

# **WAGAIT SHIRE COUNCIL MINUTES**

**ORDINARY COUNCIL MEETING  
COUNCIL CHAMBERS  
LOT 62, WAGAIT TOWER ROAD  
15 NOVEMBER 2016**



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## 1.0 PRESENT

President Peter Clee  
Cr Shenagh Gamble  
Cr Alex Richmond  
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. 2016/093**

**That the apology of Vice-President Brad Irvine be accepted and approved.**

**Moved: President Peter Clee**

**Seconded: Cr Kurt Noble**

**Vote: Carried**

## 2.0 DECLARATION OF INTERESTS

NIL

## 3.0 CONFIRMATION OF MINUTES

### 3.1 Confirmation of 19 October 2016 Council Meeting

**Resolution No. 2016/ 094**

**That the minutes of the Monthly Meeting of 19 October 2016 be confirmed.**

**Moved: Cr Alex Richmond**

**Seconded: Cr Kurt Noble**

**Vote: Carried**

### 3.2 Matters arising from the October 2016 Minutes - Nil

## 4.0 QUESTIONS AND FEEDBACK FROM THE PUBLIC

### 4.1 Query Regarding Animal By-Laws

Councillors have received an email from a resident querying Animal by-laws asking for their opinions on restrictions, breeds of dogs and desexing. A reply has been emailed to the resident explaining the steps and process's involved before council makes a by-law.

**4.2 Continuing Vandalism at Mandorah Jetty Carpark** – A letter concerning the continuous vandalism at the Mandorah jetty carpark has been received from a resident. Council is not legally responsible for any vandalism on the jetty as this is not on council land, however with the support of the Police council might be able to obtain a grant, this could justify for the installation of CCTV and this could make the community feel more secure. Council will look at engaging the Night Patrol to see how can assist with this issue. A reminder to all resident that all incidents of vandalism should be reported to the Police

as quickly as possible. President Peter Clee will be attending the TOPROC meeting this week, and one of the presenters will be the Police Commissioner, if given the opportunity President Peter Clee will approach the subject with him to see what his thoughts are on this and what can be done.

- 4.3 Mandorah Jetty – A letter from the Hon Warren Snowdon MP seeking advice as to whether there is any funding sources available to upgrade the jetty at Mandorah to make it safe for future use was forwarded to council by a resident.

## 5.0 INWARDS AND OUTWARDS CORRESPONDENCE

### 5.1 Inwards Correspondence

| Date       | From  | About   | To                      |
|------------|---|---|-------------------------|
| 11/10/2016 | NT Government   | Notice of Valuation - 142 Wagait Tower Rd   | admin                   |
| 11/10/2016 | NT Government   | Notice of Valuation - 50 Forsyth Road   | admin                   |
| 11/10/2016 | Angel Conveyancing                                    | Rates Search  | admin                   |
| 13/10/2016 | NT Government   | Draft Policy for the preservation of digital information                                  | admin                   |
| 14/10/2016 | Local Govt Grants Unit                                | SPG Grant application - email advising this has been received and registered              | admin                   |
| 17/10/2016 | Resident  | Unsafe drone operations   | admin                   |
| 17/10/2016 | All Conveyancing                                      | Change of Ownership   | admin                   |
| 18/10/2016 | LGANT - Peter McLinden                                | C2103/5139 United Voice & Australian Education Union v Commonwealth of Australia & Others | CEO                     |
| 18/10/2016 | Peter Clee  | Draft Minutes of October audit committee  | committee members       |
| 19/10/2016 | Resident  | Complaint: Dog Attack   | admin                   |
| 19/10/2016 | Resident  | Complaint - continuing vandalism at the Mandorah Jetty Carpark                            |                         |
| 20/10/2016 | LG Compliance   | review of Council website - Code of Conduct   | admin                   |
| 24/10/2016 | Angel Conveyancing                                    | Notice of Sale or transfer of land - 44 Uhr Road  | admin                   |
| 24/10/2016 | Jarrett Lawrie Conveyancing                           | Notice of Sale or transfer of land 44 Uhr Road  | admin                   |
| 24/10/2016 | Minister for Housing & Community Dlv - Gerry McCarthy | Response to President's letter addressing reduction in council's members from 7 to 5      | Peter Clee              |
| 24/10/2016 | MVR   | Certificate of Registration - Kubota Tractor  | admin                   |
| 24/10/2016 | MVR   | Certificate of Registration - Kubota Rideon Mower   | admin                   |
| 24/10/2016 | Ward Keller   | Change of Ownership - 123 Baluria Road  | admin                   |
| 27/10/2016 | Donna Hadfield - Local Govt Grants Unit               | NTGC Annual Return - due 2 December 2016  | admin                   |
| 27/10/2016 | Valuation Rolls Officer                               | Valuation roll of all parcels in the Wagait area with UCV's.                              | admin                   |
| 27/10/2016 | Holden  | Customer Satisfaction Program for Holden vehicle  | admin                   |
| 4/11/2016  | Resident  | Animal By-Laws  | All councillors and CEO |
| 7/11/2016  | Valuation Rolls Officer                               | Monthly Reconciliation report   | admin                   |
| 7/11/2016  | NT Police   | Expiring Corporate Licence - 1023568 - due 13/1/2017                                      | admin                   |
| 8/11/2016  | Heather Gibb - Law Education Business & Arts          | Two Research Reports - CDU Papers on Ageing in Remote Areas                               | admin                   |
| 8/11/2016  | Bec - Gary Higgins MLA office                         | Closure of the Wagait Beach Health Clinic   | admin                   |
| 9/11/2016  | Chief Minister's Office                               | Closure of Wagait Beach Health Clinic   | Peter Clee              |

