow us to have a good look at the casuals towards permanent positions as they may arise.

Relieving operation supervisor, Richard McDougall fitting in well with workers and council staff.

Proposed Cyclone Clean Up-

As approved by Council in August the operations team are organising a pre-cyclone GREEN WASTE clean-up this year for Adelaide River and Batchelor townships.

This is something that will be controlled in limiting the residents to a certain amount to be picked up and only certain items. Green waste will be acceptable but no other waste such as our listed wastes, white goods, tyres etc. Please see Draft below.



Controlled Pre-Cyclone GREEN WASTE Clean Up

This year Council is conducting a cyclone clean up in the town of Batchelor and Adelaide River.

Batchelor Town clean-up will take place the week of the 16th of October.

Adelaide River Town clean-up will take place week of the 23rd of October.

Council is limiting pick up to a **2m x 1.5 m trailer size with a height of a 1m per house hold**, pick up from the front verge which will be in a manageable pile.

Out of respect from the community the Council reserve the right due to Occupation Health and Safety not to pick up items which is deemed by the staff to be unsafe, hazardous or too large for manual handling. Any items put out not acceptable will need to be removed by the resident.

Items acceptable for pick up -

- Green waste (palm fronds, branches etc)
- Small items which may become a projectile during a cyclone
- Items able to be picked up by a single person

Items not acceptable for pick up –

- White goods
- Asbestos
- Tyres
- Car batteries
- Paint/ aerosol cans
- Chemicals
- Medical waste/ sharps
- Car bodies

Any items put out not acceptable for pick up or put out after collection will need to be removed by the resident at the household.

Any questions please contact the Council on ph 8976 0058.

Australian War Graves Application for bore Installation -

Email received from Shane Ploenges, NT Regional Manager, Office of Australian War Graves seeking Councils approval to install a bore at the Adelaide River War Graves site to enable an irrigation system to operate at this site.

Robert Bright

Operations Manager

VOTING REQUIREMENT

Simple majority

RECOMMENDATION

That Council receives and notes the Operations Manager's Report for August/September 2017.

Moved: **Clr.**

Seconded: **Clr.**

6.2 MONTHLY POOL & DOG STATISTICS

Applicant:	N/A
Location/Address:	N/A
File Ref:	CCGCDocs\Pool Supervisor
Date:	18 th September 2017
Author:	Trevor Sullivan, Animal Management Officer
Attachments:	Nil

SUMMARY

Dog Statistics

Dogs in the community have returned in number and I am onto them. The dog trailer is in poor state. It has always been in a rough state and has had works completed on it a couple of times, however now the dogs are finding it hard to stay inside the trailer.

Pool Takings and Statistics

I started back at the pool on the 18th August. The pool was a very dark green and enough life was present in the water to start a planet eco system. Eight days later the water was clear and running well on all three pumps.

The new systems for the pump room have been organised and will be installed shortly. Also new shade covers and showers will be installed soon.

NOTE

7 CHIEF EXECUTIVE OFFICER'S REPORTS

7.1 INCOMING AND OUTGOING CORRESPONDENCE

Applicant:	N/A
Location/Address:	N/A
File Ref:	N/A
Disclosure of Interest:	Nil
Date:	18 th September 2017
Author:	Paul McInerney, Chief Executive Officer
Attachments:	Correspondence to be tabled

SUMMARY

Council is provided with items of correspondence both received and sent during the months of August/September 2017.

BACKGROUND

Hard copies are available to Council on the day of each Ordinary Council meeting for perusal, with additional copies available on request to individual Elected Members.

COMMENT

The correspondence inwards and outwards will be tabled at every meeting or included in agenda items as part of the background information for that particular issue.

The Items of Correspondence are as follows:

Correspondence In

DATE		Source	Subject
21/7/17	MI 1	Dorat Road Landowners	Objection to Proposed Pyrolysis Plant (revised)
30/7/17	MI 2	Lingalonga Festival Committee	Dissolution of Festival Committee
8/8/17	MI 3	Northern Territory Grants Commission	Grants Commission Allocations 2016-2017
7/8/17	MI 4	Department of Immigration & Border Protection	Legal requirements for presiding officers at Citizenship Ceremonies
10/8/17	MI 5	Nexia Edwards Marshall NT	Consideration of fraud and error, compliance with laws and regulations Year ended 30-6-17
11/8/17	MI 6	Department of Trade, Business and Innovation	KPMG Consultancy -Market Analysis of Seniors Lifestyle Accommodation in Northern Territory
15/8/17	MI 7	Minister for Housing and Community Development	Information regarding the opening of a section of Coach Road
3/8/17	MI 8	NT Council of Government School Organisations	Request for details of

			scheduled events in October
23/8/17	MI 9	Minister for Housing and Community Development	Vesting of a Section of Coach Road
23/8/17	M 10	RS Gardening	Rate payers rubbish stored in RSG yard
23/8/17	MI 11	Deputy Chief Minister for Infrastructure Planning and Logistics	Input into 10 year Infrastructure Plan
24/8/17	MI 12	Bushfires NT Community Engagement Officer	Request for input into bushfire safety publications for new rural residents
24/8/17	MI 13	Assistant Minister for Immigration and Border Protection	Instructions for Australian Citizenship Ceremonies
28/8/17	MI 14	Australia Day Council	Australia Day & Keep Australia Beautiful Conference Invitation
30/8/17	MI 15	Dorat Road Ratepayer	information regarding AN 1187
29/8/17	MI 16	LGANT	Items to be on the agenda for first meeting of new Council
30/8/17	MI 17	Minister for Health	Copy of letter to COTA re medical bus service
30/8/17	MI 18	Gary Higgins MLA	Telecommunications Coomalie Region
31/8/17	MI 19	Department of Sport and Recreation Development Officer	Remote Sports Program, finalisation of contracts
1/9/17	MI 20	Office of Australian War Graves	Application for bore installation at AR War Cemetery,(email and map only)
4/9/17	MI 21	LGANT	Elections for casual vacancies on the LGANT Executive , call for nominations
4/9/17	MI 22	LGANT	Nomination form for designated LGANT representatives
5/9/17	MI 23	Optus/ Catalyst	Report on Consultation in relation to installation of a mobile Phone Base Station Stuart Highway Stapleton
6/9/17	MI 24	Hancock Prospecting	Notice of Acting Change of Lawyers for Minerals Australia Nutwood Downs
6/9/17	MI 25	Hancock Prospecting	Notice of Acting Change of Lawyers for Minerals Australia, Hodgson River
6/9/17	MI 26	LGANT	Member Induction and Training plans
6/9/17	MI 27	NT Electoral Commission	Final Election Costs
6/9/17	MI 28	Collette Creek Coomalie Region, Residents	Request for Council assistance to upgrade Mira Road
6/9/17	MI 29	Minister for Tourism and Culture Lauren Moss	Copy of letter to Gary Higgins MLA regarding waste management in Litchfield National Park
6/9/17	MI 30	Parks and Wildlife Commission of NT Chief District Ranger Litchfield	Litchfield National Parks fact sheets
7/9/17	MI	Development Consent Authority Batchelor Division	Northern Territory Planning

	31		Scheme , Notice of Meeting 18/9/17
7/9/17	MI 32	Northern Land Council	Report to Court and Respondents on the outcome of facilitated process Adelaide River Native Title Matters
7/9/17	MI 33	Federal Court of Australia	Notice of Case Management Conference for Adelaide River Native Title Matters

Correspondence Out

DATE		Source	Subject
15/8/17	MO 1	RB	Lake Bennett developer landowner; re Subdivision Road AN 892 & 1032
15/8/17	MO 2	PM	Department of Infrastructure Planning and Logistics ; re Comments due on PA2017/0344
17/8/17	MO 3	PM	Council response to comments due on PA 2017/0344
15 & 22/8/17	MO 4	PM	Correspondence relating to abandoned car at Rum Jungle Tavern
24 & 25/8/17	M 5		Correspondence and meeting notes relating to complaint about dangerous tree at Rum Jungle Tavern
31/8/17	MO 6	MK PM	Nexia Edwards Marshall ; Council compliance with Laws and Regulations Year ending 30/6/16
4/9/17	MO 7 to 12	PM	Letters to Elected Councillors re First council Meeting 18/9/17
10/8/17	MO 13	PM	Request for assessment of trees and initiation Tree Management Plan
5/9/17	MO 14	PM	Signed forms for Power and Water Easement
15/8/17	MO 15	MK PM	Major Grants Application portable toilets
15/8/17	MO 1	RB	Lake Bennett developer landowner; re Subdivision Road AN 892 & 1032
17/8/17	MO 2	PM	Department of Infrastructure Planning and Logistics ; re Comments due on PA2017/0344
15 & 22/8/17	MO 3	PM	Council response to comments due on PA 2017/0344
24 & 25/8/17	MO 4	PM	Correspondence relating to abandoned car at Rum Jungle Tavern
31/8/17			Correspondence and meeting notes relating to complaint about dangerous tree at Rum Jungle Tavern

CONSULTATION

Not Applicable

STATUTORY ENVIRONMENT

Not Applicable

POLICY IMPLICATIONS

There are no specific policies that apply to this report.

