

WAGAIT SHIRE COUNCIL

**AGENDA
AUDIT COMMITTEE MEETING**

**COUNCIL CHAMBERS
LOT 62, WAGAIT TOWER ROAD
9.30AM**

Tuesday 8 September 2020



I hereby give notice that the Wagait Shire Council Audit Committee Meeting will be held on:

Date: Tuesday 8 September 2020

Time: 9.30am

Location: Council Chambers

142 Wagait Tower Road, Wagait Beach NT 0822

CEO

Renita Glencross

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Attachments:

5.0	Minutes of the Audit Committee Meeting of Monday 18 May 2020
8.1	2019-2020 Draft Audited Financial Report
8.2	Insurance Valuation
8.3	Compliance Audit Recommendations and Council actions spreadsheet

1.0 Present:

Committee members:

Chair Clare Milikins
Ms Maureen Newman
Cr Graham Drake

Council staff:

CEO, Renita Glencross
Office Manager, Pamela Wanrooy

2.0 Opening of Meeting:

The Chair Clare Milikins declares 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.

2.1 Apologies

<p>Resolution No. 2020/ That the apology of President Neil White be accepted. Moved: Seconded: Vote:</p>

3.0 Conflict of Interest

4.0 In Camera

Resolution No. 2020/.....

That Council close the meeting to the general public in accordance with section 65(2) of the Local Government Act to enable Council to discuss in a Confidential Session an item described under Local Government (Administration) regulation 8;

- (b) information about the personal circumstances of a residence or rate payer;
- (c) information that would, if publicly disclosed, be likely to:
 - (iv) prejudice the interests of the council or some other person;
- (e) information provided to the Council on condition it be kept confidential.

Moved:

Seconded:

Vote:

Atam Clare Milikins, Chair closed the meeting to the general public.

At am Clare Milikins, Chair of the Audit Committee re-opened the meeting to the general public.

5.0 Confirmation of Previous Minutes for the Audit Committee held Monday 18 May 2020.

The Minutes of the Audit Committee Meeting held Monday 18 May 2020 are included as an attachment to the Agenda.

Resolution No. 2020/

That the Minutes of the Audit Committee Meeting of Monday 18 May 2020 be confirmed by Committee Members as a true and correct record.

Moved:

Seconded:

Vote:

6.0 Matters Arising from the Previous Minutes:

7.0 Action Sheet

Audit Committee Resolution No.	Resolution	Meeting Date	Status
2019/485 2019/530	That the Audit recommends to Council that a re-evaluation of Council's buildings be undertaken during the 2019/2020 financial year and that proper accounting procedures for the depreciation of buildings be adopted for future preparation of the Audited Financial Statements.	26/09/2019 13/11/2019 12/05/2020 08/09/2020	Council agreed by resolution at its meeting of 15 October 2019 to receive and note the Minutes of the Audit Committee meeting of 26 September 2019. WSC Resolution No. 2019/510. RFQ to be issued in February 2020. CEO has accepted RFQ and valuation is being undertaken. Refer Agenda Item 8.2 Valuation was undertaken by Integrated Valuation Services in May 2020 and a report provided in June 2020.
2019/492 2019/528	That the Audit Committee receives and notes the report entitled 2018 Compliance Review – Update. The Committee requested that the Audit Committee review the Compliance Audit Report and Management letter at the meetings and that Compliance Audit Recommendations from these reports be tracked and presented to each meeting. Compliance Audit Reports are to be brought to each meeting on a spreadsheet. The Management letter from the Department is to be forwarded to the Chair.	26/09/2019 13/11/2019 12/05/2020 08/09/2020	Council agreed by resolution at its meeting of 15 October 2019 to receive and note the Minutes of the Audit Committee meeting of 26 September 2019. WSC Resolution No. 2019/510. Updates will be provided until close out. Compliance Review actions completed and tabled at Council meeting 21 January 2020. WSC Resolution No. 2020/014. Emailed to Local Government Compliance Unit on 13/02/20. Refer Agenda Item 8.3 Compliance Review actions spreadsheet has been created and update provided. Management letter has been copied and sent to the Chair.