## 5.2 Outwards Correspondence

|            |   |   |       |
|------------|---|---|-------|
| 14/10/2016 | Australia Day Council                       | Regional support application and awards application               | email |
| 14/10/2016 | Local Govt Grants Unit                      | SPG Grant application - Ride on Mower                             | email |
| 19/20/2016 | Overdue Residents                           | Letter Informing rates in arrears                                 | mail  |
| 19/10/2016 | Norsign                                     | Quote for Lockable Cabinet  | email |
| 20/10/2016 | Chris Chaplin                               | Letter replied to arts group, re 20 foot container                | mail  |
| 20/10/2016 | Bendigo Bank                                | Signatory Approvals   | mail  |
| 24/10/2016 | Resident                                    | Rely to letter re: Continuing vandalism at Mandorah Jetty Carpark | email |
| 25/10/2016 | Resident                                    | Reply to email re: Dog Attack                                     | email |
| 1/11/2016  | 7 overdue rate payers                       | Overdue notices   | mail  |
| 2/11/2016  | Bureau of Meteorology                       | Rain reading for month of October 2016                            | mail  |
| 4/11/2016  | Resident                                    | Animal By-Laws - response to email received 4/11/2016             | email |
| 7/11/2016  | Belinda - Weed Management                   | Contract 12 - 0951 Weed Management Contract                       | email |
| 7/11/2016  | Resident                                    | Response to resident's email - Animal By-Laws                     | email |
| 7/11/2016  | Tom Dyer                                    | Training for local government elected members                     | email |
| 8/11/2016  | Heather Gibb, Law Education Business & Arts | Tow research reports - CDU Papers on Ageing in Remote Areas       | email |
| 8/11/2016  | Resident                                    | Answers to questions from resident regarding Dog-by-Laws          | email |
| 9/11/2016  | Chief Minister                              | Closure of the Wagait Beach Health Clinic                         | email |
| 11/11/2016 | All Residents                               | Public Notice - Wagait Beach Health Clinic Update (reopening)     | email |

### Resolution No. 2016/095

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

**Moved: Cr Shenagh Gamble**

**Seconded: Cr Alex Richmond**

**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.....

The Financial Statements were received from the new Auditors. The CEOI and I met with the Auditors to clarify and iron out a few issues with the reports. The Audit report has is considered a clean report without any qualifications.

The Annual Report was adopted at the October meeting and is available on the council web site. Council will now begin the process of writing the Annual Plan for 2017 / 18 as well as updating the Strategic Plan and Long Term Financial Plans.

The Audit Committee met on 18<sup>th</sup> October and will meet quarterly or thereabouts. This next meeting of the Audit Committee will be held on December 8th.

The ordinary council meeting in December has been cancelled. The next meeting of council will be on 17<sup>th</sup> January 2017.

## Where have I been .....

|                           |  |
|---------------------------|--|
| 14 <sup>th</sup> October  | Meeting with Council Auditors                                |
| 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                                     |
| 25 <sup>th</sup> October  | Weekly Meeting with CEO                                      |
| 27 <sup>th</sup> October  | Mandorah Ferry Committee meeting                             |
| 27 <sup>th</sup> October  | Meeting with LOWRYS, Council Auditors.                       |
| 2 <sup>nd</sup> November  | Weekly Meeting with CEO                                      |
| 8 <sup>th</sup> November  | Weekly Meeting with CEO                                      |
| 9 <sup>th</sup> November  | TRI-Council meeting (Wagait, Belyuen and Coomalie) @ Belyuen |
| 10 <sup>th</sup> November | Local Government Disciplinary Committee                      |
| 15 <sup>th</sup> November | Weekly meeting with CEO                                      |
| 15 <sup>th</sup> November | Ordinary Council meeting                                     |

## Upcoming Meetings and Events

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

Meeting with **Local EMERGENCY SERVICES** TBA

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

AUDIT COMMITTEE meeting on 8<sup>th</sup> December

Meeting with Local Government Minister Gerry McCarthy approx. 8<sup>th</sup> December

Hearing of Local Government Disciplinary Committee approx. 19 and 20 January 2017

Australia Day 26<sup>th</sup> January 2017

**I wish all Councillors, Staff and the community as a whole a very merry Christmas and a happy and healthy 2017.**

## Contact Details

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**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 – Deborah Allen

#### 1. Important Dates

16 - 30 December: next hard waste collection – pickup to be from the roadside, no self-drop off.

Council meeting every third Tuesday of the month except for December

#### 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.

Drafting instructions document tabled for council to review. The following resolution will be required for the instructions to be progressed:

*Council resolves to approve the drafting instructions and to have the instructions forwarded for the drafting of a by-law to the Office of Parliamentary Council (OPC) and Department of Housing & Community Development – Compliance Section.*

## **Drafting Instructions for Wagait Shire Council By-laws (Dogs)**

It is requested that by-laws be drafted in accordance with the requirements of Part 13.1 of the *Local Government Act* (LG Act).

Please note that Wagait Shire Council does not have a pound and intends to use (by agreement) the pound facilities of Litchfield Council. If necessary, these by-laws will need to provide for the arrangement of using pound facilities outside of the council area.

Instructions

### **General**

#### **1. Commencement**

The by-laws are to commence upon gazettal by the Minister.

#### **2. Application**

The by-laws are to apply to the entire Council area.

