# **WAGAIT SHIRE COUNCIL**

# AGENDA COUNCIL CHAMBERS

# Tuesday 15 October 2019



I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Tuesday, 15 October 2019

Time: 7.00pm

Location: Council Chambers, Lot 62,

Wagait Tower Road, Wagait Beach NT 0822

Anna Malgorzewicz Chief Executive Officer

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### 1.0 PRESENT

Councillors:

President Peter Clee Vice-President Tom Dyer

Cr Neil White Cr Graham Drake

Staff: Chief Executive Officer, Anna Malgorzewicz

Office Manager, Pamela Wanrooy

# 1.1 OPENING OF MEETING: - Chaired by ......

The President advises that the meeting will be audio taped for minute taking purposes only as authorised by the Chief Executive Officer.

### 1.2 APOLOGIES AND LEAVE OF ABSENCE:

Resolution No. 2019/

That the apology of Cr Michael Vaughan be accepted and approved.

Moved:

Seconded:

Vote:

# 2.0 DECLARATION OF INTERESTS

Nil

# 3.0 CONFIRMATION OF MINUTES

# 3.1 Confirmation of Minutes of Tuesday 17 September 2019 Council Meeting

Resolution No. 2019/

That the Minutes of the Monthly Meeting of Tuesday 17 September 2019 be confirmed by Council as a true and correct record.

Moved:

Seconded:

Vote:

# 3.1.1 Matters arising from September 2019 Minutes

Nil

# 4.0 GUEST SPEAKERS

Nil

# 5.0 INWARDS AND OUTWARDS CORRESPONDENCE - September 2019

# **Inwards Correspondence**

Date	From	About	
13/09/2019	Hon Eva Lawler MLA	letter regarding the New Mandorah Marine Facilities project.	
17/09/2019	Dept of Infrastructure & Planning	Communit Notice regarding upcoming testing near Mandorah Jetty.	email
17/09/2019	Dept of Attorney General and Justice	National Rredress Scheme - Local Government Engagement	mail
19/09/2019	CouncilWise	Licence costs	email
19/09/2019	Electoral Commission	Enrolment Numbers - Wagait Shire Council	email
19/09/2019	LG Grants	Special Purpose Grants Round 1 - 2019-2020 invitation now open	email
19/09/2019	Crime Victim Services Unit	National Redress Scheme - Local Government Engagement	mail
23/09/2019	Michele Hughes	Letter of engagement - provide accounting/financial services	email
20/09/2019	Ben Dornier - Council Wise	0365 License Costs	email
24/09/2019	Country Solar NT	Continuation of business	email
25/09/2019	Dept Local Government, Housing and Community Development	Superannuation for Council Members	email
25/09/2019	Dept Local Government, Housing and Community Development	Council members who may contest elections	email
25/09/2019	JLT Pty Ltd	Workers Compensation Insurance	email
30/09/2019	Dept Local Government, Housing and Community Development	Strategic Local Government Infrastructure Funding - Round one	Mail
4/10/2019	Keep Australia Beautiful Council NT	2019 Tidy Towns Sustainable Community Judging	email
9/10/2019	Dept of Environment and natural Resources	Acceptance of Application for a New Water Extraction Licence	email

# **Outwards Correspondence**

Date	TO:	About	
17/09/2019	Office of Information	Annual Statistical Return -	email
	Comissioner	Freedom of Information	
17/09/2019	CMCA	Dump Point	email

17/09/2019	NTEC	Enrolment Numbers -	email
17,03,2013	11120	Constitutional Review	Cinaii
18/09/2019	Heritage NT	B-24J Liberator Aircraft Wreck	email
20/09/2019	JLT Insurance	Declaration of Actual Wages	email
20/09/2019	LG Grants	Grant Acquittal - Undercover	email
, ,		Picnic Area at Cloppenburg Park	
24/09/2019	Water Resources,	Water Extraction Licence	email
	Dept of Environment	Application	
	and Natural		
	Resources		
25/09/2019	Crown Land Estate	Cloppenburg Park	email
25/09/2019	Dept Local	Compliance Update	email
	Government, Housing		
	& Community		
	Development		
26/09/2019	Dept Tourism, Sport	Funding Agreement	email
	& Culture		
2/10/2019	Halfpenny Lawyers	Confidential	email
2/10/2019	Davison Legal	Confidential	email
7/10/2019	Dept Infrastructure,	Roads to Recovery Acquittal	email
	Transport, Cities &		
	Regional		
	Development		
8/10/2019	Minister Eva Lawler	President requesting meeting re	email
		public transport service	

Resolution No. 2019/

That Council receive and note the Inwards and Outwards correspondence report for the month of September 2019.

Moved: Seconded: Vote:

# 6.0 COUNCILLORS REPORTS

# 6.1 President's Report

# **Purpose of Report**

To Inform Council and community of activities and to provide the community at large with information that is important and noteworthy.

# What's been happening.....

The Wagait Arts Group event went off well with a good attendance on the night. The event made a great use of the council property and hopefully it will lead to similar events being held.

After the failure of the privately run mini bus service at Wagait Beach, I have been lobbying the NTG to provide a bus service for residents of the Cox Peninsula. In November last year I wrote to Minister Lawler on the need for a Bus Service on the Cox Peninsula. The need for such a service has not diminished, indeed it has become more urgent than ever.

We advised the NTG that it was most unsatisfactory that a bus which was located at Wagait Beach on a full time basis was being underutilised. We canvassed the department's Transport and Civil Services section for the possibility of an extension of the use of that Darwin Bus. Currently, the bus is not used except for the school run morning and evenings and could be utilised to provide a Public Transport service at other times.

The need now is greater than ever before. In November 2017 the department proposed the use of the bus to meet some ferry services, for limited times during the morning and afternoon, and **this proposal would be most acceptable to the community**, however it has not progressed.

Another issue is that the Mandorah Jetty has no disabled access. Accordingly, there are several members of Wagait Beach and Belyuen communities that are unable to access the ferry because of a lack of suitable facilities.

The residents of the Cox Peninsula expect and deserve the benefits of public transport as much as the people living in Darwin, Palmerston. Humpty Doo or Berry Springs.

### Where have I been ....

17<sup>th</sup> September Weekly Meeting with CEO
18<sup>th</sup> September LG Disciplinary Committee Meeting
24<sup>th</sup> September Weekly Meeting with CEO
26<sup>th</sup> September WSC Audit Committee Meeting
1<sup>st</sup> October Weekly Meeting with CEO
8<sup>th</sup> October Weekly Meeting with CEO
15<sup>th</sup> October Weekly Meeting with CEO

15<sup>th</sup> October WSC Ordinary Meeting

Peter Clee October 2019

Resolution No. 2019/

That Council receive and note President Peter Clee's report for the month of September 2019.