2019/529	<p>That the Audit Committee recommends to Council that:</p> <p>b) a replacement vehicle better fit for purpose with improved economy be purchased during 2020/2021 financial year;</p> <p>c) the current Chief executive Officer’s vehicle be sold through commercial auction following the delivery of the replacement vehicles; and</p> <p>d) appropriate Asset Management plans be developed for Council’s vehicles, plant, machinery, and equipment including an assessment of vehicles and plant based on age and suitability.</p>	<p>13/11/2019</p> <p>12/05/2020</p> <p>08/09/2020</p>	<p>Council received and noted the report at its meeting 19 November 2019. Agreed the matter of a replacement vehicle will form part of budget deliberations for 2020/2021 financial year. WSC Resolution No. 2019/549.</p> <p>At 2020-21 Budget workshop Council requested review for purchase of vehicle against cost of chattel loan for new CEO vehicle to assist with cash flow considering COVID-19 impacts. Asset Management Plan will be reviewed in line with 2019 Depreciation schedule.</p> <p>Council approved an operational lease arrangement for the CEO vehicle at the Council Meeting 21 July 2020. WSC Resolution No. 2020/109.</p>
2019/531	<p>That the Audit Committee:</p> <p>b) endorses the Audit Committee 2020 Meeting Schedule.</p> <p>Audit committee requested dates be reviewed by Council so wherever feasible, Audit Committee meetings would be held prior to Council Meetings.</p>	<p>13/11/2019</p> <p>22/01/2020</p> <p>17/04/2020</p>	<p>Council noted the meeting schedule. Meeting invitations have ben sent to all Audit Committee members.</p> <p>Council reviewed the Audit Committee meeting schedule at the meeting on 17 March 2020 and proposed new dates prior to each Council meeting for consideration. WSC Council Resolution No. 2020/039.</p> <p>CEO confirmed reviewed dates with Audit Committee Chair.</p>
2020/023	<p>Policy Review:</p> <p>The Audit Committee recommends to Council that:</p> <p>a) the report entitled Policy Review P005 – Council Staff Code of Conduct be received and noted;</p>	<p>22/01/2020</p> <p>08/09/2020</p>	<p>Adopted at Council Meeting 19 May 2020. WSC Resolution No. 2020/115.</p>

	<ul style="list-style-type: none"> b) endorses the revised Council Employees Code of Conduct; and c) recommends Council adopts the revised P005 – Council Employees Code of Conduct. 		
2020/024	The Vehicular Crossovers/Drainage Policy to come back to the next Audit Committee Meeting addressing the issue of causation and linkages to Verge policy.	0/09/2020	Refer Agenda Item 8.7
2020/025	That the Audit Committee recommend the revised P08 Human Resource Management Policy to Council for approval subject to Item 4.1 Terms of Engagement being amended to read: Council favours two-year contracts on the provision that funding is available.	22/01/2020 08/09/2020	Adopted at Council Meeting 21 July 2020. WSC Resolution No. 2020/115.
2020/026	That the Audit Committee recommends to Council that: <ul style="list-style-type: none"> a) the report entitled Policy Review P11 Complaints Against Council Employee Work Practices be received and noted; and b) recommends to Council that P11 Complaints Against Council Employee Work Practices be rescinded based on coverage of P15. Procedures for Council and Council committee Meetings. 	22/01/2020 08/09/2020	Adopted at Council Meeting 21 July 2020. WSC Resolution No. 2020/115.
	The Audit Committee asked that management look at the Firearms Policy, and Procedures as a whole ensuring risk assessment be in line with the Firearms Act. The Policy is to be returned to the next meeting with this supporting information.	08/09/2020	Refer Agenda Item 8.4
2020/027	The Audit Committee recommends to Council that	22/01/2020	

	<p>a) the report entitled Policy Review P21 Dispute Resolution Policy be received and noted; and</p> <p>b) recommends to Council that, subject to finalisation and approval of a revised P31 – Counselling, Disciplining & Dismissing Employees incorporating dispute resolution, P021 Dispute Resolution Policy rescinded.</p>	08/09/2020	Adopted at Council Meeting 21 July 2020. WSC Resolution No. 2020/115.
None	<p>Half-Yearly Budget Report. The committee requested:</p> <ul style="list-style-type: none"> • Future Operating Statement financial report be segregated into Operational and Grant funding streams to enable members to assess the real position of Council operations separate from tied the commitments relating to grants; and • A report on current grants and their status at its next meeting. 	<p>22/01/2020</p> <p>08/09/2020</p>	Refer Agenda Item 9.

