

**WAGAIT SHIRE COUNCIL  
AGENDA  
ORDINARY COUNCIL MEETING  
COUNCIL CHAMBERS  
LOT 62, WAGAIT TOWER ROAD  
7PM**

**18 October 2016**



## TABLE OF CONTENTS

<b>1.0</b>	<b>PRESENT</b>	<b>Page 3</b>
1.1	Opening of Meeting	Page 3
1.2	Apologies and Leave of Absence	Page 3
<b>2.0</b>	<b>DECLARATION OF INTERESTS</b>	<b>Page 3</b>
<b>3.0</b>	<b>CONFIRMATION OF MINUTES</b>	<b>Page 3</b>
3.1	Confirmation of 20 September 2016 Council Meeting	Page 3
3.2	Matters arising from September 2016 Minutes	Page 3
<b>4.0</b>	<b>QUESTIONS AND FEEDBACK FROM THE PUBLIC</b>	<b>Page 3</b>
<b>5.0</b>	<b>INWARDS AND OUTWARDS CORRESPONDENCE</b>	<b>Page 4</b>
5.1	Inwards Correspondence	Page 4
5.2	Outwards Correspondence	Page 5
<b>6.0</b>	<b>COUNCILLORS REPORTS</b>	<b>Page 5</b>
6.1	<b>President's Report</b>	<b>Page 5</b>
<b>7.0</b>	<b>OFFICERS REPORTS</b>	<b>Page 6</b>
7.1	Chief Executive Officers Report	Page 6
7.2	Works Supervisors Officers Report	Page 10
7.3	Sports & Recreation Officers Report	Page 10
<b>8.0</b>	<b>FINANCIAL REPORTS</b>	<b>Page 12</b>
8.1	Cash Income & Expenditure Report - September 2016	Page 12
8.2	Financial Report - September 2016	Page 14
8.3	Rate Payers	Page 14
8.4	Asset List	Page 14
<b>9.0</b>	<b>BUSINESS ARISING FROM PREVIOUS MINUTES</b>	<b>Page 15</b>
9.1	Dog Management	Page 15
9.2	Roads Upgrades	Page 15
9.3	Electoral Review and Election Preparations	Page 15
9.4	Shire Plan	Page 15
9.5	Strategic Plan	Page 15
9.6	Annual Report	Page 15
9.7	Cox Peninsula Bushfire Shed	Page 15
9.8	Darwin Duchess Project	Page 15
9.9	Street Signs	Page 15
<b>10.0</b>	<b>AGENDA ITEMS</b>	<b>Page 16</b>
10.1	<b>Caretaker Policy</b>	<b>Page 16</b>
10.2	<b>Wagait Arts Group</b>	<b>Page 19</b>
10.2	<b>Community Consultation – Green Waste</b>	<b>Page 19</b>
10.3	<b>SPG Application – ride on mower</b>	<b>Page 19</b>
<b>11.0</b>	<b>UPCOMING EVENTS</b>	<b>Page 19</b>
11.1	Audit Committee Meeting	Page 19
11.2	20 Anniversary of Council Chambers – Community Ctr	Page 19
11.3	Australia Day - 2017	Page 19
<b>12.0</b>	<b>LATE ITEMS AND GENERAL BUSINESS</b>	<b>Page 19</b>
12.1	Financial Report for year ended 30 June 2016	Page 19
<b>13.0</b>	<b>IN-CAMERA ITEMS</b>	<b>Page 19</b>
<b>14.0</b>	<b>DATE OF NEXT MEETING</b>	<b>Page 19</b>
<b>15.0</b>	<b>CLOSE OF MEETING</b>	<b>Page 19</b>

**1.0 PRESENT**

**1.1 OPENING OF MEETING and chaired by:.....**

**1.2 APOLOGIES AND LEAVE OF ABSENCE:**

<b>Resolution No. 2016/ .....</b> <b>That the apology of Cr</b> <b>approved.</b> <b>Moved:</b> <b>Seconded:</b> <b>Vote:</b>	<b>be accepted and</b>
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**2.0 DECLARATION OF INTERESTS**

