

WAGAIT SHIRE COUNCIL

**AGENDA
AUDIT COMMITTEE MEETING**

**COUNCIL CHAMBERS
LOT 62, WAGAIT TOWER ROAD
Time 9:00AM**

Tuesday 21 May 2019



Table of Contents

1.0	Present	3
2.0	Opening of Meeting	3
3.0	Apologies	3
4.0	Confirmation of previous Minutes for the Audit Committee held 6 February 2019	4
5.0	Matters arising from the previous Minutes	13
6.0	Declaration of interests of committee members or staff	13
7.0	Agenda Items:	13
	7.1 Draft 2019/2020 Budget	13
	7.2 2019-2024 Shire Plan	14
	7.2 General Instruction No. 4 – Procurement	55
	7.3 Delegations Manual	61
8.0	Other Business	71
9.0	Confidential Items	71
10.0	In-Camera	71
11.0	Closure of Meeting	71

1.0 Present:

Committee members:

Chair Barry Bamford
President Peter Clee
Cr Neil White
Maureen Newman

Council staff:

CEO Russell Anderson
Office Manager Pam Wanrooy

2.0 Opening of Meeting:

The Chair Barry Bamford declared the meeting open at and welcomes all to the meeting.

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

3.0 Apologies:

Resolution No. 2019/ That the apology of be accepted. Moved: Seconded:

4.0 Confirmation of previous Minutes for the Audit Committee held Wednesday 6 February 2019

WAGAIT SHIRE COUNCIL

**DRAFT MINUTES
AUDIT COMMITTEE MEETING**

**COUNCIL CHAMBERS
LOT 62, WAGAIT TOWER ROAD
Time 9:05AM**

Wednesday 6 February 2019



Table of Contents

1.0	Present	3
2.0	Opening of Meeting	3
3.0	Apologies	3
4.0	Confirmation of previous Minutes for the Audit Committee held 11 September 2018	3
5.0	Matters arising from the previous Minutes	4
6.0	Declaration of interests of committee members or staff	4
7.0	Agenda Items:	4
7.1	2019/2020 to 2023/24 Strategic Plan	4
7.2	CEO Vehicle Log Book	4
7.3	Budget Review	4
7.4	Compliance Review	5
7.4.1	Compliance Review Actions Update	5
7.5	Policy Review	5
7.5.1	P15 Procedures for Council & Council Meetings Policy	5
7.5.2	P35 Authorisation of Payment Policy	5
7.5.3	P39 Australia Day Awards Deliberations Policy	6
7.5.4	P41 Asset Disposal Policy	6
7.5.5	P42 Stocktake Policy	6
7.5.6	P43 Credit Card Policy	7
7.5.7	P44 Travel & Accommodation Policy	7
7.5.8	P45 Vehicle Use Policy	7
7.5.9	P46 Works on Council Verge Policy	8
7.5.10	P47 Borrowing Policy	8
7.5.11	P48 Investment Policy	8
7.6	Human Resources	8
7.7	Records Management	9
7.8	Risk Management	9
8.0	Other Business	9
9.0	Confidential Items	9
11.0	Closure of Meeting	9

1.0 Present:

Committee members:

Chair Russell Anderson

President Peter Clee

Cr Neil White

Barry Bamford

Council staff:

CEO Mark Sidey

Office Manager Pam Wanrooy

2.0 Opening of Meeting:

The Chair Russell Anderson declared the meeting open at 9.05am and welcomes all to the meeting.

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

3.0 Apologies: Nil

4.0 Confirmation of previous Minutes for the Audit Committee held Tuesday 11 September 2019

Resolution No. 2019/301

That the minutes of the Audit Committee Meeting of Tuesday 11 September 2018 be confirmed by committee members as a true and correct record.

Moved: Cr Neil White

Seconded: President Peter Clee

5.0 Matters arising from the previous minutes:

Budget Review – This is to be noted and will be an ongoing Agenda item. At this stage there are no variations to the budget. This will be further discussed in item 7.3 in this agenda.

External Valuation – CEO Mark Sidey informed committee members that a consultant from Adelaide will be doing an external valuation for a number of councils before the end of the financial year and he is currently in discussion with them to do an external valuation at Wagait on their visit. President Peter Clee requested further quotes from local valuers.

6.0 Declaration of interests of committee members or staff:

Nil

7.0 Agenda Items:

7.1 2019/2020 to 2023/2024 Strategic Plan

Consultation session moderated by True North occurred on Saturday November 10. Approximately 25 people were in attendance. The notes from the meeting were circulated to those present and other interested members of the community for feedback. All feedback was to be received by 31 December. Only 1 submission was received. Development of Strategic plan has commenced.

The Strategic Plan should be released for public consultation in March.

7.2 CEO Vehicle logbook

The Chief Executive Officer had his vehicle log book on hand at the Audit Committee meeting as requested by the President.

It was requested that Log book register be prepared for both CEO and Works Ute.

CEO advised this was onerous given the works ute was GPS tracked. CEO suggested log books should only be kept as per ATO requirements.

It was also noted the CEO has unlimited private use of his vehicle as per his contract.

It was noted this condition is consistent with management level local government positions.

Barry Bamford suggested to council that all assets that have private use must have a log book.

7.3 Budget Review

At this juncture there have not been any revisions or amendments to the 2018/2019 budget.

The minutes will include a statement on where if there are any variations to the budget and also if there is no variation.

7.4 Compliance Review

The Department of Housing and Community Development undertook a Compliance Review in September 2018. 15 issues were identified.

Resolution No. 2019/302
That the Audit Committee note the Compliance Review Report.
Moved: President Peter Clee
Seconded: Cr Neil White

7.5 Policy Review

7.5.1 P15 – Procedures for Council and Council Committee Meetings Policy

The committee have suggested the following amendments.

Item 4.2 (1) (c) The word “one agenda” be removed and the sentence be amended to read “Members who wish to declare that they have a conflict of interest with any item at the meeting”.

Item 4.22 Include a provision about member non-attendance at meetings and reference to the Local Government Act.

Resolution No. 2019/303
That the Audit Committee recommend that the draft updated P15 Procedures for Council and Council Committee Meetings Policy, as amended be adopted by council.
Moved: President Peter Clee
Seconded: Barry Bamford

7.5.2 P35 – Authorisation of Payments Policy

The committee have suggested the following amendments.

Item 4.3 In the third sentence the word “Sports and Recreation Officer” to be deleted and replaced with “Acting Chief Executive Officer” to read “Should the Chief Executive Officer not be in a position to authorise the relevant payment/s on the authorisation date, the acting Chief Executive Officer shall authorise the payments in conjunction with either the principal member or their appointed delegate.

Resolution No. 2019/304
That the Audit Committee recommend that the updated draft of P35 Authorisation of Payments Policy, as amended be adopted by council.
Moved: Barry Bamford
Seconded: Cr Neil White

7.5.3 P39 – Australia Day Awards Deliberations Policy

The committee have suggested the following amendments:

Item 4.4 – The word “eligible” be removed and the sentence to read “Following the closure of nominations, the Chief Executive Officer will collate and distribute nominations to councillors with pro-forma scoring tables. Nominations to be received by the cut-off date.

Item 4.1 – The first dot point “Community event of the year” to be changed to read “Community Event, Organisation or Group of the Year”

Resolution No. 2018/305
That the Audit Committee recommend that the draft P39 Australia Day Awards Deliberations Policy, as amended be adopted by council.
Moved: Cr Neil White
Seconded: Barry Bamford

7.5.4 P41 – Asset Disposal Policy

President Peter Clee asked that the “Method of Disposal” include an offer for sale locally. Chair Russell Anderson explained that council can resolve when selling a vehicle that there be an open tender called locally and advertised locally.

CEO Mark Sidey advised the suggested wording allowed for local disposal.

The following amendment has been suggested:

Item 4.3 Include words to the effect that all disposals above \$2,000 must be referred to council.

Resolution No. 2019/306
That the Audit Committee recommend that the draft P41 Asset Disposal Policy, as amended be adopted by council.
Moved: President Peter Clee
Seconded: Barry Bamford

7.5.5 P42 – Stocktake Policy

The following amendment has been suggested:

Item 4.2 – “Each stock take will be undertaken by 2 staff members” to be deleted and changed to read “Each stock take be undertaken by a staff member and an independent member of the community as appointed by council.

Resolution No. 2019/307
That the Audit Committee recommend that the draft P42 Stocktake Policy, as amended be adopted by council.
Moved: Barry Bamford
Seconded: President Peter Clee

7.5.6 P43 – Credit Card Policy

The following amendments have been suggested:

Item 4.6.5 to be changed to read “A monthly report of all credit card transactions will be authorised by the Principal Member and Chief Executive Officer as part of the monthly reporting to Council.”

Item 3 Definitions, the definition to be changed to read “Cardholder: Wagait Shire Council employees and Principal Member that are the holder of a corporate credit card.”

Resolution No. 2019/308
That the Audit Committee recommend that the draft P43 Credit Card Policy, as amended be adopted by council.
Moved: Cr Neil White
Seconded: President Peter Clee

7.5.7 P44 – Travel and Accommodation Policy

The following amendment has been suggested:

Item 4.3.2 – Rental Cars – The first sentence to be amended to read “Employees and councillors must seek appropriate approval from the CEO prior to renting a vehicle. The definition “Approval Officer” to be repeated and also included in this sentence.

Resolution No. 2019/309
That the Audit Committee recommend that the draft P44 Travel and Accommodation Policy, as amended be adopted by council.
Moved: Cr Neil White
Seconded: President Peter Clee

7.5.8 P45 – Vehicle Use Policy

The following amendment has been suggested:

Item 4.2 (h) to be amended to read “Log books are to be completed correctly on a daily basis and returned, summarised on a monthly basis with private and work use and a report provided on a monthly basis detailing private and business use. “

Resolution No. 2019/310
That the Audit Committee recommend that the draft P45 Vehicle Policy, as amended be adopted by council.
Moved: Barry Bamford
Seconded: President Peter Clee

7.5.9 P46 – Works on Council Verge Policy

Resolution No. 2019/311
That the Audit Committee recommend that council seeks community input prior to consideration by the Audit Committee.
Moved: Barry Bamford
Seconded: President Peter Clee

Resolution No. 2019/312
That the Audit Committee recommend that the draft P46 Works on Council Verge Policy, be released for community consultation.
Moved: Barry Bamford
Seconded: President Peter Clee

7.5.10 P47 – Borrowing Policy

Resolution No. 2019/313
That the Audit Committee recommend that the draft P47 Borrowing Policy, be adopted by council.
Moved: President Peter Clee
Seconded: Cr Neil White

7.5.11 P48 – Investment Policy

Resolution No. 2019/314
That the Audit Committee recommend that the draft P48 Investment Policy, be adopted by council.
Moved: President Peter Clee
Seconded: Barry Bamford

7.6 Human Resources

Chair Russell Anderson suggested that Council should review its employee structure and consideration should be given to adding specialist finance and governance positions.

