

WAGAIT SHIRE COUNCIL MINUTES

**ORDINARY COUNCIL MEETING
COUNCIL CHAMBERS
LOT 62, WAGAIT TOWER ROAD
17 JANUARY 2017**



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1.0 PRESENT

President Peter Clee
Vice President Brad Irvine
Cr Shenagh Gamble
Cr Kurt Noble
Co-Op Tom Dyer

CEO Deborah Allen

1.1 OPENING OF MEETING

President Peter Clee declared the meeting open at 7.06pm and welcomed everyone to the meeting.

1.2 APOLOGIES AND LEAVE OF ABSENCE:

Resolution No. 2017/01

That the apology of Cr Alex Richmond be accepted and approved.

Moved: President Peter Clee

Seconded: Cr Shenagh Gamble

Vote: Carried

2.0 DECLARATION OF INTERESTS

Nil

3.0 CONFIRMATION OF MINUTES

3.1 Confirmation of 15 November 2016 Council Meeting

Resolution No. 2017/02

That the minutes of the Monthly Meeting of 15 November 2016 be confirmed by council as a true and correct record.

Moved: Co-Op Tom Dyer

Seconded: Cr Shenagh Gamble

Vote: Carried

3.2 Matters arising from the November 2016 Minutes - Nil

4.0 QUESTIONS AND FEEDBACK FROM THE PUBLIC

4.1 Forsyth Road Drain

Council received an email from a concerned resident who explained that the stormwater drain at the entrance to Cloppenburg Park floods during the wet season. Funding has been approved from "Roads to Recovery" to have this section of the stormwater drain repaired and works should begin in the dry season. This has been noted.

5.0 INWARDS AND OUTWARDS CORRESPONDENCE

5.1 Inwards Correspondence

INCOMING CORESPONDENCE			
16/11/2016	Resident	Forsyth Road Drain - issues with stormwater	all councillors
21/11/2016	MVR	Certificate of Registration - Hino Truck	admin
21/11/2016	Dept of Lands, Planning	Herbicide Usage Agreement x 2 books	Works Supervisor
21/11/2016	Dept Local Govt	2nd Qtr FAA General Purpose Grant \$2,172	admin
21/11/2016	Dept Local Govt	2nd Qtr FAA Roads Grants - \$13,280	admin
21/11/2016	Lee Fitch - Sealink NT	Repairs needed to Jetty	admin
21/11/2016	Lee Williams	Confirmation of start of dog by-laws	admin
22/11/2016	Solomon Gaturu	Drafting instructions for dog by-laws	admin
22/11/2016	Solomon Gaturu, NT Govt	Drafting instructions for dog by-law - confirmation to instruct Parliamentary Counsel	Ceo
22/11/2016	Territory Green Waste	Green Waste Collection Service	CEO
22/11/2016	Minister Fyles	Wagait Beach Health Clinic	Peter Clee
23/11/2016	Zelma Collins - Director Sport & Rec Dlv	Offer of funding - Remote Sports Program	CEO
29/11/2016	Resident	Dog complaint	CEO
29/11/2016	Australia Day Council	Regional Support for Australia Day application	
29/11/2016	Vanderfield	Local buy reference VP59574 - Mower	ceo
5/12/2016	NT Government	Special Purpose Grant Offer - round one - \$28,490 - Lawn mower	admin
7/12/2016	Resident	Complaint - staff	admin
8/12/2016	Local Govt - Shaun Hardy	Local Govt 2016-2017 NT Operational Subsidy Funding Increase	admin
8/12/2016	CBA	Merchant Fees Summary	admin
8/12/2016	CBA	Merchant Statement	admin
8/12/2016	Lowrys Accounts	Depreciation Schedule	admin
9/12/2016	WAGS	Letter of Understanding between WAGS and WSH - 20 ft shipping container	ceo
9/12/2016	Peter Darlington, Army Cadets	Apologies - unable to attend Australia Day ceremony.	admin
13/12/2016	Resident	Animal Control By-Laws question to council	CEO
13/12/2016	Peter Clee	Copy of LGANT 2015/16 Annual Report	admin
13/12/2016	Peter Clee	Draft minutes of LGANT General Meeting 1.12.2016	admin
15.12.2016	Peter Clee	LGANT Meeting - Addresses by Minister and ALGA President	admin
18.12.2016	NT Government	Grant funding - \$3,600 Provide a UHF CB repeater at Wagait Beach for Community Use.	admin
18/12/2016	Polar Electronic Industries Pty Ltd	Quote for CN6-6N3X - UHF CB repeater	Peter Clee
21/12/2016	TR Telecom	Sim cards for satellite phones x 3	admin
28/12/2016	Resident	Complaint - Hard Waste non collection	admin
30/12/2016	Resident	Complaint - rubbish bin collection	admin
16/01/2017	CBA	Merchant Fees Summary	admin
16/01/2017	CBA	Merchant Statement	admin
16/01/2017	Westpac	Mastercard Statement	admin
4/01/2017	Resident	Complaint - non cyclone hard waste pickup	admin
9/12/2016	Resident	Complaint - Wild dogs	admin
9/12/2016	Resident	Complaint - Wild dogs starving	admin
1/10/2017	Kiya Gill - Australia Day	Notification of winners for Aust Day Awards	admin
10/01/2017	Miriam Heath - Department of Health	Community Meeting - Health Clinic	ceo
10/01/2017	Valuation	Monthly Reconciliation Reports for Wagait December 2013 & 2016 Values	admin
12/01/2017	Mark Hagger - LGANT	Draft Rates Manual	admin