#### **3. Definitions**

Please provide for the following definitions:

- a) *'Authorised person'* – Part 9.6 of the LG Act provides for the appointment of authorised persons. It is intended that authorised persons appointed under that part of the LG Act (or any successor legislation) will have the powers of authorised persons under these by-laws, subject to the conditions imposed upon their appointment. The general powers of an authorised person under the LG Act are contained at sections 115 to 117 of the LG Act.
  
- b) *'Owner'* – The person registered as the owner of a dog; or if the dog is not registered, the person who has care/control of the dog; or if the person who has care/control of the dog cannot be identified after reasonable enquiries, the person who claims the dog from a pound.

#### **4. Fees**

- a) Council may resolve to charge fees that apply to services it provides under these by-laws.
  
- b) As there may be situations where a dog is impounded a significant distance from where the owner resides and the owner may not have access to a vehicle to transport the dog, fees resolved by council may include a fee for the cost of delivering a dog from a pound to the owner.
  
- c) If a person collects a dog from a pound or a dog is delivered from a pound to a person and any applicable fee is not paid prior to, or at the time of, collection or delivery, the fee is recoverable as a debt due to Council.

## **5. Penalty**

The penalty for any offence against the by-laws is 100 penalty units.

## **6. Infringement notices**

- a) Please provide the ability for infringement notices in the prescribed form to be issued by an authorised person in respect of any offence under these by-laws.
- b) The infringement notice penalties are set out in Schedule 2 to these instructions.

## **Dogs**

## **7. Registration of dogs**

- a) The Council CEO shall keep a register containing details of:
  - i. each dog registered by the Council, including which dogs are determined to be dangerous dogs and any conditions attached to the registration;
  - ii. the address where the dog usually resides; and
  - iii. the contact and address details of the owner of the dog.
- b) Where a dog is kept in the Council area for three months or more at an allotment classified in Council's rates assessment record as a residential property or a commercial property, the owner must register the dog. If a dog resides on another type of allotment, the owner may elect to register the dog. When a dog is registered, it must have either subcutaneous microchip identification or a council issued identification tag.
- c) Registration will be ongoing and not require renewal. However:
  - if the identification tag for a non-microchipped dog is lost, the owner must obtain a replacement tag from Council, for which Council may require payment of the reasonable cost of the tag (and collar if necessary); or
  - i. if a microchipped dog loses its microchip or the microchip becomes damaged and no longer works, the owner must:
    - A. obtain a replacement microchip; or
    - B. obtain an identification tag from Council, for which Council may require payment of the reasonable cost of the tag (and collar if necessary).

## **8. Limit of dogs per allotment**

For an allotment classified in Council's rates assessment record as a residential property or a commercial property, no more than two dogs may be kept without written authorisation from Council in the prescribed form to keep additional dogs.

## **9. Dangerous dogs**

- a) The Council CEO may determine that a dog is a dangerous dog because it has attacked or menaced a person or an animal.
- b) Where the Council CEO has determined that a dog is a dangerous dog, the Council CEO may attach one or more reasonable conditions to the registration of the dog.
- c) A decision notice setting out the determination and any conditions must be given to the owner of the dog. Please make this a reviewable decision under section 227(1)(a) of the LG Act.



## **10. Impounding of dogs**

- a) An authorised person may seize and impound a dog if the dog is:
  - i. unregistered and at large;
  - ii. savage;
  - iii. diseased;
  - iv. injured; or
  - v. unwanted/abandoned.
- b) Please ensure that it is clear that an authorised person has the power to seize and retain a dog suspected of having attacked a person until a decision is made whether the dog is to be destroyed.
- c) If a dog has been impounded, the authorised person must make a reasonable attempt to identify and contact the dog's owner and advise of the impoundment. This should include, at a minimum, putting a notice:
  - i. in the Council office;
  - ii. on the Council website; and
  - iii. in one or more local shops.
- d) The notice referred to in instruction 10.c must include a photograph of the dog.
- e) The owner or, if the owner has not been identified, someone who wishes to claim ownership of the dog may collect it from the pound or arrange for it to be returned to them (the owner may live in another town and not have ready access to transport) on payment of a fee (or agreement to pay a fee) for the cost of the impoundment (and delivery from the pound to the owner if applicable).
- f) If a dog is impounded (except if impounded where instruction 13 applies) for four weeks and not collected by (or returned to) its owner, it may be:
  - i. sold;
  - ii. gifted; or
  - iii. transferred in ownership (including to the Royal Society for the Prevention of Cruelty to Animals); or
  - iv. destroyed.
- g) Please provide that while a dog is impounded, it must be properly looked after and given appropriate shelter, food, water and protection. Please see section 7 of the *Animal Welfare Act* for the minimum level of care that should be given to an animal.

## **11. Destruction of dogs**

- a) If immediately necessary for public safety reasons, an authorised person may seize and destroy or arrange for the destruction of the dog that is savage, diseased or injured, whether or not it has been impounded.
- b) In the case of a dog that is diseased or injured, it may be destroyed if an authorised person reasonably believes that the dog is in pain such that it would be cruel to keep it alive.

## **12. Destruction of dog and notification of owner after attack**

- a) An authorised person probably will not witness most dog attacks. In order to destroy a dog based on it having attacked a person, where such destruction is not in the

interests of immediate public safety, the Council CEO must be satisfied that the dog committed the alleged attack.