The compliance review recommended that a full suite of Human Resources policies be developed. Two quotations to undertake this task have been obtained. This issue will be brought to council's February 19 meeting with a recommendation that council proceed to engage a contractor.

It was suggested that council seek local expressions of interest from suitably qualified persons to undertake this task on a no fee basis.

Resolution No. 2019/315
That this Audit Committee Recommend to Council that we investigate someone in the community that can assist the council in reviewing other councils HR Policies to see if it can be amended to the needs of this council.
Moved: President Peter Clee
Seconded: Barry Bamford

7.7 Records Management

The compliance review recommended council install an appropriate records management system. A quotation to install and configure an electronic document management system was obtained in January 2018. Council chose not to proceed with this at that stage. An updated quotation has been requested, as has a second quote. A quotation to update council's IT system has also been received. Council received a Record Management Review Report and associated documents January 25. Documents included a Records Management Framework, a Records Management Policy, introductory training presentation, a guideline for managing emails as records and a guideline for records naming conventions.

Barry Bamford has asked that Council obtain new quotes and take these to the next Council meeting.

7.8 Risk Management

In its meeting of October 17, 2017 the Audit Committee recommended that council have a risk assessment and evaluation plan in place. A quotation to development a Risk Management Framework was received in January 2018 however council chose not to proceed with this at that stage.

Resolution No. 2019/316
That the Audit Committee recommend to council that they develop a risk management framework as originally recommended in October 2017 by this committee.
Moved: President Peter Clee
Seconded: Barry Bamford

7.0 Other Business

Auditor – 5 quotations were sought by CEO Mark Sidey. The due dates for the quotes was 31 January 2019. This will be brought to council at the next council meeting with a recommendation.

8.0 Confidential Items:

Nil.

11.0 Closure of Meeting:

The next meeting of the Wagait Shire Council Audit Committee will be held in the Wagait Shire Council Office and is planned tentatively for Tuesday 12 March at 9.00am depending on availability of members.

The Chair declared the meeting closed at 11.05am.

Resolution No. 2019/
That the minutes of the Audit Committee Meeting of Wednesday 6 February 2019 be confirmed by committee members as a true and correct record.
Moved:
Seconded:

5.0 Matters arising from the previous minutes:

6.0 Declaration of interests of committee members or staff.

7.0 Agenda Items

7.1 Draft 2019/2020 Budget with Fees and Charges – attached

Resolution No. 2019/.....
Recommend to Council that the Fees and charges be accepted as amended.
Moved:
Seconded:

Resolution No. 2019/.....
The attached draft budget for 2019/2020 highlights and includes staff increased costs to address governance and financial management. That the Audit Committee recommend to Council that they adopt the Draft 2019/2020 Budget with amendments.
Moved:
Seconded:



WAGAIT SHIRE COUNCIL

2019 – 2024 Shire Plan

Table of contents

About Wagait Shire	3
Contact us	3
Our Organisational Structure	4
Legislative Framework	5
Constitutional Arrangements	5
Opportunities	6
Challenges	6
Administrative and Regulatory Frameworks	6
Cooperative Arrangements	7
Strategic Plan	8
Shire Plan Development	8
Shire Services Delivery Plan 2018 - 2019	8
Maintenance and upgrade of parks, reserves and open space	10
Maintenance and upgrade of public buildings, facilities and fixed assets	11
Local road upgrade and construction	12
Local roads maintenance	13
Traffic management on local roads	14
Fleet, plant and equipment maintenance	15
Waste management and litter reduction	16
Weed control and fire hazard reduction	17
Animal welfare and control	18
Library, culture and heritage	19
Civic Events	20
Local emergency services	21
Administration of local laws	22
Customer relationship management	23
Governance	24
Advocacy and representation on local and regional issues	25
Commercial contracts	26
Sports and recreation	27
Local welfare and social services	28
Visitor accommodation and tourism	29
Asset management	30
Council planning and reporting	31
Financial management	32
Human resources	33
Information technology and communications	34
Public and corporate relations	35
Records management	36
Revenue growth	37
Risk management	38
Work health and safety (WHS)	39
Budget 2018 – 2019	40 – 44
Declaration of rates and charges	45

Wagait Shire Council Annual Plan 2019-2024

Page 2

About Wagait Shire

The township of Wagait Beach was established in the early 1960's with the beachfront roads of Delissa Drive and Cox Drive being the first areas to be subdivided. Further subdivisions in the early 1980's resulted in the township layout and footprint seen today.

The council was established as the Cox Peninsula Community Government Council on 28 April 1995 and was renamed as Wagait Shire Council on 01 July 2008.

The council derived its previous name from the Cox Peninsula which was named after Matthew Dillon Cox who was regarded as the Territory's first pastoralist after he applied for a lease over the peninsula in 1869. The current name is derived from the name of the town. The shire is located west of Darwin and is a 12 minute ferry ride or a 138 km drive from Darwin city.

Wagait Shire covers an area of 5.62 km² and there are 14km of internal roads. As at the 2016 Census, there were 237 males and 227 females residing in Wagait Beach with the median age being 48. 210 people reported being in the workforce with 62.2% employed full time and 22.4% employed part time. The median weekly personal income is slightly lower at \$857 compared with the Northern Territory's \$871. Likewise the family income is also lower at \$1924 compared to \$2105.

There are very limited local employment opportunities. Apart from the council, supermarket, Cox Country Club and a few self-employed contractors and trades people; the majority of the labour force works in Darwin.

Contact us

The council welcomes and values comments, questions and suggestions regarding this Shire Plan. Please include your details (full name and post or email address) when contacting us. Council meetings are open to the public. Council meets on the third Tuesday of the month at 7 pm in the council chambers.

Contact details:

Wagait Shire Council

CEO

Postal address: PMB 10, Darwin NT 0801

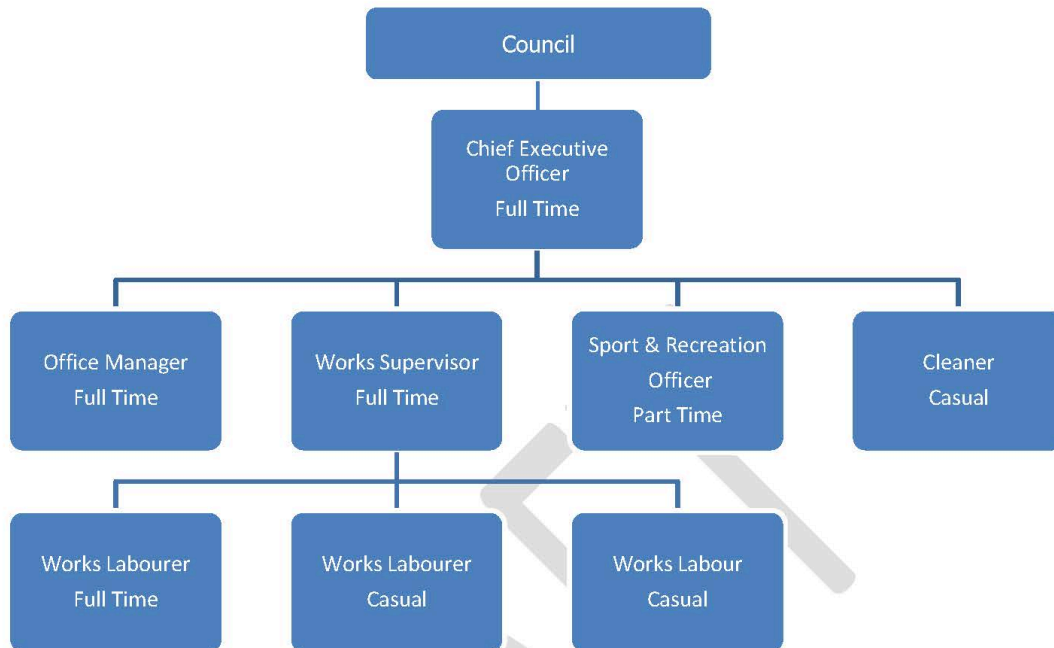
Telephone 08 8978 5185

Facsimile 08 8978 5100

Mobile

Email council@wagait.nt.gov.au

Our Organisational Structure



Our Mission:

Delivering improved social, economic, environmental and cultural life of residents in the Wagait Council area through emphasis on an involved community, in alternate energy, maintaining and developing our infrastructure, providing core services, promoting investment, ensuring accessibility and capitalising on our natural advantages with an emphasis on long term stability and sustainability.

Our Vision:

The **Vision** of the Wagait Shire Council is to sustain and nurture the lifestyle of residents and visitors. This will be achieved through improvements to economic, cultural and ecological opportunities and will work on creating an involved and supportive community, promoting investment, ensuring accessibility and capitalising on our natural advantages with an emphasis on sustainability.

Our Focus:

- Strong, transparent and accountable local governance to achieve quality service delivery.
- Advocate responsibly and vigorously for the interests and wellbeing of our community
- Implement comprehensive and innovative planning for sustainable service delivery across the social, economic, environmental and cultural spheres
- Demonstrate strong support for community wellbeing

Wagait Shire Council Annual Plan 2019-2024

Page 4

Legislative Framework

This plan has been prepared in accordance with the requirements of Sections 22 and 23 of the *Local Government Act*.

Constitutional Arrangements

The five-member council was elected at the Northern Territory Local Government elections on 26 August 2017. During the term two members resigned and a By-Election was held on the 22nd September 2018. The council now consists of President Peter Clee, Vice President Tom Dyer, Michael Vaughan, Graham Drake and Neil White.