5.2 Outwards Correspondence

OUTGOING CORRESPONDENCE			
15/11/2016	David Duxfield - Build NT	Bushfire Shed - Certification requirements	email
16/11/2016	Army Cadets	Australia Day - Invitation to attend ceremony and activities	email
16/11/2016	Navy Cadets	Australia Day - Invitation to attend ceremony and activities	email
16/11/2016	CPVBB	Australia Day - Invitation to attend ceremony and activities	email
16/11/2016	NTES	Australia Day - Invitation to attend ceremony and activities	email
16/11/2016	Residents and local business	Australia Day - Invitation to attend ceremony and donation of prize	email
16/11/2016	Gary Higgins MLS	Australia Day - Invitation to attend ceremony and activities	email
	Hon Gerald McCarthy, Dept of Housing, c/c		
16/11/2016	D Hadfield, LG Compliance	2015/2016 Annual Report - Cover Letter and report	email
17/11/2016	NT News	Advertisement - 2015-2016 Annual Financial Report	email
18/01/2016	LGANT	Registration for President Peter Cleve to attend AGM and Diner	email
21/11/2016	Greg Hibble - NT Government	Local Government Election Costs	email
21/11/2016	Lee Williams, NT Govt	Drafting Instructions for dog by-laws	email
21/11/2016	Antonios Mastotos - Dept Infrastructure	Incident at Mandorah Jetty	email
21/11/2016	Christine Connors, Dept of Health	Wagait Beach Outreach Service	email
21/11/2016	Lee Fitch Sealink NT	Any repairs needed to the Jetty	email
22/11/2016	Solomon, Lee W	Confirmation drafting of Dog by-laws on behalf of Council	email
		Drafting instructions for dog by-law - confirmation to instruct	
22/11/2016	Solomon Gaturu, Lee W	Parliamentary Counsel to proceed	email
22/11/2016	All Residents	Kerbside Pickup 19-22 December 2015	email
22/11/2016	NT Electoral Commission	Councillor Tom Dyer - Co-opted	mail
23/11/2016	Melanie McColm - Sport & Recreation Dlv	signed offer of funding - Remote Sports Program	email
25/11/2016	volunteers, staff, councillors and contractors	invitation to attend X'mas party	mail
25/11/2016	13 Overdue Residents	Notice of reminder - overdue rates	mail
25/11/2016	Grants	NTGC Annual Report	email
	Dsatellite Communications Manager - TR		
29/11/2016	Telecom	Satellite Call Plan - Customer Application form	email
29/11/2016	Australia Day	Regional Support - \$1500.00	email
29/11/2016	Resident	Dog Problem	email
		Signed acceptance of Special Purpose Grant for 2016-2017 - Lawn	
5/12/2016	NT Govt - NT Grants Commission	Mower	email
6/12/2016	Residents	Letter from Fin Bins to 5 residents	mail
6/12/2016	Samsung Tops DCS-408	quote for new Samsung Tops phone box	email
8/12/2016	All Residents	Notice from Health Dept - Christmas/New Year arrangements	email
7/12/2016	Optus	Transfer of phone 89785185 from Telstra to Optus	phone call
8/12/2016	Darwin Festival	Darwin Festival 2017 venues	email from PC
9/12/2016	WAGS - Chris Chaplin	Letter of Understanding - signed letter	email
12/12/2016	Sureline - Debt Collector	List of overdue rates payers	email
13/12/2016	Erica Espagne - Navy Cadets	Letter of invitation - Australia Day	email
13/12/2016	Resident	Answer to question to council on Animal Control Bylaw	email
19/12/2016	NT Govt - NT Grants Commission	Grant - UHF CB repeater - Grant agreement	email
20/12/2016	Resident	Animal Control Bylaws - answer to residents questions	email
28/12/2016	Resident	Hard waste non collection	email
9/01/2017	Resident	Complaint - rubbish bin collection by contractor	email
		Community Meeting - Health Clinic scheduled for 7 Feb -	
10/01/2017	Miriam Heath - Dept of Health	Tentatively	email
13/01/2017	Hazel - Lowry's Accountants	Proposed interim and final audit dates - (end of April)	email
13/01/2016	Fin Bins	Skip Bin hire dates - 6-17 Mar, 5-16 Jun, 11-22 Sep, 20 Nov-1 Dec	email
13/01/2017	Councillors	Draft Budget for 2017-2018	email
17/01/2017	Kiya Gill - Australia Day	Notification of winners - Aust Day awards	email

Resolution No. 2017/03

That council receive and note the correspondence as detailed in the agenda for the month of November and December 2016.

Moved: Co-Op Tom Dyer

Seconded: Vice-President Brad Irvine

Vote: Carried

6.0 COUNCILLORS REPORTS

6.1 PRESIDENTS 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 hope everyone had a great break over the Christmas and new Year period.

The LGANT General meeting and AGM was held in Alice Springs

The ordinary council meeting in December was cancelled. The next meeting of council will be on 17th January 2017.

I have heard there is some excitement about proposed Dog By-Laws. It is good that we have such enthusiasm within the community and I have been receiving good feedback from both sides of the divide. There is no doubt there is overwhelming support for the introduction of these by laws and especially for limitations on numbers and types of dogs that can be housed within the community. No doubt there will be a good meeting to discuss the proposed by-laws which are still being drafted. Any by laws are unlikely to be implemented until the second half of this year.

A more imminent issue is the proposed closure of the Wagait Beach Health Clinic. The Health Department tried unsuccessfully to close down the clinic late last year. But ministerial interventions restored the service. A public meeting will be held on March 7th do discuss the health needs of the community and the future of the clinic. I urge residents to attend in numbers so that we can retain this most valuable service.

Where have I been

9 th November	TRI-Council meeting (Wagait, Belyuen and Coomalie) @ Belyuen
15 th November	Weekly meeting with CEO
15 th November	Ordinary Council meeting
16 th November	ABC Radio Grass Roots Program
17 th November	ABC TV interview on Clinic Closure
18 th November	TOPROC Meeting at Darwin City Council
18 th November	Meeting with Minister Gerry McCarthy @ Parliament House
21 st November	Meeting with Dept. of Health re future of the Wagait Beach Clinic
22 nd November	Weekly Meeting with CEO
29 th November	Weekly Meeting with CEO
30 November	Mayors and President Forum
1 and 2 December	LGANT General Meeting
6 th December	Weekly Meeting with CEO
7 th December	Wagait Shire Recovery Committee
8 th December	Meeting Darwin festival Committee re Venue at Wagait
13 th December	Weekly Meeting with CEO
20 th December	Phone meeting with CEO
17 th January	Weekly Meeting with CEO
17 th January	Ordinary Council meeting

Upcoming Meetings and Events

Meeting with **Local EMERGENCY SERVICES** TBA

Hearing of Local Government Disciplinary Committee 23rd January 2017

Australia Day 26th January 2017

Council Meeting 21st February 2017

Health Needs Assessment Public meeting 7th march 2017

AUDIT COMMITTEE meeting in on 8th March 2017

7.0 OFFICERS REPORTS

7.1 Chief Executive Officer's Report – Deborah Allen

Important Dates

26 January – Australia Day

03 - 05 March: residents deposit hard waste on roadside for collection

02 – 04 June: residents deposit hard waste on roadside for collection

08 – 10 September: residents deposit hard waste on roadside for collection

22 November – 01 December: residents deposit hard waste on roadside for collection

Council meeting every third Tuesday of the month except for December

Meetings CEO Attended

Weekly meetings with President

21 November – Health Clinic staff- Wagait

22 November – Fin Bins – Wagait

13 December – Belyuen Community Safety meeting – Belyuen

19 December – Contractor Performance meeting - Palmerston

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.