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple majority

RECOMMENDATION

That Council receives and notes the items of incoming and outgoing correspondence as tabled.

Moved: Clr.

Seconded: Clr.

7.2 REVIEW OF ACTION ITEMS LIST TO SEPTEMBER 2017

Applicant:	Nil
Location/Address:	N/A
File Ref:	N/A
Disclosure of Interest:	Nil
Date:	18 th September 2017
Author:	Paul McNerney, Chief Executive Officer
Attachments:	Action Items List to September, 2017.

RECOMMENDATION

That Council receives and notes the Actions Items List.

Moved: Clr.

Seconded: Clr.

7.3 COMPLAINTS REGISTER TO SEPTEMBER 2017

Applicant:	Nil
Location/Address:	N/A
File Ref:	N/A
Disclosure of Interest:	Nil
Date:	18 th September 2017
Author:	Paul McNerney, Chief Executive Officer
Attachments:	Complaints register

RECOMMENDATION

That Council receives and notes the complaints for the August/September 2017 period.

Moved:	Clr.
Seconded:	Clr.

7.4 STANDING ORDER – AMALGAMATION REVIEW

Applicant:	N/A
Location/Address:	Coomalie Councillors
File Ref:	CC/79
Disclosure of Interest:	Nil
Date:	18 th September 2017
Author:	Paul McInerney, Chief Executive Officer
Attachments:	Nil

SUMMARY

The following is the decision of Council from its May 2012 meeting.

Moved Clr. Turner, Seconded Clr. Crook that Boundary Consultation/Expansion be a standing item on the Council agenda until resolved. Council supports making this a priority for Council.

COMMENT

July 2014

The NT Government published a notice in the Government Gazette on 3 July 2014 which includes the Robin Falls area in the Coomalie Community Government Council area.

February 2015

The Ombudsman found that Council does not have a case to answer in relation to the process to incorporate the Robin Falls area into the Council area.

June 2015

A meeting of the BCWLGAG was held at Belyuen on Tuesday 9 June 2015. The main discussion revolved around the incorporation of the remaining unincorporated areas into Councils.

December 2015

The Department of Local Government provided a background briefing for Councillors on the remaining unincorporated areas. The Territorian published a brief article on the proposal on Sunday 6th December 2015 making comment about the proposal.

January 2016

Letter sent to Department of Local Government requesting Litchfield National Park be included in the Coomalie Community Government Council area.

February 2016

The Department of Local Government have advised that there will be no further decisions made in relation to formation of new Councils in this term of Government. The Department has acknowledged Council's request in relation to Litchfield National Park.

May 2016

A meeting was held of the BCWLGAG. There was a discussion regarding the three councils working together in developing a strategy to put to the Government in relation to their future and the unincorporated land.

June 2016

Department of Local Government and Community Services were advised of Council's agreement to investigate the formation of a regional council subject to Batchelor being the administrative centre.

July 2016

Three consultants were invited to quote on the scope of works to provide an analysis of options for local government structures in the area. Two quotes were received. An application was submitted for a Special purpose Grant to proceed with the consultancy.

August 2016

The Council received an email on Tuesday 9th of August from the Department of Local Government advising that the Special Purpose Grant to provide an analysis of options for Local Government structures in the area has been granted.

September 2016

Consultants have been engaged and anticipate the review will take approximately 6 weeks.

October 2016

The President and the CEO met with the consultant's representative on Monday 26th September 2016. The discussion revolved around Councils preferred options for a new Regional Council. The consultant was advised that council's preferred option was to progressively identify areas which relate to the current Council and incorporate them into the Council.

November 2016

The Consultants met with BCWLGAG on 9 November 2016 for an update and work shop. Council representatives presented varying views of the future and there was no consensus of a preferred direction for the future. The major points were that the consultants should focus on the current Council and perhaps comment on aligning the rural parts of Lichfield Council with any new entity. Marrakai area was excluded from the current discussion. The current Belyuen stalemate should be resolved by the next election. The Government needs to lead the process for incorporation of the unincorporated lands. The timeframe is probably 5 to 9 years.

December 2016

Council resolved the following in relation to the consultant's report

That Council formally adopt its position as outlined below:

- progressively improve Council's sustainability through efficiencies, resource sharing and continued review of service levels. This also includes seeking additional income sources when appropriate
- selective expansion of the Shire area to include areas which are naturally serviced by Council
- ensure Batchelor remains the centre of administration for the Council
- support NT Government initiatives that achieve the goals identified previously.

That Council advise that the Department of Housing and Community Development that it believes there will be little progress in the incorporation of unincorporated land unless there is long term commitment from the political arm of Government.

January 2017

Wagait Council has requested that Coomalie and Belyuen Council's give permission for the Consultant's report to be made available publically on Council's website.

February 2017

A meeting of the Councils and the Division of Local Government has been arranged for Monday 20th February 2017.

May 2017

The meeting discussed the merits of the report prepared by the consultants titled Working Together- A way forward.

The meeting agreed to receive and note the report, however they believe that the report did not adequately explore the options raised by the Councils and was basically a restatement of the options explored in 2011/12.

In particular, the meeting agreed the following points:

The report does not reflect the views of the three Councils combined, or any one of the three councils.

The report does not discuss the preferred options of the three councils.

The issues relating to the unincorporated lands remains with the Northern Territory Government and the land owners.

The three councils investigate opportunities to undertake planned sharing of services.

The three councils continue to work with the Northern Territory Government on constructive options to address the development of Local Government in the top end.

It was requested that the individual Councils discuss and agree on the 5 points outlined.

Resource Sharing

It was agreed that the CEOs would meet regularly to discuss and investigate resource sharing opportunities with the three councils. This will be separate to the BCWLGAG.

The group could also investigate opportunities to contract to the Northern Territory Government some services currently provided to the unincorporated areas.

It was suggested that initially the group should meet bi-monthly and the first meeting to be held at a suitable date in the first full week of March 2017.

July/August 2017

Executive Director Department of local Government – Lee Williams and Rolf Nilson met with the Council President and CEO to flag potential staged rural council expansion in the Top End. CEO was requested to develop concept and provide estimates if required, using work untaken in 2015. Two further meetings held by the CEO with Department staff to develop the concept and cost analysis.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple majority

NOTE

For the information of Council

7.5 CEO ACTIVITIES REPORT

Applicant:	N/A
Location/Address:	N/A
File Ref:	CCGCDocs/CEO
Disclosure of Interest:	Nil
Date:	18 th September 2017
Author:	Paul McInerney, Chief Executive Officer
Attachment:	

SUMMARY

CEO Community Activities/ General.

15th August 2017 –Mobile Voting by Northern Territory Electoral Commission at Adelaide River Area School.

16th August, 2017 – Channel 9 news interview with affected businesses from Adelaide River in light of mobile communications crash a few weeks earlier and continued problems through-out the year. Referred to Member for Daly.

18th August, 2017 – Mobile Voting by NTEC at Coomalie Chamber, Batchelor.

21st August, 2017 – attended with Finance Manager – Council software system demonstration.

23rd August, 2017 – Joined President COTA NT in phone conference with KPMG Consultants who have been commissioned to do market research into Retirement needs in Greater Darwin area and Alice Springs. (Coomalie was not originally classed as being in the region however at our request have been consulted with.)