AUDIT COMMITTEE 2020 MEETING SCHEDULE - UPDATED

JANUARY	FEBRUARY	MARCH	APRIL
Council Meeting 21 January 2020	Council Meeting 18 February 2020	Council Meeting 17 March 2020	Council Meeting 21 April 2020
	Audit Committee Meeting 22 January 2020		
MAY	JUNE	JULY	AUGUST
Council Meeting 19 May 2020	Council Meeting 16 June 2020 Rates Declaration Adoption of Budget Adoption of Shire Plan	Council Meeting 14 July 2020	Council Meeting 18 August 2020
Audit Committee Meeting 18 May 2020			
SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
Council Meeting 15 September 2020	Council Meeting 20 October 2020 Audited Financial Statements Annual Report	Council Meeting 17 November 2020	
Audit Committee Meeting 8 September 2020		Audit Committee Meeting 12 November 2020	

8.0 Agenda Items

8.1 2019-2020 Draft Audited Financial Report

The Draft 2019-2020 Audited Financial Report was prepared by the auditors nominated by Council and is included as an attachment for your comment and endorsement.

**Resolution No. 2020/
That the Audit Committee note and endorse the Draft Audited Financial Report
Moved:
Seconded:
Vote:**

8.2 Insurance Valuation

A valuation of all Council assets was undertaken by Integrated Valuation Services in May 2020 and the report completed and provided to Council in June 2020. The report has been used to prepare for financial reporting at the close of the 2019-20 financial year and inform insurance quotations for 2020-21.

A copy of the Valuation Report is included as an attachment for your information.

**Resolution No. 2020/
That the Audit Committee note the 2020 Insurance Valuation Report.
Moved:
Seconded:
Vote:**

8.3 Compliance Audit Review Actions Update

At the meeting in May, the Audit Committee requested to review the Compliance Audit Report and Management letter and that Compliance Audit Recommendations from these reports be tracked on a spreadsheet and presented to each meeting.

A spreadsheet of the Compliance Audit Recommendations and Council actions undertaken to date has been prepared and is included as an attachment for your consideration.

**Resolution No. 2020/
That the Audit Committee note the Compliance Audit Review Actions Update.
Moved:
Seconded:
Vote:**

8.4 P13 Use of Council Firearms

The Committee noted at the February meeting that Management had been requested to perform an ammunitions audit and compliance report against the existing policy, and this should be done before the end of financial year.

The policy has been reviewed and amended in line with changes to the Northern Territory Firearms Legislation Amendment Act 2020. The revised policy is provided in an attachment for your comment and endorsement.

An ammunitions audit was undertaken on 3 September 2020 and recorded in the Gun Register. Ammunition is currently held in the Council safe, separate from the Council gun safe which secures the firearms.

All licences required for Council and Council employees to use firearms are current.


Resolution No: 2020/.....

The Audit Committee recommends to Council that:

- a) the report entitled P13 Use of Council Firearms be received and noted;**
- b) that Council adopts the revised P13 Use of Council Firearms.**

Moved:

Seconded:

	POLICY NUMBER:	P13
	COUNCIL USE OF FIREARMS	
	CATEGORY:	COUNCIL POLICY
	SP CLASSIFICATION:	GOVERNANCE
	LG ACT 2020 REF:	
	RESPONSIBLE OFFICER:	CHIEF EXECUTIVE OFFICER

1. PURPOSE

The purpose of this policy is to prescribe standards and accountabilities for the safe use and compliant keeping of firearms.

2. SCOPE

This policy applies to all authorised officers of Wagait Shire Council who have as part of their responsibilities, the safe and proper use of firearms.