Moved: Seconded: Vote:

# 7.0 OFFICERS REPORTS

# 7.1 Chief Executive Officer's Report

Since Council's September 2019 meeting, the CEO participated in/or completed the following:

Meetings	<ul> <li>Coordinator, WAG Festival</li> <li>CouncilWise, re implementation strategy</li> <li>Ironbark, re Community Development Programme</li> <li>WSC Audit Committee</li> <li>Australian Services Union</li> <li>Casual Labourer Selection Process</li> <li>Halfpenny Lawyers</li> <li>ALTBAT Pty Ltd</li> <li>Manager, Transport &amp; Infrastructure Services, LGANT</li> <li>Executive Director, Dept of Local Government, Housing and Community Development</li> <li>Residents and DIPL re Mandorah Marine Facilities (Jetty)</li> </ul>
Actions	<ul> <li>Supervised library access, WAG Arts Festival</li> <li>Completed Roads to Recovery Annual Report and Acquittal</li> <li>Repairs &amp; Maintenance</li> <li>Site meeting to discuss and resolve potential public liability issues, Playground and BMX Track</li> <li>Prepared scope of works and engaged contractor to clean photovoltaic panels, roof and gutters as part of pre-Wet Season preparations</li> <li>Prepared brief and engaged contractor to repair damage to Memorial Wall</li> </ul>
Incidents	<ul> <li>Three incident reports were received during the reporting period:</li> <li>Damage to Memorial Garden Wall – wall has been repaired</li> <li>Works Truck reversed into a tree – tree was removed</li> <li>Council Office Water Tank Empty – Contractor provided urgent fill</li> </ul>

### 7.2 Works Report

Since Council's August 2019 meeting, the Works Team participated in/or completed the following actions:

### **Actions**

### **Planning**

- Contributed to weekly staff Toolbox Meeting
- Participated in weekly Works Team Meeting with CEO
- Participated in planning for Work Experience Student
- Jetty Carpark signpost sleeve removal work order sought and received
- Pothole survey completed
- Cloppenburg park Bore protective cage construction costs sought and received

### Reactive

- Ongoing roadside curbing construction Vangemann Street. 16 curbs in place (one side completed)
- Ongoing liaison with Crown Land Estate regarding dangerous tree on the RUA
- Pothole repairs
- Unblocked toilet Cloppenburg Park
- Assisted with WAG Arts Festival bump-in and bump-out

### Programmed

- Wet Season preparations
- Mower blades and filters ordered
- Concrete slab for upcoming placement of bore protective cage
- Boatramp algae removal
- Participated in interviews and induction for Casual Labourer position

### Routine

- Completed regular bore run
- Weekly water sampling
- Regular jetty maintenance
- Weekly bin placement, collection and wash
- Monitored green waste area
- Water tanks -levels monitored
- Regular maintenance of Council grounds, including Memorial Garden

# 7.3 Sport & Recreation Report – September 2019

Attendance 5 x Weekly, "All Staff" Toolbox Meetings CEO & Local Contractor, planning Cloppenburg Park Ad hoc meetings / support Wagait Arts Group (WAG) Wiggs Plumbing routine check on Sports Ground Ablutions Contribution to WHS Audit conducted by Employsure Council Wise & M. Bradbury IT support.  Planning  Budget December / January School Holiday Program Final Quarter Calendar – Special Events Planning with S&R / Community based programs such as Santa Fun Run, Seniors Christmas Luncheon, Kids Christmas Disco  Action  WAG in kind administration support (Photocopies & Advertising) Induction 2 x Youth, Sport & Recreation Officers October School Holiday Program. Building our Community Donation of BBQ meat and bread to Wagait Beach Big Bash Community Cricket. Enabling community groups to deliver their own programs – building our community from within. Discussion and amendments to 5 Year Contract Agreement (Dept. Tourism Sport & Culture Session Planning October Runners & Walkers Program Sept 12th – Congratulation 50 Weeks of Runners & Walkers Program Sept 12th – Congratulation 50 Weeks of Runners & Walkers Program  3 x Milestone Moments with L. Manning, C. Swanson & C. Hancock clocking up their 20th Run. Complete audit post use of Community Centre and Council equipment. (WAG) Compile photographs collect permission for WSC & Wagait Community inclusion in the Darwin Harbour Clean Up short visual footage compiled by Larrakia Rangers. Commence research on local resident for nomination in the NT Career Achievement Award Section of the NT Young Australian Awards. Joint program planning with Darwin Family Day Care for camping and holiday activities to be held at Wagait Beach during October school holidays.  2019 – 2020 Shire Plan Performance Indicator 1) Deliver at least four different types of activity every month Runners & Walkers. Weekly sessions open to all ages. Evening activity.		
Final Quarter Calendar – Special Events Planning with S&R / Community based programs such as Santa Fun Run, Seniors Christmas Luncheon, Kids Christmas Disco  WAG in kind administration support (Photocopies & Advertising) Library Book sorting Induction 2 x Youth, Sport & Recreation Officers October School Holiday Program. Building our Community Donation of BBQ meat and bread to Wagait Beach Big Bash Community Cricket. Enabling community groups to deliver their own programs – building our community from within. Discussion and amendments to 5 Year Contract Agreement (Dept. Tourism Sport & Culture Session Planning October Runners & Walkers Program Sept 12 <sup>th</sup> – Congratulation 50 Weeks of Runners & Walkers Program 3 x Milestone Moments with L. Manning, C. Swanson & C. Hancock clocking up their 20 <sup>th</sup> Run. Complete audit post use of Community Centre and Council equipment. (WAG) Compile photographs collect permission for WSC & Wagait Community inclusion in the Darwin Harbour Clean Up short visual footage compiled by Larrakia Rangers. Commence research on local resident for nomination in the NT Career Achievement Award Section of the NT Young Australian Awards. Joint program planning with Darwin Family Day Care for camping and holiday activities to be held at Wagait Beach during October school holidays.  2019 – 2020 Shire Plan Performance Indicator 1) Deliver at least four different types of activity every month Runners & Walkers. Weekly sessions open to all ages. Evening activity.	Meetings	<ul> <li>CEO &amp; Local Contractor, planning Cloppenburg Park</li> <li>Ad hoc meetings / support Wagait Arts Group (WAG)</li> <li>Wiggs Plumbing routine check on Sports Ground Ablutions</li> <li>Contribution to WHS Audit conducted by Employsure</li> </ul>
Advertising)  Library Book sorting  Induction 2 x Youth, Sport & Recreation Officers October School Holiday Program. Building our Community  Donation of BBQ meat and bread to Wagait Beach Big Bash Community Cricket. Enabling community groups to deliver their own programs – building our community from within.  Discussion and amendments to 5 Year Contract Agreement (Dept. Tourism Sport & Culture  Session Planning October Runners & Walkers Program  Sept 12 <sup>th</sup> – Congratulation 50 Weeks of Runners & Walkers Program  3 x Milestone Moments with L. Manning, C. Swanson & C. Hancock clocking up their 20 <sup>th</sup> Run.  Complete audit post use of Community Centre and Council equipment. (WAG)  Compile photographs collect permission for WSC & Wagait Community inclusion in the Darwin Harbour Clean Up short visual footage compiled by Larrakia Rangers.  Commence research on local resident for nomination in the NT Career Achievement Award Section of the NT Young Australian Awards.  Joint program planning with Darwin Family Day Care for camping and holiday activities to be held at Wagait Beach during October school holidays.  2019 – 2020 Shire Plan Performance Indicator 1) Deliver at least four different types of activity every month  Runners & Walkers. Weekly sessions open to all ages. Evening activity.	Planning	<ul> <li>Final Quarter Calendar – Special Events Planning with S&amp;R / Community based programs such as Santa Fun Run, Seniors</li> </ul>
activity.	Action	<ul> <li>Advertising)</li> <li>Library Book sorting</li> <li>Induction 2 x Youth, Sport &amp; Recreation Officers October School Holiday Program. Building our Community</li> <li>Donation of BBQ meat and bread to Wagait Beach Big Bash Community Cricket. Enabling community groups to deliver their own programs – building our community from within.</li> <li>Discussion and amendments to 5 Year Contract Agreement (Dept. Tourism Sport &amp; Culture</li> <li>Session Planning October Runners &amp; Walkers Program</li> <li>Sept 12<sup>th</sup> – Congratulation 50 Weeks of Runners &amp; Walkers Program</li> <li>3 x Milestone Moments with L. Manning, C. Swanson &amp; C. Hancock clocking up their 20<sup>th</sup> Run.</li> <li>Complete audit post use of Community Centre and Council equipment. (WAG)</li> <li>Compile photographs collect permission for WSC &amp; Wagait Community inclusion in the Darwin Harbour Clean Up short visual footage compiled by Larrakia Rangers.</li> <li>Commence research on local resident for nomination in the NT Career Achievement Award Section of the NT Young Australian Awards.</li> <li>Joint program planning with Darwin Family Day Care for camping and holiday activities to be held at Wagait Beach during October school holidays.</li> <li>2019 – 2020 Shire Plan</li> <li>Performance Indicator 1)</li> </ul>
		activity.