30th August, 2017 –Coomalie Aged Care Network meeting at Batchelor and attended by Territory Health Program managers. Future meeting to have Commonwealth Department Program Manager Address Network.

4th September, 2017 – Adelaide River Local Emergency Management Committee agencies meeting re upcoming cyclone season.

5th September, 2017 – Finance manager and myself with Lincoln Wilson, NPWS re litter, boundary expansion proposals, radio networks, brochure printing etc. In relation to litter issues Council ops staff will be monitoring more closely town street bins in regards to deposit of tourist refuse or indeed that of local residents.

Council Elections 2017 - Review

With elections now finalised it will be necessary for Council to review areas such as operation of the 2017 elections with NTEC and particularly the operation of the mobile voting arrangements on days other than 26th August, 2017 where no voting was able to be performed by electors. I was at work on Saturday and had 6 people come to the office wanting to vote on the 26th August. Hilary who was working at the Adelaide River library had similar numbers.

I would appreciate Councils initial feedback which I will then frame into a review document that can be put to LGANT and NTEC.

Council staff as part of the service agreement did spend considerable time being involved in advertising, promoting the various stages through special edition Stop Press newsletters, positioning of A Frame Notice Boards, and posters being prepared and placed.

However, from my observation is that in future service agreements that there needs to be a polling booth (one at least) on Election Day.

Results of 2017 elections as declared on Monday 4th September, 2017.

Batchelor Township Ward – 2 candidates were nominated for 2 positions available.

Elected Unopposed:

Christian Neil MCELWEE -

Deborah MOYLE

Coomalie Rural Ward – 3 candidates were nominated for 2 positions available.

Dave Gray

Andrew Turner **Elected**

Sue Bulmer **Elected**

Adelaide River Ward – 3 candidates were nominated for 2 positions available.

Max Corliss **Elected**

Maria Holohan

Sharon Beswick **Elected**

On behalf of Staff my congratulations to all members on being elected.

I wish to record appreciation to candidates who stood and were not elected allowing the electors to exercise their right to vote in our local government democracy in the NT.

To former Councillors not continuing being Bruce Jones, Dave Gray and Ewan Crook thank you for your service to the Coomalie Council and wider community.

Adelaide River Access Shed

A review of the Adelaide River Access Shed key arrangements and procedures has taken place. The problem that was encountered with people accessing a key without knowledge of the hirer has been addressed. Council

staff have an up to date record of who has paid for a key and the relevant deposit and this will be monitored in the first instance before making any proposal to change locks/keys.

Batchelor Swimming Pool – unlawful entry 9th September, 2017.

I was advised by the Operations Manager via the Swimming Pool Supervisor, and also Officer in Charge of Batchelor Police Station that a break-in had occurred during the early morning of 9th September. This would appear to be a part of other incidents reported in Batchelor.

NT Police rang on 12th September to advise that they will be visiting Batchelor on 18th September and meeting with property owners (including Council) affected by the incidents of recent times and determine property based action plans. This action by NT Police is appreciated and no doubt Council staff will hold discussions with them at this time on other community issues associated with recent unlawful entries to property.

Explorers Way Rest Area – Adelaide River

I am still awaiting the response from the Australian War Graves into taking up a sign/s and the dimensions they are after.

Domestic and Commercial Waste Pickups Audit.

The operation staff over the last 2 months have completed a bin audit whereby a Supervisor has sat in the Fin Bins truck and recorded information for each property. This is done for one week only. The last audit was undertaken as I understand over 2 years ago, Letters were then forwarded out to property owners advising of the audit versus their entitlement. This has resulted in feedback to Council staff from some domestic and commercial land owners. Random inspections have also occurred since the formal bin audit was undertaken to also pick up any further anomalies. These will be summarised and put forward to Council when the random audits have been completed as well as received communication via emails.

RECOMMENDATION

That Council receives and notes the CEO's Activity Report for the period August to September, 2017

Moved: Clr.

Seconded: Clr.

7.6 SILKWOOD VENTURES PTY LTD SUB-DIVISION MAY, 2012 – CONDITION 16 OF DP 0125 DORAT ROAD, ROBIN FALLS

Applicant:	N/A
Location/Address:	N/A
File Ref:	
Disclosure of Interest:	Nil
Date:	18 th September, 2017.
Author:	Paul McNerney, Chief Executive Officer
Attachment:	Development permit DP 12/0125 and Proposed Subdivision Plan

SUMMARY

Condition 16 of DPO15 remains unresolved.

BACKGROUND

On 20th May, **2012**, the Minister for Planning issued Development Permit DP12/0125 to Silkwood Ventures (Pty Ltd) for N.T. Portion 04724, 14 Dorat Road Robin Falls.

The approved purpose of the development was *“To use and develop the land for the purpose of a subdivision to create twenty-one (21) lots, in accordance with the attached schedule of conditions and the endorsed plans.*

The permit contained 16 conditions of which condition 16 states ***“Prior to the issue of title to Lot 3 the developer in consultation with Coomalie Council and the Department of Lands and Planning must identify an appropriate site for the provision of a waste facility for the Adelaide River township to the satisfaction of the consent authority. This may include the creation of a separate additional parcel encompassing the agreed area identified for the waste facility.”***

Dr John Cooper, Silkwood Ventures Pty has made contact seeking Councils resolve to this condition which will allow for the issue of the title. Dr Cooper has provided his knowledge of the development of Condition 16 and has been working with me to ascertain whether the condition had been originally aimed as a buffer for the existing site as well as did Council in 2012 have plans for setting aside a new reserve area for waste Management

Ann-Marie Dooley, A/Senior Planner, Development Assessment Services, Department of Infrastructure, Planning and Logistics who has provided background as follows:

Hi Paul,

Thanks for your e-mail, in relation to part 5 clearances, services authorities are required to ensure the development has been developed in accordance with the conditions of the permit.

In this instance it appears condition 16 is the only condition Council needs to examine, unless easements in favour of Council have been created, in which case conditions 7 & 12 also apply.

I have attached a copy of the development permit and endorsed drawing for your information. Feel free to call me if you need anything else or would like to discuss.

COMMENT

The Operations Manager and myself in recent weeks inspected the subdivision in particular Lots 1, 2 and 3 supplied by the Department.

The existing Adelaide River Waste Site is situated on Crown Land and clearly delineated as being within the Lot 1 area. (lot 1 has frontage to Dorat road.) Lot 1 contains 97.1 hectares.

Lot 2 front Dorat road and contains 43.8 hectares.

Lot 3 would be some 400-500 metres along Dorat Road from the existing waste site, and contains 64.4 hectares.

Upon inspection of Lot 3 it would appear that it might not be suitable for a waste management facility.

In discussion with Dr Cooper after the inspection it came to light that an original subdivision concept plan layout showed a Lot 3 closer to the existing waste facility. The preliminary plan Lot 3 did contain the existing Adelaide River Waste site crown land.

Prior to next Mondays meeting the Ops Manager will check on the easements referred to in the Planning Departments email (Anne-Marie Dooley)

I will do some more back research of Council files to ascertain whether there was a formal Council position on a new waste management site reserve or whether it was contained to the area of the existing Adelaide River Waste site.

If we can provide conclusive reports clarifying Council position at the time in relation to a new waste facility, then that will be put to Council for re-assessment.

It is important that this matter be finalised as soon as all information is to hand.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

NOTE

Pending further research prior to Councils OGM

Moved: Clr.

Seconded: Clr.

7.7 MARKET ANALYSIS OF SENIORS' LIFESTYLE ACCOMMODATION IN THE NORTHERN TERRITORY

Applicant:	N/A
Location/Address:	N/A
File Ref:	
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Paul McNerney, Chief Executive Officer
Attachment:	Aged Care Accommodation Email

SUMMARY

The NT Government announced a \$500K allocation in the Budget to progress retirement villages in Alice Springs, Darwin and the rural area. KPMG were contracted to undertake a market analysis of the senior lifestyle accommodation options.

Coomalie region was not in the original scope for the analysis but at Councils request was included within the consultations.

I will continue to monitor the outcomes from this market analysis.

BACKGROUND

On 30 April 2017, the Chief Minister announced the allocation of \$500 000 in the Northern Territory Government Budget to progress the development of retirement villages in Alice Springs, Darwin and the rural area. This is one of five major private sector projects designed to unlock investment and create jobs in the Northern Territory.