- b) The alleged incident must have happened within the four weeks preceding the seizure of the dog.
- c) The authorised person must make reasonable enquiries to ascertain whether the dog attacked a person and the circumstances of the attack, then report his or her findings to the Council CEO. The Council CEO may decide that the dog should be released or that it should be destroyed.
- d) If the Council CEO decides that the dog should be destroyed, notice of this decision must be given to the owner of the dog. Please make this a reviewable decision under section 227(1)(a) of the LG Act.
- e) If the owner cannot be identified, notice advising of the decision to destroy the dog and how someone claiming ownership may appeal the decision must, at a minimum, be put:
  - i. in the Council office;
  - ii. on the Council website; and
  - iii. in one or more local shops.
- f) The notice referred to in instruction 13.e must include a photograph of the dog.
- g) Destruction must not occur until rights of appeal have expired or are exhausted.
- h) If a dog is to be released due to the decision of the Council CEO or if a decision to destroy the dog is successfully appealed, the owner is not liable for impoundment fees.

### **13. Manner of destruction**

- a) Destruction must be done in a manner that causes the dog to die quickly and without unnecessary suffering and be by:
  - i. a suitably qualified authorised person, police officer, vet; or
  - ii. a person who, in the opinion of the Council CEO, has appropriate training and is instructed in writing by the authorised person to do so.
- b) As soon as practicable after destroying a dog, the authorised person must make a reasonable attempt to identify and contact the dog's owner and advise in writing of the destruction and the reason for it.

### **14. Offences**

- a) The owner of a dog commits an offence if:
  - i. The dog lives at an allotment classified in Council's rates assessment record as a residential property or a commercial property and is not registered. This offence only applies to dogs that are over three months old and have lived in the Council area for three months or more.

This is to be an offence of strict liability.

- ii. The dog attacks a person.

This is to be an offence of strict liability.

- iii. The dog attacks and harms an animal (for example, dogs may attack other dogs, donkeys, livestock, etc).

This is to be an offence of strict liability.

- iv. The dog is a nuisance. A dog is a nuisance if it:
  - A. makes a noise, by barking or otherwise, that continues to such a degree that it unreasonably interferes with the peace and comfort of a person in another premises; or
  - B. causes material damage to anything outside the premises where the dog is usually kept.

This is to be an offence of strict liability.

- v. The dog is abandoned.

Fault element: recklessness.

- b) A person commits an offence if they entice a dog to behave in a way that would result in an offence set out in instruction 14.a.

Fault element: recklessness.

- c) The owner of a dog that has been determined by the Council CEO to be a dangerous dog commits an offence if a condition of the dog's registration is not complied with.

Fault elements: recklessness or negligence.

## Transitional matters

### 15. Registration of dogs until xxxx date

As there are currently more than two dogs kept at many allotments, up until xxxx date, all dogs currently residing at a property should be able to be registered, even if this results in more than two dogs at an allotment being registered. After the initial registration of dogs for an allotment, unless the authorisation described at instruction xxx has been obtained, the CEO will not register any more dogs for the allotment if two or more dogs remain registered at the allotment.

### 16. Fees for registration

There will not be a fee for the registration of a dog, or for the initial provision by Council, prior to xxxx date, of an identification tag and collar for a non-microchipped dog.

### 17. Offence for dog not registered

The offence described at instruction 14.a.i is not to apply until after xxxx date.

## Schedule

### Infringement notice penalties

| Drafting instruction | Offence               | Penalty units |
|----------------------|-----------------------|---------------|
| 14.a.i               | Dog is not registered | 1             |

|          |   |   |
|----------|---|---|
| 14.a.ii  | Dog attacks a person  | 4 |
| 14.a.iii | Dog attacks and harms an animal                                   | 2 |
| 14.a.iv  | Dog is a nuisance   | 1 |
| 14.a.v   | Dog is abandoned  | 1 |
| 14.b     | Enticing a dog to behave in a way that would result in an offence | 1 |
| 14.c     | Failure to comply with condition of registration                  | 2 |

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

Advice about securing approval for funding to carry out repairs as required on the road shoulders that were reinstated under the Roads to Recovery (R2R) program last FY has been sought. R2R team were not available at the time of writing this report, follow up will be carried out before end of November.

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

The electoral review was completed in August 2016 – will remove from next report.

Confirmed that LGANT will be running ‘So you want to be on council’ training sessions next year in preparation for the Local Government election in August.

Have requested a meeting with Darwin City Council Executive Manager to review an election procedure the council has drafted and discuss lessons learnt from previous elections. Date to be confirmed.

#### 4. Waste Management



MEETING DATE: 7PM 15 NOVEMBER 2016  
MEETING TYPE: ORDINARY  
FILE REF: \\Server\data\Council Meetings\2016\November 2016  
ATTACHMENTS: No

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*Any member of Council who may have a conflict of interest, or a possible conflict of interest in regard to any item of business to be discussed at a Council meeting of a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.*

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|                        |
|------------------------|
| <b>Agenda Item No:</b> |
|------------------------|

|   |
|---|
| <b>Report Title:</b> Community Consultation Green Waste Management 2016 |
|---|

|                        |
|------------------------|
| <b>Attachments:</b> No |
|------------------------|

**Summary:**

This report has been provided to advise Council about community feedback received from the consultation carried out on green waste management.

**Background:**

A survey was disseminated to residents and rate payers via council's email database, council's website and Facebook page, posting notices on the council, supermarket and Cox Community Club notice boards and providing 300 hard copies for individual collection at the gate on the Mandorah Jetty; 21 completed surveys were received by council.

Feedback was sought about what the community's opinion would be if council were to provide a fee for service delivery and collection of bale bags or home incinerators to residences. The survey also provided a section where residents could suggest alternative ideas for council to consider.