Council resolved on 15 November that dog by-laws be drafted; drafting instructions were forwarded to the Department of Housing and Community Development on 24 November 2016.

- 3.2 Roads upgrades:** Road upgrade plan and budget presented to Council: CEO to report on progress at every meeting – ongoing, no major works planned during the wet.

- 3.3 Electoral review and election preparation:** Electoral review completed August 2016.

Darwin City Council have provided an Election and By-Election procedure along with a timeline for the lead up to an election. Caretaker period comes into effect for 43 days and starts Friday 14 July. Cost for the NTEC to run the election is expected to be \$7500.

Waste Management

The first kerbside hard waste collection was carried out in the second half of December which saw the works team collect 26 truckloads of hard waste from the road verges and fill 16 skip bins over a two week period. A local contractor was used to assist with crushing the hard waste into the skip bins.

Lessons learnt from the first collection were:

- Reduce period of time hard waste is left alongside road as complaints were received from residents about scavenging activities that left their hard waste scattered and in a messy state before being collected
- Carry out end of year collection in November instead of December to avoid loss of collection days due to public holidays and monsoon rains
- Works team to clear one street at a time and move to the next one only after the street has been completely cleared to reduce confusion about if a street has had a hard waste collection or not

- Communicate more clearly what type of hard waste is suitable for collection and what is not
- Plan and advertise the collection route so residents are better informed about how the service will be delivered

Proposed order for the collection route will be:

Wagait Tower Road, Cox Drive, Erickson Crescent, Baluria Road, Uhr Road, Dalmeny Road, Brisbane Street, Massey Street, Sachse Street, Joseph Court, Vangemann Street, Winnal Court, Milady Street, De Lissa Drive, Mungalo Road, Bray Place, Pak Place, Boom Place, Harney Street, Dillon Place, Head Court, Kathleen Court and Forsyth Road.

Administration

It is with much regret that I have to inform Council that I won't be seeking to renew my contract when it expires at the end of May this year. My partner has been diagnosed with serious health issues so we are planning on relocating back to South Australia where our family resides.

It has been an absolute pleasure to work for this friendly, colourful and passionate community who are fortunate enough to reside in a pristine part of the world. Leigh and I have thoroughly enjoyed our time in Wagait Beach and will be sad to go but life has delivered us some challenges that will see us needing the support of our family.

My focus will be to ensure that Council and the new CEO experience a smooth transition with as many Local Government annual compliance and election requirements completed as possible prior to my departure.

7.1.1 *Councillors were very disappointed at the level of service provided during the kerbside hard waste collection as the service by council staff was poorly delivered with many complaints received via email and phone to councillors and the CEO. CEO Deborah Allen has identified areas where the hard waste collection requires improvement and will implement measures that will result in a more orderly service delivery.*

7.2 Sports and Recreation Officer's Report

A busy month that went by all too quickly. The children are looking forward to the end of the school year. We have enjoyed a variety of activities with netball and basketball (and cooking) the favourites. We will have our annual Secret Santa movie night on December 3, which is always a great night, to almost round out the year. I will then be on one month leave and will return to work on Monday January 16 2017.

Merry Christmas and Happy New Year

Robyn Presley.

	Nov-02	Nov-07	Nov-14	Nov-21	Nov-28
MONDAY		Uke-6 Netball-12	Uke-2 Netball-10	Uke- 5 Netball-8	Uke- 2 Netball-9
TUESDAY		Sewing-7	Sewing-6	Sewing-9	Darts (wet) 3
WEDNESDAY	BMX-4	Basketball 6	Basketball- 4	Basketball- 4	T/tennis 5
THURSDAY	Basketball 4	Basketball 9	Basketball- 5	Soccer-6 Basketball- 6	
FRIDAY	Cooking	Cooking	Cooking-	Cooking	

	14	11	15	10	
SATURDAY	Movie 11				

Resolution No. 2017/04

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

Moved: Cr Shenagh Gamble

Seconded: Co-Op Tom Dyer

Vote: Carried

8.0 FINANCIAL REPORT

8.1(a) Income and Expenditure Cash Report November 2016

	Oct 2016 Actual \$	Oct 2016 Budget \$	Variance \$		Year to date Actuals \$	Year to date Budget \$	Variance \$	Revised Budget as at Oct 2016 \$	Forecast to 30 June 2017 \$	Variance (Revised Budget & Actual) \$
<u>INCOME</u>										
RATES	4,202	0	4,202		164,112	45,320	118,792		218,980	
GRANTS	36,452	40,000	-3,548		127,011	151,293	-24,282		267,775	
CONTRACTS	4,903	9,550	-4,647		43,190	38,200	4,990		132,700	
RENTAL INCOME	400	220	180		1,400	880	520		2,640	
MISC INCOME	890	26,000	-25,110		890	29,000	-28,110		37,000	
WASTE MANAGEMENT	2,379	0	2,379		85,771	29,100	56,671		116,400	
TOTAL OPERATING INCOME	49,226	75,770	-26,544		422,374	293,793	128,581		775,495	
<u>EXPENSES</u>										
ADMINISTRATION EXPENSES	11,699	3,945	-7,754		53,072	47,435	-5,637		78,190	
EMPLOYMENT EXPENSES	27,082	32,450	5,368		124,139	127,400	3,261		391,200	
ROADS	8	0	-8		22,920	60,000	37,080		60,000	
CONTRACTS & MATERIALS	213	50	-163		1,975	950	-1,025		2,850	
REPAIR & MAIN TOWN ASSETS	1,116	600	-516		14,628	14,500	-128		19,100	
VEHICLE & PLANT	1,485	51,800	50,315		7,623	55,290	47,667		66,090	
GRANT EXPENSES	186	20	-166		5,295	80	-5,215		25,740	
WASTE MANAGEMENT	385	9,700	9,315		26,945	38,800	11,855		116,400	
SERVICES	83	1,700	1,617		5,939	6,580	641		15,300	
TOTAL OPERATING EXPENSES	42,257	100,265	58,008		262,536	351,035	-88,499		774,870	
OPERATING PROFIT	6,969	-24,495	31,464		159,838	-57,242	217,080		625	
OTHER INCOME (Interest)	797	0	797		3,146	0	3,146		0	
OTHER EXPENSES	36	0	36		36	0	-36		0	
NET PROFIT/(LOSS)	7,730	-24,495	32,225		162,948	-57,242	220,190		625	