The Department of Trade, Business and Innovation recently engaged KPMG to undertake a market analysis of seniors' lifestyle accommodation options. The primary contact from the KPMG Darwin Office, is Ms Peta Bryant. Ms Bryant can be contacted on 0407 723 961 or by email at pbryant1@kpmg.com.au

As part of the research analysis, KPMG will be contacting various internal and external stakeholders to establish their views on, among other things, the demand for seniors' accommodation, potential locations, and any issues for Government consideration. I would like to invite the Coomalie Community Government Council to participate in this stakeholder consultation.

It is anticipated that the KPMG report will be completed in early September 2017, upon which the Northern Territory Government will consider the next steps to progress these facilitated projects.

COMMENT

Whilst it was important to ask to participate in this NT Government study and continually raise the aged services and lifestyle accommodation needs of the Batchelor and Adelaide River region, the Coomalie Aged Care Network through the Batchelor health Clinic survey is the foundation for the work required for senior's access to the range of funded Commonwealth programs that will particularly assist them in their existing homes.

CONSULTATION

Jan Jewell, COTA NT.

KPMG

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council note the report, and advise the Department of Trade, Business and Innovation that as a stakeholder it wishes to be notified upon the KPMG Report being completed and received by the NT Government.

Moved: Clr.

Seconded: Clr.

7.8 TELECOMMUNICATIONS IN THE COOMALIE REGION

Applicant:	N/A
Location/Address:	N/A
File Ref:	CC 80
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Paul McInerney, Chief Executive Officer
Attachment:	Coomalie Telecommunications Letter

SUMMARY

MLA Gary Higgins recently attended a meeting with the Minister for Information Technology to discuss the provision of better Telstra mobile service coverage in a number of localities outside of Darwin and Palmerston, including Adelaide River and Batchelor.

BACKGROUND

MLA Garry Higgins constantly receives complaints from residents in the Coomalie region, especially Adelaide River, asking for better telecommunication services. Mr Higgins shares concerns that there is not a program of improvement for services in telecommunications outside the Darwin/Palmerston region.

COMMENT

MLA Garry Higgins has requested the support of Council with this topic, by Council contacting the Minister directly with the regions concerns.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council approve of the request from the Member for Daly and first seek input from the Community via Stop Press and Facebook as well as Noticeboards to supply one-page case studies of their own experience with poor mobile signal or consistency and/or data connectivity issues and that these then be collated for a formal and comprehensive submission to the Federal Minister for Information Technology/Telecommunications.

Moved: Clr.

Seconded: Clr.

7.9 AUSTRALIAN WAR GRAVES APPLICATION FOR BORE INSTALLATION

Applicant:	N/A
Location/Address:	N/A
File Ref:	
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Paul McInerney, Chief Executive Officer
Attachment:	

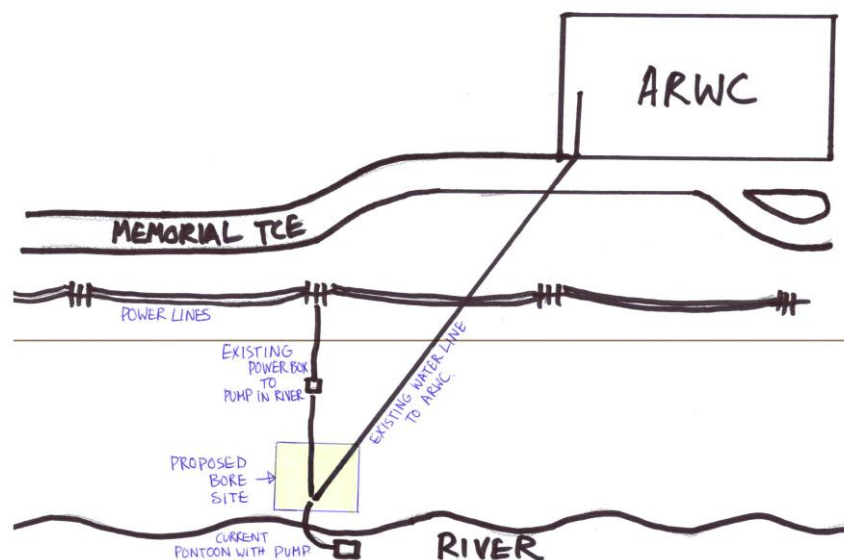
SUMMARY

The Operations Manager has considered this application and does not see any issues associated with the location of the Bore on Councils property. There would be opportunities in the future for Council to access the line if circumstances required.

An approval should be subject to:

1. AWG obtaining all associated permits for the installation of the bore and ensure that at all times procedures protect the public from any risk.
2. AWG is required to fund all capital costs and utility costs both of an initial and then operationally.
3. AWG to forward all plans, specifications associated with the bore for Council records.
4. Final Location of bore to be to the satisfaction of Councils Operation Manager.

BACKGROUND



DATE: 31/08/2017



Australian Government
Department of Veterans' Affairs
Office of Australian War Graves

Shane Ploenges
NT Regional Manager

To: Coomalie Council

Re: permission to locate a bore near the Adelaide River War Cemetery (ARWC) to allow irrigation of the gardens and lawn.

The Office of Australian War Graves (OAWG) is seeking permission from the Coomalie Council to install a bore on Council land near the ARWC. The bore will be the primary source for the supply of ground water to irrigate the gardens and lawns located within its boundaries (site map attached).

The ARWC is a highly visited site and has a lot of importance, both with the local and state community. The current source of water for the ARWC is a floating pump located in the Adelaide River itself and is installed and removed at the appropriate times of the year.

A recent risk assessment for maintenance activities relating to the placement and removal of the pump located in the river near the site has resulted in a determination that current practice incurs too great a risk with the presence of crocodiles for OAWG staff and should cease, and another alternate supply of a suitable water source be investigated. The investigation to date has shown that placement of a bore would present the most efficient use of resources along with eliminating the risk associated with the pump maintenance.

It has also been identified that the most appropriate location for the bore is next to the current power pole on the bank near the river that supplies electricity to the current river pump. This bore will not require any additional irrigation pipework to be installed as it can be connected directly to the current irrigation system in place.

It is hoped that the Coomalie Council can grant this request that will assist OAWG to maintain our cemetery safely and in a condition that is warranted for such a special place.

We look forward to continuing the strong collaboration and relationship that OAWG and the council has created.

Kindest Regards

Shane Ploenges
NT Regional Manager
Office of Australian War Graves

Adelaide River War Cemetery
Memorial Terrace
Adelaide River NT 0846

TELEPHONE: (08) 8976 7053
MOBILE: 0408 663 268
EMAIL: shane.ploenges@dva.gov.au

Saluting Their Service

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council approve of the request from Australian War Graves to locate a bore on Council property adjacent the Australian War Graves memorial at Adelaide River subject to the CEO negotiating an agreement with Australian War Graves incorporating the following key points:

1. AWG obtaining all associated permits for the installation of the bore and ensure that at all times procedures protect the public from any risk.
2. AWG is required to fund all capital costs and utility and maintenance costs in the future.
3. AWG to forward all plans, specifications associated with the bore for Council records.
4. Final Location of bore to be to the satisfaction of Councils Operation Manager.
5. Council reserves the right to issue six (12) months' notice to Australian War Graves should it require the said land for future development purposes whereby Australian War Graves would be required to remove the bore and associated infrastructure to the satisfaction of the Coomalie Community Government Council.

Moved: Clr.

Seconded: Clr.

7.10 COLLETTE CREEK

Applicant:	N/A
Location/Address:	N/A
File Ref:	
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Paul McInerney, Chief Executive Officer
Attachment:	Collette Creek Map

SUMMARY

A letter below has been received concerning Mira Road South Road Corridor which traverses our northern boundary with Litchfield Council.

A map is provided to identify the road for Council in relation to Council's boundary.

I will provide a more detailed report on this matter prior to Mondays meeting after looking at the history of this road and the Collette Creek area roads that do not have legal public road access to their properties. This is as a result of previous Government decisions many years ago.

The previous Council intention was to hold a Councillors Workshop to hold briefings from Staff and discussions on the range of issues that affect some property owners echini Subdivision, from not having legal access for roads put in when subdivisions were undertaken, or previous Government decisions made that removed public roads.