On the 10th November 2018 Jane Munday from North Strategic Communication conducted a Strategic Planning Workshop with members of the community and Council. The following topics discussed:

- community interested in expanding the local government area to include economic, social and regional interests;
- Water reticulation to properties in the local government area;
- Cover the drains that are adjacent to the road verges;
- Infrastructure for the benefit of the community;

Opportunities

We will pursue opportunities to improve our level of sustainability by:

- Increasing revenue by entering into new contracts to deliver services to various government departments and other agencies;
- Increasing revenue by identifying innovative strategies to grow the local economy;
- Increasing investment returns;
- Utilising shared services arrangements with other large councils, the WA Local Government Group (WALGA) and the Local Government Association of the Northern Territory (LGANT); and
- Negotiating with the NT Government, relevant groups and individuals for boundary expansion.

Challenges

We face the following challenges:

- Securing continued contract work and grants;
- Securing more rateable land to increase rates revenue;
- Ageing infrastructure, plant and equipment; and
- Ability to meet increasing legislative responsibilities within current staffing and resources.

Administrative and Regulatory Frameworks

Wagait Shire Council has previously entered into discussions with Coomalie Community Government Council and Belyuen Community Government Council in relation to boundary expansion into the future. A report was commissioned exploring this opportunity however its conclusions and recommendations were not received well by the three councils. Community consultations have also occurred. Coomalie and Belyuen are pursuing possible amalgamation. At this juncture, council is not in favor of participating in a three-way amalgamation. Council is continuing to explore boundary expansion opportunities, focusing on the opportunities that incorporating unincorporated land would provide.

Cooperative Arrangements

Wagait Shire Council has a history of working collaboratively with other Northern Territory Councils. We are members of the Local Government Association of the Northern Territory (LGANT) and the Top End Regional Organisations of Councils (TOPROC). Council also has relationships with the following:

- Northern Territory Department of Housing and Community Development
- Northern Territory Department of Infrastructure, Planning and Logistics
- Northern Territory Department of Sport and Recreation
- Northern Territory Department Tourism and Culture
- Bushfires NT
- Local Government Association of the Northern Territory (LGANT)
- Top End Regional Organisations of Councils (TOPROC)
- Belyuen Coomalie Wagait Local Government Reference Group (BCWLGRG)
- SeaLink Ferries
- Cox Country Club
- The Wagait Arts Group (WAG)
- Member for Daly
- Member for Lingiari
- Federal Senators

Strategic plan

The council has developed a long term strategic plan for the period 2019 – 2024. This is available on the council's website. The plan will be reviewed in this current planning period.

Shire plan development

- The following methodology was used to prepare this plan:
- input from the council;
- support from the Department of Housing and Community Development;
- input from the community; and
- draft and review.

Shire services delivery plan 2019 - 2024

The functions of the council have been categorised as follows:

1. Local infrastructure

- 1.1 Maintenance and upgrade of park, reserves and open space
- 1.2 Maintenance and upgrade of public buildings, facilities and fixed assets
- 1.3 Local road upgrade and construction
- 1.4 Local roads maintenance
- 1.5 Traffic management on local roads
- 1.6 Fleet, plant and equipment maintenance

2. Local environment health

- 2.1 Waste management and litter reduction
- 2.2 Weed control and fire hazard reduction
- 2.3 Animal welfare and control

3. Local civic services

- 3.1 Library, culture and heritage
- 3.2 Civic events
- 3.3 Local emergency services

4. Community engagement in Local Government

- 4.1 Administration of local laws
- 4.2 Customer relationship management
- 4.3 Governance
- 4.4 Advocacy and representation on local and regional issues

5. Commercial services

- 5.1 Commercial contracts

6. Agency services

- 6.1 Sports and recreation

7. Other community services

- 7.1 Local welfare and social services
- 7.2 Visitor information and tourism

8. Council administration

- 8.1 Asset management
- 8.2 Council planning and reporting
- 8.3 Financial management
- 8.4 Human resources
- 8.5 Information technology and communications
- 8.6 Public and corporate relations
- 8.7 Records management
- 8.8 Revenue growth
- 8.9 Risk Management
- 8.10 Work health and safety (WHS)

1 Local Infrastructure

1.1 Maintenance and upgrade of parks, reserves and open space

What is the service?

Develop and maintain council's parks, gardens and open space facilities.

What is produced?

Enhanced visual amenity and community accessibility with increased community leisure options.

What is the result?

Parks, gardens and other open spaces developed and maintained for the use and benefit of the community.

Who is it for?

The community and visitors to the area.

Current approach:

Council's major open space area is the sports ground, Cloppenburg Park. Routine mowing is undertaken during the wet season. Other areas include the open spaces adjacent to the Community Centre and foreshore areas. Regular mowing, weed control, planting of trees, BBQ cleaning and litter collection is undertaken.

Any future changes:

The redevelopment of the sports ground area including reticulation. Council is working toward other enhancements, however these projects are grant/feasibility dependent.

Obtaining a Water extraction License

Tasks and activities:

- Regular mowing
- Spraying of weeds
- Collection of litter

Performance indicators

- Less than six complaints per year
- Number of times mowing, weed control and litter collected
- Operation within budget
- Inspect playground equipment Quarterly

1.2 Maintenance and upgrade of public buildings, facilities and fixed assets

What is the service?

Manage and maintain council's public buildings, facilities and fixed assets.

What is produced?

Effective and timely maintenance programs.
Planned projects.

What is the result?

Effective management of physical infrastructure and essential services.

Who is it for?

All users of council's public buildings, facilities and fixed assets

Current approach:

Day to day routine maintenance is undertaken by council employees. Some matters require attendance by qualified tradesperson. Local tradespeople are utilised wherever possible. Routine maintenance programs are in place for septic facilities, air conditioners, emergency generator and water supply.

Any future changes:

Establish a best practice asset maintenance schedule to ensure longevity. The schedule will provide an annual asset inspection report.

Tasks and activities:

- Attend to maintenance needs as required.
- Undertake regular inspections of council buildings.

Performance indicators:

- Less than 2 complaints per month.
- Compliance with budget.
- All air conditioning units serviced annually.
- All septic facilities serviced / inspected.
- All generators serviced monthly

1.3 Local road upgrade and construction

What is the service?

Construction of new and upgrading of existing sealed and unsealed roads.

What's produced?

Improved road network.

What is the result?

High standard of roads.

Who is it for?

Users of local roads both residents and visitors

Current approach:

There are very few roads in the shire that require construction. Upgrading and construction is undertaken by contractors. Climate conditions impact upon when upgrading and construction works can be undertaken.

Any future changes:

- Establish a road classification system to support asset management decision making when roads are in need of upgrading.
- Work with LGANT to develop and road network master plan/classification system.
- Consider the extension of the bike path along Wagait Tower Rd
- Consider and plan for improved safety along Wagait Tower Road drainage easement

Tasks and activities:

There are currently no roads requiring construction.

Performance indicators:

N/A this year

1.4 Local roads maintenance

Wagait Shire Council Annual Plan 2019-2024

Page 12

What is the service?

Maintenance of sealed and unsealed roads including drainage footpaths and curbing.

What is produced?

High standard and safe network of roads with efficient collection and disposal of storm water and run off.

What is the result?

- A safe road environment within the community.
- Reduced degradation of road paving as result of climatic conditions (Heavy rain)

Who is it for?

Users of local roads

Current approach:

With the exception of repairing pot-holes and maintaining barriers, work is undertaken by contractors. The council undertakes mowing of verges, weed spraying, litter control and clearing of drains. Climate conditions impact upon roads and maintenance schedules.

A NT LGA road report was completed in 2018 and an implementation is required to respond to the issues identified. The report is on the WSC web site.

Any future changes:

A road classification system and a report implementation plan developed and budgeted for over the next 5 years is required to support asset management decision-making.

Tasks and activities:

- Repair pot holes when evident
- Clear blocked drains where possible
- Clear weeds in drains and shoulders
- Monitor road surface conditions
- Write a road report implementation plan and develop/seek budget to support plan

Performance indicators:

- Repair all pot holes greater than 20 mm in depth
- Repair or replace damaged drainage barriers

1.5 Traffic management on local roads

What is the service?

Provision of adequate street signage and traffic control devices to increase the safety of users of the road network.

What is produced?

Safe roads.

What is the result?

Effective management of physical infrastructure.

Who is it for?

Users of local roads.

Current approach:

Existing signage is maintained by council employees. Where necessary traffic control devices are in place. The council relies on community input where unsafe conditions may exist. The council has access to road closure signs if required.

Any future changes:

No

Tasks and activities:

- Regular inspection of condition of street name signs
- Ensure that traffic control devices are operated effectively.

Performance indicators:

Signs displayed the same day when notification of a road hazard is received.

1.6 Fleet, plant and equipment maintenance

What is the service?

Provision of routine maintenance on council's plant, fleet and equipment.

What's produced?

A schedule for plant and equipment maintenance that ensures that regular maintenance is undertaken to ensure that equipment operates at peak condition and has an extended life and resale value.

What is the result?

Reliable plant and equipment that operates in a safely. Maximise lifespan of council's fleet and equipment.

Who is it for?

Council employees and community.

Current approach:

All council plant and equipment is subject to routine maintenance. Time is set aside each week for services to be undertaken. Log books are maintained for all vehicles and equipment to ensure that operating times do not exceed service requirement.

Any future changes:

A formal fleet, plant and equipment maintenance schedule is written.

Tasks and activities:

- Regular inspection of plant and equipment
- Regular routine maintenance undertaken
- Log books updated each time after equipment/plant is used
- Major maintenance to be undertaken by authorised dealers
- Regular/monthly running of generators

Performance indicators:

- Planned servicing completed no more than one month after due date
- Down time for fleet, plant and equipment less than 5% of operational requirements

2 Local Environment Health

2.1 Waste management and litter reduction

What is the service?

Collection and disposal of domestic, hard and green waste. Management and maintenance of waste collection contract and general litter reduction within Wagait Shire boundaries.

What is produced?