8.1(b) Financial report for period ending November 2016

Cash at Bank & on hand					Total
Petty cash					\$ 137.85
Westpac Operational Account					\$ 4,253.40
Westpac Cash Management Account					
CBA - transaction account					\$ 31,591.19
CBA - Investment					\$ 1,000,474.40
Total Cash at Bank & onHand					\$ 1,036,456.84
Debtors	Current	over 30 days	over 60 days	over 90 days	
Trade	\$ 13,398.00				\$ 13,398.00
Rates			\$ 7,967.89	\$ 21,132.46	\$ 29,100.35
Total Debtors	\$ 13,398.00	\$ -	\$ 7,967.89	\$ 21,132.46	\$ 42,498.35
Creditors	Current	over 30 days	Over 60 days	Over 90 days	
Trade	\$ 6,804.44				\$ 6,804.44
Total Creditors	\$ 6,804.44	\$ -	\$ -	\$ -	\$ 6,804.44
Rate Payers					
2016/2017 rate year - 22 rate payers	\$7,968				
2015/2016 rate year - 4 rate payers	\$6,053.43				
2014/2017 rate year plus - 4 rate payers	\$15,079.03				
Total:	\$29,100				

8.2(a) Income and Expenditure Cash Report December 2016

	Dec 2016 Actual \$	Dec2016 Budget \$	Variance \$		Year to date Actuals \$	Year to date Budget \$	Variance \$	Revised Budget as at Dec 2016 \$	Forecast to 30 June 2017 \$	Variance (Revised Budget & Actual) \$
<u>INCOME</u>										
RATES	11,088	57,320	-46,232		175,200	102,640	72,560		218,980	
GRANTS	33,590	21,000	12,590		160,601	179,887	-19,286		267,775	
CONTRACTS	20,525	9,550	10,975		63,714	57,300	6,414		132,700	
RENTAL INCOME	0	220	-220		1,400	1,320	80		2,640	
MISC INCOME	5	1,000	-995		894	31,000	-30,106		37,000	
WASTE MANAGEMENT	6,186	29,100	-22,914		91,951	58,200	33,751		116,400	
TOTAL OPERATING INCOME	71,394	118,190	-46,796		493,760	430,347	63,413		775,495	
<u>EXPENSES</u>										
ADMINISTRATION EXPENSES	8,584	4,495	-4,089		61,656	55,065	-6,591		78,190	
EMPLOYMENT EXPENSES	34,169	32,750	-1,419		158,308	189,600	31,292		391,200	
ROADS	0	0	0		22,920	60,000	37,080		60,000	
CONTRACTS & MATERIALS	382	800	418		2,357	1,800	-557		2,850	
REPAIR & MAIN TOWN ASSETS	0	500	500		14,628	16,000	1,372		19,100	
VEHICLE & PLANT	526	1,220	694		8,149	58,140	49,991		66,090	
GRANT EXPENSES	40	20	-20		2,045	120	-1,925		25,740	
WASTE MANAGEMENT	0	9,700	9,700		30,235	58,200	27,965		116,400	
SERVICES	124	1,000	876		6,063	7,920	1,857		15,300	
TOTAL OPERATING EXPENSES	43,825	50,485	6,660		306,361	446,845	-140,484		774,870	
OPERATING PROFIT	27,569	67,705	-40,136		187,399	-16,498	203,897		625	
OTHER INCOME (Interest)	784	0	784		3,930	0	3,930		0	
OTHER EXPENSES	34	0	34		71	0	-71		0	
NET PROFIT/(LOSS)	28,319	67,705	-39,386		191,258	-16,498	207,756		625	

8.2(b) Financial report for period ending December 2016

Cash at Bank & on hand					Total
Petty cash					\$ 91.42
Westpac Operational Account					\$ 1,162.62
Westpac Cash Management Account					
CBA - transaction account					\$ 31,591.19
CBA - Investment					\$ 1,001,257.78
Total Cash at Bank & onHand					\$ 1,034,103.01
Debtors	Current	over 30 days	over 60 days	over 90 days	
Trade	\$ 9,144.61				\$ 9,144.61
Rates				\$ 27,178.00	\$ 27,178.00
Total Debtors	\$ 9,144.61	\$ -	\$ -	\$ 27,178.00	\$ 36,322.61
Creditors	Current	over 30 days	Over 60 days	Over 90 days	
Trade	\$ 3,683.85				\$ 3,683.85
Total Creditors	\$ 3,683.85	\$ -	\$ -	\$ -	\$ 3,683.85
Rate Payers					
2016/2017 rate year - 22 rate payers	\$6,195				
2015/2016 rate year - 4 rate payers	\$6,053.43				
2015/2017 rate year plus - 4 rate payers	\$14,929.03				
Total:	\$27,178				

8.4 Asset List

July 2016 – water tank for carting water	\$879.35
September 2016 – 25,000ltr water tank	\$3,430.00
September 2016 – Blower	\$269.00
December – John Deer Ride On Mower	\$32,890.00

Resolution No. 2017/05

That the financials for the month of November 2016 and December 2016 be received and accepted.

Moved: President Peter Clee

Seconded: Co-Op Tom Dyer

Vote: Carried

9.0 BUSINESS ARISING FROM PREVIOUS MINUTES

9.1 Dog Management – refer to CEO report.

9.2 Roads Upgrade – refer to CEO report.

9.3 Electoral Review and Election Preparations – Council is still waiting for approval from the NT Electoral Commission and the Minister to decrease the numbers of councillors from 7 to 5.

