1. OPENING OF MEETING

The Official Manager opened the Meeting at 6.30pm welcoming members of the public.

Audio Disclaimer
An audio recording of this meeting is being made for minute taking purposes as authorised by the Chief Executive Officer.

2. APOLOGIES AND LEAVE OF ABSENCE

Nil
3. CONFIRMATION OF MINUTES

3.1 THAT the Minutes of the Council Meeting held Thursday 18<sup>th</sup> June 2015 are confirmed in full with nil amendments. CARRIED

3.2 THAT the Minutes of the Special Meeting held Thursday 25<sup>th</sup> June 2015 are confirmed in full with nil amendments. CARRIED

4. BUSINESS ARISING FROM THE MINUTES

Nil

5. CONFLICTS OF INTEREST

Nil

6. PRESENTATIONS

Team Health, Top End Association for Mental Health Inc.

7. PUBLIC FORUM

Mathew Salter asked for an explanation of Councils financial situation. The Official Manager directed him to June Financial report. Mathew Salter asked if the past CEO, lian Wilson is suing Council for unfair dismissal. The Official Manager denied this.

Mary Walshe queried the 13.9% waste increase and how operational expenditure equals services. The Official Manager directed her to the municipal plan. Mary Walshe queried if the changes are premature without Council for example delegations to CEO, organisational restructure policy. The Official Manager advised that the staffing plan is approved by Council, setting clear principles for staff to report to Council. Mary Walshe suggested that the change of meeting dates be held on the 2<sup>nd</sup> and 4<sup>th</sup> Thursdays as the staff could not provide the end of month reports in time for the 1<sup>st</sup> Thursday of the month. Mary Walshe asked if she could come in for a meeting regarding Request for Tenders.

Barbara Crane provided some positive feedback regarding the website and recycle bins for charity at the Waste Transfer Stations.

Mike Bowman asked if the pay increases that were not formalised by Council are now approved and remain in this year's budget. The Acting CEO advised that the CEO is the approver or authority over staff. Employee increases or change to the employee agreement comes under federal law. Council cannot take back the increase. Council engaged KPMG to undertake review of the organisational structure after eight staff left the organisation. Council will consider the results of the review.

Discussion took place regarding increasing council meetings to twice a month. The Acting CEO stated that the staff are fully capable, there is a lot of material to get through for
example planning issues, only have two weeks to respond. The Council decisions guide staff on important community issues.

Gerry Wood advised that late applications can be submitted on planning matters to the Planning Authority. The Acting CEO informed Gerry Wood that all have different thresholds for particular types of applications. The Official Manager stated that there are various policies which require introducing or improving, for example a Whistle blower Policy.

Mary Walshie stated her concern that Council is rushing into policies. The Official Manager informed the reason is internal governance, to tighten and strengthen. The Acting CEO said that Officers will provide the best recommendation as professionals.

Lyle Hebb expressed concern that new policies might pre-empting the Minister’s decision. The Official Manager confirmed any new council can decide on the amount of meetings.

Anna Malgorzewicz asked how Council can utilise their influence and advocate for the community in relation to development applications. The Official Manager suggested utilising the local member of legislative assembly. The Acting CEO informed that full development applications are now in the agenda.

Mathew Salter queried Councils stance on the amendment to the Holtze Area Plan Greenfield sites 300m2. The Acting CEO stated he was aware and working on submission. Gerry Wood stated that he has in writing that amendment does not apply to rural.

Barbara Crane queried the June financial report original budget Mobile Work Force $105K revised budget $213K. The question was taken on notice.

John Kearney asked the budget process. The Official Manager stated that he will listen to submissions and comments to those. After that the budget will be passed or not. John Kearney asked if the grid lock on Fred’s Pass Road can be improved with the same due diligence that is being used on the Girraween/Anglesey Road roundabout. Traffic needs to be alleviated from the Arnhem Highway.

Mathew Salter asked for feedback on the following invoices; Earl James $17K, $29K for ‘grass cutting ahead’ signs and $3500 from Alcatraz Quarries to clear firebreaks (shouldn’t that be completed by the Mobile Work Force?). The questions were taken on notice.