The following data is feedback received from the surveys about use of bale bags and incinerators:

- Yes to using bale bags – 3 + 1 maybe
- No would not use bale bags – 10
- Yes to using a home incinerator – 7 + 1 maybe
- No would not use a home incinerator – 10

A summary of alternative ideas suggested by the community include:

- Residents should self-manage their own green waste – 8
- Council provide a loan chipper or mulcher– 5
- Council rent land for a green waste dump – 2
- Council teach residents how to mulch/compost – 2
- Council pay local business to provide a green waste service - 2
- Council provide bale bags, incinerators and a green waste dump for free – 1
- Council offer donations to local volunteer groups to manage/burn green waste – 1
- Council negotiate with NLC and ask if they will burn green waste away from the community - 1

Feedback from some surveys suggested that council has a heavy duty chipper/mulcher that could be hired or loaned to residents. Council does have a chipper but it is not self-powered so has to be attached to the tractor in the same fashion as the slasher or post-hole digger. It requires two people to operate it, one to drive the tractor and control the chipper speed and one to manually load the green waste into the chipper's hopper. The chipper is able to process timber up to about 4 inches in diameter so is by no means heavy duty or a particularly efficient machine. It will not be able to process anywhere near the level of green waste that was previously being dumped at the old landfill. The slasher/tractor is not available to work in its intended capacity around the estate if it has the chipper connected to it. If council were to consider offering a chipping service, purchase of an industrial mulcher/chipper that is self-driven machine would be recommended.

**Consultation:**

The community consultation period was from 7 – 30 October 2016.

**Statutory Obligations:**

No statutory obligations relating to this report have been identified at this point in time. If a green waste site were to be proposed outside of the town boundary, negotiations with and payment of all applicable fees and lease agreements will be required to all relevant stakeholders and owners of proposed land. Vacant properties within the town boundary are privately owned.

**Policy Implications:**

No policy obligations relating to this report have been identified at this point in time.

**Budget/Financial Implications:**

Allocations will have to be included in the annual budget should council decide to deliver a green waste service to the community. Considerations should include but won't necessarily be limited to the initial purchase cost of equipment and or infrastructure; ongoing maintenance; wages to manage a site or in the delivery of a service; establishment of processes on how to separate and dispose of declared weeds that have been deposited with general garden waste and how to dispose of any final green waste products.

**Strategic Implications:**

Council will need to ensure they are engaged as a stakeholder should development opportunities on the Cox Peninsula present in the future.

**Sustainability Implications:**

Machinery or infrastructure purchased or established to deliver a green waste solution will require ongoing maintenance and budgetary planning that will facilitate the repair or replacement of equipment as it ages and depreciates. Outsourcing to private enterprise or community groups will also very likely to incur a cost. Whichever option is under taken, either an increase in the waste management levy or a decrease in the municipal services that are currently being funded by rates is likely to be required to fund any additional service.

**Governance**

No governance implications relating to this report have been identified at this point in time.

**Environment**

If a green waste solution is not established by council, it is likely green waste will be dumped in the natural bush that surrounds the Wagait town boundary. There will be a risk that declared weeds will be spread to areas that are not currently affected.

**Social**

No social considerations relating to this report have been identified at this point in time.

**Recommendations:**

1. THAT Council receive and note the summary report for the green waste community consultation
2. THAT Council investigate what costs will be incurred in the transportation and disposal of green waste into Shoal Bay Transfer Station on a quarterly basis

Recommending Officer: DEBORAH ALLEN – CHIEF EXECUTIVE OFFICER

**5. Administration**

Planned leave for office staff:

- CEO 20 December 2016 – 08 January 2017
- Administration Officer 24 December 2016 – 15 January 2017

Office Closure:

Request approval from council to close the office for the period 24 December 2016 – 16 January 2017.

Council to confirm that they will not meet in December 2016.

**7.1.1 Drafting instructions document tabled for council to review:**

**Resolution No. 2016/096**

**Council resolves to approve the drafting instructions for Wagait Shire Council By-Laws and to have the instructions forwarded for the drafting of a by-law to the Office of Parliamentary Council (OPC) and Department of Housing & Community Development – Compliance Section.**

**Moved: Cr Shenagh Gamble**

**Seconded: Cr Alex Richmond**

**Vote: Carried**

**7.1.2** The heading Dogs; Item 7 - Registration of dogs, part C "Registration will be ongoing and not require renewal" in the CEO report is to be changed to read "Registration will be ongoing and council would like to option to change this decision".

In the next council wrap-up, residents will be reminded that their first point of contact will be to report all dog incidents to police.

**7.1.3 Community Green Waste Management 2016**

**Resolution No. 2016/097**

**1. That Council receive and note the summary report for the green waste community consultation.**

**2. That Council investigate what costs will be incurred in the transportation and disposal of green waste to a licensed landfill on a quarterly basis.**

**Moved: Cr Shenagh Gamble**

**Seconded: Cr Kurt Noble**

**Vote: Carried**

**7.1.4 Green Waste Management – Council to investigate several options:**

1. See if Litchfield Council will allow us to use their green waste facilities and to investigate the cost of skip bins, bags.
2. Investigate to see what the demand is for a mulcher and then start investigating the cost.
3. Ask Belyuen Council if we can use their green waste facility.

**7.1.5 Hard Waste Collection – Council works staff will collect hard waste from the roadside on Monday 19<sup>th</sup> and Tuesday 20<sup>th</sup> December.**

In the next Council wrap-up, residents will be encouraged to arrange their own skips bins for large amounts of hard waste.