9.4 Furies Shed - Ongoing

9.5 SPG Application – We have now received grant money for the purchase of a UHF CB repeater at Wagait Beach for Community Use.

10.0 AGENDA ITEMS

10.1 Local Government Election Costs – The Electoral Commission has send to us an indication of what it will cost to run an election. The cost is approx. \$7,220.00 and council will have the option to pay this of within a period of 2 years.

10.2 Wagait Arts Group – Letter of Understanding – A Letter of Understanding underlining the terms and conditions has been received from the Wagait Arts Group for a shipping container for storage purposes to be placed at Cloppenburg Park.

10.3 Counselling, Disciplining and Dismissing Employees Policy -

POLICY TITLE:	COUNSELLING, DISCIPLINING AND DISMISSING EMPLOYEES
POLICY NUMBER:	P26
CATEGORY:	HUMAN RESOURCES
CLASSIFICATION:	GOVERNANCE
STRATEGIC PLAN REFERENCE:	1.1 ADMINISTRATION AND SERVICE FACILITIES
CORPORATE GOVERNANCE AND PERFORMANCE: Performance and work plans	
STATUS: DRAFT	Council Resolution:
Date Approved:	Date for review: January 2018

SUMMARY

The Wagait Shire Council may consider issues of staff misconduct and unacceptable performance levels that require disciplinary action. Disciplinary procedure shall be applied in a consistent, fair and objective manner.

OBJECTIVE

To ensure that the processes and outcomes of disciplinary procedures are in accordance with the relevant Territory and Federal laws and the Local Government Industry Award. To ensure that the principles of natural justice apply to the process.

POLICY

It is recommended to seek legal advice from an accredited entity such as WALGA before disciplinary action is taken.

Problem Resolution/Mediation

The following problem resolution framework has been implemented for those employees with a desire to resolve matters as responsible employees:

All employees will be invited to discuss matters with their respective supervisor or co-worker openly and positively. If matters cannot be resolved efficiently and professionally, the employee demonstrating positive intentions to solve the matter may contact the Chief Executive Officer (CEO) for assistance. The CEO may see the parties individually, or as a group, to mediate and resolve any outstanding matters. Where a resolution fails to evolve, the services of counselling and mediation consultants will be used.

During the course of the resolution, both parties may seek guidance and support from a peer or union representative. These people have no influencing or implementation power other than to assist the process through its natural course.

All stages must be documented and file notes provided to all parties involved and accessible by those concerned by contacting the CEO.

Employee Misconduct and Consequences

Employees are expected to act in a suitable manner at all times. Certain rules of conduct and behaviour are set out in the Code of Conduct.

Failure to follow these rules may result in disciplinary action, from a written warning to termination, depending on the severity of the offence. Any disciplinary action will be recorded in employees personnel file, and will be taken into consideration when conducting performance reviews.

Below is a list of some violations or events that can result in disciplinary action, but it should not be considered all-inclusive. The CEO has the discretion to review this list or its interpretation:

- removing or misplacing Council property or equipment, client records or Council documentation without prior approval
- destroying or damaging any Council property
- any violation of any Council policy or procedure as outlined in any policy or guideline
- falsification or misrepresentation of qualifications or experience whilst employed
- failure to follow the rules and responsibilities as outlined by management or immediate supervisor
- inappropriate consumption of alcohol or any controlled substance during work hours
- misrepresentation of the prime directive as outlined in the Council documents and plans
- consistent absence from work without proper cause and documentation
- consistent lateness without proper cause or documentation

Disciplinary Procedures

Breach of Discipline

An employee is guilty of a breach of discipline if they:

- behave in a manner that is liable to bring the Council into disrepute
- disobey or disregard a lawful instruction
- are negligent, careless, inefficient or incompetent in the discharge of their duties
- are absent from duty except
 - on authorised leave; or
 - with reasonable cause
- commit any other act of misconduct, or conduct him/herself in a manner inconsistent with the duties and responsibilities of the position held by the employee

Complaint Procedure

Any complaint received that an employee has committed a breach of discipline will be forwarded to the Chief Executive Officer, who will ensure that the employee is notified of the complaint.

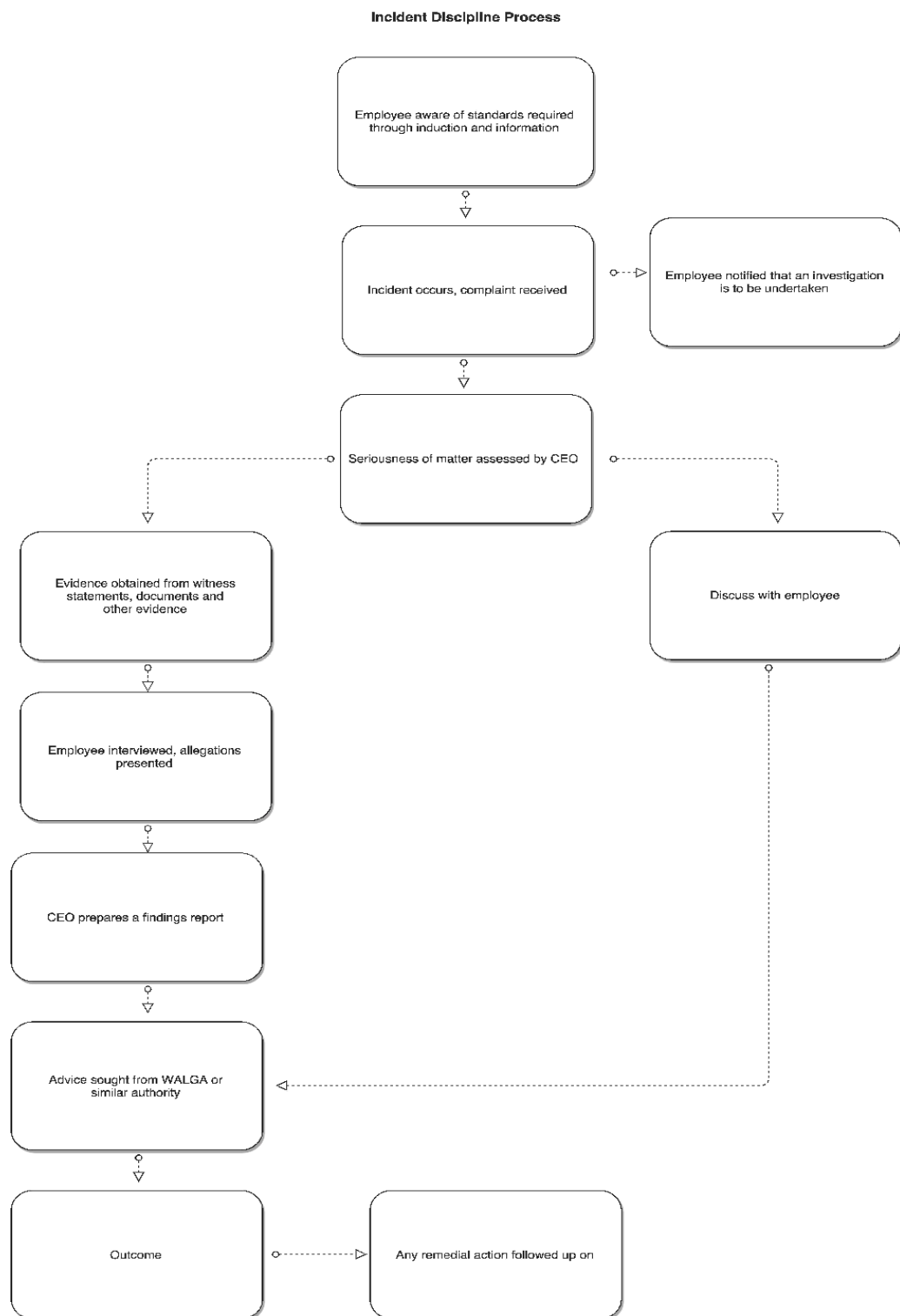
The Chief Executive Officer may suspend an employee where a complaint has been made, with pay.