3. DEFINITIONS - Nil

4. POLICY

- 4.1. Council firearms are to be used in accordance with the conditions of Council's licence, that is for animal control and welfare.
- 4.2. Council will maintain the appropriate licensing for its firearms.
- 4.3. The storage, safe use and maintenance of firearms will comply with the requirements as set out in the *Firearms Act 1997* and the *Firearms Regulations 1997*.
- 4.4. Ammunition for the firearms must be stored in a locked container that is kept separate from the receptacle containing the firearm.
- 4.5. Only Authorised officers of Council can use firearms and must maintain an incident log that records:
 - 4.3.1. each occasion the firearm is removed from storage;
 - 4.3.2. the reason the firearm is taken;
 - 4.3.3. any ammunition taken from the safe;
 - 4.3.4. the purpose for the ammunition; and
 - 4.3.5. any incident involving the use of the firearm.
- 4.6. Any use of the firearms should also be verbally reported to the Chief Executive Officer as soon as possible after the event. An audit will be undertaken by the Chief Executive Officer each time a firearm is used, to account for what ammunition has

been taken and used.

- 4.7. If firearms are carried in a vehicle it must be secured in an appropriate manner. Ammunition for the firearms must be stored in a separate compartment of the vehicle. If the vehicle is left unattended and a firearm is stored in the vehicle, the vehicle must be locked at all times and the firearm must be secured in the appropriate manner and obscured from view.
- 4.8. Authorised officers must clean the firearms and maintain it in a safe and functional condition at all times. Authorised Officers must report any faults or outside maintenance required immediately to the Chief Executive Officer. The Authorised Officer must ensure that the complaint is rectified within 7 days and must notify the Chief Executive Officer. Firearms will be sent to be professionally cleaned and sights checked bi-annually.

5. ASSOCIATED DOCUMENTS

P14 Dog Management Policy
P33 Work Health and Safety Policy

6. REFERENCES AND LEGISLATION

Animal Welfare Act 1999
NT Firearms Act 1997
NT Firearms Regulations 1997
NT Firearms Legislation Amendment Act 2020
Local Government Act 2008
Wagait Shire Council (Dog Management) By Laws 2019
Weapons Control Act 2001
Work Health and Safety (National Uniform legislation) Act 2011

7. REVIEW HISTORY

Date Approved: 21/01/2007	Approved By Council: Moved: Cr Clee Seconded: Cr Egan Vote: AIF	Resolution No. 2007/07	Date for review: Next Council Election
Date Approved: 17/03/2009	Approved By Council: Moved: Cr McIntyre Seconded: Cr Lamont Vote: AIF	Resolution No. 2008/195	Date for review: Next Council Election
Date Approved:	Approved By: Moved: Seconded: Vote:	Resolution No.	Date for review:

8.5 P14 Dog Management Policy

The Wagait Shire Council Dog Management By-laws were gazetted in November 2019 and are an initiative to improve the safety of our community and the amenity, accessibility and usability of our public spaces.

Implementation of the By-laws was delayed due to senior staff recruitment and the Covid-19 restrictions in place during the first half of 2020 and Council noted the information provided in a Proposed Dog Management Strategy for the Implementation of the Council Bylaws at the Ordinary meeting in July 2020 (Resolution 2020/119).

The Dog Management Policy has been prepared in line with the Wagait Shire Council Dog Management By-laws and is attached for your consideration and endorsement.


Resolution No: 2020/.....

The Audit Committee recommends to Council that:

- a) the report entitled P14 Dog Management Policy be received and noted;**
- b) that Council adopts the revised P14 Dog Management Policy.**

Moved:

Seconded:

	POLICY NUMBER:	P14
	DOG MANAGEMENT POLICY	
	CATEGORY:	COUNCIL POLICY
	SP CLASSIFICATION:	GOVERNANCE
	LG ACT 2020 REF:	
	RESPONSIBLE OFFICER:	CHIEF EXECUTIVE OFFICER

1. PURPOSE

The Wagait Shire Council Dog Management By-laws 2019 have been implemented to improve the safety of our community and the amenity, accessibility and usability of our public spaces. This policy provides the framework to address:

- Safety
- Responsible pet ownership
- Registration, licensing and de-sexing
- Nuisance behaviors
- Dog attacks
- Dog holding and impounding operations

The purpose of this policy is to prescribe expectations, standards and accountabilities of dog-owners for the delivery of the Dog Management By-laws within the Shire.

2. SCOPE

Dog Management is an important function of Wagait Shire Council. Councils objective is to be responsive in its regulatory approach while supporting responsible dog ownership. Council has endorsed the Dog Management Strategy 2020 to establish clear guidelines for the Wagait Shire Council Dog Management By-laws 2019. This policy applies to all dog owners and keepers in the Wagait Shire.