**7.1.6 Planned leave for office staff from 24 December to 16 January**

**Resolution No. 2016/098**

**That Council close for business for period 24 December 2016 to 16 January 2016.**

**Moved: President Peter Cleo**

**Seconded: Co-Op Tom Dyer**

**Vote: Carried**

## 7.2 Works Supervisor Officer's Report

A few wild dogs have been seen within the Estate during September, however only one has been trapped and processed.

Preparations, (mowing, snipping, placement of tables, chairs etc.) for Halloween at the Sportsground were conducted. The boundary of the Aussie Rules oval has been re-established. We have completed the painting of all roadside barriers.

During jetty barnacle removal, a Stone Fish was noticed on a step just under the water surface, these marine animals inflict an extremely painful injury to put it mildly and sometimes death occurs shortly after, especially with children. Please be careful in not allowing children to step below the sea level at the Mandorah Jetty.

A couple of small faults have occurred with the water chlorinating system. These were promptly reported and rectified with no interruption to the water supply experienced. A Quote has been sent to Power & Water for the replacement of barbed and straining wire around the water Facility and for the establishment of a fire break along the back fence line.

A small crocodile that was approximately 2.5m in length was trapped at Imulak Creek on 19<sup>th</sup> September. Another crocodile that was in excess of 4m long was also trapped at Two Fella Creek during. A number of cars had their windows smashed at the jetty carpark the evening of Thurs. Sep. 20.

Weed control of the RUA and estate drains, telegraph poles, verges etc. has begun as has the mowing of certain public areas.

Works Department staff are booked in for their Senior 1<sup>st</sup> Aid refresher course

All Contractual obligations have been met.

- 7.2.1** In future the works report is to be forwarded to the CEO, all important work matters that relate to council or the shire will be relayed back to councillors in the Works Report.

## 7.3 Sports and Recreation Officer's Report

The first week of October was school holidays and we did a few different things. On the Monday night, we had a camp out under the shelter at Cloppenburg Park with a movie and some toad busting. Thursday we cleaned up the rubbish along Wagait Tower Road; left towards the jetty until we got to the back road and went back to Cloppenburg Park for a BBQ lunch. The kids were fantastic and we picked up quite a bit of rubbish. On the Friday we went into Darwin; watched a movie, had lunch and went to the wave pool at the Waterfront. We were all exhausted but had a great time.

The 'Halloween Disco' on Friday 28<sup>th</sup> was a great night with a lot of parents enjoying the fun also. Our activities are cruising along nicely with basketball the flavour of the month at the moment.

### ATTENDENCES-

|         | Oct-03        | Oct-10  | Oct-17    | Oct-24    | Oct-31    |
|---------|---------------|---------|-----------|-----------|-----------|
| MONDAY  | Photography-7 | Uke-3   | Uke-6     | Uke- 4    | Uke- 4    |
|         | Camp-out-14   |         | Netball-6 | Netball-9 | Netball-6 |
| TUESDAY | Fun Bus-24    | Craft-7 | Craft-6   | Craft-4   |           |



|           |                      |                           |                  |                              |  |
|-----------|----------------------|---------------------------|------------------|------------------------------|--|
|           | Craft-5              | Tennis-4                  | Tennis-4         | Tennis-3                     |  |
| WEDNESDAY | Sports-12            | Tennis- 12                | BMX-8            | Tennis-5                     |  |
| THURSDAY  | Clean Up WB<br>11    | Soccer-12<br>Netball-12   | Basketball-<br>5 | Soccer-6<br>Basketball-<br>6 |  |
| FRIDAY    | Trip to<br>Darwin-16 | LPS Aladdin<br>Production | Cooking-<br>8    | Halloween<br>Disco-54        |  |
| SATURDAY  |                      |                           |                  |                              |  |