Resolution Process

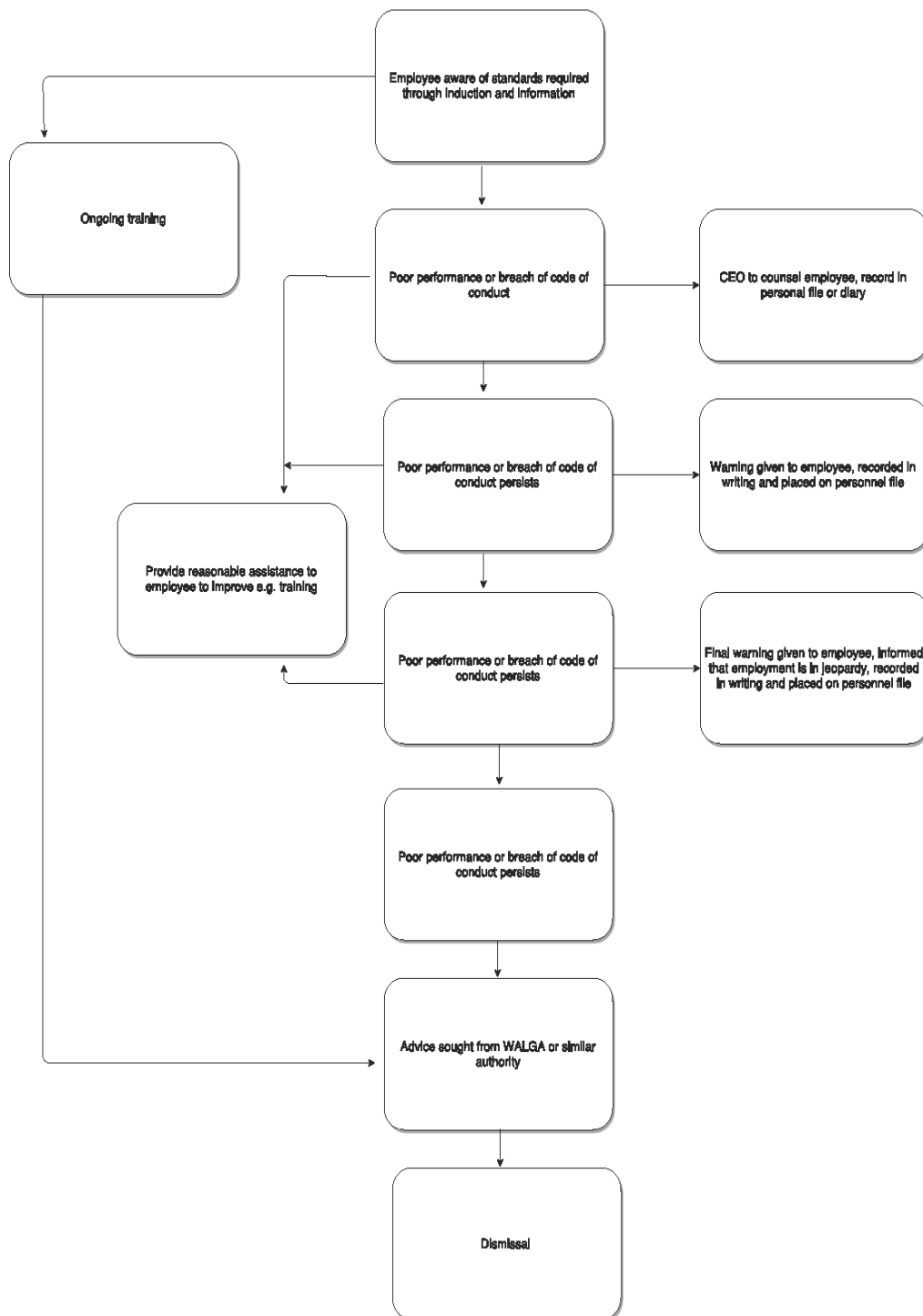
- A review shall be conducted.
- Relevant information shall be collected in relation to the complaint, such as interviewing witnesses and other documentation.
- The employee shall be given a written copy of the complaint and/or allegation(s) against him/her together with any other material necessary to enable the employee to respond to the complaint/allegation.
- The employee shall be given the opportunity to make written representations or, if approved, oral representations with respect to the matter.
- Employees may be accompanied during any interview by a representative.
- A report containing the findings will be prepared by the Chief Executive Officer.