Efficient and sustainable disposable services. Enhanced community education and awareness. Reduced quantity of waste around the Wagait Shire and compliance with environmental health standards.

What is the result?

Cost effective waste management strategies that emphasise waste reduction, reuse of materials and recycling programs.

Who is it for?

The community residents and visitors.

Current approach:

A kerbside pickup for household waste on a weekly basis under contract. Curbside hard waste collection is quarterly done by council. This waste is transported to the Shoal Bay Waste Management Facility. Council supports the current initiative of the Cox Peninsular

Fire brigade to run a private recycling area in a land owner's block. It also supports the Wagait Store arrangements with Enviro-bank who attend regularly. A green waste facility has been developed on council land and it is chipped quarterly and made available to resident free of charge. Council has a policy on its web site regarding what can be dropped off and times. A recent initiative by St Vinnies to collect excess household clothing and equipment for recycling was supported by council and the community.

Any future changes:

- Review the location of the green waste facility and consider relocation due to self-combustion.
- Special levy for multiple dwellings on one lot and commercial sites are being considered.

Tasks and activities:

- Manage waste in public areas
- Manage the service contract

Performance indicators:

- Less than four complaints per year about wheelie bin emptying service
- Public spaces cleaned after a community events

Wagait Shire Council Annual Plan 2019-2024

Page 16

- Public road sides litter free
- Quarterly hard waste collections provided
- Recycled green waster provided free to residents

2.2 Weed control and fire hazard reduction

What is the service?

Reduce fire hazards and increase the amenity of the area through the control of noxious weeds around council controlled roads and facilities.

What is produced?

Effective weed control and a reduction in fire hazards.

What is the result?

Environment free of weeds and a reduction in wild fires.

Who is it for?

The Wagait Shire community and neighboring properties.

Current approach:

- Weed control is undertaken on a scheduled basis. Council employees are qualified to use sprays. Fire hazard reduction is monitored and undertaken as and when required. The council liaises with the Department of Lands, Planning and Environment in identifying weeds.
- Where control burning is required, council seeks the support of the local bush fire brigade. Annual inspection and maintenance of fire breaks.
- Participate in the NT Government Gamba grass eradication program through provision of poison and spray equipment to residents.

Any future changes:

- Review of the requirement for a suburban fire brigade and discussion with NTFRS.
- Work with NT Weeds Branch on identified problem weeds in the community and develop a mitigation strategy.
- Update the regional weeds management plan in conjunction with Weeds Branch

Tasks and activities:

- Spray weeds on a regular basis
- Slash grassed areas that may become a fire hazard
- Fulfil jetty car park area weed control contract
- Community education on declared weeds and their management

Performance indicators:

- Less than six complaints about weeds annually
- Weed outbreaks identified and managed

Wagait Shire Council Annual Plan 2019-2024

Page 17

- Current poisons licences

2.3 Animal welfare and control

What is the service?

The administration of delegated Territory legislation in relation to the care, custody and control of domestic and feral animals to protect health, safety, amenity and environment of the community. Promotes responsible ownership of animals.

What is produced?

A service that provides support in dealings with dogs.

What is the result?

Community free of uncontrolled and/or dangerous dogs.

Who is it for?

The community residents and visitors.

Current approach:

- The council is currently establishing a by-law to deal with uncontrolled dogs.
- The council utilises the services of the NT Police to deal with dangerous dogs.
- The council has firearms to deal with injured dogs and other animals.

Any future changes:

To prepare a costed implementation plan/standard operating procedure to support the operation of the by-laws.

To construct a dog pound if required.

Registration of dogs

Tasks and activities:

- Annual renewal of firearms license.
- Implement the dog By Laws and associate plans
- Community education.

Performance indicators:

Dog complaints actions within 2 working days

By-law ready to be adopted during 2019-2020

Dog pound constructed during 2019-2020

Dog registration scheme implemented during 2020-2021

3 Local Civic Services

3.1 Library, culture and heritage

What is the service?

Provision of access to library programs and material designed to meet the diverse needs of all ages and groups within the community. Cultural and historical significance of the Cox Peninsula understood.

What is produced?

- Public access to library books and the internet.
- Heritage of the area understood and supported.
- Historic sites maintained (Milady) subject to government funding.

What is the result?

- A library service that is accessible and meets the needs of the community.
- Access to internet and computer
- Knowledge in the community about the area's history.

Who is it for?

The community residents and visitors.

Current approach:

- The council has an initial book stock. The service is open during normal council office hours. The book library currently has very little community support with about one visitor perweek.
- Milady bomber site cleared of weeds and litter (subject to government funding).

Any future changes:

- Determine the future library needs of the community

Tasks and activities:

- Encourage more library users and ascertain future needs

Performance indicators:

- Library to be open for public use > 200 days

3.2 Civic events

What is the service?

Conduct and manage agreed community events such as the annual senior's activity, Anzac Day celebrations, Australia Day celebrations and Territory Day.

What is produced?

High quality civic events for the Wagait Shire community.

What is the result?

Residents, councillors, family and friends participate and are interested in civic events; instilling pride in our culture and having fun.

Who is it for?

Community residents and visitors.

Current approach:

- Civic events will be promoted and organised for the community subject to council agreement. Resources to conduct such events will be supplied via internal arrangement, volunteers, and councillors' contributions. Local community service organisations may also be involved on a volunteer or income making arrangement. Grant funds will be sought where announced funding is available and each event will be costed prior to council's consideration.
- Council also supports other local events/groups such as Mandorah Ukulele Folk Festival, walk to school day and Wagait Arts Group.

Any future changes:

Other events will be considered on the basis of economic and social benefit.

Tasks and activities:

- Conduct Australia Day celebrations
- Conduct Anzac Day celebrations
- Conduct seniors' activities
- Conduct Territory Day celebrations

Performance indicators:

Deliver at least four community events annually

3.3 Local emergency services

What is the service?

Preparation and planning for local emergencies through participation in relevant committees and facilitation of preventative measures.

What is produced?

- Disaster planning, preparation, response and recovery.

What is the result?

Mitigation of potential hazards, response during disaster events, recovery of the community to full function and an awareness within the community.

Who is it for?

The community.

Current approach:

The council is responsible for the operations of the cyclone shelters in the council grounds.

The council works in conjunction with the appointed police and local NT Emergency Services Unit when responding to disasters. Throughout the year, support is provided to the NT Emergency Services Unit, and Wagait Beach Bush Fire Brigade. .

Council operates in accord with the Emergency Management Act (2013) and the Darwin area local plan

Any future changes:

- Improved communications infrastructure via radio / satellite phone, etc.
- Review cyclone shelter capacity in light of increased population.
- Assist Cox Peninsula Bushfire Brigade to fence and install utilities to new fire shed.
- Review the requirement for a local coordinating body to assist council when required

Tasks and activities:

- Operate cyclone shelter when required
- Attend regional cyclone shelter briefings
- Liaise with police and emergency services during disasters
- Provide support to local brigade and emergency services unit
- Encourage and facilitate community to have annual clean-up
- Encourage community information sharing on emergency management

Performance indicators

- CEO and / or president to attend all local cyclone shelter meetings
- CEO and / or president to attend pre-cyclone season regional cyclone shelter briefings

4 Community Engagement in Local Government

4.1 Administration of local laws

What is the service?

Monitoring and enforcement of council local laws.

What is produced?

Standards that the community is expected to meet.

What is the result?

A clean, tidy, healthy and safe community.

Who is it for?

The community.

Current approach:

The council is adopting a dog management by-law.

Council has a number of operational policies to assist in operational control and standard

Any future changes:

Future circumstances will dictate if it is necessary for the council to introduce additional local laws.

Tasks and activities:

Continue to monitor community expectations and behaviour.

Performance indicators:

- Enact dog management by laws

4.2 Customer relationship management

What is the service?

The provision of high standards of service and assistance to the community and other customers; effective service delivery; and the achievement of corporate and community objectives.

What's produced?

Respectful, organised, polite and efficient responses to community enquiries, customer service requests or complaints.

What is the result?

High standards of communication, transparency and openness.

Who is it for?

The community.

Current approach:

The council maintains an office at Wagait Beach and opens five days per week. Residents are able to access information at any time during office hours. Council's web site also provides information to customers on council activities and service delivery.

Notice boards around the community are used to inform residents. Regular information sheets are available at local store and on the ferry.

The council agenda include a feedback from the community item and community members can approach council to speak at meetings.

Any future changes:

- The ongoing upgrade of the council web site

Tasks and activities:

- Continue to utilise notice boards.
- Continue to upgrade the council web site.
- Conduct half yearly community meetings to seek community feedback on major issues.

Performance indicators

No more than four complaints annually regarding council performance

4.3 Governance**What is the service?**

Costs of governance to the council including elected members expenses, elections, civic and ceremonial functions, membership of representative organisations and elected members..

What is produced?

- Elected members having a clear understanding of responsibilities associated with leadership, management of the council, strategic planning, policy development and compliance with statutory requirements.
- A council resolutions register is available that details council decisions.
- A complaints register is available that details any issues raised with council.

What is the result?

Continual improvement in the governance capacity of elected members.

Who is it for?

Elected members, staff and residents.

Current approach:

The council conducts regular monthly meetings that are open to the public. Agendas and minutes are produced for each meeting and are available for viewing by the public. Governance training is accessed when available.

Any future changes:

Upgrade council's governance capacity.
Comply with the Departments compliance review into council operations

Tasks and activities:

- Conduct monthly council meetings
- Produce agendas and minutes
- Provide ongoing councillor training
- Induction training will be given to all new councillors

Wagait Shire Council Annual Plan 2019-2024

Performance indicators

- Report number of elected members attendance at meetings
- Governance procedures are reviewed and updated in line with current best practice
- Deliver one session of training for elected members annually

4.4 Advocacy and representation on local and regional issues

What is the service?

Participate on regional boards or committees to represent the council's views on regional issues.

What is produced?

Ensure the local community is effectively represented in regional issues of significance.

What is the result?

The council's (community) views are represented in the appropriate forums.

Who is it for?

The community.

Current approach:

The council maintains membership of the Local Government Association NT; the Top End Regional Councils group (TOPROC) (and participates in other regional groups). These organisations provide the council with avenues to address regional issues that may impact upon the shire. The CEO also participates in CEO forums at which a broad range of local government activities at a commonwealth and territory level are discussed.