	<ul> <li>Junior Sport Program. Court Sports available to all school aged children. After School Activity, 2 x Weekly.</li> <li>Seniors Mobility / Flexibility, Weekly, afternoon activity targeted at seniors and open to all adults.</li> </ul>
2019 – 2020 Shire	1) Please see <i>Action</i> section above
Plan	2) Maintain current attendance and participation numbers.
Performance	<ul> <li>Activity logs collecting data drafted and ready to be</li> </ul>
Indicators	<ul> <li>implemented for junior staff during October School holiday program. With club sport and national finals in place through out September there was a slight decline in afterschool participation. Families have been enjoying a typical September celebrating the best of all things sporty.</li> <li>3) Maintain SafeNT registration. All staff working directly and laterally supporting Sport &amp; Recreation Programs current. Research into volunteer and ochre card application support.</li> </ul>

Resolution No. 2019/

That Council receives and accepts the Officers Reports for the month of September 2019.

Moved:

Seconded:

Vote:

# 8.0 ACTION SHEET

Resolution No.	Resolution	Meeting Date	Status
2018/272	Community Newsletter	16/10/2018	That we commence between now and the next meeting a newsletter from Council to ratepayers.  Refer Agenda Item 10.9.
			Refer Agenda Item 10.5.
2019/424	CMCA (Campervan and Motorhome Club of Australia) – Dump Point	18/06/2019	That Council investigate the cost to install the Dump Point provided by the Campervan and Motorhome Club of Australia (CMCA).  Refer Agenda Item 10.8.
2019/438	Wagait Shire Council (Dog Management) By Laws	16/07/2019	CEO to develop an implementation strategy for Council's consideration that includes resourcing as well as budget implications.  CEO to investigate and report to Council in relation to the construction of a dog pound. The dog pound to come back to Council before any action is taken.  Council allow the CEO to investigate and report to Council in relation to the construction of a dog pound.
2019/474		17/09/2019	CEO to develop an implementation strategy and present this to the November 2019 meeting for Council consideration.

2019/440	Draft 2020/2024 Budget	16/07/2019	To be amended as per resolution 2019/440 and published on the website.
2019/474		17/09/2019	The Long Term Financial Plan to be presented to the November 2019 meeting for Council consideration.
2019/444	Irrigation at Cloppenburg Park	16/07/2019	That the CEO investigate and arrange to proceed on the existing contract to irrigate Cloppenburg Park.  Project nearing completion. Some matters to be resolved in confidential meeting session 17 September 2019.
2019/474		17/09/2019	CEO to advise Council of additional costs associated with construction and installation of secure cage to address safety concerns. A verbal update will be provided at the October 2019 meeting.
2019/445	Audit Report	16/07/2019	That Council note the audit report by the Chair of the Wagait Shire Council Audit Committee. That the items recommending further attention be placed on the Council's action list.
			There are items on the list that belong to the NTG and the asset list requires amendment as appropriate. Matters being addressed and a final report will be presented to the Audit Committee meeting on 15 November 2019.

2019/457	Water Access for Tourists	20/08/2019	CEO to investigate options for regulated water access for tourists and visitors to Wagait Beach at either Cloppenburg Park or the PowerWater Compound area.  Preliminary discussions held with PowerWater. Pending further research, stakeholder consultation and costings. A report to be provided to Council at the November 2019 meeting.
2019/461	Audit Committee Meeting	20/08/2019	Audit Committee TOR requires review and endorsement by Council. In addition, the matter of the Chair and two Council representatives requires resolution. Audit Committee meeting scheduled 26 September 2019 at which the TOR will be endorsed for Council approval, following which other actions will be implemented.  Refer Agenda Item 10.3.
2019/476	Implement a marketing campaign to highlight the hard waste facility for residents.	17/09/2019	Council resolved to suspend kerbside quarterly hard waste collection from 2020 to be replaced with annual pre-cyclone collection.  The provision of 24/7 hard waste area to be promoted as part of the information campaign leading up to the final kerbside hard waste collection service scheduled for 23 and 24 November 2019.

No Resolution No.	Sports Program	17/09/2019	Council requested the Sport and Recreation officer provide an update on the future planning of the Sports & Recreation Program.  The Sports & Recreation Officer will provide a report to the meeting of 19 November 2019.
TBD	Cox Peninsula Economic Development Committee	TBD	Council endorsed to continue to provide facilities for the meeting.  Pending.
TBD	Health Group	TBD	The Draft Updated Belyuen Clinic/Emergency Contact Protocol has been agreed and Council is presently awaiting final signoff from the NTG. Ongoing.  CEO scheduled meeting with CEO Belyuen.

<sup>\*</sup> TBD (To be determined)

# Resolution No. 2019/

That Council receives and notes the Action Sheet for the month of September 2019.