8. ACCEPTING OR DECLINING LATE ITEMS

Nil

9. NOTICES OF MOTION JUNE

Nil

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OFFICIAL MANAGER

ACTING CHIEF EXECUTIVE OFFICER
10. OFFICIAL MANAGERS REPORT

10.1 Council receives and notes the Report Number 15/0040.  CARRIED 15/0040/01

11. FINANCE REPORT

11.1 Council receives and notes the contents of the Financial Report for June 2015 Report Number 15/0036.  CARRIED 15/0036/01

12. OFFICERS REPORTS

12.1 MEETING DATES

1. Council receives Report Number 15/0024.  CARRIED 15/0024/01

2. Council adopts the scheduling of two Council Meetings per month, to be held on the first and third Thursday of each month commencing at 6.30p.m.  CARRIED 15/0024/02

3. Council adopts the scheduling of one Thorak Regional Cemetery Board meeting per month on the third Thursday of each month after the Council Meeting.  CARRIED 15/0024/03

12.2 ORGANISATIONAL CHANGE POLICY

1. Council receives Report Number 15/0022.  CARRIED 15/0022/01

2. Council adopt LC50 Organisational Change Policy.  CARRIED 15/0022/02

12.3 DELEGATIONS MANUAL

1. Council receives Report Number 15/0021.  CARRIED 15/0021/01

12.4 QUESTIONNAIRE

1. Council receives Report Number 15/0032.  CARRIED 15/0032/01

2. Council prepare a plan and budget for conducting a comprehensive, formal survey of residents regarding Council performance, service expectations and priorities, and regional planning, which will come back for Council consideration.  CARRIED 15/0032/02

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[Signatures]

OFFICIAL MANAGER  ACTING CHIEF EXECUTIVE OFFICER
12.5 110 FREDS PASS ROAD SUBDIVISION

2. CARRIED 15/0027/01

12.6 HUMPTY DOO INDUSTRIAL PARK

2. CARRIED 15/0028/01

2. Council notes the extension of Spencely Road.  
3. CARRIED 15/0028/02

3. Council supports the three road names: Nunmarung, Burr Burr and Bungaree within the Humpty Doo Industrial Park.  
CARRIED 15/0028/03

12.7 EASEMENTS FOR LOT 5020 LAND LEASE HUMPTY DOO WASTE TRANSFER STATION

CARRIED 15/0019/01

2. Council approves the establishment of easements for Service Utility Infrastructure on Lot 5020 Humpty Doo, per the attached plan.  
CARRIED 15/0019/02

3. THAT the CEO and Official Manager be authorised to sign and affix Council Seal on both documents associated with the creation of easements on Lot 5020 to accommodate Sewer and other utility services.  
CARRIED 15/0019/03

12.8 DEVELOPMENT LOWTHER ROAD PA 2014/0450

CARRIED 15/0029/01

2. Council receives Attachment B for information.  
CARRIED 15/0029/02

12.9 DEVELOPMENT LAWTON ROAD PA 2015/0385

CARRIED 15/0031/01

CARRIED 15/0031/02

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OFFICIAL MANAGER

ACTING CHIEF EXECUTIVE OFFICER
12.10 DEVELOPMENT BRUCE COURT PA 2015/0191

1. Council receives Report Number 15/0035. CARRIED 15/0035/01

1. Council receives Attachment B for information. CARRIED 15/0035/02

12.11 MUNICIPAL PLAN

1. Council receives Report Number 15/0026. CARRIED 15/0026/01

2. Council adopts the draft Municipal Plan 2015/16. CARRIED 15/0026/02

3. Council adopts the draft Annual Budget 2015/16 as incorporated into the draft Municipal Plan 2015/16. CARRIED 15/0026/03

4. Council resolves that a report be prepared for the Internal Audit Committee making recommendations for a new quarterly budget review and Municipal Plan performance reporting framework. CARRIED 15/0026/04

12.12 RATES DECLARATION

1. Council receives report number 15/0030. CARRIED 15/0030/01

2. Council approves the attached Rates Declaration for 2015/16. CARRIED 15/0030/02

12.13 PERIOD CONTRACT TENDERS

1. Council receive report number 15/0018. CARRIED 15/0018/01

2. Council approves issue of a tender for the supply of bituminous resealing services. CARRIED 15/0018/02

3. Council approves issue of a tender for the supply of signs. CARRIED 15/0018/03

4. Council approves issue of a tender for the supply of line marking services. CARRIED 15/0018/04

5. Council approves issue of a tender for the supply of bituminous repairs (pothole and edging) services. CARRIED 15/0018/05