3. DEFINITIONS

Dog Owner/ Keeper(s)	Any person that owns or looks after a dog for themselves or another person or holds responsibility for looking after a dog.
Responsible pet ownership	Ensuring animals under your care have adequate food, shelter and water; are provided regular exercise; are registered and microchipped; are not at large in the shire area; are in effective control and are not displaying nuisance behaviours.
Dog containment	A dog is contained if it is kept within a fenced or enclosed area from which it is unable to escape; or restrained by a suitable leash in or upon a vehicle in a manner where no part of the dog protrudes from the vehicle. Permanent tethering is not considered a suitable means of containing a dog.

Nuisance behaviours	Include: persistent barking; chasing vehicles, bikes, pedestrians, runners, etc; fence-rushing and fence-fighting; are generally at large or endangering the health of a person or another animal; repeatedly defecating in a public place that causes annoyance; or causing damage to anything outside of the premises where the dog is normally kept.
Dog attack	Means the dog bites or holds a person or animal in their mouth and may be accompanied by shaking, pulling or pushing and the person or animal suffers any injury, physical or otherwise; or the dog approaches, chases, menaces, harasses or rushes at a person or animal in a manner endangering or causing fear, alarm or distress to the person or animal.
Penalty units	Penalty units are regulated under the Penalty Unit Acts 2009 and the value of a penalty unit is reviewed for each financial year, with a value unit determined in line with the Darwin consumer Price Index.

4. POLICY

This policy relates to the activities undertaken in accordance with legislation or Council policy and relates to the enforcement of the Wagait Shire Council Dog Management By-laws 2019. The policy ensures that Councils Dog Management operations and approach to enforcement practices are lawful, safe, fair, practical, educational and consistent.

4.1. Registration and Licensing

- 4.1.1. All dogs over the age of 6 months must be registered by their owner/keeper.
- 4.1.2. Registration will be annual and due on 1 September each year, in line with all Top End Councils. Registration fees are payable at the time of registration (see Council website for current fees).
- 4.1.3. Registered dogs will be provided a Council identification tag, however dogs must also have contact identification on them such as a tag with a contact number or by an implanted microchip.
- 4.1.4. Removal of an identification device is an offence and will incur a penalty.
- 4.1.5. The maximum number of dogs kept on premises without a license in the Shire Council area is two (2).
- 4.1.6. Residents with more than two dogs are required to apply to Council to have their premises to be licensed for more than two (2) dogs and additional fees may apply. Licenses will only be granted following a thorough assessment that includes:
 - An inspection of the property to ensure suitability such as adequate fencing;
 - Consultation with adjoining neighbors and surrounding properties;

- Complaint history including previous breaches or substantiated complaints against the owner(s); and
 - Consideration of the animal species, breed and temperament.
- 4.1.7. Properties with more than two dogs on commencement of implementing the By-laws will need to confirm to Council if they will seek a license or agree to reduce the number of dogs on the property to two (2) by natural attrition.
- 4.1.8. Dogs must be contained on the premises they are registered to, at all times unless accompanied by the owner/keeper. Dogs found or reported on premises or property other than that they are registered to, will be considered dogs at large and treated accordingly.

4.2. Wandering Dogs, Dogs at Large and Repeated Offences

- 4.2.1. Lost or wandering dogs reported and brought to Council will be entered into the lost dog register.
- 4.2.2. Dogs collected by Council staff that are registered and tagged appropriately will be returned to their owner as soon as possible. There is no charge if the dog is returned or collected by the owner by 4:30 pm on the same day, otherwise local overnight holding and release fees will apply.
- 4.2.3. If an owner cannot be identified or contacted, the dog will be held by Council and further attempts will be made to locate the dog's owner for a period of no more than 24 hours.
- 4.2.4. Dogs held by Council that have no microchip or other form of identification will be photographed and placed on the Council website Dog Gallery and on the Council Facebook page for 24 HRs only and both holding fees, release fees and penalty fees will apply before the dog can be returned.
- 4.2.5. Dogs can be collected Monday to Friday between 8.30am and 4.30pm. Proof of ownership is required to collect a dog. If the dog is not registered, owners will be required to register it and pay the registration fee before collection. If owners cannot attend Council within these hours, alternative arrangements must be made with Council to avoid penalties and charges being incurred.
- 4.2.6. For repeat offences of a dog at large, penalties may be issued and release fees will apply, whether the dog is registered with Council or not.
- 4.2.7. When the owner of a dog is identified and they fail to collect their dog from the pound, they may be issued with a penalty for abandoning a dog in accordance with Dog Management By-law 37(1).
- 4.2.8. Declared or dangerous dogs seized or captured will be transferred IMMEDIATELY to Litchfield or Palmerston Council Pound and owners will be

responsible for any costs imposed by that Council and Wagait Shire Council prior to release.