Moved: Seconded:

Vote:

# 9.0 FINANCIAL REPORT

# 9.1 Cash Income and Expenditure Report –September 2019

			WA	GAIT SHIRE CO	OUNCIL							
			62	Wagait Towe	r Road							
			Wa	agait Beach N	T 0822							
			EX	ECUTIVE SUM	MARY							
			for the	month of Sept	ember2019			T.				
	Sept 2019 Actual \$	Sept 2019 Budget \$	Variance in \$	Variance as	Year to date Actuals \$	Year to date Budget \$	Variance in \$	Variance as		Actual Approved Budget	Forecast to June 2020	Notes
INCOME		-										
RATES	\$61,326	\$115,050	-\$53,724	-46.7%	\$128,112	\$120,000	\$8,112	6.8%		\$233,297	\$233,297	1
WASTE MANAGEMENT	\$29,852	\$200	\$29,652	14826.0%	\$65,516	\$37,700	\$27,816	73.8%		\$117,800	\$117,800	2
GRANTS - Operational	\$0	\$21,000	-\$21,000	-100.0%	\$286,427	\$130,669	\$155,758	119.2%		\$294,931	\$294,931	. 3
GRANTS - Subject to approval	\$0	\$1,200	-\$1,200	-100.0%	\$0	\$52,200	-\$52,200	-100.0%		\$65,700	\$65,700	,
CONTRACTS	\$9,446	\$8,150	\$1,296	15.9%	\$25,342	\$24,450	\$892	3.6%		\$98,000	\$98,000	4
RENTAL INCOME	\$1,209	\$675	\$534	79.1%	\$2,809	\$2,005	\$804	40.1%		\$8,000	\$8,000	5
MISCELLANEOUS	\$517	\$190	\$327	172.1%	\$1,400	\$990	\$410	41.4%		\$14,000	\$14,000	
TOTAL INCOME	\$102,350	\$146,465	-\$44,115	-30.1%	\$509,606	\$368,014	\$141,592	38.5%		\$831,728	\$831,728	
<u>EXPENSES</u>												
ADMINISTRATION EXPENSES	\$15,096	\$4,990	-\$10,106	-202.5%	\$48,986	\$46,630	-\$2,356	-5.1%		\$103,200	\$103,200	6
EMPLOYMENT EXPENSES	\$31,285	\$36,550	\$5,265	14.4%	\$100,528	\$111,050	\$10,522	9.5%		\$441,300	\$441,300	7
ROADS	\$423	\$2,500	\$2,077	83.1%	\$423	\$5,000	\$4,577	91.5%		\$73,000	\$73,000	,
CONTRACTS & MATERIALS	\$0	\$0	\$0		\$309	\$0	-\$309			\$5,000	\$5,000	,
REPAIR & MAIN TOWN ASSETS	\$238	\$4,000	\$3,762	94.1%	\$3,999	\$4,200	\$201	4.8%		\$17,400	\$17,400	
VEHICLE & PLANT	\$585	\$1,508	\$923	61.2%	\$4,111	\$5,124	\$1,013	19.8%		\$22,600	\$22,600	
GRANT EXPENSES	\$50,833	\$5,165	-\$45,668	-884.2%	\$74,624	\$30,695	-\$43,929	-143.1%		\$67,700	\$67,700	8
WASTE MANAGEMENT	\$6,307	\$12,500	\$6,193	49.5%	\$22,902	\$22,500	-\$402	-1.8%		\$90,000	\$90,000	
SERVICES	\$1,727	\$700	-\$1,027	-146.7%	\$4,213	\$3,575	-\$638	-17.8%		\$11,400	\$11,400	
TOTAL EXPENSES	\$106,494	\$67,913	-\$38,581	56.8%	\$260,095	\$228,774	-\$31,321	13.7%	\$0	\$831,600	\$831,600	
TOTAL OPERATIONAL SURPLUS / DEF	-\$4,144	\$78,552	-\$82,696	-105.3%	\$249,511	\$139,240	\$110,271	79.2%		\$128	\$128	

# 9.2 Notes on Cash Income and Expenditure Report

- 1. Rates income on track.
- 2. Waste Management on track.
- 3. YTD NT Operating subsidy received.
- 4. Contracts on track.
- 5. Rental income on track.
- 6. Insurance payment.
- 7. Employment on track.
- 8. Grant expense need to do budget variation for Irrigation Project.

# 9.3 Financial Report for month ended September 2019

	Wagait Sh	ire Counci			
		al Report			
for t	he period endin	g 30 Septe	mber 2019		
Cash at Bank & on Hand					 TOTAL
Petty Cash					\$ 372.20
CBA - transaction account					\$ 115,352.92
CBA - Cash Saver					\$ 95,510.19
CBA - Fixed Term Deposit 1					\$ 400,000.00
CBA - Fixed Term Deposit 2					\$ 150,000.00
CBA - Fixed Term Deposit 3					\$ 100,000.00
Undeposited Funds					\$ 2,688.50
Bendigo Bank - Investment Q/C					\$ 500,000.00
Total Cash at Bank & on Hand					\$ 1,363,923.81
Debtors	Current	> 30 days	> 60 days	> 90 days	
Trade	8,741.00				\$ 8,741.00
Rate Arrears				15,255.37	\$ 15,255.37
					\$ 23,996.37
less Rates paid in Advance					\$ -
Total Debtors					\$ 23,996.37
Creditors	Current	> 30 days	> 60 days	> 90 days	
Trade	11,613.88				\$ 11,613.88
Total Creditors					\$ 11,613.88

# 9.4 Rate Payers in arrears

2016-2017	\$1,670.73
2017-2018	\$4,395.89
2018-2019	\$9,188.75
TOTAL:	\$15,255.37

# 9.5 Credit Card Transaction to 30 September 2019

# Anna Malgorzewicz

11/09/2019	Australian Training	Training – HR Officer	\$50.90
17/09/2019	Cab charge	Taxi fare – CEO –	\$11.87
		meeting and banking	
20/09/2019	Smartlab	Repairs to works	\$129.00
		Supervisor mobile	
		phone	

# **President Peter Clee**

03/09/2019	MYOB	Monthly subscription	\$130.00
		charges	
06/09/2019	Adobe	Monthly subscription	\$36.00
		charges	

# Works Supervisor – Gary Zikan

Nil

# 9.6 Supplier Payment History – September 2019

Date	From	Description	Amount
11/09/2019	Australian Training	Implement and monitor WHS	\$50.90
		policies	
13/09/2019	Central Business	Monthly hire charges	\$204.80
	Equipment		
16/09/2019	Central Business	Copy charges	\$62.41
	Equipment		
16/09/2019	Harvey Distributors	Cleaning supplies	\$24.60
16/09/2019	Ian Manahan	Water	\$150.00
16/09/2019	Jardine Lloyd Thompson	Insurance – Discretionary Trust	\$15,332.30
16/09/2019	Kokoda Industries (HPA)	2 x picnic tables	\$2,590.00
16/09/2019	Leading Edge	4 x Delta UPS 600 VA/360W)	\$556.00
	Computers		
16/09/2019	Leading Edge	Microsoft surface Pro Tablet &	\$1,388.00
	Computers	Cover	