**3.0 CONFIRMATION OF MINUTES**

**3.1 Confirmation of 20 September 2016 Council Meeting**

<b>Resolution No. 2016/ .....</b> <b>That the minutes of the Monthly Meeting of 20 September 2016, as amended be confirmed.</b> <b>Moved:</b> <b>Seconded:</b> <b>Vote:</b>
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**3.2 Matters arising from the September 2016 Minutes**

**4.0 QUESTIONS AND FEEDBACK FROM THE PUBLIC**

## 5.0 INWARDS AND OUTWARDS CORRESPONDENCE – SEPTEMBER

### 5.1 Inwards Correspondence

12/09/2016	CBA	Bank Audit Certificate	admin
12/09/2016	Aust Day Council	Aust Day Forum - Fri 21 October	admin
13/09/2016	ALGA	Invitation to attend 2016 Road Congress	P Clee
14/09/2016	Melanie McColm - Dept of Sport & Recreation	Remote Sport Program 2016/17 Funding Agreement Draft for editing	admin
16/09/2016	councillors	BCWLGAG meeting with consultation consultant	all councillors
17/09/2016	Peter Clee	President's Report	admin
18/09/2016	Resident	Rates notice - query on Waste Management	admin
19/09/2016	Brad Irvine	Mandorah Ferry Survey	admin
19/09/2016	Tania Roberts - Dept of Chief Minister	Seniors Grant Acquittal - shortfall of \$52.75 in expenditure	admin
20/09/2016	Department of Housing and community Development	Special Grants Purpose	D Allen
20/09/2016	Pauline Corpus - Dept of Local Govt & Community Services	Seeking Information - Accounting Regulations	admin
20/9/2016	Resident	Letter about Waste Management Fee on Rates	admin
21/09/2016	KaTe mCcolM - Sports & Recreation	FACE 2016/2017 Grants, 2016/17 remote sports agreements and Dept of Sport & Rec Updates	admin
22/09/2016	CEO Deborah Allen	For Comment - Draft Guideline for proposed separation distances between industrial land uses and sensitive land uses	all councillors
22/09/2016	Ken Lehmann - Infrastructure Operations	Shelter Managers Preparedness Check List	CEO
23/09/2016	Elaine McLeod - LGANT	FRG Meeting Agenda 6/10/16	admin
26/09/2016	Department of Infrastructure	Black Spot Programme	D Allen
26/09/2016	Department of Education	Census	D Allen
26/09/2016	Hazel Joven - Lowry's Accountants	2016 Financial Statement - Draft	D Allen
30/09/2016	CBA	Corporate Charge card	admin
30/09/2016	Dept of Housing & Community Dlv	Caretakers policy	admin
3/10/2016	Gerry McCarthy - Office of Minister for Housing & Community Dlv	Proposed changes to Local Govt Regulations	P. Clee
3/10/2016	Dept of Housing & Community Dlv	Special Purpose Grants Round 1 2016-2017	D Allen
3/10/2016	Wagait Arts Group	letter seeking approval for container to be placed on council grounds	Admin
3/10/2016	NT Government	Call for Nominations for Black Spot Programme 2017-2018	admin
5/10/2016	All Conveyancing	Rate Search - 123 Baluria	admin
5/10/2016	Alex Cannon - Chief Ministers Office	Secure NT - question (media /communications staff)	ceo
6/10/2016	Australia Day	Regional Support and citizen awards	admin
6/10/2016	Dept of Infrastructure - Valuations	September monthly reconciliation report	admin
10/10/2016	West Arnhem Regional Council	Lobby Group for Rural and Remote Local Govt	admin

## 5.2 Outwards Correspondence

9/09/2016	Lisa Sherry, Dept of Infrastructure	Wagait Tower Road Beach access update	email
14/09/2016	Australia Day Council	Registration - Aust Forum and Tidy Town Forum	email
14/09/2016	Dept of the Chief Minister	Grant Acquittal - Seniors outing	email
14/09/2016	Resident	Query on Rates notice	email
14/09/2016	Optus	NBN and phone/internet provider	email
19/09/2016	Resident - rate payer	reply to resident query on wastemanagement levy	email
19/09/2016	Dept of Infrastructure	Preparation of steps has begun	email
29/09/2016	Tania Roberts - Dept of Chief Minister	Seniors Grant Acquittal - \$52.75 Expenditure	email
5/10/2016	All Conveyancing	Rate Search - 123 Baluria Road	email
5/10/2016	Dept of Housing & Community Development	Caretaker Policy	email
7/10/2016	Dept of Chief Minister	Application for variation of Seniors Grant	email
7/10/2016	Alex Cannon - Dept of Chief Minister	Secure NT - response from CEO	email