4.3. Nuisance Behaviors

- 4.3.1. Dogs reported to Council as displaying nuisance behaviors as described the Definitions of this document will be investigated by Council and appropriate action taken, as set out in *Wagait Shire Council Dog Management By-laws (2019)*.
- 4.3.2. If through carrying out an investigation, no nuisance behavior is substantiated, a further investigation for that property will not be undertaken unless there is a significant change in circumstances.

4.4. Dangerous or Threatening Behaviors or Dog Attacks

- 4.4.1. Dogs reported to Council as displaying dangerous or threatening behaviors including dog attacks as described in the Definitions of this document will be immediately investigated by Council and seized by Council pending the outcome of the investigation.
- 4.4.2. An authorised person of Council may declare a dog dangerous after establishing the behaviors of a dog meet the description of dangerous and threatening behavior as outlined in the Definitions of this document and the owner/keeper(s) will be notified in writing. The declaration is in effect from the date the Council notifies the owner/keeper(s) of the declaration.
- 4.4.3. Owner/keeper(s) of declared or dangerous dogs will have to meet additional requirements, as set out in the *Wagait Shire Council Dog Management By-laws (2019)*.
- 4.4.4. Owner/keeper(s) of declared or dangerous dogs may apply to Council to revoke the declaration and an assessment will be made by Council to determine if the dog is still dangerous and notify the owner/keeper(s) of the decision.
- 4.4.5. If Council refuses an application to revoke a declaration, it is not required to consider any further application in relation to the same dog within 6 (six) months of the refusal.

4.5. Penalty Units and Infringement Charges

- 4.5.1. Penalty units are regulated under the Penalty Unit Acts 2009 and the value of a penalty unit is reviewed for each financial year, with a value unit determined in line with the Darwin consumer Price Index. Pursuant to Regulation 2 of the Penalty Units Regulations 2010, the current value of a penalty unit is \$158.00 (August 2020).

4.5.2. The penalties for the most common offences under the *Wagait Shire Council Dog Management By-laws (2019)* are listed in the table below showing by-law reference, maximum penalty unit and prescribed infringement charges (per 2020 penalty units rates) for each offence. The maximum penalty for all offences is 20 units. Depending on the severity of the offence, Wagait Shire Council may increase the infringement charges noted here.

<i>Offence</i>	<i>By-law Clause</i>	<i>Prescribed Penalty Units</i>	<i>Prescribed Infringement</i>
Unregistered dog	11	1	\$ 158.00
Failure to comply with condition of registration	12	1	\$ 158.00
Change of ownership notification	13	1	\$ 158.00
Change of address notification	14	1	\$ 158.00
Failure to comply with condition of license	17	2	\$ 316.00
Failure to properly contain a dog	27	2	\$ 316.00
Removal of identification device	28	1	\$ 158.00
Dog at large and not under effective control	31	1	\$ 158.00
Menacing dog	33	3	\$ 474.00
Dog attack	34	6	\$ 948.00
Dog chasing vehicles	35	2	\$ 316.00
Dog causing nuisance (including persistent barking)	36	2	\$ 316.00
Abandoning a dog	37	2	\$ 316.00

5. ASSOCIATED DOCUMENTS

P13 Use of Council Firearms
P33 Work Health and Safety Policy
Wagait Shire Council Fees and Charges

6. REFERENCES AND LEGISLATION

Animal Welfare Act 1999
NT Firearms Act 1997
NT Firearms Regulations 1997
NT Firearms Legislation Amendment Act 2020
Local Government Act 2008
Wagait Shire Council (Dog Management) By Laws 2019
Work Health and Safety (National Uniform legislation) Act 2011

7. REVIEW HISTORY

Date Approved:	Approved By Council: Moved: Seconded: Vote:	Resolution No. 2020/	Date for review: Next Council Election
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8.6 P38 Waste Management Policy

P38 Green Waste Compound Policy has been updated to reflect all the terms and condition for all current waste management services provided by the Wagait Shire Council, including general waste, green waste and hard waste.