BACKGROUND

05/09/2017

TO: Coomalie Shire Council

ATT: CEO – Paul McInerney.

Shire President – Andrew Turner

Operations Manager -Robert Bright

To Whom it my Concern,

I am writing on behalf of residents of the Northern region of Collette Creek, Coomalie Shire requesting urgent assistance in upgrading road access along what is referred to as the Mira Road South Corridor.

To date no council expenditure has been spent on this region in regards to road improvements however, full council rates including rubbish levies have been charged and paid annually with increases over the years.

As an interim measure, we are requesting that to enable reliable year-round access to the residents that the shire contribute to the supply (and cartage) of road base to cover approximately 1km of road. To date it has been the residents who have purchased materials as well as lay the required materials and maintain access at our own expense.

We look forward to the support of the council in addressing this matter in the 2017 dry season.

Yours Sincerely,

Brendan Bainbridge - Ph: 0407 27 5500

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Long term Asset Management Plan / Annual Budget would be impacted.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION:

That Council discuss the request for roadmaking material for Mira South Road Corridor and provide direction.

Moved: Clr.

Seconded: Clr.

7.11 COMMUNITY RECREATION OFFICER REPORT

Applicant:	N/A
Location/Address:	N/A
File Ref:	CCGCDocs\ CRO
Date:	18 th September 2017
Author:	Rishona Meggs, Community Recreation Officer
Attachments:	Nil

SUMMARY

Blue Light Disco

As you are all aware Coomalie Council has been supporting the Blue Light Disco Committee over the past few months. The Blue Light Disco Committee have managed to raise the \$450 dollars to hold another Blue Light Disco, which will be held on the 22nd of September. They are still looking for donations to keep this event going once a month, the Blue Light Disco Committee Requires \$450 per Disco/ per month. This amount is what NT Blue light charges to come down and run the event, if you know of anyone who may be able to assist with this please let me know and I will refer them over to Tina Cragan who will be able to Discuss in further detail.

Bronze Medallion

Due to unforeseen circumstances I was unable to complete my Bronze Medallion in August, however I have been re book for the 23rd and the 24th of September and I will be taking every precaution to ensure I am there to complete the Bronze Medallion Certificate.

Coomalie Community Cricket Cup & Kids Cricket Cup

The Coomalie Community Cricket Day was a quiet event, I did not receive the Team members required to play the game of super 8's, however there were 11 kids and adults that were ready to play and we enjoyed a fun, no scoring match where even the littlies were getting in on the action. I will be working closely with NT cricket in the future and I look forward to announcing future games.

Seniors Month

Our Seniors had a fabulous time on our first trip into Crocosaurus Cove, we enjoyed walking around learning about the natural wildlife found in all parts of Australia. After spending some time at Crocosaurus Cove we headed down to the Darwin Trailer Boat Club where we had lunch and a surprise Birthday cake for afternoon tea. On our second trip we headed into Cmax cinema where the seniors and I watched a movie called

Homestead, the seniors and I then headed over to Palmerston Sports Club where we enjoyed a relaxing dinner before heading back into the Coomalie Region.

Adelaide River Sports Festival

The Adelaide River Sports Festival was a memorable event, I enjoyed holding shotput for the Kids in the Rural Areas. I was able to engage with the Teachers (Carmel- Woolianna School, Kelly – Douglas Daly School, Kelly – Belyuen School) from various rural communities who were very helpful and excited to hear about possibilities of future Sports games/days where I could potentially have the rural Schools attend in the Coomalie Region.

Basketball

I will be down at the Batchelor Basketball courts once a week on a Friday afternoon to support the Sport and Recreation club in Batchelor. I will be conducting Basic Basketball Drills as well as having a couple of games. I will also be up in Darwin on the 24th of September between 6pm-9pm completing my Level 0 basketball umpiring Certificate.

January 2018 School Holiday Program

I have been placing a suggestion sheet out on local notice Boards across the Coomalie Shire regarding the School Holiday Program scheduled to begin in January 2018. If you have any ideas or suggestions that you would like to see be a part of the Coomalie Council January 2018 School Holiday Program, please feel free to email me or contact me at any time, any information provided will help me greatly when planning the next School Holiday Program for the kids in the Coomalie Shire.

Seniors Christmas Dinner

I have spoken to Jan Jewel and arranged a date and time to go over the Seniors Month venues. I am looking to organise this event early as I am aware that Christmas time for the CRO is quiet busy. If anyone from Council has any suggestions, please feel free to email me or contact me anytime. Any recommendation's will help myself and the Seniors of Coomalie make a decision on a venue for our Christmas Function.

NOTE

For the information of Council.

8 FINANCE REPORTS

8.1 PAYMENT REGISTER

Applicant:	N/A
Location/Address:	N/A
File Ref:	N/A
Disclosure of Interest:	Nil
Date:	18 th September 2017
Author:	Melissa Kerr, Finance Manager
Attachments:	Nil

SUMMARY

As part of the monthly reporting procedures a full listing of cheques and EFT payments made is submitted to Council.

BACKGROUND

Attached is a listing of accounts paid for August 2017.

COMMENT

No additional comments are provided to this report.

CONSULTATION

There is no consultation that applies to this report.

STATUTORY ENVIRONMENT

Section 18 of the Local Government Accounting Regulations 2008 Financial reports to Council –

(1) The CEO must, in each month, lay before a meeting of the Council a report, in a form approved by the Council, setting out:

(a) the actual income and expenditure of the Council for the period from the commencement of the financial year up to the end of the previous month; and

(b) the forecast income and expenditure for the whole of the financial year.

(2) The report must include:

(a) details of all cash and investments held by the Council (including money held in trust); and

(b) a statement on the debts owed to the Council including the aggregate amount owed under each category with a general indication of the age of the debts; and

(c) other information required by the Council.

POLICY IMPLICATIONS

There are no specific policies that apply to this report.

VOTING REQUIREMENT

Simple majority

COOMALIE COMMUNITY GOVERNMENT COUNCIL			
PAYMENT REGISTER			
AUGUST 2017			
DATE	REFERENCE	DETAILS	AMOUNT
1/08/2017	G/L Consolidate	Payroll	25,696.05
2/08/2017	Visa Aug 17	Commonwealth Bank of Australia	105.00
3/08/2017	Merc Fee Aug 17	Commonwealth Bank of Australia	18.72
3/08/2017	Audit Fee Aug17	Commonwealth Bank of Australia	60.00
4/08/2017	8272	AUT Electrics	139.00
4/08/2017	8273	Hilary Brett	200.00
4/08/2017	8274	Cr. Sue Bulmer	450.00
4/08/2017	8275	Cr. Max Corliss	450.00
4/08/2017	8276	Cr. Ewan Crook	450.00
4/08/2017	8277	Darwin Office Technology	596.49
4/08/2017	8278	Fin Bins VTG Waste & Recycling	2,077.69