16/09/2019	Leading Edge Computers	Call out fees	\$375.00
16/09/2019	Marks Rural Safaris	Water to Sports Ground	\$132.00
16/09/2019	Officeworks	Office stationery	\$130.00
16/09/2019	Think Water	Irrigation project – final payment	\$50,915.00
16/09/2019	Totally Work Wear	Staff uniform	\$85.80
16/09/2019	Veolia Environmental Services	Regular bin pickup	\$6,937.37
16/09/2019	Wagait Supermarket	Weekly newspapers	\$29.00
16/09/2019	Wagait Supermarket	Fuel for chainsaw	\$7.95
16/09/2019	Wagait Supermarket	Milk – office	\$7.42
16/09/2019	Wagait Supermarket	Weekly newspapers	\$29.00
16/09/2019	Wagait Supermarket	Works Ute fuel	\$112.02
16/09/2019	Wagait Supermarket	Padlock – irrigation system	\$39.98
16/09/2019	Wagait Supermarket	Fuel – small engines	\$18.27
16/09/2019	Wagait Supermarket	Weekly newspapers	\$29.00
16/09/2019	Wagait Supermarket	Gas	\$36.00
16/09/2019	Wagait Supermarket	CEO fuel	\$80.02
16/09/2019	Wagait Supermarket	Fuel – small engines	\$20.05
16/09/2019	Wagait Supermarket	C Pipe for cement barriers	\$14.00
16/09/2019	Wagait Supermarket	Weekly newspapers	\$29.00
16/09/2019	Wagait Supermarket	CEO fuel	\$55.05
16/09/2019	Wagait Supermarket	Tractor fuel	\$51.56
16/09/2019	Wagait Supermarket	Truck fuel	\$128.00
16/09/2019	Wagait Supermarket	Weekly newspapers	\$29.00
25/09/2019	Elite Electrical	Electrical works – council office	\$255.69
25/09/2019	MJ Electrical	Test & Tag – council premises	\$920.00
25/09/2019	Wigg Plumbing	Waste water treatment system	\$199.99
		service	
25/09/2019	Wagait Supermarket	Works Ute fuel	\$118.00
25/05/2019	Wagait Supermarket	CEO fuel	\$45.04
25/09/2019	Wagait Supermarket	Newspapers	\$29.00
25/09/2019	Wagait Supermarket	Milk for meetings	\$4.10
25/09/2019	Wagait Supermarket	Unleaded for blower	\$11.16
	Wagait Supermarket	Insect repellent	\$6.29
25/09/2019	Marks Rural	Water to sports ground	\$132.00
	Marks Rural	Premix and cement bags	\$451.00
25/09/2019	Optus	Phone and fax	\$256.20
25/09/2019	lan Manahan	Water – Community Centre	\$150.00
25/09/2019	lan Manahan	Water – Office	\$150.00

# 9.7 Grants Report

Date	Grant	From	Amount	Expended	Amount	Acquittal
Received				to date	Remaining	Due
15/02/218	Irrigation at Cloppenburg Park	Minister for Housing and Community Dlvp – Hon Gerry McCarthy MLA	\$83,694.00	30/7/2019 - Partial acquittal \$22,730 (resolution 2018/220 held 23 July 2019) Expended to date: \$110,735.59		On or before 31 Aug 2018 or thereafter for a period of two years.
8/11/2018	Construct Dog Pound and associate septic pit	Dept of Housing & Community Dlvp	\$30,537.00	\$2,680.00	\$27,857.00	Before 31 August 2019 or thereafter for a period of two years
June 2019	5,000 litre water tank	NT Govt	\$7,607.00			30 June 2020
June 2019	Electronic Records Management System	NT Government	\$34,889.00	\$11,230.00	\$23,659.00	30 June 2020
18 June 2019	Seniors Month Grant	Territory Families	\$1,500.00	\$1,500.00		7 October 2019

# 9.8 Councillor Allowances

Councillors payment for the month of September 2019 - nil President Peter Clee - \$600 YTD

Resolution No. 2019/
That Council receive and accept the Financial Report for the month of September 2019.
Moved:
Seconded:
Vote:

### 10.0 AGENDA ITEMS

# 10.1 Audited Annual Financial Statements for the year Ended 30 June 2019

Council appointed Nexia Edwards Marshall NT to undertake its financial audit for the 2018 – 2019 financial year. The Draft Audited Annual Financial Statements were presented to the Audit Committee at its meeting of 26 September 2019 and amendments were recommended. These have been incorporated in the audited statement at Attachment A. The Committee discussed the previous treatment of depreciation of buildings which have been listed at fair value since 2016. Accounting standards usually require buildings to be depreciated at 2.5% to 5% over a defined period of time. It was noted Council's buildings are scheduled for revaluation during the 2019/2020 financial year. The depreciation rates used for each class of asset was also discussed and it was agreed to recommend amendments to the Summary of Significant Accounting Policies as required. The Committee also recommended that the Accounting Policy Manual be harmonised with these recommendations.

### Resolution No. 2019/

### **That Council:**

- a) Receive and note the report entitled Audited Financial Statements for the Year Ended 30 June 2019; and
- b) the draft amended Financial Statements for the Year Ended 30 June 2019 at Attachment A are suitable for certification by the Chief Executive Officer for inclusion in the Annual Report.

Moved:	
Seconded:	
Vote:	

# 10.2 Draft Wagait Shire Council Annual Report 2018 – 2019

Pursuant to Part 14.1 of the *Local Government Act* 2008 (the Act), Council must, on or before the 15<sup>th</sup> November in each year, report to the Minister on its work during the financial year ending on the preceding 30 June. The Draft Annual Report 2018-2019 is at Attachment B. The Report outlines Council's performance against the 2018-2019 Wagait Shire Plan objectives and performance indicators. Images documenting Council's activities are currently being compiled and will be inserted to illustrate Council's programs and service provision during the reporting period.

# Resolution No. 2019/

### **That Council:**

- a) adopt the Wagait Shire Council Annual Report 2018-2019; and
- b) that the 2018/2019 Wagait Shire Council Annual Report be forwarded to the Minister for Local Government, Housing and Community Development.

Moved:	
Seconded:	
Vote:	

### 10.3 Draft Audit Committee Terms of Reference

The Audit Committee was established as an independent advisory committee to Council in accordance with the *Local Government Act* 2008 and the *Local Government (Accounting)*Regulations. The current policy requires the Audit Committee Terms of Refence are reviewed on an annual basis by the Committee. The Terms of Reference were last reviewed on 26 June 2018.