Report Outcome

- The Chief Executive Officer shall offer the employee an opportunity to attend an interview to discuss the report findings before the outcome is decided.
- The Chief Executive Officer will consider the findings of the report and decide on the appropriate outcome.
- The outcome may include, but is not limited to the following;
 - dismissal of the complaint
 - placing a written warning on the employee's personal file
 - reducing the employee's classification or position
 - limiting the areas the employee is permitted to work
 - terminating the employee's employment



Performance Discipline Process



- 10.3.1** The “Resolution Process” in the Counselling, Disciplining and Dismissing Employees Policy is to be amended to so that time frames are included for each stage of the process.

Resolution No. 2017/06

That council adopts the “Counselling, Disciplining and Dismissing Employees” Policy as amended.

Moved: Vice-President Brad Irvine

Seconded: Co-Op Tom Dyer

Vote: Carried

10.4 Casual Vacancy on Council Policy

POLICY TITLE:	CASUAL VACANCY ON COUNCIL
POLICY NUMBER:	P22
CATEGORY:	COUNCIL POLICY
CLASSIFICATION:	GOVERNANCE
STRATEGIC PLAN REFERENCE:	Review of Council Policies and Procedures
CORPORATE GOVERNANCE AND PERFORMANCE: Council shall consist of 7 members throughout its term IAW this policy	
STATUS: Final	Council Resolution: 2016/81
Date Approved: 20 September 2016	Date for review: Next Council Election

SUMMARY

Section 39 of the Local Government Act (the Act) stipulates that Council shall have a policy on the filling of a casual vacancy that occurs within 18 months of the next general election.

OBJECTIVE

This Policy provides clear direction for the filling of a casual vacancy on Council.

POLICY

1. If a casual vacancy occurs within six months of the next general election, Council shall not co-opt a person, provided the casual vacancy has not reduced membership of Council below four members.
2. If a casual vacancy occurs within more than six months and less than eighteen months until the next general election, Council will co-opt a person to fill the vacancy until the next general election.
3. To co-opt a person Council shall:
 - (a). Seek expressions of interest from eligible persons by advertising on the Council website, social media page and in hardcopy format on the council and supermarket notice boards;
 - (b). Council shall consider the list of persons, plus any further names that may be added by Council and select one person to fill the vacancy.

In selecting a person Council shall give due consideration to:

1. The eligibility for membership as per Section 36 of the Act;
2. The length of residence in the community
3. Demonstrated interest in community affairs.

Council may at its discretion ask potential persons to make a short presentation to Council as part of the selection process.

This policy is applicable to all elected members.

REFERENCES:

Local Government Act
Local Government Electoral Regulations

Resolution No. 2017/07

That council adopts the “Casual Vacancy on Council” Policy.

Moved: Cr Shenagh Gable

Seconded: Vice-President Brad Irvine

Vote: Carried

10.5 Council Staff Code of Conduct

POLICY TITLE:	COUNCIL STAFF CODE OF CONDUCT
POLICY NUMBER:	P27
CATEGORY:	COUNCIL POLICY
CLASSIFICATION:	GOVERNANCE
STRATEGIC PLAN REFERENCE:	Review of Council Policies and Procedures
CORPORATE GOVERNANCE AND PERFORMANCE: Develop performance management and work plans with staff members	
STATUS: Draft	Council Resolution:
Date Approved:	Date for review: January 2018

SUMMARY

Council employees must comply with the provisions of this Code in carrying out their functions as public officials. It is the personal responsibility of Council employees to ensure that they are familiar with, and comply with, the standards in the Code at all times.

This Code does not exclude the operation of the *Fair Work Act 2009*, the rights of employees and their Unions to pursue industrial claims, or any relevant Awards or Enterprise Agreements made under the *Fair Work Act*. This Code does not affect the jurisdiction of the Industrial Relations Commission.

OBJECTIVE

This policy has been developed to comply with Section 104 of the *Local Government Act 2008* and to provide clear direction about the principles of ethical conduct and standards of behaviour expected from council staff.

POLICY

This Code of Conduct is to be observed by all Council employees.

PART 1—PRINCIPLES

Council employees of Wagait Shire Council (WSC) have a commitment to deliver a professional and committed service to the community and elected members of Council and to discharge their duties conscientiously and to the best of their ability.

Council employees will act honestly in every aspect of their work and be open and transparent when making decisions or providing advice to their Council.

Council employees will perform their official duties in such a manner as to ensure that public confidence and trust in the integrity and impartiality of their Council is strong.

Council employees will respect the law, and the resolutions made by the elected member body of the Council.

The Council's Chief Executive Officer will make reasonable endeavours to ensure that employees have current knowledge of both statutory requirements and best practices relevant to their position.

Council employees will make reasonable endeavours to ensure that they have such current knowledge of both statutory requirements and best practices relevant to their position as is drawn to their attention by Council.

PART 2—CONDUCT

Conduct required of Council employees

In line with 'PART 1—Principles' of this Code, the following behaviour is considered essential to upholding the principles of good governance in WSC.

A failure to comply with any of these behaviours can constitute a ground for disciplinary action against the employee, including dismissal in accordance with Council's *Counselling, Disciplining and Dismissing Employees* policy.

Council employees must also comply with all relevant statutory requirements within the *Local Government Act*, the Work Health and Safety (National Uniform Legislation) Act and other Acts. A failure to comply with these statutes, as identified within this Part, can also constitute a ground for disciplinary action against the employee, including dismissal, in accordance with Council's *Counselling, Disciplining and Dismissing Employees* policy.

Council employees will:

General behaviour

- 2.1. Act honestly in the performance of official duties at all times.
- 2.2. Act with reasonable care and diligence in the performance of official duties.
- 2.3. Discharge duties in a professional manner.
- 2.4. Act in a way that generates community trust and confidence in the Council.
- 2.5. Act in a reasonable, just, respectful and non-discriminatory way when dealing with all people.
- 2.6. Ensure that personal interests, including financial interests, do not influence or interfere with the performance of their role.

Responsibilities as an employee of Council

- 2.7. Comply with all relevant Council policies, codes and resolutions of which they have been made aware, relevant to their particular role.
- 2.8. Deal with information received in their capacity as a Council employee in a responsible manner.
- 2.9. Endeavour to provide accurate information to the Council and to the public at all times.