**Resolution No. 2016/.....**

**That the correspondence for the month of September 2016 be noted.**

**Moved:**

**Seconded:**

**Vote:**

## 6.0 COUNCILLORS REPORTS

### 6.1 President's report

#### **Purpose of Report**

To Inform Council and community of the Presidents activities and to provide the community at large with information that the president sees as important and noteworthy.

#### **What's been happening.....**

I had the pleasure of attending the official launch of the new ferry the **"MV Tommy Lyons"** on 27<sup>th</sup> September. I spoke for and on behalf of the community and expressed our support for the new ferry. It has been operating for a few weeks now and it is a fast comfortable ride into the city.

Council has established **an Audit Committee**. The committee comprising President Peter Clee, Vice president Brad Irvine, Russell Anderson and Barry Bamford. The Audit Committee met on 18<sup>th</sup> October and will meet quarterly or thereabouts. This first meeting of the Audit Committee was to receive the interim Financial Statements for the year ending 30 June 2016. This committee is designed to provide oversight and guidance to the CEO. The audit committee is an NTG requirement for all councils.

**Amalgamation discussions** have been ongoing over the last 12 months or so. Council will continue discussions in good faith in anticipation of options and recommendations forthcoming from consultants who have been commissioned to do so. Council will present amalgamation and regional council recommendations to the community for consideration.

The council met on Tuesday 4<sup>th</sup> October with Sharyn Innes and Allan McGill, consultants who are preparing an options paper for community consideration. The council members articulated to the consultants the options that were discussed at the community meeting held on 2<sup>nd</sup> August 2016; namely:-

- A preference to remain a separate council,

- No desire to amalgamate with Darwin City Council
- No desire to amalgamate with Litchfield Municipal Council
- Amalgamate with Belyuen is acceptable
- Incorporate adjacent unincorporated lands into Wagait Shire
- No desire for amalgamation with Coomalie
- No amalgamation with Bynoe / Dundee areas

Emphasis was placed on the need to have a democratically elected council in place for Belyuen before any amalgamation or regional council discussions can commence. Until such time as a council is in place we cannot know with any certainty the wishes of the community.

The meeting also considered options for transition arrangements.

The **2015/16 Annual Report and Financial Statements** are being prepared and should be available to the public shortly.

#### **Where have I been .....**

20 <sup>th</sup> September	Ordinary Council Meeting
27 <sup>th</sup> September	Weekly Meeting with CEO by Phone
27 <sup>th</sup> September	Launch of the "MV Tommy Lyons" Ferry Service
4 <sup>th</sup> October	Meeting with Local Government Options Consultants
6 <sup>th</sup> October	Weekly Meeting with CEO
11 <sup>th</sup> October	Weekly Meeting with CEO
14 <sup>th</sup> October	Meet with Accountant and Auditor
18 <sup>th</sup> October	Weekly meeting with CEO
18 <sup>th</sup> October	Audit Committee Meeting
18 <sup>th</sup> October	Ordinary Council Meeting

#### **Upcoming Meetings and Events**

Wagait Shire **Emergency Recovery Committee** meeting 19<sup>th</sup> October

**TOPROC** meeting is to be held on 18<sup>th</sup> November.

Belyuen, Wagait & Coomalie group meeting proposed 8 or 9 November.