4/08/2017	8279	Cr. Dave Gray	850.00
4/08/2017	8280	Ifind Pipes n Cables Pty Ltd	693.00
4/08/2017	8281	Cr. Bruce Jones	450.00
4/08/2017	8282	DT & MG Kerr	10,708.50
4/08/2017	8283	Komatsu Australia Pty Ltd	1,081.97
4/08/2017	8284	Nobles	358.97
4/08/2017	8285	Pumacard	2,832.50
4/08/2017	8286	Rural Fire Protection	154.00
4/08/2017	8287	St John Ambulance Australia	1,574.57
4/08/2017	8288	Cr. Andrew Turner	1,500.00
15/08/2017	G/L Consolidate	Payroll	24,583.59
15/08/2017	BPay Fee Aug 17	Commonwealth Bank of Australia	25.08
15/08/2017	Tran Fee Aug 17	Commonwealth Bank of Australia	17.38
15/08/2017	CommBiz Aug 17	Commonwealth Bank of Australia	44.88
17/08/2017	584	Motor Vehicle Registry	860.90
17/08/2017	8289	Jasmine Douglas	130.24
18/08/2017	8290	Hilary Brett	140.00
18/08/2017	8291	Fin Bins VTG Waste & Recycling	2,077.69
18/08/2017	8292	Richard McDougall	150.00
18/08/2017	8293	Officeworks Ltd	276.85
18/08/2017	8294	T/A Batchelor General Store	486.59
18/08/2017	8295	RS Gardening Care	2,346.30
18/08/2017	8296	S.E. Rentals Pty Ltd	258.63
23/08/2017	585	Jacana Energy	1,810.76
23/08/2017	586	PowerWater	8,594.83
23/08/2017	8297	Bruce Mason	600.00
23/08/2017	8298	Batchelor Service Centre	723.30
23/08/2017	8299	Fin Bins VTG Waste & Recycling	2,077.69
23/08/2017	8300	Flip Out Darwin	297.00
23/08/2017	8301	Higgie Mechanical Engineering	1,885.07
23/08/2017	8302	Bruce Mason	1,431.00
23/08/2017	8303	Paul McInerney	169.00
23/08/2017	8304	Ooloo Investments Pty Ltd	11,847.92
23/08/2017	8305	Diedre Pickering	3,314.00
23/08/2017	8306	Shannon Recycling & Landcare	1,375.00
23/08/2017	587	Telstra	917.17
25/08/2017	Super Jul 17	Click Super	5,430.37
29/08/2017	G/L Consolidate	Payroll	24,425.42
31/08/2017	8307	Air Liquide WA Pty Ltd	72.00
31/08/2017	8308	AJ Couriers & Haulage Pty Ltd	220.00
31/08/2017	8309	Area IT Solutions	970.20
31/08/2017	8310	Bison Haulage TA AR Freight	49.50
31/08/2017	8311	Attache Software Australia Pty	32.50
31/08/2017	8312	Attcom NT	143.00
31/08/2017	8313	BTC Parts & Accessories Pty Lt	92.61
31/08/2017	8314	Bunnings Building Supplies P/L	156.06
31/08/2017	8315	Crococaurus Cove Pty Ltd	630.00
31/08/2017	8316	Darwin Trailer Boat Club	925.30
31/08/2017	8317	Fin Bins VTG Waste & Recycling	2,077.69
31/08/2017	8318	JAC Embroidery	74.80
31/08/2017	8319	JB HI FI Berrimah	587.00
31/08/2017	8320	DT & MG Kerr	9,372.00

31/08/2017	8321	Komatsu Australia Pty Ltd	16.96
31/08/2017	8322	L&V Nominees Pty Ltd	2,990.00
31/08/2017	8323	Darwin Bolt Supplies (Normist)	438.90
31/08/2017	8324	Norsign NT	749.98
31/08/2017	8325	Intergrated Land Information S	191.80
31/08/2017	8326	OfficeMax	632.68
31/08/2017	8327	Palmerston Sports Club	314.90
31/08/2017	8328	Roller Door Services N.T.	380.00
31/08/2017	8329	S.E. Rentals Pty Ltd	258.63
31/08/2017	8330	Top End Sign Sales	187.00
31/08/2017	8331	Zip Heaters (Aust) Pty Ltd	218.04
TOTAL			168,524.67

RECOMMENDATION

That Council approve and pass for payment the August 2017 payment register totalling \$168524.67.

Moved: **Clr.**

Seconded: **Clr.**

8.2 FINANCE AND GRANT REPORT

Applicant:	N/A
Location/Address:	N/A
File Ref:	N/A
Disclosure of Interest:	Nil
Date:	18 th September 2017
Author:	Melissa Kerr, Finance Manager
Attachments:	Nil

SUMMARY

As part of the monthly reporting procedures a finance and grant report, and a financial summary report is submitted to Council.

BACKGROUND

Attached is the finance and grant report and monthly financial summary report for August 2017.

COMMENT

Nil

CONSULTATION

There is no consultation that applies to this report.

STATUTORY ENVIRONMENT

Section 18 of the Local Government Accounting Regulations 2008 Financial reports to Council –

(1) The CEO must, in each month, lay before a meeting of the Council a report, in a form approved by the Council, setting out:

(a) the actual income and expenditure of the Council for the period from the commencement of the financial year up to the end of the previous month; and

(b) the forecast income and expenditure for the whole of the financial year.

(2) The report must include:

(a) details of all cash and investments held by the Council (including money held in trust); and

(b) a statement on the debts owed to the Council including the aggregate amount owed under each category with a general indication of the age of the debts; and

(c) other information required by the Council.

POLICY IMPLICATIONS

There are no specific policies that apply to this report.

VOTING REQUIREMENT

Simple majority

COOMALIE COMMUNITY GOVERNMENT COUNCIL					
FINANCIAL REPORT FOR THE PERIOD ENDING 31ST AUGUST 2017					
Cash at Bank					
Cash on Hand				\$	1,000.00
Cheque Account				\$	1,027,057.49
Investment Account				\$	1,350,000.00
Trust Account				\$	249,918.76
Total Cash at Bank				\$	2,627,976.25
Debtors	Current	30 Days	60 Days	90 Days	
Trade ***	192.50	-	192.50	110.00	\$ 495.00
Rate Arrears	1,209,821.90	-	-	93,316.95	\$ 1,303,138.85
Rates paid in advance	(1,966.21)	-	-	-	(1,966.21)
Total Debtors					\$ 1,301,667.64
Creditors	Current	30 Days	60 Days	90 Days	
	737.85	-	-	-	\$ 737.85
Total Creditors					\$ 737.85
Reconciliation of Funds					
Balance as per General Ledger					\$ 1,277,976.25
Add outstanding Debtors					\$ 1,301,667.64
Less outstanding Creditors					\$ 737.85
Add Investment Account					\$ 1,350,000.00
Total Cash & Receivables Available					\$ 3,928,906.04
*** Trade Debtors					
Dept Housing - Wheelie Bin	192.50			110.00	
Wild West Entertainment - Oval Hire			192.50		
	192.50	-	192.50	110.00	

COOMALIE COMMUNITY GOVERNMENT COUNCIL

GRANT REPORT FOR THE PERIOD ENDING 31ST AUGUST 2017

Date Received	Grant	From	Amount	Expended to date	Amount Remaining	Acquittal Due
31/05/2016	Regional Ec Infrastructure Cheeney Rd	Dept of Transport	\$ 1,743,687.00	\$ 1,671,006.26	\$ 72,680.74	30/04/2017
20/12/2016	School Holiday Program - June July 2017	Dept of Chief Minister	\$ 2,000.00	\$ 1,244.39	\$ 755.61	31/08/2017
31/08/2017	Regional Ec Infrastructure Milton Coach Rd	Dept of Infrastructure	\$ 1,412,224.00	\$ 726,524.99	\$ 685,699.01	30/06/2018
22/06/2017	SPG - Batchelor Pool Upgrade	Dept of Local Government	\$ 95,310.00	\$ -	\$ 95,310.00	30/06/2018
17/07/2017	Seniors Month 2017	Dept of Chief Minister	\$ 2,000.00	\$ 1,127.45	\$ 872.55	30/09/2017
			\$ 3,255,221.00	\$ 2,399,903.09	\$ 855,317.91	
		Cash and Receivables			\$ 3,928,906.04	
		Unspent Grants & Subsidies			\$ 855,317.91	
		Cash Available to Council			\$ 3,073,588.13	