As described in General Instruction No. 3 (Department of Local Government, Housing and Community Development), the Audit Committee provides an important role between Council and its management, and between Council and its community. The primary role of the Audit Committee is to provide advice to Council on financial reporting, accountability and transparency. This may include suggestions and recommendations to Council and management about actions to be taken to enhance financial governance responsibilities, legal compliance and strategies to address business, corporate and financial risk.

To be effective, the Audit Committee must be independent from management and free from undue influence from Councillors and Council staff. Members of the Audit Committee cannot have any executive powers, management functions, or delegated financial responsibility.

The Audit Committee reviewed the existing Terms of Reference, P29 Audit Committee Terms of Reference at its meeting of 26 September 2019 and recommended changes. Suggested amendments include corrections and align with the guidelines described in General Instruction No. 3 to provide greater clarity. In addition, sections of the policy have been harmonised with the policies of other Councils, and do not alter the parameters or scope of responsibility of the Wagait Shire Council Audit Committee. Of note, the total membership is recommended to be increased to five (5) members, with two community members. It is also recommended the Terms of reference are reviewed every three years.

Once Council adopts the revised TOR, it is recommended Council nominate two Elected Member representatives for the Audit Committee and seek through an expression of interest process, the position of Chair and an additional Community member. A copy of the revised TOR is at Attachment C.

Resolution No. 2019/							
Γhat Council:							
a) adopts the amended P29 Audit Committee Terms of Reference at Attachment C;							
b) nominates Councillor and Councillor as replacement							
Council representatives to the Audit Committee; and							
c) calls for expressions of interest for the position of Chair and an additional							
Community Member.							
Moved:							
Seconded:							
Vote:							

# 10.4 Draft Policy Community Support & In-Kind Assistance

Pursuant to Part 2.3 "Role, functions and objectives of councils', of the *Local Government Act* 2008, the role of a council is to:

- develop a strong and cohesive social life for its residents and allocate resources in a fair, socially inclusive and sustainable way;
- encourage and develop initiatives for improving quality of life;
- establish and support organisations or programs that benefit the council area;
- seek to provide services, facilities and programs that are appropriate to the needs of its area and to ensure equitable access to its services, facilities and programs.

Wagait Shire Council actively supports initiatives that provide benefit to the community, encourage community inclusion, participation and well-being. As a small local government organisation, Wagait Shire Council has limited resources to develop and implement a broad program of activities that provides for the diverse needs of its community. As described in the Wagait Shire Council Strategic Plan 2019 – 2024, Council will demonstrate strong support for community wellbeing, support social and community activities and partner with community to plan and develop innovative, sustainable service delivery across the social, economic, environmental and cultural spheres in its community.

The Draft Policy Community Support & In-Kind Assistance was endorsed by the Audit Committee at its meeting of 26 September 2019 and provides governance and outlines the method by which support is to be provided to the community, either in-kind or through financial assistance. A copy of the draft Policy Community Support & In-Kind Assistance is at Attachment D.

Resolution No. 2019/
That Council:
a) adopts the new Policy Community Support & In-Kind Assistance.
Moved:
Seconded:
Vote:

### 10.5 Special Purpose Grants Round 1: 2019-2020

Round 1 of the Local Government Special Purpose Grants (SPG) 2019-2020 is now open and closes on Friday 18 October 2019. Council has received an invitation to submit a proposal. The SPG program provides one-off funding to support improvements in community infrastructure and local government service delivery outcomes.

Whilst councils may propose up to three projects, as the funding pool totals \$2 MIL and given the order of cost of the proposed submission, it is recommended Council submits a single bid on this occasion.

The children's playground at Cloppenburg Park is a popular play space with local and visiting families. Contemporary treatments of playground under surfaces include the use of softfall, a

rubberised layer that provides protection, softens impact and overcomes weed, litter and associated issues.

The approximate footprint of the playground is  $10m \times 12m$ . The current under surface is gravel sand within a termite treated pine log edging. There are concrete footings to the central shade post and some of the outer support posts. There is no foundation to the playground. Refer images:





Weeds, animal faeces and litter are frequently found in the gravel/sand surface. A softfall treatment would overcome these issues and address safety issues also. Quotes have been obtained and the total order of cost to replace the under surface is in the vicinity of \$38,000.

# Resolution No. 2019/

### **That Council:**

a) approves the Chief Executive Officer to submit a proposal to the Special Purpose Grants Round 1: 2019-2020 to a total of \$38,000 for the supply and installation of a softfall under surface to the Playground at Cloppenburg Park.

Moved: Seconded: Vote:

# 10.6 Roads to Recovery: 2019 – 2024 Program

The new Roads to Recovery 2019 - 2024 Program was announced in September 2019. Council's total allocation over the life of the program is \$125,578, inclusive of an allocation of \$25,116 for the 2019-2020 financial year.

The Commonwealth Government has made changes to the way funds are to be expended or aggregated. It is the Commonwealth Government's intention that the full annual allocation for 2019-20 is expended on agreed projects in this financial year. The Commonwealth Government has also advised councils, that subject to councils proactively identifying projects in line with their local priorities, that councils can accelerate Roads to Recovery spending, subject to availability of funds. This may be to do larger more significant projects or to save on mobility costs for example. If councils wish to spend more than the annual allocation email notification with anticipated cashflow requirement for 2019-20 along with a rationale is required by 30 October 2019.

In November 2018, LGANT completed a Road Network Investigation with recommendations. A summary of findings is outlined below:

**Findings Summary** 

Issue	Visual Approximated Occurrence	Possible Contributing Factor	Possible Improvement Strategy
Localised Flooding	2 identified areas	Topography	Upgrade drainage structures
Edge Drop	3,860m	Pavement / Shoulder Width Shoulder Structure and Height Hardening of bitumen Insufficient driveway	Shoulder rehabilitation, pavement enrichment
Edge Break	2,630m		and potential shoulder and seal widening (refer to Appendix B for
Cracking	6,750m		standard cross section) Upgrade driveway
		pavement	pavements (refer to Appendix D)*

Service Crossing	25 crossings	Inadequate trench	Rehabilitate pavement structure in conjunction
		rehabilitation	with road enrichment projects
Raveling	8,750m <sup>2</sup>	Hardening of bitumen	Pavement enrichment
Potholes	2 pot holes	Water retention	Patch repairs Resheet to improve run-off
Unprotected Culverts	26 unprotected headwalls (excluding driveway culverts)	Limited clearance from roadway	Extend culvert lengths Provide safety barriers
Unprotected Drains	2,510m	Erosion affecting batter angles and drain depths	Erosion protection structures (e.g. rock matting) Safety barriers

Council needs to resolve if it wishes to bring future year funds forward to address a larger roads project and needs to prioritise projects in order the Chief Executive Officer advise the Roads to Recovery Secretariat and preserve Council's allocation. Council's allocation is modest however can be utilised to address pressing safety and public liability issues.