**Resolution No. 2016/099**

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

**Moved: Cr Kurt Noble**

**Seconded: Councillor Alex Richmond**

**Vote: Carried**

## 8.0 FINANCIAL REPORT

### 8.1 Income and Expenditure Cash Report October 2016

|                               | Oct 2016<br>Actual<br>\$ | Oct 2016<br>Budget<br>\$ | Variance<br>\$ |  | Year to<br>date<br>Actuals<br>\$ | Year to<br>date<br>Budget<br>\$ | Variance<br>\$ |  | Revised<br>Budget<br>as at<br>Oct<br>2016<br>\$ | Forecast<br>to 30<br>June<br>2017<br>\$ |
|-------------------------------|--------------------------|--------------------------|----------------|--|----------------------------------|---------------------------------|----------------|--|---|---|
| <b>INCOME</b>                 |                          |                          |                |  |                                  |                                 |                |  |   |   |
| RATES                         | 16,962                   | 0                        | 16,962         |  | 159,910                          | 45,320                          | 114,590        |  |   | 218,980                                 |
| GRANTS                        | 0                        | 40,000                   | -40,000        |  | 90,559                           | 151,293                         | -60,734        |  |   | 267,775                                 |
| CONTRACTS                     | 18,985                   | 9,550                    | 9,435          |  | 38,287                           | 38,200                          | 87             |  |   | 132,700                                 |
| RENTAL INCOME                 | 200                      | 220                      | -20            |  | 1,000                            | 880                             | 120            |  |   | 2,640                                   |
| MISC INCOME                   | 0                        | 26,000                   | -26,000        |  | 0                                | 29,000                          | -29,000        |  |   | 37,000                                  |
| WASTE MANAGEMENT              | 9,712                    | 0                        | 9,712          |  | 83,398                           | 29,100                          | 54,298         |  |   | 116,400                                 |
|                               |                          |                          |                |  |                                  |                                 |                |  |   |   |
| <b>TOTAL OPERATING INCOME</b> | <b>45,859</b>            | <b>75,770</b>            | <b>-29,911</b> |  | <b>373,154</b>                   | <b>293,793</b>                  | <b>79,361</b>  |  |   | <b>775,495</b>                          |
|                               |                          |                          |                |  |                                  |                                 |                |  |   |   |
| <b>EXPENSES</b>               |                          |                          |                |  |                                  |                                 |                |  |   |   |
| ADMINISTRATION EXPENSES       | 9,343                    | 3,945                    | -5,398         |  | 41,373                           | 47,435                          | 6,062          |  |   | 78,190                                  |
| EMPLOYMENT EXPENSES           | 24,399                   | 32,450                   | 8,051          |  | 97,056                           | 127,400                         | 30,344         |  |   | 391,200                                 |
| ROADS                         | 580                      | 0                        | -580           |  | 22,912                           | 60,000                          | 37,088         |  |   | 60,000                                  |
| CONTRACTS & MATERIALS         | 499                      | 50                       | -449           |  | 1,763                            | 950                             | -813           |  |   | 2,850                                   |
| REPAIR & MAIN TOWN<br>ASSETS  | 7,110                    | 600                      | -6,510         |  | 13,513                           | 14,500                          | 987            |  |   | 19,100                                  |
| VEHICLE & PLANT               | 3,404                    | 51,800                   | 48,396         |  | 6,138                            | 55,290                          | 49,152         |  |   | 66,090                                  |
| GRANT EXPENSES                | 3,307                    | 20                       | -3,287         |  | 5,109                            | 80                              | -5,029         |  |   | 25,740                                  |
| WASTE MANAGEMENT              | 13,282                   | 9,700                    | -3,582         |  | 26,559                           | 38,800                          | 12,241         |  |   | 116,400                                 |
| SERVICES                      | 1,858                    | 1,700                    | -158           |  | 5,856                            | 6,580                           | 724            |  |   | 15,300                                  |
|                               |                          |                          |                |  |                                  |                                 |                |  |   |   |

|                                 |                |                |               |  |                |                |                 |  |  |                |
|---------------------------------|----------------|----------------|---------------|--|----------------|----------------|-----------------|--|--|----------------|
| <b>TOTAL OPERATING EXPENSES</b> | <b>63,782</b>  | <b>100,265</b> | <b>36,483</b> |  | <b>220,279</b> | <b>351,035</b> | <b>-130,756</b> |  |  | <b>774,870</b> |
|                                 |                |                |               |  |                |                |                 |  |  |                |
| <b>OPERATING PROFIT</b>         | <b>-17,923</b> | <b>-24,495</b> | <b>6,572</b>  |  | <b>152,875</b> | <b>-57,242</b> | <b>210,117</b>  |  |  | <b>625</b>     |
|                                 |                |                |               |  |                |                |                 |  |  |                |
| <b>OTHER INCOME (Interest)</b>  | <b>746</b>     | <b>0</b>       | <b>746</b>    |  | <b>2,350</b>   | <b>0</b>       | <b>2,350</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>-17,177</b> | <b>-24,495</b> | <b>7,318</b>  |  | <b>155,225</b> | <b>-57,242</b> | <b>212,467</b>  |  |  | <b>625</b>     |
|                                 |                |                |               |  |                |                |                 |  |  |                |

## 8.2 Financial report for period ending 30 September 2016

### Financial Report for period ending 31 October 2016

|  |                     |                     |                     |                     |                     |
|--|---------------------|---------------------|---------------------|---------------------|---------------------|
| <b>Cash at Bank &amp; on hand</b>      |                     |                     |                     |                     | <b>Total</b>        |
|  |                     |                     |                     |                     | \$                  |
| Petty cash                             |                     |                     |                     |                     | 246.75              |
|  |                     |                     |                     |                     | \$                  |
| Westpac Operational Account            |                     |                     |                     |                     | 4,253.40            |
| Westpac Cash Management Account        |                     |                     |                     |                     |                     |
|  |                     |                     |                     |                     | \$                  |
| CBA - transaction account              |                     |                     |                     |                     | 10,837.59           |
|  |                     |                     |                     |                     | \$                  |
| CBA - Investment                       |                     |                     |                     |                     | 1,005,677.85        |
|  |                     |                     |                     |                     | \$                  |
| <b>Total Cash at Bank &amp; onHand</b> |                     |                     |                     |                     | <b>1,021,015.59</b> |
|  |                     |                     |                     |                     |                     |
| <b>Debtors</b>                         | <b>Current</b>      | <b>over 30 days</b> | <b>over 60 days</b> | <b>over 90 days</b> |                     |
|  |                     |                     |                     |                     | \$                  |
| Trade                                  | \$ 15,180.00        |                     |                     |                     | 15,180.00           |
|  |                     |                     |                     |                     | \$                  |
| Rates                                  |                     | \$ 19,499.65        |                     | \$ 14,117.14        | 33,616.79           |
|  |                     |                     |                     |                     | \$                  |
| <b>Total Debtors</b>                   | <b>\$ 15,180.00</b> | <b>\$ 19,499.65</b> | <b>\$ -</b>         | <b>\$ 14,117.14</b> | <b>48,796.79</b>    |
|  |                     |                     |                     |                     |                     |
| <b>Creditors</b>                       | <b>Current</b>      | <b>over 30 days</b> | <b>Over 60 days</b> | <b>Over 90 days</b> |                     |
|  |                     |                     |                     |                     | \$                  |
| Trade                                  | \$ 9,596.94         |                     |                     |                     | 9,596.94            |
|  |                     |                     |                     |                     | \$                  |
| <b>Total Creditors</b>                 | <b>\$ 9,596.94</b>  | <b>\$ -</b>         | <b>\$ -</b>         | <b>\$ -</b>         | <b>9,596.94</b>     |