COOMALIE COMMUNITY GOVERNMENT COUNCIL
MONTHLY FINANCIAL SUMMARY
**AUGUST
2017**

Account Code	Account Description	16/17 Actual	Month Actual	YTD Actual	17/18 Budget
110 ADMINISTRATION					
110 3899	TOTAL INCOME	1,448,797	927,541	1,184,726	1,494,236
110 4999	TOTAL EXPENSES	805,852	53,127	206,209	830,155
110 5000	SURPLUS / (DEFICIENCY) 110	642,945	874,414	978,517	664,081
210 PUBLIC CONVENIENCES					
210 3899	TOTAL INCOME	-33,153	0	0	9,000
210 4999	TOTAL EXPENSES	84,515	2,646	8,985	79,400
210 5000	SURPLUS / (DEFICIENCY) 210	-117,668	-2,646	-8,985	-70,400
211 SANITATION AND GARBAGE					
211 3899	TOTAL INCOME	392,637	383,804	383,804	377,825
211 4999	TOTAL EXPENSES	250,536	13,856	29,077	344,345
211 5000	SURPLUS / (DEFICIENCY) 211	142,101	369,948	354,727	33,480
212 CEMETERIES					
212 3899	TOTAL INCOME	1,973	518	518	2,000
212 4999	TOTAL EXPENSES	8,724	-39	41	9,000
212 5000	SURPLUS / (DEFICIENCY) 212	-6,751	557	477	-7,000
310 PARKS AND GARDENS					
310 3899	TOTAL INCOME	5,691	119	687	0
310 4999	TOTAL EXPENSES	175,449	6,416	16,950	180,725
310 5000	SURPLUS / (DEFICIENCY) 310	-169,758	-6,297	-16,263	-180,725
311 LIBRARIES					
311 3899	TOTAL INCOME	51,243	0	0	50,757
311 4999	TOTAL EXPENSES	51,722	4,262	8,129	50,757
311 5000	SURPLUS / (DEFICIENCY) 311	-479	-4,262	-8,129	0
312 SPROT AND RECREATION					
312 3899	TOTAL INCOME	-60,231	207	212	40,100
312 4999	TOTAL EXPENSES	113,627	5,603	10,777	174,545
312 5000	SURPLUS / (DEFICIENCY) 312	-173,858	-5,396	-10,565	-134,445
313 SWIMMING POOL					
313 3899	TOTAL INCOME	416	95,310	95,366	4,000
313 4999	TOTAL EXPENSES	112,227	10,493	15,760	115,630
313 5000	SURPLUS / (DEFICIENCY) 313	-111,811	84,817	79,606	-111,630
314 COMMUNITY RECREATION					
314 3899	TOTAL INCOME	48,685	2,191	2,382	131,900
314 4999	TOTAL EXPENSES	57,988	5,324	11,243	158,818
314 5000	SURPLUS / (DEFICIENCY) 314	-9,303	-3,133	-8,861	-26,918
410 ROADS					
410 3899	TOTAL INCOME	2,714,122	1,424,591	1,425,122	1,254,000
410 4999	TOTAL EXPENSES	812,596	505,215	1,021,518	2,102,334
410 5000	SURPLUS / (DEFICIENCY) 410	1,901,526	919,376	403,604	-848,334
510 STREETLIGHTING					
510 3899	TOTAL INCOME	27,140	0	0	13,200
510 4999	TOTAL EXPENSES	25,948	-3,133	0	33,600
510 5000	SURPLUS / (DEFICIENCY) 510	1,192	3,133	0	-20,400
511 TOURISM AND ECONOMIC DEVELOPMENT					
511 3899	TOTAL INCOME	16,746	0	2,000	12,000

511 4999	TOTAL EXPENSES	37,380	2,383	6,475	30,700
511 5000	SURPLUS / (DEFICIENCY) 511	-20,634	-2,383	-4,475	-18,700
512 DOG MANAGEMENT					
512 3899	TOTAL INCOME	2,424	105	180	2,000
512 4999	TOTAL EXPENSES	20,823	522	1,735	20,125
512 5000	SURPLUS / (DEFICIENCY) 512	-18,399	-417	-1,555	-18,125
513 GLYPHOSATE					
513 3899	TOTAL INCOME	2,945	0	0	2,400
513 4999	TOTAL EXPENSES	0	0	0	2,400
513 5000	SURPLUS / (DEFICIENCY) 513	2,945	0	0	0
514 GAMBA AND WEED MANAGEMENT					
514 4999	TOTAL EXPENSES	10,537	0	0	5,000
514 5000	SURPLUS / (DEFICIENCY) 514	-10,537	0	0	-5,000
900 3899	TOTAL INCOME	4,619,435	2,834,386	3,094,997	3,393,418
900 4999	TOTAL EXPENSES	2,567,924	606,675	1,336,899	4,137,534
900 5000	SURPLUS / (DEFICIENCY)	2,051,511	2,227,711	1,758,098	-744,116
	LESS DEPRECIATION NOT FUNDED				507,700
	ADD BACK TRANSFER FROM RESERVES COACH MILTON RD				200,000
	ADD BACK TRANSFER FROM RESERVES				36,416
	BALANCED BUDGET TO ZERO				0

RECOMMENDATION

That Council receives and notes the Finance Report, Grant Report and Detailed Monthly Financial Summary for September 2017.

Moved: **Clr.**

Seconded: **Clr.**

9 CONFIDENTIAL ITEMS

RECOMMENDATION

That Council close the meeting to the general public in accordance with section 65(2) of the Local Government Act to enable Council to discuss in a Confidential Session an item described under Local Government (Administration) regulations 8;

(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;

Moved: **Clr.**

Seconded: **Clr.**

9.1 PROBATION PERIOD REVIEW – CHIEF EXECUTIVE OFFICER AND SETTING OF PROBATION AND KEY PERFORMANCE AREAS FOR ANNUAL REVIEW. (CONFIDENTIAL ITEM PURSUANT TO LOCAL GOVERNMENT ACT)

Applicant:	N/A
Location/Address:	N/A
File Ref:	
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Paul McInerney, Chief Executive Officer
Attachment:	Probation Report by CEO

SUMMARY

The Chief Executive Officer was appointed on the 3rd April, 2017 and the 6-month probation period concludes on the 3rd October, 2017.

The probation period is unique in timing as it crosses over the Council election period of 26th August, 2017 and declaration of the Election being the 4th September, 2017.

The CEO, Paul McInerney, through the President, sought and opinion of the concluding Council as to its satisfaction or non-satisfaction with the performance of his duties during this period.

The CEO is also advising that both parties are required to negotiate and establish key performance criteria for the role within 3 months of the commencement of the Contract.

The conclusion of the Probation period allows Council to confirm the appointment if it is satisfied with performance.

As CEO I advise Council formally that I declare an interest in this matter pursuant to the Local Government Act.

BACKGROUND

The Coomalie Community Government Council signed a 3-year contract with Paul McInerney as its Chief Executive Officer with a commencement date of the 3rd April, 2017 and expiry date of 1st January 2020.

Clause 2.3 of the contract provides for a Probation Period as follows:

- 1) The Chief Executive Officer's employment will be subject to an initial probationary period set out in Schedule 2. *(Schedule 2 Clause 13 is Special Condition probationary period (clause 2.3.1) Initial probationary period will be 6 months from the commencement of the contract)*
- 2) Before the end of the probationary period, the Local Government will review the Chief Executive Officer's performance. If the Chief Executive Officer's performance has not been successful during this period, the Local Government may terminate this Contract or extend the probationary period for a further three months.
- 3) If the Chief Executive officer's performance has met the Local Government's requirements, then the Chief Executive Officer's appointment will be confirmed. This clause is deemed to be satisfied if the Local Government does not exercise its rights under Clause 2.3 (2) or Clause 11.2 (1)

Clause 11.2 relates to Termination by the Local Government during the probationary period.

Clause 11.2.1 states during the probationary period the Local Government may terminate your contract at any time with written notice of termination.

In relation to the Probation review

Clause 4.1 (1) performance Criteria required that within 3 months of the Commencement Date, the Council and You (Paul McInerney) must negotiate and determine the performance criteria.

4.1 (2) The performance criteria must be reasonable achievable by You.

4.1 (3) You must use every reasonable endeavour to comply with the Performance criteria.

4.1 (4) The performance criteria –

a) must be reviewed annually by the parties; and

b) may be amended, from time to time, by agreement in writing between the parties.

COMMENT

In light of the unique crossover of the Probation period concluding on the 3rd October and into the cycle of the new Council I have discussed with the President of the concluding Council, Cr Andrew Turner about seeking an opinion of the concluding Council as to its satisfaction with my performance during the period 3rd April, 2017 until 25th August, 2017 (4 months and 3 weeks).

During my reading of the contract at that I have noted that the performance criteria for the probation was not established within the 3 months and that this also forms the basis for the annual review processes outlined in the contract which would be undertaken in March 2018.

I have therefore included from what I have been able to find in relation to the former CEO, Leigh Ashford key performance areas. These were:

Section 5.3 of the contract between Council and the CEO states that that an annual performance review will be carried out annually.

Section 5.4 list a number of Key Result areas which should be considered in the review. These are:

- *Leadership*
- *Councillor Relations*
- *External Relations*
- *Organisational Management*
- *Planning*
- *Financial Management*

The Contract between the Council and Paul McInerney do not stipulate performance criteria other than they will be negotiated by both parties. I believe the above criteria is relevant and reasonable for annual review purposes.