Resolution No. 2019/		
That Council:		
<ul> <li>a) agrees to apply to aggregate forward years Roads to Recovery funding to the 2019- 2020 financial year;</li> </ul>		
b) agrees that the project is deemed a priority project for the purposes of		
Roads to Recovery 2019 – 2024 Program; and		
c) approves the Chief Executive Officer to submit this advice to the Roads to Recovery		
Secretariat.		
Moved:		
Seconded:		
Vote:		

# 10.7 Strategic Local Government Infrastructure Funding Round

The purpose of the Strategic Local Government Infrastructure Fund (SIF) program is to provide regional and shire councils the opportunity to apply for funding for local government infrastructure-related projects that are designed to boost the amenity and community development in regional and remote communities. Applications close on 1 November 2019.

The following types of projects are eligible to apply for funding:

- Parks, playgrounds, sporting and recreational areas establishment/upgrades
- Re-sealing of internal community roads
- Storm water management
- Plant and equipment to improve local government service delivery.

Council may nominate to select a project from the Road Network Investigation Report or to prioritise an infrastructure project linked to improving existing facilities, for example, the installation of guttering on the Pavilion at Cloppenburg Park, a safety and destination signage program, security and access controls to Council's workshop and waste compound, or investment in additional plant and equipment.

The Chief Executive Officer will table at the meeting preliminary costings for a number of potential projects for Council's consideration.

Resolution No. 2019/
That Council:
a) approves the Chief Executive Officer to submit a proposal to the Strategic Local
Government Infrastructure Funding Round: 2019-2020 to a total of \$ for
the project entitled
Moved:
Seconded:
Vote:

# 10.8 Campervan & Motorhome Club of Australia Ltd – Dump Point

At its meeting of 18 June 2019, Council requested the Chief Executive Officer investigate the cost to install a Dump Point provided by the Campervan and Motorhome Club of Australia (CMCA). **Council Resolution 2019/424 refers.** 

The Chief Executive Officer held discussions with the CMCA and further information related to the proposal is at Attachment E. Prior to investing further time and resources in obtaining full costings, Council needs to consider all implications and ongoing maintenance responsibilities prior to any further costings being obtained.

The CMCA operates a "subsidy" program in partnership with KEA Campers. The CMCA will provide to Council a Gough Plastics Dump-Ezy dump point unit. Council will be required to guarantee the provision of the following:

- provision of an appropriate septic tank for connection
- installation and ongoing maintenance of the septic tanks and "Dump-Ezy" unit
- access to freely available potable water for public use to wash down and clean portable toilets
- sealed access road and parking of at least 20m in length adjacent to the "Dump-Ezy" unit
- promotional and directional signage as provided by CMCA at a cost of \$313.00

In addition to the above infrastructure, access to freely available potable water and ongoing maintenance requirements, the CMCA also require Councils to agree to the following:

• the dump point is to be freely available to the public seven days per week, at a minimum during daylight hours;

- in addition to the self-contained RV market, the dump point is also to be made available to touring coach operators for emptying on-board toilets;
- the dump point needs to be accessible to all types of vehicles and provide appropriate access points and turning circles; and
- appropriate branding and acknowledgement need to be paid to the CMCA and KEA campers.

The readily accessible supply of free potable water presents an immediate challenge for Council given the lack of infrastructure in the Wagait community. Whilst a location at Cloppenburg Park may provide the parking, turning circle and access requirements required of the "Dump-Ezy" facility, ready access to water at this location cannot be achieved. One solution could be to install a standalone water tank that could be accessed by user groups, however, this would not only require additional one-off cost to Council, but ongoing costs associated with the regular transport and top up of water. The security of water at this facility is another consideration for Council.

In light of these challenges alone, the Chief Executive Officer has not proceeded to obtain quotes for the supply and installation of a septic system, or the installation of an all-weather road, parking bay and turning circle as required. Council also needs to consider if the provision of sewerage services to visiting RV and coach tour operators, is within the remit of core Council provision to its community. It is not recommended that Council proceed any further with investigations into the installation and supply of a "Dump-Ezy" facility in the Wagait community. Refer Attachment E.

# Resolution No. 2019/

### **That Council:**

 a) does not proceed with investigations or costings for the supply and installation of a "Dump-Ezy" facility as proposed by the Campervan & Motorhome Club of Australia Ltd.

Moved:
Seconded:
Vote:

# 10.9 Community Newsletter: Wagait Shire Council

At its meeting of 16 October 2018 Council requested the Chief Executive Officer commence a newsletter from Council to ratepayers. **Council Resolution 2018/272 refers.** 

"The Wagait Tower Times", a Council produced newsletter was first issued in February 2018. Only two other issues were produced in November 2018 and January 2919. The purpose of the newsletter was to keep the community informed of Council decision making processes, the provision of Council services and programs, and other relevant and topical information that was of interest and benefit to the community.

As Wagait Shire Council has a very small team, it is understandable that sustaining a dedicated publication proved difficult.

Other council's in the Top End provide a range of regular vehicles to communicate and engage with their communities. Social media platforms provide immediate, yet short-term opportunities for providing information about events or decisions. Many councils also utilise to great effect websites. Larger councils also communicate to residents through regular dedicated sections in the print media, such as regular placements by the Cities of Darwin or Palmerston in the *NT News*. As both councils cover large geographic areas with diverse demographics, the print media provides an effective vehicle for communicating with their constituents. Coupled with radio and tv advertising, and engaging, effective social media campaigns, the reach of both council organisations to its respective audiences is high, but at considerable financial investment. A one-page advertorial in the *NT News* (government discount rate) totals \$4,390.85, whilst a half-page advertorial costs a total of \$2,195.40. In addition, this level of investment is supported by dedicated positions and teams whose core business is community engagement, public relations, media and marketing.

Wagait Shire Council services a community of 461 individuals (according to ABS Census data) from a staffing base of six staff members. Traditional small scale, low impact communication devices have been used by Council with good effect. These include a modest website, public notices on community notice boards, distribution of flyers and the "Chalkboard" in front of the Council facility on Wagait Tower Road. This latter medium is highly effective as it is passed by all travellers making their way to the supermarket or the ferry terminal. These communication devices are further enhanced by the independent publication "The Wagait Watch", which acts to both disseminate information regarding Council decision making and scrutinising the resolutions, debates and activities of Council. It has high recognition and is available through a number of outlets including the ferry service, supermarket and disseminated electronically.

Rather than endeavour to replicate a failed enterprise, "The Wagait Tower Times", there is logic and merit in Council negotiating to participate in the existing circulated publication, "The Wagait Watch', and contribute a dedicated page that highlights Council decision making, forthcoming events and matters of broad community interest. The Editor/Publisher of "The Wagait Watch" has been consulted and is open to Council trialling an arrangement for a period of three to six months. The publication would maintain its independent identity and continue to provide scrutiny and comment on Council decision making and debate. However, the Council "sponsored" page would be clearly identified as a Council announcement, equivalent to the advertorials placed in the commercial print media by other council organisations.