Meeting with **Local EMERGENCY SERVICES** TBA

**LGANT General Meeting** is to be held on 30 October and 1, 2 December.

#### **Contact Details**

**Peter Clee**  
Phone 0418894404

**President – Wagait Shire Council**  
Email [President.Clee@Wagait.nt.gov.au](mailto:President.Clee@Wagait.nt.gov.au)

## **7.0 OFFICERS REPORTS**

### **7.1 Chief Executive Officer's Report**

#### **1. Important Dates**

30 October: last day for community to provide feedback on green waste management

16 - 30 December: next hard waste collection

Council meeting every third Tuesday of the month

## **2. Meetings CEO Attended**

Weekly meetings with President

## **3. Three CEO Key Objectives Endorsed By Council August 2016**

**3.1 Dog management:** Wagait Shire Council to have by-laws by June 2017: CEO to report on progress at every meeting.

No change since last meeting.

**3.2 Roads upgrades:** Road upgrade plan and budget presented to Council at September meeting: CEO to report on progress at every meeting

No change since last meeting.

**3.3 Electoral review and election preparation:** Electoral review completed prior to 2017 elections: CEO to report on progress at every meeting

No change since last meeting.

## **4. Waste Management**

Hard waste collections in March and June required four skip bins for each collection. The pre-cyclone clean up saw skip bins in situ from 02 – 16 September with eight bins required for that quarterly collection. Unfortunately increasing amounts of general household waste, tyres, cardboard and recyclables are being placed into the skips. To ensure emptying of the bins isn't refused by Shoal Bay Transfer Station due to none hard waste items, the works team have been partially emptying the bins to remove waste that won't be accepted and then reloading them with accepted waste. This is not an efficient use of the works team time nor is it safe for staff to handle mixed waste without appropriate machinery or safety equipment. The next hard waste collection is programmed for 16 - 30 December and instead of residents depositing their hard waste into the skips, council will trial a kerbside collection. Any items that aren't neatly stacked for council pickup or that won't be accepted by Shoal Bay Transfer Bay as hard waste will not be collected. The level of complacency when depositing hard waste is an alert for council if the same type of solution is to be considered for green waste disposal.

In excess of 300 hard copies of a letter seeking feedback about two possible green waste solutions have been distributed to the community via notice boards on the office and supermarket, information packs at the Cox Country Club and at the end of the Mandorah Jetty in addition to electronic distribution via the council website and Facebook page and an email to all email addresses held on file. Levels of interest for options of providing green waste bags to residents for a fee or small incinerators to burn green waste has been sought as well as asking the community for alternative ideas about how council may provide a green waste service for residents.

## **5. Council Infrastructure**

Several dead trees have been removed from council's carpark area and also from the rear of the community centre. Maintenance on the council house has included replacement of three rusted gutters and the down pipe to the existing water tank in addition to instalment of a new 25,000L water tank. Power supply for a pump for the new tank and plumbing into the house are expected to be completed in October.

The workshop has had flashing installed between the main roof and carport awning to stop rain entering the work/maintenance area of shed during the wet in addition to a rusted section of the gutter at the front of the workshop being repaired. The office and community centre have had the gutters cleaned and a new split system air conditioner has been purchased and fitted into the medical consultancy room at the community centre.

## **6. Governance and Compliance**

The date for the first Audit Committee meeting has been moved to 18 October. This is to facilitate an opportunity for the committee to review the auditor's Annual Finance Statement prior to it being presented to council for approval.

At the time of writing this report, the Financial Statements and Annual Report were in draft form and almost completed for the Audit Committee and council to review. The audited Financial Statements and Annual Report are due to the Department of Housing and Community Development by 15 November.

## **7. Plant and Equipment**

A request for quotes for a new ride on lawn mower was submitted to the LocalBuy website on 23 September and acceptance of submissions closed on 01 October. Thirteen suppliers were notified of the request and five quotes were received. The request and all vendor responses have been provided for councillor review.

## **8. Gamba Grass Assistance Program**

The NT Government has delivered glyphosate to council for residents to use in the control of gamba grass. Information about spraying requirements can be provided by council works staff or via the website <https://nt.gov.au/environment/weeds/list-of-declared-weeds-in-the-nt/gamba-grass>

## **9. Administration**

The Administration Officer was on leave for two and half weeks in September and additional admin support was received from a participant of the Community Development Program (CDP). The CDP is ongoing with one participant continuing to work in the office and one working with the works team.