The Contract in Clause 3.1 General obligations states

The CEO must carry out the general functions that are set out in –

- a) Your Position Description
- b) The Local Government Policies
- c) The Act or any other written Law.

Clause 3.2 relates to specific obligations

3.2 (1) The CEO must –

- a) perform the functions of a CEO as stated in Part 9.1 Clause 101 of the Act.
- b) comply with the terms of this Contract
- c) carry out all lawful directions given by the council in relation to the performance of the functions
- d) comply with the Local Government's Code of Conduct, the Policies, the Act and, insofar as it relates to the performance of your Functions, any other written law.
- e) unless absent on leave as provided in the Contract or through illness or injury –
 - (i) work such hours as may be reasonably necessary to perform the functions;
 - (ii) during those hours, devote the whole of your time to attention and skill to performing the functions
- f) not hold any position for monetary or other reward which may in any way be seen to conflict with your functions: and
- g) not, except, with the prior written approval of the Council, be employed or engaged in any business or activity for profit or reward.

CONSULTATION

President, Concluding Council.

STATUTORY ENVIRONMENT

Contract between Council and Paul McInerney

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council consider the adoption of the previous CEO Key Result areas as part of future annual reviews

And that

Council note and consider the CEO's report covering the 5 months and 2 weeks of the 6 months' probation period and determine whether the CEO's performance during probation has been successful during that said period and which would allow for confirmation of the appointment.

Moved: **Clr.**

Seconded: **Clr.**

9.2 RATES AND CHARGES REVERSAL REQUEST

Applicant:	N/A
Location/Address:	N/A
File Ref:	
Disclosure of Interest:	Nil
Date:	18 th September, 2017
Author:	Paul McInerney, Chief Executive Officer
Attachment:	Statement of Arrears

SUMMARY

Administration of Council have advised me that it has come to their attention that fines on rates and other charges have been applied at Assessment No 181, Lot 0092, Memorial Terrace, Adelaide River. This was caused due to an incorrect address being supplied to Council administration via ILLIS.

The amount of fines that needs to be remitted is \$508.75

Legal Charges incorrectly applied	\$307.00
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Total Remission required	\$914.75
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BACKGROUND

Mr Hallett came in earlier in the year with his concerns regarding interest/legal fees charged to his property rates.

The Administration staff have advised this was supposed to be acted on prior to rates being raised and unfortunately it was not amended at that time.

Mr Hallett's wife died and when the Notice of Sales (application to note death) came through from ILLIS it had a different property address on it which staff changed in Lynx (Council's rating system). This address was for a property address in Darwin that somehow related to a former property that the Hallett's had owned some years ago.

He has accrued interest and legal fees due to not receiving his rate notices.

Mr Hallett is asking for these charges to be reversed.

The charges incorrectly raised are:

Interest	2015/2016	\$416.25
Legal Fees	2015/2016	\$307.00 (OSC & Ward Keller letter of demand)
Interest	2016/2017	\$191.50
	Total	\$914.75

COMMENT

The notification came through the central ILLIS notification system for property sales, amendments etc. Mr Hallett was not aware that a different address to his postal address being supplied.

CONSULTATION

Ratepayer.

STATUTORY ENVIRONMENT

Section 163, Local Government Act, remission of interest

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council in relation to Assessment No 181, notes the administrative matter in relation to a non-current address being provided to Council, and that pursuant to Section 163, Local Government Act, remits the fines of \$507.75 and legal charges of \$307.00 totalling \$914.75.

Moved: Clr.

Seconded: Clr.

9.3 COMMUNITY RECOGNITION AWARDS - NOMINATIONS

Applicant: N/A

Location/Address: N/A

File Ref:

Disclosure of Interest: Nil

Date: 18th September, 2017

Author: Paul McInerney, Chief Executive Officer

Attachment:

SUMMARY

The following nominations have been received from the Coomalie Community.

- 1 - Adelaide River Inn - Small Business Award
- 2 – RS Gardening Care & Cooks Tours – Small Business Award
- 3 – Jan Jewell – Volunteer Award
- 4 – Steve Deveraux – Sports Award
- 5 – Merlene Wilkinson – Arts & Culture and Volunteer Award
- 6 - Adelaide River inn – Small Business Award
- 7 – Stacey Shooter – Community Award
- 8 – Marlene Ball – Community Award

As this matter is considered in the closed or Confidential section, I would ask Council members to nominate other persons not listed above for further inclusion within the categories for the Awards recognition evening.

I understand that the recognition ceremony involves approximately 2hours from 6pm – 8pm with a BBQ Tea and some refreshments provided by Council. The event is held at the Council Chambers, Batchelor.

It may be worthwhile to also recognise former Councillors Bruce Jones, Dave Gray and Ewan Crook at the function if that was appropriate.

BACKGROUND

The nominations for the volunteer recognition awards have been open for August and conclude at the end of September, 2017.

A staff member has put forward the following additional individuals and groups:

Community Recognition Awards Suggestions

Batchelor

Ruth McMartin Visitors Centre

Miss Lyla Wills School music program and Visitors Centre

Prue King Batchelor Museum fundraising and Visitors Centre

Caroline Bilston helping Seniors to access the pool every week.

Malcolm and Judy McGinn many years of community support, fundraising, sponsorship and donations to not for profit groups especially Lingalonga festival

Judy Dooley Batchelor BP community support, gifts and donations to community groups every year

Ironbark Group Nathan, Noelene and participants; practical and productive community projects, positive attitudes, constructive mentoring and workplace participation. Willingness to help on any project offered.

Men's Shed valuable community meeting place and support service, local projects, community support and development, fundraising

Adelaide River

Karen Malin Adelaide River Show Society, FERG, children's events

Trish Forscutt Adelaide River Primary School, all school events, student welfare, staff support and development, administration, book club, and tuck shop every day

Waler Horse Society of the NT Distinguished Ceremonial participation, community engagement and public education at Australia Day and Anzac Day events every year

Adelaide River FERG Team Anzac Day traffic management, endless firefighting, search and rescue services and fundraising

4.4 ANNUAL RECOGNITION OF COUNCIL AND COMMUNITY EVENT – OCTOBER

Policy Number	4.4	Date Commenced	17/07/2013
Date Adopted	16/07/2013	Resolution Number	16/07/2013/006
Review Timeframe	4 years		
Last Review Date		Next Scheduled Review Date	April 2016
Policy Responsibility	Administration		

Document History

Version	Date Amended	Details Comments e.g. Resolution Number

OBJECTIVES

To establish the Coomalie Community Government Councils guidelines for Council's annual event to recognise achievements of both Elected Members and the Community.

POLICY STATEMENT

Coomalie Community Government Council will host an event to recognise the achievements of Elected Members and member of the community.

The event will be **annually** and held on the first Friday of October.

Invitations to be sent to:

1. Member for Daly
2. Elected Members and partners
3. Council staff and partners
4. Members of the community and immediate family that have made a significant contribution or received awards should be identified and invited to the event.
5. Elected Members who have completed their term of office and nor previously recognized at this event should be identified and invited to the event.

Gifts

Glass tumblers with the Coomalie Community Government Council logo engraved on them are to be presented to categories 4 and 5 as listed above.

Tumblers can be sourced from Riverland Marketing and Promotion
sales@riverlandmarketing.com.au Phone: 1300 88 7949.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 4.4 Annual Recognition of Council and Community Event - October

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council consider the report and provide its direction on the nominations provided and advise administration of further nominations to be included.

Moved: **Clr.**

Seconded: **Clr.**

RECOMMENDATION

That Council re-open the meeting to the general public in accordance with Section 65(1) of the Local Government Act

Moved: **Clr.**

Seconded: **Clr.**

10 COUNCILLOR REPORTS

Nil

11 USE OF THE COMMON SEAL

Nil

12 GENERAL BUSINESS

Nil

13 DECISIONS ARISING FROM THE CONFIDENTIAL SECTION OF THE COUNCIL MEETING

Nil

14 NEXT MEETING

The next Ordinary General Meeting of Coomalie Community Government Council will be held at Batchelor on Tuesday 17th October, 2017.