The content would be prepared by Wagait Shire Council staff and provided to the Editor/Publisher the day following an Ordinary Meeting of Council. It is recommended the trial commence in November 2019.

# Resolution No. 2019/

### **That Council:**

- a) agrees to trial for a six-month period, the publication of a dedicated Council community page in "The Wagait Watch" publication; and
- b) that a further report be presented to Council after three months in order to evaluate the performance and impact of the dedicated Council community page.

Moved: Seconded: Vote:

# 10.10 2019 Tidy Towns Sustainable Community Self-Assessment Judging

The Keep Australia Beautiful Council NT (KABCNT) wrote to Council in October 2019 inviting Council to participate in the 2019 Tidy Towns Sustainable Community Self-Assessment Judging Program. Due to financial constraints, KABCNT are unable to travel and undertake site visits.

KABCNT has developed a self-assessment judging sheet and request participating Council's complete the proforma and return to KABCNT.

Participating in the program will assist Council in identifying performance and service provision achievements and areas for improvement. It is recommended Council participate in the program. Council may wish to nominate a member or members of the community to participate in the self-assessment process to ensure an independent voice is included in the process.

esolution No. 2019/		
at Council:		
a) agrees to participate in the 2019 Tidy Towns Sustainable Community Self-		
Assessment Judging Program; and		
b) nominates to assist Council in the completion of the self-assessment		
proforma.		
oved:		
Seconded:		
ote:		

# 10.11 LGANT NT Heritage Council Nomination

The Local Government Association of the NT is calling for nominations to represent LGANT on the NT Heritage Council. The position is a Ministerial appointment and is open to elected members.

LGANT has emailed a nomination form and procedures for LGANT representatives on committees. Nominations close on Friday 6 December 2019. A nominee will be endorsed at the LGANT Executive Meeting on 16 December 2019. Council may wish to nominate a member.

Resolution No. 2019/	
That Council:	
a) nominates Councillor the NT on the NT Heritage Council	to represent the Local Government Association of .
Moved:	
Seconded:	
Vote:	

### 11.0 AGENDA ITEMS FOR RECEIVING AND NOTING

# 11.1 Superannuation for Council Members



Department of LOCAL GOVERNMENT, HOUSING AND COMMUNITY DEVELOPMENT Executive Director Local Government and Community Development Level 1, RCG Centre 47 Mitchell Street Darwin NT 0800

> Postal address GPO Box 4621 Darwin NT 0801

Tel: 08 8999 8573

File Ref: HCD2019/01826-1

24 September 2019

Ms Anna Malgorzewicz Chief Executive Officer Wagait Shire Council PMB 10 DARWIN NT 0801

Via email: ceo@wagait.nt.gov.au

Dear Ms Malgorzewicz

Re: Superannuation for council members

During the recent consultation on the Local Government Bill 2019 a suggestion made by multiple stakeholders was that the new legislation should enable council members to receive the superannuation guarantee rate on member allowances.

I am writing to you to outline some relevant information regarding the superannuation guarantee being payable to members of local government councils. Please note that the following is not legal or financial advice.

The superannuation guarantee is provided for by Commonwealth law and cannot be legislated on by the Northern Territory.

For a council member to be eligible for the superannuation guarantee rate (currently 9.5%) on council member allowances, they must meet the extended definition of 'employee' under section 12 of the Commonwealth's Superannuation Guarantee (Administration) Act 1992.

Section 12(9A) of the Superannuation Guarantee (Administration) Act 1992 provides that "[s]ubject to subsection (10), a person who holds office as a member of a local government council is <u>not</u> an employee of the council". Subsection 12(10) provides that a "person covered by paragraph 12-45(1)(e) in Schedule 1 to the Taxation Administration Act 1953 (about members of local governing bodies subject to PAYG withholding) is an employee of the body mentioned in that paragraph".

Paragraph 12-45(1)(e) of Schedule 1 to the *Taxation Administration Act* 1953 requires an amount to be withheld for pay as you go (PAYG) taxation purposes from the allowances of "a member of a local governing body where there is in effect, in accordance with section 446-5, a unanimous resolution by the body that the remuneration of members of the body be subject to withholding under this Part".

Paragraph 446-5 of Schedule 1 to the *Taxation Administration Act* 1953 then sets out some specific requirements about the council resolution needed.

In summary, the default position is that a local government council member is not eligible to receive the superannuation guarantee rate on member allowances and a council is not required to make superannuation guarantee contributions on a member's behalf. However, with a unanimous resolution and the undertaking of some procedural steps with the Australian Taxation Office, the members of a council can enter into pay as you go taxation arrangements and receive superannuation guarantee contributions.

Should your council like further information on the above, I recommend that you contact the Australian Taxation Office. Alternatively, as I understand that the Local Government Association of the Northern Territory has an arrangement whereby the Western Australian Local Government Association provides advice to Northern Territory councils, you may wish to contact the Western Australian Local Government Association.

Yours sincerely

Maree De Lacey Executive Director

Local Government and Community Development

# 11.2 Minutes of the Audit Committee

The Minutes of the Audit Committee meeting held Thursday 26 September 2019 are at Attachment F. Several recommendations have been dealt with separately as agenda items at this meeting.

Resolution No. 2019/

That Council receives and notes the Minutes of the Audit Committee meeting held Thursday 26 September 2019.

Moved:

Seconded:

Vote:

### 12.0 QUESTIONS FROM MEMBERS – WITH OR WITHOUT NOTICE

### 13.0 QUESTIONS FROM THE PUBLIC – WITH NOTICE

Nil

14.0	PETITIONS/DEPUTATIONS
	Nil
15.0	UPCOMING EVENTS
15.1	Australia Day Event
15.2	Kerbside Hard Waste Collection – 23 – 24 November 2019
15.3	Half Yearly Community Consultation Session
16.0	LATE ITEMS AND GENERAL BUSINESS
10.0	LATE ITEIVIS AND GENERAL BOSINESS
17.0	IN-CAMERA ITEMS
17.1	Confirmation of In-Camera Minutes of Tuesday 17 September 2019
17.2	Incident in Office 2 July 2019 - Update
17.3	National Redress Scheme – Local Government Participation
	Resolution No. 2019/ That Council close the meeting to the general public in accordance with section 65(2) of the Local Government Act to enable Council to discuss in a Confidential Session an item described under Local Government (Administration) regulation 8;
	(c) information that would, if publicly disclosed, be likely to:
	(iv) prejudice the interests of the council or some other person;
	Moved: Seconded:
	Vote:
	At pm Council closed the meeting to the general public.
	Resolution No. 2019/
	That Council re-open the meeting to the general public in accordance with Section 65(1) of the Local Government Act.
	Moved:
	Seconded: Vote:
	At pm Council opened the meeting to the general public.

# 18.0 DATE OF NEXT MEETING

The next Council Meeting is to be held on Tuesday 19 November 2019 in the Council Chambers, 62 Wagait Tower Road, Wagait Beach.

# 19.0 CLOSE OF MEETING

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