Any future changes:

- The council has identified the need for sound land use planning with the establishment of a regional planning authority.
- The council has also identified the requirement to expand boundaries and therefore the need to negotiate with relevant land-holders and their representatives, in particular Kenbi.

Tasks and activities:

Continue participation at all forums that may be regionally significant to the Cox Peninsula.

Performance indicators:

Report to council and community on the groups/forums

5 Commercial Services

5.1 Commercial contracts

What is the service?

Undertake ongoing maintenance of assets as per contractual arrangements.

What is produced?

A clean and tidy jetty, a continuous water supply and other commercial services.

What is the result?

Effectively managed contracts as a service to the community.

Who is it for?

Community residents and visitors.

Current approach:

The council enters into contractual arrangements with various departments and agencies to undertake maintenance of assets and to undertake the provision of services.

Any future changes:

- The council needs to be conscious of new contracts and of contract expiry dates.
- Council will consider any new opportunities to increase revenue from this source.

Tasks and activities:

- Wash and clean jetty.
- Remove waste from jetty.
- Maintain jetty parking area.
- Undertake maintenance to jetty required.
- Undertake water sampling at predetermined intervals.
- Monitor bores at predetermine intervals.
- Attend water related supply faults.

Performance indicators:

- Successful completion, acquittal and renewal of contracts and feedback
- Meet all KPIs articulated by contracts

6 Agency Services

6.1 Sports and recreation

What is the service?

Provision of sport and recreation activities in the community.

What is produced?

Opportunities for all sectors of the community to participate in sport and recreational activities.

What is the result?

A community that is able to participate in activities that develop a level of fitness and well-being without having to travel to Darwin.

Who is it for?

The community.

Current approach:

Ensure a program of activities is published and that families can be assured these are being well managed. Ensure ongoing compliance with Safe NT.

Any future changes:

Identify new areas of community involvement for particular interest groups.

Tasks and activities:

- Conduct sporting and recreational activities for the whole of the community
- Continue to lobby for additional funds
- Provide support to community groups in staging events

Performance indicators:

Wagait Shire Council Annual Plan 2019-2024

Page 27

- Deliver at least four different types of activities every month
- Maintain current attendance and participation numbers

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7 Other Community Services

7.1 Local welfare and social services

What is the service?

Provision of miscellaneous community services that enhance participation or amenity, including seniors programs, access to the Wagait Beach Medical Clinic and other welfare and social services identified by the council from time to time.

What is produced?

A group of services needed by community.

What is the result?

Community services that are accessible and meet the needs of and promote the well-being of the community.

Who is it for?

The community.

Current approach:

The council provides support to the Wagait Beach medical clinic and seniors program with activities taking place at the Wagait Beach Community Centre.

Any future changes:

The council is conscious of the need to provide ongoing support to the medical clinic and seniors program. Potential exists for the clinic to be expanded and to have a doctor provide a service. Other activities will continue to be monitored and will depend on government funding.

Tasks and activities:

- Continue to support Wagait Beach clinic
- Continue to support seniors program
- Encourage expansion of medical clinic and availability of a doctor
- Monitor funding opportunities for new services

Performance indicators:

- Attendance numbers at events and services
- Resident satisfaction/complaints with each event or service
- Inform council of suggestions and feedback about events and services

7.2 Visitor accommodation and tourism

What is the service?

Promotion and encouragement of economic development and local businesses through promoting and improving tourist attractions.

What is produced?

A welcoming environment to visitors to the shire.

What is the result?

A tourism industry that capitalises on our cultural heritage and unique natural environment.

Who is it for?

The community residents and visitors.

Current approach:

The council provides support to community groups who wish to promote the cultural heritage of the area. Tourist amenities within the shire are maintained by the council. The council is committed to working with any individual or group who can provide visitor accommodation to the area.

Any future changes:

Undertake a cost benefit analysis and develop business case (including financial and environmental constraints) to understand the viability of implementing the designed camping area

Tasks and activities:

- Encourage community groups in promoting the cultural significance of the area
- Lobby Government for a regional tourism plan
- Work closely with any persons or group wishing to undertake tourism activities
- Participate in the Cox Peninsular Economic Development Committee

Performance indicators:

- Completion of a cost benefit analysis and business case for a Caravan Park

8 Council Administration

8.1 Asset management

What is the service?

Planning and support services for council assets land, buildings, plant, equipment fixtures and fittings, and any other asset.

What is produced?

Asset management plans, policy development and performance monitoring.

What is the result?

Effective management of shire assets.

Who is it for?

The community.

Current approach:

There is currently limited specific asset management planning undertaken.

Any future changes:

- Introduce a computer based asset management system.
- Review the works depot utilisation.

Tasks and activities:

- Prepare plant and equipment replacement schedule
- Prepare maintenance schedules for plant and equipment.
- Prepare maintenance schedules for council buildings.
- Develop asset management plans and policies

Performance indicators:

- Maintain the asset management register that includes valuation and depreciation
- Develop an asset management policy
- Maintain the schedule of assets

8.2 Council planning and reporting

Wagait Shire Council Annual Plan 2019-2024

Page 31

What is the service?

Development of strategic plans, including business and service delivery plans, to ensure the council's long term sustainability to deliver services to the community.

What is produced?

Shire plan, strategic plan, budgets and annual report.

What is the result?

Documentation that provides clear direction to the council on future council activities and service delivery expectations.

Who is it for?

Commonwealth and Territory agencies, council, CEO, regional boards, residents and ratepayers.

Current approach:

- The council currently produces all statutory documentation. The shire plan is linked to the council budget. All plans are reviewed and updated on an annual basis. All plans can be accessed in hard copy from the council or via the council web page.
- The council has a resolutions register that details all agreed resolutions of council.

Any future changes:

- No changes are proposed.
- A review of the strategic plan will be undertaken in 2019 calendar year in preparation for 2019/2024 implementation of a new plan. Information from community consultation meetings will be taken into account.
- Review budget and redesign to meet requirements of new plans

Tasks and activities:

Continue to meet legislated deadline for the completion of documentation.

Performance Indicators:

- A draft 4-year strategic plan from 2019/20 developed
- Annual plan written and submitted on time

8.3 Financial management

What is the service?

Accounting, financial recording and reporting and other support services associated with managing the council's financial resources.

What is produced?

Financial advice and management including accurate financial reports and compliance with statutory requirements.

What is the result?

An effective and efficient shire council.

Who is it for?

Commonwealth and Territory agencies, elected members, CEO, council, residents and ratepayers.

Current approach:

The financial management system is maintained in accordance with the Local Government Act and Australian Accounting Standards. A computerised system is used for all financial transactions. Financial reports are presented to the council on a monthly basis. The preparation of annual financial statements is outsourced and accounts are audited by an external auditor on an annual basis.

A reserve fund has been established for some of the larger long term projects and funds from reserves must be approved by council resolution.

Council will approve by resolution all applications for grants subject to the purpose, and grant available. The council contribution - one off and the recurrent cost of the project must be considered.

Any future changes:

Software updates provided by the financial software suppliers installed as soon as possible. Consideration to be given to introducing non-financial business systems to cater for council administrative tasks. Establish a finance committee.

Tasks and activities:

- Ensure financial data is up to date to produce accurate reporting.
- Regular reports to council meetings.
- Maintain accurate property and rate records.

Performance Indicators:

- Increase contract income by >5%
- Increase bank investment returns by >4%
- Financial reports are produced in timely manner for council meetings
- Financial reports are submitted to government on time

8.4 Human resources

What is the service?

Services and support for human resources administration including recruitment, induction, training and development.

What is produced?

The employment of persons in compliance with awards, contracts, agreements and a commitment to structured employee training and development.

What is the result?

An effective and efficient council workforce.

Who is it for?

Council employees.

Current approach:

The employment of council employees is done in accordance with the policy that provides for non-discriminatory staff employment. The promotion of employees is subject to annual performance reviews. All employees are encouraged to assess their training requirements each year.

Any future changes:

Implement best practice HR policy and procedures.

Tasks and activities:

- Conduct annual performance reviews
- Prepare annual training plan for all employees
- Develop HR policies

Performance Indicators:

- All employees undertake performance review.
- No more than 1 industrial relations type complaint annually.
- One annual workplace training session delivered to all staff

8.5 Information technology and communications

What is the service?

Information technology (IT) support services and advice associated with the operation and management of council's hardware, software and internet systems.

What is produced?

Effectively managed and functioning IT including ease of accessibility for users and web page design and maintenance.

What is the result?

An effective and efficient system. Council's information is controlled and managed while complying with Information technology Infrastructure Library (ITIL) standards.

Who is it for?

Staff and elected members.

Current approach:

The council has independent stand-alone hardware and utilises appropriate software for accounting functions.

Any future changes:

- Formal maintenance arrangements need to be explored.
- Introduce integration of financial data with administration reporting

Tasks and activities:

- Maintain web page
- Develop IT policy
- Implement ITIL best practices

Performance Indicators:

Meet ITIL standards

8.6 Public and corporate relations

What is the service?

Communication with the general public through personal contact, public meetings and media information.

What is produced?

Verbal and written information that provides clear information about council activities.

What is the result?

Residents and the general community will expect to be informed on all council matters to judge whether or not their interests are properly represented.

Who is it for?

The community.

Current approach:

Council facilitates twice yearly forums where the community is able to ask questions and articulate their opinions in a non-formal environment. Notice boards at the local supermarket, council office and council website are regularly updated with information concerning council activities in addition to the establishment of a Facebook page. Media releases are issued where and when required and a website has been established.

Any future changes:

N/A

Tasks and activities:

- Council meetings open to the public.
- Identify issues for public meetings.
- Regular updating of the council website.

Performance Indicators:

- At least 5 community members at public meetings
- All statutory reports completed on time
- Community satisfaction with corporate relations
- Feedback to the monthly council meetings
- Website and Face Book statistics.

8.7 Records management

What is the service?

Processing of council's incoming and outgoing correspondence and the availability and safekeeping of council records in accordance with statutory requirements.

What is produced?

Records management systems and an awareness of record keeping obligations including Freedom of Information obligations.