A second computer in library is now connected to free internet for public use although that computer has limited Microsoft programs available at this point in time. Computer usage has increased significantly this year with the service being utilised to a much greater degree than the library.

Internet to the office is currently being upgraded to the NBN and the phone provider is being transitioned from Telstra to Optus. Optus are able to deliver more affordable plans that provide unlimited calls for not only the land lines but also council mobiles in addition to larger data packages. Council currently pay Telstra approximately \$445 per month for phone and internet services.

- Phone and internet services with Optus will cost:
  - Office landlines and internet (includes staff and public internet): \$80 per month
  - unlimited data with tier 2 speeds of 25 Mbps download and 5Mbps upload



- unlimited local, interstate and mobile calls, includes both office land line numbers (not the council house land line as a trial for the delivery of internet will hopefully negate the need for an extra land line which is currently only used for internet)
- \$22 per month for the fax line
- \$30 plans for each of the two council mobiles (will be charged \$28.50 for the first twelve months, goes to \$30 per month for the following 12 months)
  - Unlimited phone calls and SMS
  - 3Gb data shared between the two phones

A request from council to the Department of Infrastructure, Planning and Logistics to fund a repair to the Wagait Tower Road beach access path was approved in August and the works completed by council staff and a local contractor in September. The length of the path has been extended with recycled plastic slats added to the undamaged timber steps that remained from the previous path materials.

## **7.2 Works Supervisor Officer's Report**

The tractor and mower have been serviced in preparation for upkeep of the Estate's public spaces and roadside areas during the wet season. An electronic fault with Council's tip truck has been rectified and the ute serviced by Belyuen workshop.

Wild dogs have been noticeably absent from the Estate; as have unrestrained domestic dogs except for one major incident where a dog entered a house and savagely mauled the occupant's dog.

The old timber slats at the Wagait Tower Road beach access point have been replaced after a request from the relative Dept.

Three large trees on Council grounds have been felled and are being processed, one from next to the service road which was dropping branches at a dangerous rate; the other two were removed to make room for the delivery of the donated tower. Leaking roof gutters at the workshop have been repaired by local contractors.

Council's works staff have taken delivery of herbicide for the treatment of Gamba Grass on resident's properties. The Dept. advised that herbicide will be supplied for the treatment of Gamba Grass only. In addition to the herbicide, there is an information pack for residents who participate in the program that includes a survey questionnaire and a requirement to draw a map of their property showing the location of Gamba on their property. Accuracy is crucial because if a large amount of herbicide is issued, the Government will be lead to believe the community has a significant Gamba problem and this is not the case.

The works team are now spending approximately 14 hours unloading and repacking the skip bins during the two week period the bins are in-situ for the quarterly collection.

Cyclone screens have been prepped, painted and refitted to the office building in time for the wet season. Repainting of the white roadside barriers is underway again with approximately 150 left to do. Once completed, every barrier will have been repainted over the last year. Several have had to be replaced or relocated due to traffic damage.

Boat ramp algae was removed as were cobwebs from jetty underside during the month. All other Contractual obligations met.

## **7.3 Sports and Recreation Officer's Report**

Another busy month of activities with cooking still one of the favourites. Our veggie garden is starting to look a bit sad with the weather and bugs attacking the leaves. We have picked plenty of zucchinis for cooking and the tomatoes are just ripening.

One week of school holidays are here with a different variety of activities organised. We will be doing photography with a picnic on the beach, a campout at Cloppenburg Park with toad-busting and a movie, the Fun Bus is visiting, a 'crafternoon', a sport day with different sports than usual, a mini clean-up day around Wagait Beach with a BBQ lunch to follow and a trip to Darwin for a movie, lunch and visit to the wave pool. That should keep us occupied for a while.

Next terms activities will be the same as last terms with an additional game of basketball on Mondays from 5.15 pm along the same lines as our weekly netball game.

We are going to have our 'Halloween Disco' on Saturday October 29<sup>th</sup> with everyone welcome.

ATTENDENCES.