|            |  |             |
|------------|--|-------------|
| <b>8.3</b> | <b>Rate Payers</b>                       |             |
|            | 2016/2017 rate year – 22 rate payers     | \$19,499.00 |
|            | 2015/2016 rate year – 8 rate payers      | \$4,028.00  |
|            | 2014/2015 rate year plus – 5 rate payers | \$10,088.79 |
|            |  | \$33,617.00 |
| <b>8.4</b> | <b>Asset List</b>                        |             |
|            | July 2016 – water tank for carting water | \$879.35    |
|            | September 2016 – 25,000ltr water tank    | \$3,430.00  |
|            | September 2016 – Blower                  | \$269.00    |

**Resolution No. 2016/100**  
**That the financials for the month of October 2016 be received and accepted.**  
**Moved: Cr Kurt Noble**  
**Seconded: Cr Shenagh Gamble**  
**Vote: Carried**

**9.0 BUSINESS ARISING FROM PREVIOUS MINUTES**

**9.1 Dog Management – monthly report from CEO** – drafting instructions submitted.

**9.2 Road Upgrades – monthly report from CEO** – Some of the roadworks carried out earlier this year is starting to wash away. CEO to discuss with the contractor that carried out the roadworks some of the problems that are starting to occur.

**9.3 Electoral Review and Election Preparations** – awaiting approval from NT Electoral Commission to decrease numbers of councillors from 7 to 5.

**9.4 Cox Peninsula Bushfire Shed** – Council invited a building certifier, David Duxfield to have a look at the Firies shed and to let us know what still needs to be done for a “Certificate of Occupancy” to be issued. David Duxfield advised that the project is near completion and issued a list of items what need to be completed. This information will be passed onto the Firies.

**9.5 Street Signs** – The auction was successful and all signs have been sold.

**9.6 Community Consultation – Green Waste**

Refer to CEO report

**9.7 SPG Application – Grant for Ride on Mower, re-surfacing tennis court, Radio transmitter**

The grant for the re-surfacing of the tennis court was completed, however the lodgement failed. This will be resubmitted at a later date.

**9.8 Financial Statements** – Value of land under the road. Our auditor has noted that council has not included in their list of assets the value of land under the road. Council will not be including the Value of land under the road in their list of assets.

**10.0 AGENDA ITEMS**

**10.1 NT Grants Commission Annual Return – acquittal** – This is finished. The due date is 2 December 2016.

- 10.2 Review of fixed and differential rating options for council** – This was raised at the public meeting that council investigate alternative methods of rating. The council concluded the community meeting didn't give a clear opinion on reviewing rates and council would not consider a review.
- 10.3 Audit Committee – Elected Council Members** – Council to select two councillors as Audit committee members.

**Resolution No. 2016/101**

**That President Peter Clee and Vice President Brad Irvine be re-elected as the two council members for the Audit Committee.**

**Moved: Cr Shenagh Gamble**

**Seconded: Cr Alex Richmond**

**Vote: Carried**

- 10.4 Annual Report with Financial Statement** – this has been submitted.
- 10.5 Audit Committee Meeting – Allowance for General Public Member**

**Resolution No. 2016/102**

**That the General Public Member on the Audit Committee be paid an allowance equivalent to the President of Wagait Shire.**

**Moved: Cr Shenagh Gamble**

**Seconded: Cr Alex Richmond**

**Vote: Carried**

- 10.6 Closure of the Wagait Beach Health Clinic** –

The Wagait Beach Health Clinic was unexpectedly closed last Friday. President Peter Clee wrote a letter to the Chief Minister to have this matter urgently investigated. The Minister's office has investigated and as of today, the Clinic will be open every Tuesday and Thursday as per the usual timings.

- 10.7 2016-2017 Remote Sport Program Funding Agreement** – Common Seal

**Resolution No. 2016/103**

**That Council approve the use of the Common Seal to be applied to the signed document for the Remote Sport Funding Agreement.**

**Moved: Co-Op Tom Dyer**

**Seconded: Cr Kurt Noble**

**Vote: Carried**

- 11.0 UPCOMING EVENTS**

- 11.1 10 December – 20<sup>th</sup> Anniversary of Council Chambers – Community Centre**

A Sausage sizzle will be organised for this event.

- 11.2 Australia Day – 26 January 2016** – Preparations have started.

- 12.0 LATE ITEMS AND GENERAL BUSINESS -**

- 12.1** President Peter Clee has been in correspondence with Minister Manison's Office and Alex Ray from the Department of Transport in relation to the activation of another bus service at Wagait Beach.

**12.2 Sign on Notice-Board** – an application has been submitted by a resident to have a sign erected on the notice board that is located outside the Council Office. Pam to look for a resolution that was passed a few years ago that specifies the fees and dimensions for the notice board. Approval has been granted to the resident to have his sign on the notice board at no cost.

**13.0 IN-CAMERA ITEMS**

Nil

**14.0 DATE OF NEXT MEETING**

The next Council Meeting is to be held on Tuesday 17 January 2017 in the Council Chambers,

**15.0 CLOSE OF MEETING**

The Chair declared the meeting closed at 8.44am.