What is the result?

An efficient and effective user friendly records management system.

Who is it for?

Staff and elected members.

Current approach:

There are three main areas of records storage. A manual A to Z listing filing cupboard for the storage of all hard copy, a property file containing all hard copy matters affecting the property and a computer based file that is subject specific. The three systems make it easy for the recovery of documents. Archived documents are retained at the shire workshop.

Any future changes:

Grant funding sought to purchase a system to compliance with the Information Act.

Tasks and activities:

- Records filed on a regular basis
- Explore computer integration

Performance Indicators:

- Freedom of information requests completed as per statutory requirements.
- Information required is readily available.

8.8 Revenue growth

What is the service?

Funding of council's operations through appropriate rating policies and the maximisation of grants, fees and charges and other available income sources.

What is produced?

Planning that produces adequate funds for the delivery of services to the community.

What is the result?

A balanced budget that meets all service delivery requirements

Who is it for?

The community.

Current approach:

The budget is prepared on an annual basis. Income is derived from Government funding, contracts with government and commercial operators and rates.

Any future changes:

Rate revenue is low with increased capacity possible. Grant funding and other service contracts will be actively sourced. Increase potential for funded staff to be employed via work ready schemes.

Tasks and activities:

- Pursue opportunities for grant funding and new service contracts
- Implement job costing measures to avoid over expenditure
- Preparation of realistic budgets
- Avoid non-budgeted expenditure

Performance Indicators:

- Budget balanced
- New grant funding
- Contract income increased by >5%
- One new contract acquired or contract variation to increase scope of works

8.9 Risk management

What is the service?

Provision of internal risk management systems

What is produced?

Policies and risk management plans.

What is the result?

Protection of council assets, staff, community and environment.

Who is it for?

Staff, elected members, insurers

Current approach:

Risk management is assessed annually in conjunction with the insurance renewal process. All council assets are insured. A complaints register is maintained and is used to monitor areas of potential risk

Any future changes:

Council will seek funding to develop a risk management plan.

Tasks and activities:

- Conduct annual audit
- Maintain asset register
- Ensure assets have sufficient insurance coverage
- Update the fraud protection plan

Performance Indicators:

- Satisfactory audit of the asset register
- Fraud protection plan updated
- Comprehensive risk management plan developed

8.10 Work health and safety (WHS)

What is the service?

Provision of a framework to protect the health, safety and welfare of all workers at work and also the health and safety of all other people who might be affected by the work of council.

What is produced?

WHS policy, plan and audit programs.

What is the result?

Protection of workers and the general public so that their health and safety is not placed at risk by work activities.

Who is it for?

Employees, contractors, subcontractors, outworkers, apprentices, work experience students, volunteers and employers who perform work.

Current approach:

Council maintains a WHS incidents register to identify how to negate and/or reduce known risks to an acceptable level. The council has developed a WHS Management Plan, associated policies and safe work procedures.

Any future changes:

Update the WHS Management Plan and associated procedures and policies.

Tasks and activities:

- maintain a work environment without risks to health and safety
- maintain plant and structures to keep them in a safe state
- provide and maintain safe systems of work
- ensure the safe use, handling, storage and transport of plant, structures and substances
- provide adequate facilities for the welfare of workers at work when carrying out work for the council
- provide information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of council business
- monitor the health of workers and the conditions at the workplace for the purpose of preventing illness or injury of workers arising from the conduct of council business

Performance Indicators:

No Lost Time injuries.
Conduct a minimum of 12 toolbox talks per year.

Budget 2019-2024

The Wagait Shire Council proposes to adopt its budget for the 2019-2020 financial year consistent with the provisions of the Local Government Act.

The following information is provided in accordance with the listed requirements.

127 Annual budgets

- (1) A council must prepare a budget for each financial year.
- (2) The budget for a particular financial year must:

(a) outline:

(i) the council's objectives for the relevant financial year; and

The objectives for the 2019-2020 financial year are to deliver services and programs as outlined in the Shire Plan 2019-2024. The primary focus of council is to deliver good governance and core services such as administration, road maintenance, parks maintenance, waste collection whilst maintaining contract revenue and public utility services. Public infrastructure will also be a focus.

(ii) the measures the council proposes to take, during the financial year, towards achieving those objectives; and

Council will continue to pro-actively manage costs and investigate opportunities to increase non-grant revenue to ensure a financially robust and viable council. Grant opportunities to expand and improve public infrastructure will be actively pursued.

(iii) the indicators the council intends to use as a means of assessing its efficiency in achieving its objectives; and

The Annual Plan 2019-2020 outlines the strategies and operational targets (KPI's) council intends to use to assess the efficiency in achieving the planned objectives.

(b) contain estimates of revenue and expenditure for the financial year (differentiating between operating and capital expenditure); and

The budget for 2019-2020 as shown herein contains the required information as specified.

Resolution No. 2019/.....

That the Audit Committee recommend to Council that the 2019-2024 Shire Plan including the 2019/2020 Budget be advertised publicly for a 21 day community consultation and final adoption with amendments.

That council adopt a 4% increase in costs for all items for the years 2021 to 2024.

Moved:

Seconded

7.3 General Instruction No. 4 – Procurement

The General Instruction No. 4 Procurement will come into effect 1 July 2019.

General Instruction No. 4 - Procurement

Issued on behalf of the Department of Local Government, Housing and Community Development
by Maree De Lacey, Executive Director

This is a general instruction pursuant to Regulation 7 of the *Local Government (Accounting) Regulations 2008*. Failure of a council to comply with a general instruction is an offence of strict liability with a maximum penalty of 50 penalty units.

DEPARTMENT OF **LOCAL GOVERNMENT, HOUSING AND COMMUNITY
DEVELOPMENT**



Purpose of General Instruction

The purpose of this General Instruction is to clarify issues concerning the application of the quotation and tender requirements under the *Local Government (Accounting) Regulations 2008* (the Accounting Regulations).

This General Instruction is to apply from 1 July 2019.

Legislation

Accounting Regulation 28 states when a council must obtain written quotations and if not practical then the council must record the reason for not obtaining the quotation in writing.

Accounting Regulation 29 provides when public tender for the provision of supplies to council must occur and the tender process that must be followed.

In certain circumstances the quotation and tender requirements in the Accounting Regulations are not required and those conditions are listed in Accounting Regulation 30.

A council may apply to the Department for an exemption from compliance with a provision of the Accounting Regulations in accordance with Accounting Regulation 31.

General Instruction

Cost of supplies

The quotation and tender cost of supplies means total cost to the council which includes any Goods and Services Tax (GST) payable.

Example 1: Accounting Regulation 29 applies where the provision of supplies to council costs more than \$90 909.09 (GST exclusive price) plus \$9 090.91 (GST).

Example 2: Accounting Regulation 28 applies where the provision of supplies to council costs \$100 000.00 (GST inclusive price) or less.

Consultancy or other professional services

A consultancy or other professional service means a one off non-continuous supply of a particular professional service. A consultancy or other professional service supply agreement generally has a set start and finish date, is for a set length of time (usually no more than six months) or operates until the original agreed activity is complete.

If a supply agreement includes the ability to vary or add on services to the current agreement then the contract is not a one off non-continuous supply.

Example 3: Under Accounting Regulation 30 a council directly contracts a consulting firm to review internal controls which is expected to take four months. Towards the end of this contract council decides a review should also be conducted on council's project management which is likely to take a further two months.

Council cannot vary its direct contract with the consulting firm to add the additional review. Council must either seek quotations or tenders depending on the estimated cost of the new review or request an exemption from this General Instruction.

General Instruction No. 4 - Procurement

A consultancy is a professional practice that provides advice within a particular professional service field. A professional service is usually provided by a tertiary trained person who may be required to hold a professional licence or be registered with a professional body such as an auditor, medical practitioner, architect or lawyer.

Example 4: Under Accounting Regulation 30 the supply of asset revaluation review services by a specialist consultant for a six week period would be excluded from quotation and tender requirements.

Example 5: Accounting Regulation 30 would not apply where a council contracted a mechanic to work on council equipment for four months.

Annual figure of a period contract

Contracts entered into by council that span more than one financial year will be treated as separate contiguous amounts for each financial year of service to determine if the Accounting Regulation quotation or tender requirements should apply.

Period contracts must not be for a term in excess of three years (this includes any extension period if there is an option to extend the contract).

Example 6: If a council wished to enter into an agreement on 1st July to buy diesel for three years from a large fuel distributor and the council expects to buy more than \$9 000 worth of diesel each month (total cost per financial year is expected to be more than \$108 000) then Accounting Regulation 29 tender requirements would apply.

Example 7: Accounting Regulation 28 quotation requirements would apply where a three year supply agreement for pool maintenance services which cost \$7 500 per month (all up cost of the agreement would be \$270 000) was entered into by council on 1st October.

As the cost at the end of the first financial year would be \$67 500; the cost at the end of the second financial year would be \$90 000; the cost at the end of the third financial year would be \$90 000; and the balance of the cost in the last financial year of the agreement would be \$22 500.

Example 8: Accounting Regulation 29 tender requirements would apply where a three year supply agreement for pool maintenance services which cost \$8 500 per month (all up cost of the agreement would be \$306 000) was entered into by council on 1st October.

As the cost at the end of the first financial year would be \$76 500; the cost at the end of the second financial year would be \$102 000; the cost at the end of the third financial year would be \$102 000; and the balance of the cost in the last financial year of the agreement would be \$25 500.

Contract with an option to extend the agreement

When a supply agreement contains an option, by either party, to extend the agreement then the agreement is to be treated as if the option will be taken and the contract extended.

Example 9: A council wishes to enter into a contract for rubbish collection for six months beginning on 1st January for \$55 000 with an option for council to renew, at the end of sixth months for a further two years, if the service KPIs are continuously met by the service provider (the potential all up contract cost is \$275 000).

Accounting Regulation 29 tender requirements would apply as the cost of the service for each of the option years would be \$110 000 – i.e. The cost at the end of the first financial year would be \$55 000; the cost of the first option extended financial year would be \$110 000; and the cost of the second option extended financial year would be \$110 000.

Contract for the supply of goods or services at set rates

All supply agreements entered into by council are to contain a maximum amount likely to be incurred in achieving the desired activity.