MONDAY		Sep-05	Sep-12	Sep-19	Sep-26
		Ukulele 6	Ukulele 5	Ukulele 2	Ukulele 5
TUESDAY		Sewing-8 Tennis-8	Sew/Craft- 8 Tennis-8	Sewing-2 Tennis-5	Sewing-6 Tennis-3
WEDNESDAY	Sep-01	Tennis 11	Basketball 3	Tennis 13	Basketball 12
THURSDAY	BMX-11 Netball-14	Soccer-9 Netball-15	BMX-6 Netball-14	Soccer-10 Netball-13	BMX-13 Netball-14
FRIDAY	Cooking 11	Cooking 11	Cooking 18	Cooking 3	Cooking 15
SATURDAY	Movie Night 18				

**Resolution No. 2016/.....**

**That the Councillor's reports and Officer's reports for the month of September 2016 be received and accepted.**

**Moved:**

**Seconded:**

**Vote:**

## 8.0 FINANCIAL REPORT

### 8.1 Income and Expenditure Cash Report – September 2016

EXECUTIVE SUMMARY											
for the month ended 30 September 2016											
	Sep 2016 Actual \$	Sep 2016 Budget \$	Variance \$		Year to date Actuals \$	Year to date Budget \$	Variance \$		Revised Budget as at Sep 2016 \$	Forecast to 30 June 2017 \$	Variance (Revised Budget & Actual) \$
<u>INCOME</u>											
RATES	62,438	45,320	17,118		143,088	45,320	97,768			218,980	
GRANTS	0	0	0		90,559	111,293	-20,734			267,775	
CONTRACTS	9,522	9,550	-28		19,301	28,650	-9,349			132,700	
RENTAL INCOME	200	220	-20		800	660	140			2,640	
MISC INCOME	0	1,000	-1,000		0	3,000	-3,000			37,000	
WASTE MANAGEMENT	34,950	29,100	5,850		73,761	29,100	44,661			116,400	
TOTAL OPERATING INCOME	107,110	85,190	21,920		327,509	218,023	109,486			775,495	
<u>EXPENSES</u>											
ADMINISTRATION EXPENSES	20,943	2,370	-18,573		32,031	43,490	11,459			78,190	
EMPLOYMENT EXPENSES	23,539	28,450	4,911		72,657	94,950	22,293			391,200	
ROADS	0	60,000	60,000		22,332	60,000	37,668			60,000	
CONTRACTS & MATERIALS	683	50	-633		1,264	900	-364			2,850	

REPAIR & MAIN TOWN ASSETS	3,049	2,300	-749		6,403	13,900	7,497		19,100	
VEHICLE & PLANT	759	1,860	1,101		2,734	3,490	756		66,090	
GRANT EXPENSES	605	20	-585		1,802	60	-1,742		25,740	
WASTE MANAGEMENT	3,215	9,700	6,485		13,278	29,100	15,822		116,400	
SERVICES	240	740	500		2,138	4,880	2,742		15,300	
<b>TOTAL OPERATING EXPENSES</b>	<b>53,033</b>	<b>105,490</b>	<b>52,457</b>		<b>154,639</b>	<b>250,770</b>	<b>-96,131</b>		<b>774,870</b>	
<b>OPERATING PROFIT</b>	<b>54,077</b>	<b>-20,300</b>	<b>74,377</b>		<b>172,870</b>	<b>-32,747</b>	<b>205,617</b>		<b>625</b>	
<b>OTHER INCOME (Interest)</b>	<b>847</b>	<b>0</b>	<b>847</b>		<b>1,604</b>	<b>0</b>	<b>1,604</b>		<b>0</b>	
<b>OTHER EXPENSES</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>0</b>	<b>0</b>	<b>0</b>		<b>0</b>	
<b>NET PROFIT/(LOSS)</b>	<b>54,924</b>	<b>-20,300</b>	<b>75,224</b>		<b>174,474</b>	<b>-32,747</b>	<b>207,221</b>		<b>625</b>	