2.10. Take all reasonable steps to ensure that the information upon which employees make decisions or actions are based is factually correct and that all relevant information has been obtained and is considered.

2.11. Not release or divulge information that the Council or Chief Executive Officer of the Council has ordered be kept confidential, or that the Council employee should reasonably know is information that is confidential.

2.12. Not make improper use of information, including confidential information, acquired by virtue of their position.

2.13. Ensure that relationships with external parties do not amount to interference by improper influence, affecting judgement, decisions and/or actions.

2.14. Comply with all lawful and reasonable directions given by a person with authority to give such directions.

2.15. Only make public comment in relation to their duties when specifically authorised to do so, and restrict such comment to factual information and professional advice.

Relationships within Council

2.16. Not make any public criticism of a personal nature of fellow Council employees or Council members.

2.17. Take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons.

2.18. Direct any allegations of breaches of the Code of Conduct for Council Members to the Chief Executive or nominated delegate/s.

Gifts and Benefits

2.19. Council employees must not:

2.19.1. Seek gifts or benefits of any kind.

2.19.2. Accept any gift or benefit that may reasonably create a sense of obligation on their part or may be reasonably perceived to be intended to or would reasonably be likely to influence them in carrying out their public duty.

2.19.3. Accept any gift or benefit from any person who is in, or who seeks to be in, any contractual relationship with the Council.

2.20. Notwithstanding Code 2.19.3, Council employees may accept hospitality provided in the context of performing their duties, including:

2.20.1. Free or subsidised meals, beverages or refreshments of reasonable value provided in conjunction with:

2.20.1.1. Council work related events such as training, education sessions, workshops and conferences; and

2.20.1.2. Council functions or events; and

2.20.1.3. Social functions organised by groups such as Council committees and community organisations.

2.20.2. Invitations to and attendance at local social, cultural, or sporting events.

2.21. Where any Council employee receives a gift or benefit of more than a value published in the Government Gazette by the Minister from time to time, details of each gift or benefit must be recorded within a gifts and benefits register maintained and updated quarterly by the Council's Chief Executive Officer. This register must be made available for inspection at the principal office of the Council and on the Council website.

Use of Council Resources

2.22. Council employees using Council resources must do so effectively and prudently when undertaking Council work.

2.23. Council employees must not use Council resources, including the services of Council staff, for private purposes, unless legally or properly authorised to do so, and payments are made where appropriate.

2.24. Council employees must not use public funds or resources in a manner that is irregular or unauthorised.

Chief Executive Officers

2.25 Chief Executive Officers must act in accordance with the provisions specific to their position within the *Local Government Act* at all times.

Complaints

2.26 Any person may make a complaint about a Council employee under this Code.

2.27 Complaints about an employee's behaviour that is alleged to have breached this Code should be brought to the attention of the Chief Executive Officer of the Council, or a delegated person.

2.28 Complaints about a Chief Executive Officer's behaviour that is alleged to have breached the Code should be brought to the attention of the Council's Principal Member.

2.29 A complaint may be investigated and resolved according to the disciplinary processes of that Council.

2.30 In considering the lodgement of a complaint against a Council employee for a breach of the Code, Public Officers should be mindful of the obligations outlined in the Independent Commissioner Against Corruption—Directions and Guidelines.

2.31 Nothing in this code in any way derogates from the rights of an employee or duties of an employer under the Fair Work Act 2009, other legislation, an award, an industrial agreement or contract of employment.

REFERENCES:

Local Government Act 2008

Fair Work Act 2009

Work Health and Safety (National Uniform Legislation) Act

<p>Resolution No. 2017/08 That council adopts the “Council Code of Conduct” Policy. Moved: Co-Op Tom Dyer Seconded: Cr Kurt Noble Vote: Carried</p>
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10.6 Policies – Ongoing

P01 – Policy Framework
P02 – Election of President
P03 – Casting Vote of President
P04 – Signing of cheques and Expenditure Certifications
P06 – Vehicular Crossovers and Drainage
P07 – Internal Audit Committee
P08 – Human Resource Management
P10 – Council Records
P11 – Complaints against Council, Employees and Work Practices
P12 – Asset Management
P13 – Use of Council Firearms
P14 – Use of Sportsground
P15 – Meeting Procedure – Guidelines
P16 – Investment Policy
P17 – Borrowing Policy
P18 - Wage and Salary Increases
P19 – Donations and Contributions Policy
P20 – Fraud Protection

10.7 Belyuen, Coomalie, Wagait Local Government Advisory Group (BCWLGAG) Consultants Report

The BCWLGAG Consultant’s Report was circulated by President Peter Clee to all council members late last year for consideration. The consultants have requested that Council’s form their own views and adopt a formal resolution on those views.

Councillors would like to see this report be put out for public consultation and the Department should also be invited to attend this meeting.

10.8 Review Draft 2017 – 18 Annual Plan and Budget

The draft Budget has been circulated to council members for their consideration. This is to be carried over to the next council meeting for further discussion.

CEO Deborah Allen to write a policy on “Cash Reserves” and an action plan outlining what will happen after the reserves for the next council meeting.

The draft Annual Plans has also been circulated to council members for their consideration.

11.0 UPCOMING EVENTS

11.1 Australia Day – 26 January 2016

Preparations are underway.

12.0 LATE ITEMS AND GENERAL BUSINESS

12.2 Sealink NT

Concerns have been raised about the ongoing cancellations of the ferry service from residents as this is having a major impact on many ferry users, in particular shift workers. Residents would like to know if the service provided will improve or whether this will be a continuous ongoing issue. Vice-President Brad Irvine explained that the cancellations have occurred because the channel is in urgent need of a dredging. Another issue raised is that the monthly ticket has now been changed to 30 day tickets, depriving those who purchase a monthly ticket of 5 days travel in a year. Vice President Brad Irvine to draft a letter raising these concerns to Sealink NT. Vice-President Brad Irvine to also write a letter to the NT Government raising the concerns residents are facing with reduced services and asking when dredging is likely to start.

13.0 IN-CAMERA ITEMS

Nil

14.0 DATE OF NEXT MEETING

The next Council Meeting is to be held on Tuesday 21 February 2017 in the Council Chambers,

15.0 CLOSE OF MEETING

The Chair declared the meeting closed at 8.45pm.