Any schedule of rates agreements entered into by council must state the maximum spend amount to account for expenditure and for council budget purposes.

Example 10: A council seeks tenders for the provision of a range of building maintenance services for two years.

The tender specifications ask for a schedule of rates for a stipulated range of services to be supplied to council on request during the contract period. The tender documents supplied to interested tender applicants also advises the total amount of the contract is limited to \$330 000 (GST inclusive).

On acceptance of a tender, Accounting Regulation 29 would apply and the council would publish the notice of the successful tender on its website. The notice would contain the name of the supplier who submitted the successful tender, the supply to be provided and the maximum amount of the contract being awarded.

Contract variations

Contract variations should only be made where the variations do not change the scope of the original supply agreement.

Where the original supply agreement complied with Accounting Regulation 28 quotation requirements then the management and acceptance of any contract variations is subject to council's policy so long as the total cost of the agreement including the variation stays under the tender threshold.

Where a variation results in the total cost going over the tender threshold then a council must either seek an exemption from going to tender or not proceed with the contract variation.

A council must follow the publication requirements set by this General Instruction where, as a result of any contract variations, the total cost of the supply agreement (the original contract plus any agreed variations) exceeds the tender threshold.

Where the original supply agreement complied with Accounting Regulation 29 tender requirements the total variation costs are to be no more than 10 per cent of the original supply agreement cost excluding GST.

General Instruction No. 4 - Procurement

Example 11: In line with council's policy, an authorised council delegate accepts an unanticipated contract variation of 5 per cent of the original cost of a roads contract that council issued on acceptance of a civil works contractor's quotation. The original contract cost was \$85 000 (GST exclusive) and the total contract cost with the variation will now be \$89 250 (GST exclusive).

As the original roads contract plus the agreed variation will be less than \$90 909.09 (GST exclusive) the council is not required to follow the General Instruction publication requirements.

Example 12: A council adheres to its procurement policy and, following vigorous negotiations, wishes to accept a supply agreement variation of 8 per cent of the original agreed cost. The original supply agreement cost was \$90 000 (GST exclusive) and the total contract cost with the negotiated variation will now be \$97 200 (GST exclusive).

As the total supply agreement will be more than \$90 909.09 (GST exclusive) the council is required to seek a tender exemption. If an exemption is granted, and council accepts varying the original agreement, the council must publish on its website the name of the supplier, the supply details and the total supply agreement cost.

Example 13: A council wishes to accept a final civil works contract variation which will result in the total contract variations to be 12 per cent of the original supply agreement cost that was a result of a tender.

The contract variations have been caused by an extraordinary early wet season and a major supplier of the contractor, who was the same proposed supplier for the other tender applicants, going into liquidation at a critical point in the contract, causing delays in resourcing materials and price increases.

As the original civil works contract resulted from complying with Accounting Regulation 29 tender requirements and the total contract variations are more than 10 per cent of the original contract cost, the council will need to seek an exemption from complying with this General Instruction.

If an exemption is granted and the council accepts the final contract variation, the council must update the published notice of the successful tender to include the final contract variations.

Tender panel to report on the tenders in writing to council

Where a committee of three members of council's staff are delegated by the council to open and consider the tenders, a consultant may assist the committee in evaluating the tenders but that consultant is not to be considered one of the committee (tender panel) members.

Once the tender panel has evaluated the tenders, a written report on the tenders is to be provided for council to formally consider and make a decision on the tender.

Publication of successful supplier

The notice of the successful tender including any contract variations must be available for three years from the last day of the financial year during which the council first published the notice on the website.

Where, as a result of a contract variation, the total supply agreement (the original agreement plus any agreed variations) exceed the tender threshold, the name of the supplier, the supplies to be provided and the cost must be published on council's website. These publication details must be available for three years from the last day of the financial year during which the council first published this information on the website.

Publication of consultancy or other professional services more than the quotation threshold amount

For directly contracted consultancies and other professional services, more than the Accounting Regulation 28 maximum quotation amount, the name of the directly appointed supplier, the supplies to be provided and the cost must be published on council's website.

The required directly contracted consultancy and other professional service publication details must be available for three years from the last day of the financial year during which the council published this information on the website.

Example 14: Under Accounting Regulation 30 a council directly contracts a consultant engineer to project manage the building of a new council office and adjacent depot. The contract price is for \$330 000.

The contract is more than \$100 000 (GST inclusive) therefore council must publish on its website the name of the engineer directly contracted, the project management details to be supplied and the contract cost.

Application for an exemption from compliance

A council may wish to write to the Department to seek an exemption from tendering and procurement requirements under this General Instruction; or for another matter under the Accounting Regulations. The exemption application should include details of the proposed activity or matter and council's reasons.

Explanation

Clarification on the meaning of cost to include GST removes doubt surrounding the interpretation of Accounting Regulations regarding quotations and tenders and aligns this meaning with the Northern Territory Government interpretation that GST is part of the cost of procuring supplies.

Further, by stating the conditions required when a supply of service is a consultancy or other professional service makes it clear when Accounting Regulation 30(1)(ii) quotation and tendering exemption can be applied by councils.

By clarifying the treatment of periodic contracts it makes it easier for councils to decide whether quotation or tendering requirements under the Accounting Regulations apply. Additionally, by limiting the length of period contracts it brings these contracts into alignment with the Northern Territory Government procurement requirements.

In assisting councils to account for and manage supply agreements, the treatment of agreements that contain a schedule of rates or supply variations has been outlined in this General Instruction.

Furthermore, in clarifying tender processes the role of a consultant in relation to a council tender assessment has been explained and the requirement for a written report to be supplied by the tender panel to council has been made clear. Also, the publication period of the notice of a successful supplier including direct contracted consultants and professional services details has been set to be in line with other publicly available council information requirements.

Resolution No. 2019/

That the Audit Commit recommend to Council that Council note the General Instruction No. 4 – Procurement that will come into effect 1 July 2019 and \$7,750 fine for non-compliance.

Moved:

Seconded:

7.4 Delegations Manual

Previously the CEO had been requested by member of the public for information regarding the council's budget and expenditure. This was considered by the Information Commissioner and found in favour of the applicant. The following is the Delegations manual with recommended changes to ensure that this does not occur without Council being provided a report on any future issues.



Delegations Manual

Approved by Council on Tuesday 16 June 2015

Resolution:

Review after next election in 2017

Pursuant to Section 102 of the Act (Delegation by CEO) the CEO has delegated Financial and other delegations to Managers as listed from page 8 onwards of this Manual

**Russell Anderson
Chief Executive Officer**

POLICY TITLE:	WAGAIT SHIRE COUNCIL'S DELEGATIONS MANUAL
POLICY NUMBER:	P26
CATEGORY:	COUNCIL POLICY
CLASSIFICATION:	
STRATEGIC PLAN REFERENCE:	TO PROVIDE OPEN, RESPONSIVE AND ACCOUNTABLE GOVERNMENT AT THE LOCAL LEVEL.
STATUS: Draft	Council Resolution

Date Approved: 16 June 2015		Approved By: Mover: Cr Richmond Seconded: Vice-President Lisa Marie Stones Vote: AIF	Councillors – resolution no. 2015/190	Date for review:	Next Council Election
Date Approved:		Approved By:		Date for review:	
Date Approved:		Approved By:		Date for review:	
Date Approved:		Approved By:		Date for review:	

EXERCISE OF DELEGATED AUTHORITY

Parliament has given its authority for certain acts and undertakings to the Council. In order to provide for the expedient exercise and performance of its powers and duties and the efficient management of its business the Council has delegated some of its authority to the CEO.

The CEO in turn may further delegate some of these roles and responsibilities.

The following protocols govern the use of delegated authority.

1. Any exercise of delegated authority is subject to compliance with
 - any relevant provisions of the Local Government Act and Regulations
 - any other legislative requirements
 - any applicable Council policy
 - the relevant provisions of any Council By-law

It is the responsibility of the officer exercising delegated authority to be aware of any restrictions on the exercise of that authority and to comply with the restrictions.

2. Delegated authority should not be exercised where a conflict of interest exists or where it may be perceived to exist.

3. Delegation by the Council to the CEO does not prevent Council itself either from acting itself or revoking or varying the delegation at any time.

4. Delegation by the CEO likewise does not preclude the CEO from acting or revoking or varying the delegation at anytime.

5. Delegation requires judgment. It is not appropriate to exercise delegated authority in all circumstances and some decisions, which may be contentious or attract high public interest or where no clear policy guidelines exist should be referred to the CEO or Council as appropriate.

6. At all times officers exercising delegated authority are required to act reasonably.

DELEGATIONS

DELEGATIONS OF AUTHORITY SECTION 32 OF THE LOCAL GOVERNMENT ACT

CHIEF EXECUTIVE OFFICER

Pursuant to authority delegated to the CEO in accord with Section 32 of the Local Government Act which expressly includes the power to make a further delegation the following powers and functions are delegated subject to compliance with:

- the provisions of the Local Government Act and Regulations as amended and any other legislation relevant to the delegation;
- all and every policy of Council adopted by resolution and current at the time of the exercise of the function herein delegated;
- the provision contained in the any Council By-laws.

The Wagait Council in order to provide for the expedient exercise and performance of its powers and duties and the efficient management of its business and responsibilities hereby delegates to the person appointed as Chief Executive Officer pursuant to Section 32 of the Local Government Act the exercise of Council's powers, functions, duties and authorities contained in legislation subject to the limitations specified in section 32 (3).

This delegation shall remain in force until specifically altered or revoked in writing.

PART 1

- (a) The functions of the Council as specified in:
- (i) the Local Government Act, as amended, and Regulations; and
 - (ii) any other Acts under which Council has powers, authorities, duties and functions;
- and
- (iii) Council By-laws.
- (b) The following specific delegations shall be read as additional to, and not in diminution of delegations pursuant to (a) above:

Responsibility & Authority

- i) The Chief Executive Officer is appointed pursuant to Section 100 of the Local Government Act and has the functions, responsibilities and powers provided in that Act and other relevant legislation.
- ii) All Council Officers, either directly or indirectly, are responsible to the Chief Executive Officer for the whole of their duties.
- iii) The following delegations are additional to the functions and responsibilities of the Chief Executive Officer specified in the Local Government Act.