## 8.2 Financial report for period ending 30 September 2016

<b>Cash at Bank &amp; on hand</b>					<b>Total</b>
Petty cash					\$ 304.25
Westpac Operational Account					\$ 11,112.53
Westpac Cash Management Account					
CBA - transaction account					\$ 76,505.79
CBA - Investment					\$ 948,932.07
<b>Total Cash at Bank &amp; onHand</b>					<b>\$ 1,036,854.64</b>
<b>Debtors</b>	<b>Current</b>	<b>over 30 days</b>	<b>over 60 days</b>	<b>over 90 days</b>	
Trade	\$ 12,041.21				\$ 22,955.00
Rates				\$ 11,508.64	\$ 11,508.64
<b>Total Debtors</b>	<b>\$ 12,041.21</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 11,508.64</b>	<b>\$ 34,463.64</b>
<b>Creditors</b>	<b>Current</b>	<b>over 30 days</b>	<b>Over 60 days</b>	<b>Over 90 days</b>	
Trade	\$ 7,085.14				
<b>Total Creditors</b>	<b>\$ 7,085.14</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 7,085.14</b>

Data entry error in August 2016 Financial Statement - \$860.00 incorrectly entered in Westpac Cash management account.

## 8.3 Rate Payers

**2015/2016 rate year – 4 rate payers – total \$2014.38**

**2014/2015 and over - \$9,592.00**

## 8.4 Asset List

**July 2016** - Water Tank for carting water - \$879.35

**September 2016** – 25ltr Water tank (CEO house) - \$3,430.00

**September 2016** – Blower - \$269.00

**Resolution No. 2016/.....**

**That the financials for the month of September 2016 be received and accepted.**

**Moved:**

**Seconded:**

**Vote:**

**9.0 BUSINESS ARISING FROM PREVIOUS MINUTES**

**9.1 Dog Management – CEO to report on progress.**

**9.2 Road Upgrades – CEO to report on progress.**

**9.3 Electoral Review and Election Preparations – CEO to report on progress.**

**9.4 Shire Plan**

**9.5 Strategic Plan**

**9.6 Annual report**

**9.7 Cox Peninsula Bushfire Shed**

**9.8 Darwin Duchess Project – a sponsor has been identified.**

**9.9 Street Signs – Old signs to be auctioned in October.**

## 10.0 AGENDA ITEMS

### 10.1 Caretaker Policy

<b>POLICY TITLE:</b>	<b>CARETAKER POLICY</b>
<b>POLICY NUMBER:</b>	
<b>CATEGORY:</b>	<b>COUNCIL POLICY</b>
<b>CLASSIFICATION:</b>	<b>GOVERNANCE</b>
<b>GOVERNANCE REFERENCE:</b>	<b>LOCAL GOVERNMENT ACT 96</b>
Caretaker mode/period will commence on the close of nomination which is 23 days before polling	
<b>STATUS: Draft</b>	<b>Council Resolution</b>

Date Approved: /2016		Approved By: Moved: Seconded:	Councillors – resolution no. 2016/	Date for review: Once during the term of a council	Next Council Election August 2017
Date Approved:		Approved By:		Date for review:	
Date Approved:		Approved By:		Date for review:	

#### SUMMARY

This policy is to be adhered to during a *caretaker period* of Council and is relevant for all *major decisions* that may be considered or made by Council.

In respect to the use of Council resources for election campaigning, this policy affirms the relevant provisions of Council's *Code of Conduct for Elected Members* and *Code of Conduct for Employees* in their application during a *caretaker period* just as they apply at any other period. To avoid doubt, this policy has no application to a by-election under section 86 of the Act.

#### OBJECTIVE

The primary objectives of this policy are to restrict the Council from making major decisions prior to an election that may unreasonably, inappropriately or unnecessarily bind an incoming Council and to prohibit the use Council resources for election campaigning.

This policy is also intended to satisfy the requirement of section 96A (1) of the *Local Government Act* that each council formally adopt by resolution, a caretaker policy governing the conduct of the council and its staff during the period that commences on the nomination day for a general election and ends when the result of the general election is declared.

#### POLICY

- (1) A council must formally adopt by resolution a caretaker policy governing the conduct of the council and its staff during the period that:
  - (a) commences on the nomination day for a general election as defined in the *Local Government (Electoral) Regulations*; and
  - (b) ends when the result of the general election is declared under regulation 56 of those Regulations.
- (2) The caretaker policy must be made in accordance with any guidelines that the Minister may make.
- (3) If the Minister makes guidelines under subsection (2), the council must formally amend by resolution its caretaker policy so that it complies with the guidelines, as soon as practicable after the guidelines are made.