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[Signatures]

OFFICIAL MANAGER

ACTING CHIEF EXECUTIVE OFFICER
6. Council approves issue of a tender for the supply of recyclable material services.  
   CARRIED 15/0018/06

12.14 STRANGWAYS ROAD DIRECT ACCESS

1. Council receive report number 15/0034  
   CARRIED 15/0034/01

2. Council notes the Petition to extend Strangways Road to connect with the Stuart Highway and not considers the proposal further at this stage.  
   CARRIED 15/0034/02

3. Council notes the Petition to extend Hayball Road to provide the Doxas Road area residents an alternative route to the Humpty Doo area and not considers the proposal further at this stage.  
   CARRIED 15/0034/03

13. OTHER BUSINESS
   Nil

14. QUESTIONS FROM THE PUBLIC  JUNE

Barbara Crane queried the planned spending of Waste Management is not increasing enough, the document states financial year budgets of 2014/2015 - $2500, 2015/2016 - $2600, 2016/2017 - $2700. The Official Manager advised those increases are based on the CPI index.

Mary Walshe queried the Delegations; General Manager can issue dispensation fix any fees. The Acting CEO informed that the General Manager has the authority.

Mary Walshe asked why the rates outstanding are so high with installments. The Acting CEO advised there are a lot of debtors with high debt loads, payment plans not going to improve need to be reviewed.

Mary Walshe suggested that there be KPIs for the CEO in the staffing plan. The Official Manager advised it is in the CEOs contract.

Mary Walshe asked whether the 13% on waste was for the Shoal Bay dumping fees only or for the whole of the waste charge. The question was taken on notice.

Mary Walshe asked if she could get a response on her questions from February (approximately six queries). The question was taken on notice.

Barbara Crane queried page 6 of the June Financial Report Waste Transfer Station original budget $20K versus revised budget $60K. The question was taken on notice.

Mathew Salter asked how the Cemetery Manager recruitment is going. The question was taken on notice.

Gerry Wood thanked the Official Manager and the Acting CEO for their prompt responses and putting governance back into Council.
The meeting moved into the Confidential Session at 9:35pm

15. CONFIDENTIAL ITEMS

15.1 320 ARNHEM HIGHWAY DEVELOPMENT 15/0020

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the [Acting CEO, Acting Council Secretary] on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the Committee Recommendations in relation to confidential agenda item 15/0020 320 Arnhem Highway Development and that Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation involves:

(8) Classes of confidential information
   (c) information would, if publicly disclosed, be likely to:
       (i) cause commercial prejudice to, or confer an unfair commercial advantage on, any person

This item is considered confidential pursuant to Regulation (8)(c)(i) of the Local Government (Administration) Regulations.

CARRIED 15/0020/01

2. THAT Council orders that the minutes from the Confidential Council meeting held on 23 July 2015, in relation to confidential item number 15/0020 320 Arnhem Highway Development and associated documents not remain confidential and be available for public inspection.

CARRIED 15/0020/02


CARRIED 15/0020/03

4. Council end the Expression of Interest process undertaken for the commercial development of 320 Arnhem Highway, and those parties who have submitted proposals be informed of this.

CARRIED 15/0020/04

5. Council resolve that the resolutions only be moved out of confidence.

CARRIED 15/0020/05

15.2 ORGANISATIONAL CHANGE 15/0023

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Acting CEO, Governance Manager and Acting Council Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the Committee Recommendations in relation to confidential agenda item 15/0023 Organisational Change and that Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation involves:

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OFFICIAL MANAGER

ACTING CHIEF EXECUTIVE OFFICER
(8) Classes of confidential information
(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.

This item is considered confidential pursuant to Regulation 8 (a) of the Local Government (Administration) Regulations.

2. THAT Council orders that the minutes from the Confidential Council meeting held on 23 July 2015, in relation to confidential item number 15/0023 Organisational Change and associated documents remain confidential and not available for public inspection for a period of 12 months from the date of this meeting or a lesser period as determined by the Chief Executive Officer.

CARRIED 15/0023/01

16. NEXT MEETING THURSDAY 20th AUGUST 2015

17. CLOSE OF MEETING The Meeting closed at 9.37pm.

MINUTES TO BE CONFIRMED 20th AUGUST 2015