Expenditure

To commit the Council to expenditure on goods and services including plant and equipment provided that that expenditure and those purchases have been provided for in the budget; and to pay accounts for goods and services including plant and equipment purchased on behalf of the Council.

Rates and Charges Pursuant to Chapter 11 of the Local Government Act

Maintain the Assessment Record in accord with Section 152 of the Local Government Act.

Make an apportionment of Rates on behalf of Council pursuant to Section 146 of the Local Government Act.

Take action against a person for the recovery of unpaid rates and charges including tracing charges pursuant to Section 170 and 171 of the Local Government Act.

Sign Certificate of Liabilities pursuant to Section 256 of the Local Government Act.

Debtors

To write off any fees or charges other than rates and charges raised pursuant to Chapter 11 of the Local Government Act to a maximum value of \$400 (subject to compliance with the requirements of Regulation 27 of the Local Government (Accounting) Regulations (this requires a specific resolution of Council to write off unpaid rates or some other debt owed to the Council);

To approve an extension of time to pay any debtor account due to Council including rates and charges raised pursuant to Chapter 11.

Investigation

To investigate the officers of the Council or of any Department or division of the Council when directed or when he deems this to be expedient, and report to Council.

Ombudsman

To make the initial response to enquiries received from the Ombudsman in relation to complaints made to him concerning decisions or conduct of the Council and/or Officers or employees of the Council. *and report to Council*

Industrial Relations

To represent the Council in industrial matters.

Training Courses, Seminars & Conferences

To approve attendance by Members of Council at Conferences, Workshops, Seminars and relevant training courses where there are no travel costs or overnight accommodation expenses; and to approve attendance including travel and accommodation by Council delegates to LGANT Meetings held in the Northern Territory and the ALGA National Assembly.

To approve training expenditure for Council staff including attendance at conferences, seminars and workshops.

Discretion

In consultation with the President, to exercise discretion in any matters affecting Policies and Practices of the Council in the interest of practical working arrangements or in special extenuating circumstances. Details of the exercise of this delegation, other than in minor matters, must be included in a report to Council.

Issue of Permits or Notices

To issue dispensations, permits, licences or notices in accordance with any Act, Regulation or By-law subject to compliance with any particular Council policy, and to fix any fees including expiation fees.

Cash Advances

To vary the number and amount of cash advances within any limits prescribed by Council.

Additions and Deductions to Contract

To approve total variations to contracts during the progress of works to a limit of 10% of the total contract sum in aggregate. (excluding period contracts)

Reserve Funds

To transfer funds from the general fund to Reserve or Investment accounts or vice versa (pursuant to section 121) generally in accordance with the Council's budget or any other decision of the Council relating to the use of funds and to exercise discretion in the appropriation of surplus funds to reserves.

Property Owned by the Council

To manage property owned by the Wagait Council including any commercial properties.

Execution of Documents

In conjunction with the President to:

- execute any contracts or other documents requiring the Common Seal;
- execute Instruments of Encumbrance and Applications for a variation of the order of priority to existing documents;
- execute documents relating to easements, leases, licences and permits and affix the Common Seal if required;
- affix the Common Seal to instruments granting consent to Unit Plan Applications where Council has an interest in the subject land.

Annual Report

To prepare the Annual Report.

Information Act

To exercise the Council's powers and undertake its responsibilities pursuant to the Information Act. (Part 14.2)

Signatories – Bank Accounts

To nominate signatories to Bank Accounts.

Disbursement from Authorised Accounts:

Resolved that Council approve that any two of the following positions be required to sign cheques and process electronic disbursements:

- a) the council principal member; or*
- b) the deputy principal member;*
- c) any one of the following, Chief Executive Officer and Office Manager (being members of the council's staff).*

Acting Chief Executive Officer

To appoint an Acting Chief Executive Officer for periods of leave or absence.

Contracts

To execute and sign contracts including employment contracts on behalf of Council.

Professional Advice

To seek professional and legal advice.

Office Hours

The Chief Executive Officer is delegated authority to make minor changes to office business hours.

Authorised Persons

The Chief Executive Officer is delegated authority to appoint authorised persons for the purpose of enforcing the Local Government Act, the regulations or bylaws, any other Act, regulation or by-law of which powers are vested in the Council.

Sub-delegation

(a) Pursuant to Section 102 Council expressly permits further delegation by the Chief Executive Officer to another officer or employee whether by name or by reference to an office, designation or position.

(b) Council may by resolution direct the Chief Executive Officer in the exercise of any function herein delegated.

(c) The Chief Executive Officer shall exercise the function herein delegated in accordance with and subject to:

(i) the provisions of the Local Government Act, as amended, and Regulations as amended and any other legislation relevant to the delegations;

(ii) all and every policy of the Council adopted by Resolution and current at the time of the exercise of the functions herein delegated;

(iii) the provisions contained in the Wagait Council By-laws. (if and when they occur)

PART 2

Subject to:

(1) the following specific activities not being delegated:

The power to:

- (a) levy, make or fix rates, valuations, charges, fees, fares, dues or rents;
- (b) borrow money;
- (c) approve an expenditure or money on the works, services or operations of the council not set out in a budget approved by the council;
- (d) determine allowances;
- (e) make an application, under this Act, to the Administrator or Minister; or
- (f) do other prescribed things;
- (g) the appointment of a Chief Executive Officer;
- (h) the appointment of an Auditor and determination of the Auditor's fee;
- (i) the appointment of a Deputy President;
- (j) the determination of when the Council office is normally open to the public other than minor changes;
- (k) the determination of a periodic review of electoral representation by Council;
- (l) the determination of where Council/Committee meetings are held;
- (m) the establishment of any Council Committee and approval of an appointment to the position of Chairman of any Council Committee;
- (n) the giving of directions or imposing of restrictions in respect to the calling and conduct of a Special meeting of a Committee of Council;
- (o) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property;
- (p) the adoption of a financial statement included in an annual financial report;
- (k) the review requested by a dissatisfied applicant under Part 11.8 (waiver or default of rates - financial hardship);
- (l) rating concessions under Section 167 (concessions relating to public benefit);
- (m) the acceptance of tenders which are required under the Act or Regulations to be invited by the Council;
- (n) the calling of a meeting of electors to consider a matter in relation to the management of the Council (Part 6.4);
- (o) the power to make By-laws;
- (p) any function under this or any other Act, Regulation or By-law, that is expressly required to be exercised by a resolution of the Council.

Acting Chief Executive Officer

The Acting Chief Executive Officer shall have the authority to act on behalf of the Chief Executive Officer in his absence, to make the necessary decisions and issue the necessary instructions that would otherwise be the responsibility of the Chief Executive Officer while acting for that officer; in discharging the responsibility the Acting Chief Executive Officer will at all time act reasonably.

OFFICE MANAGER

In addition to the general delegation to the Office Manager and any member of staff appointed by the CEO from time to time to act in that position is delegated the following authority:

Expenditure

To commit the Council to expenditure on goods and services including plant and equipment provided that expenditure and those purchases have been provided for in the budget. This delegation is limited to a maximum of the dollar value set forth in the instrument of financial delegation from the CEO and in force at the time funds are committed.

Rates and Charges Pursuant to Chapter 11 of the Local Government Act

Maintain the Assessment Record in accord with Section 152 of the Local Government Act.

Make an apportionment of Rates on behalf of Council pursuant to Section 146 of the Local Government Act.

Remit all or part of any penalty for late payment pursuant to Section 163 of the Local Government Act (where satisfied that there is a satisfactory reason for the late payment or that the payment of the penalty could cause hardship) along with any associated expenses and legal fees.

Take action against a person for the recovery of unpaid rates and charges including tracing charges pursuant to Section 170 and 171 of the Local Government Act.

Investments

Invest surplus funds on behalf of Council pursuant to Section 121 of the Local Government Act.

Commercial Property

To manage Council's commercial property folio including entering into leases and setting rentals.

Records

To determine disposal and archiving schedules for Council records in accord with any legislative requirements and dispose of records in accordance with those schedules.

Cash Advances

To vary the number and amount of cash advances within any limits prescribed by the Council.

Lost or Damaged Property

The decision of disposal of Assets shall be made by the CEO or his delegates in consideration of Council's best interest.

Information Act

To make decisions under Part 3 (Access and Correction Rights) in relation to inquiries about access to information and correcting personal information.

MAINTENANCE MANAGER

The Maintenance Manager and any member of staff appointed by the CEO to act in that position from time to time is delegated the following authority:

Expenditure

To commit the Council to expenditure on goods and services including plant and equipment provided that expenditure and those purchases have been provided for in the budget. This delegation is limited to a maximum of the dollar value set forth in the instrument of financial delegation from the CEO and in force at the time funds are committed.

AUTHORISED PERSONS

The following persons are authorised pursuant to section 112 of the Local Government Act:
Generally in accordance with the Act:-

Chief Executive Officer – (also delegated authority to add to, or vary, the limitations and conditions of appointment or revoke the appointment of authorised persons pursuant to this and other relevant Acts, regulations and by-laws)

Maintenance Manager

Works Services Officer

The following is the recommended changes to the Delegations Manual to address this issue

- Page 5 of the Delegations Manual be amended, the heading “**Ombudsman**” be changed to read “**Ombudsman/Information Commissioner**” and that the sentence be amend to read “To make the initial response to enquiries received from the Ombudsman/Information Commissioner in relation to complaints made to him/her concerning decisions or conduct of the Council/or Officers or employees of the Council to be reported to Council”.
- That a new paragraph on page 7 under the heading Sub-delegation be added to read (iv) That Council’s budget be available to the public on request”.

Resolution 2019/.....

That the Audit Committee recommend to council that they amend the Delegations Manual as requested by the Audit Committee to ensure members of the public have available council’s budget when requested.

Moved:

Seconded:

8.0 Other Business

Nil.

9.0 Confidential Items:

Nil.

10.0 In-Camera

11.0 Closure of Meeting:

The next meeting of the Wagait Shire Council Audit Committee will be held in the Wagait Shire Council Office and is planned tentatively for depending on availability of members.

The Chair declared the meeting closed at