This policy recognises that the Minister has presently made no guidelines under section 96A (2) and confirms its obligation under section 96A (3) to formally amend by resolution this policy so that it complies with any guidelines as soon as practicable after they are made.

#### **POLICY QUALIFICATION**

Council will not make any *major decision* during the *caretaker period*. However, where the CEO forms a view that extraordinary circumstances prevail whereby Council would be significantly disadvantaged by not making a particular *major decision*, the CEO may submit the *major decision* to Council for its consideration. If Council accepts that it will be significantly disadvantaged by not making the decision, Council may, by resolution, exempt the application of this Policy and make the decision.

Consistent with this statement, the CEO should avoid scheduling a *major decision* for consideration during the *caretaker period* and instead ensure that such a decision is either considered by Council prior to the *caretaker period* commencing or scheduled for determination by the incoming Council. Announcements of earlier decisions may be made during a *caretaker period*: however, as far as is practicable, any such announcements should be made before the *caretaker period* commences or after it has concluded.

#### **DEFINITIONS**

For the purposes of this Policy, the following definitions apply:

Council resources:

Any asset or information owned or controlled by Council is a 'Council resource'. Council resources may include:

- a) materials published by Council
- b) facilities and goods owned by the Council
- c) attendance and participation at functions and events
- d) access to Council information
- e) media services
- f) Council staff and contractors engaged by a Council

Advantage:

An advantage will be conferred where a decision allowing the use of Council resources favours one candidate over another. An advantage arises when a candidate utilises resources, information or support that is not available to a candidate in an election who is not an existing Council Member.

Major Decision:

- a) to enter into any contract or lease involving expenditure inclusive of GST that exceeds one per cent (1%) of the annual budgeted revenue in the relevant financial year
- b) to spend unbudgeted monies
- c) to conduct public consultation previously unannounced
- d) to endorse a new policy
- e) to dispose of Council land
- f) to approve community grants
- g) progress any matter which is contentious or has been identified as an election issue

## Wagait Shire Council

But does not include a decision:

- a) relating to the carrying out of works in response to an emergency or disaster; or
- b) relating to expenditure or other decision required to be taken under an existing agreement by which funding is provided to the Council by the Commonwealth or Territory Government or otherwise for Council to be eligible for funding from the Commonwealth or Territory Government;

### REVISION DATE

This policy is to be revised once during the term every Council.

### REFERENCES:

Policy Number:	
Policy Owner:	Council
Endorsed by:	Council
Final Approval:	
Date Approved:	
Revision Date:	ONCE DURING THE TERM OF COUNCIL
Amendments:	
Related Policies:	
Related Publications:	LGA Section 96A

### CONTACT PERSON:

Deborah Allen  
Chief Executive Officer

**Resolution No. 2016/.....**

**That Council formally adopt the Caretaker Policy governing the conduct of the Council and its staff as prepared by CEO Deborah Allen.**

**Moved:**

**Seconded:**

**Vote:**

**10.2 Wagait Arts Group – seeking approval for container to be placed on council land**

**10.3 Community Consultation - Green Waste**

**10.4 SPG Application – Ride On Mower**

**11.0 UPCOMING EVENTS**

**11.1 Audit Committee meeting – 18 October 2016**

**11.2 10 December – 20<sup>th</sup> Anniversary of Council Chambers – Community Centre**

**11.3 Australia Day – 26 January 2017**

**12.0 LATE ITEMS AND GENERAL BUSINESS**

**12.1 Financial Report for year ended 30 June 2016 “Lowry’s Accounts”**

**13.0 IN-CAMERA ITEMS**

**14.0 DATE OF NEXT MEETING**

The next Council Meeting is to be held on Tuesday 15 November 2016 in the Council Chambers, 62 Wagait Tower Road, Wagait Beach.

**15.0 CLOSE OF MEETING**

The Chair declared the meeting closed at ..... pm.