P38 Waste Management Policy is attached for your consideration and endorsement.


Resolution No: 2020/.....

The Audit Committee recommends to Council that:

- a) P38 Waste Management Policy be received and noted;**
- b) Council adopts the revised P38 Waste Management Policy.**

Moved:

Seconded:

	POLICY NUMBER:	P38
	WASTE MANAGEMENT POLICY	
	CATEGORY:	COUNCIL POLICY
	SP CLASSIFICATION:	GOVERNANCE
	LG ACT 2020 REF:	
	RESPONSIBLE OFFICER:	CHIEF EXECUTIVE OFFICER

1. PURPOSE:

To provide clear guidelines for the domestic waste collection services provided by Council and the usage of the Hard Waste and Green Waste Compounds by Wagait Shire residents, ratepayers and local contractors. External Contractors and excluded people are not permitted to use the facility.

2. SCOPE:

The Policy applies to all Wagait Shire residents, ratepayers, local contractors, external contractors and people located outside Wagait Shire boundaries.

3. DEFINITIONS:

Users	Means all Wagait Shire residents, ratepayers, local businesses, and contractors.
External Contractors	Means any contractors that do not have their primary place of business inside Wagait Shire boundaries.
Excluded People	People that are not resident within Wagait Shire boundaries or have been banned from using the facility by the CEO.
Domestic Waste	Means all putrescible waste collected from the household that is generated as a result of the ordinary day-to-day use of a residential premise or property.
Accepted Hard Waste	Means all hard waste including whitegoods, furniture, timber, rags, sheet iron, bikes, mesh, poly-pipe, ceramics (excluding used toilets) and tiles (must be in boxes).
Unaccepted Hard Waste	Means organic waste, recyclable materials such as cardboard, glass and plastics; toilets, used plumbing pipes and materials, concrete, gravel, soil, liquids, oils, solvents, car batteries, syringes or sharps, gas cylinders, fire extinguishers, other toxic or noxious substances.
Hard Waste Access	Means the bitumen driveway located between the Community Centre and the boundary of 142 and 132 Wagait Tower Rd.
Hard Waste Compound	Means the fenced compound located in front of the Council Workshop compound located at 142 (Lot 62), Wagait Tower Rd.
Green Waste	Means all green waste excluding tree stumps, leaves and grass clippings.
Green Waste Access	Means the track leading off the end of Forsyth Rd on the North side of Cloppenburg Park.

Green Waste Compound	Means the open cleared area on the North-East side of Cloppenburg Park (Section 50) Forsythe Rd.
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4. POLICY:

Council provides the following waste services to the community through levies included in the annual rates notice.

4.1. GENERAL WASTE

- 4.1.1. Council provides a weekly general domestic waste collection service to the community via a third-party contractor.
- 4.1.2. On commencement of the service in 2015, Council will provide to each property one 240 (two hundred and forty) litre wheelie bin which will be registered to each property-owner for record-keeping purposes.
- 4.1.3. Council will hold unclaimed bins for each property until collected.
- 4.1.4. Property owners are responsible for replacing damaged and broken bins.
- 4.1.5. Property owners can make a request to Council for weekly collection of an additional wheelie bin at a cost determined by Council on a quarterly basis (see Fees and Charges <http://wagait.nt.gov.au/publications-2/>).
- 4.1.6. Additional wheelie bins are not provided by Council.

4.2. HARD WASTE AREA

- 4.2.1. Access to the Hard Waste Area will only be by way of the Hard Waste access road.
- 4.2.2. Users are not permitted to deviate from the approved driveway.
- 4.2.3. Users must obey all signage.
- 4.2.4. There will be no charge to users for either dropping off hard waste or collecting recycled hard waste items, other than as described at (9).
- 4.2.5. Users vehicles must not remain in the compound longer than 20 minutes for unloading and loading of hard waste items.
- 4.2.6. The compound opening hours will be:
 - a) Saturday 3.00pm to 6:00pm
 - b) Sunday 3.00pm to 6:00pm
 - c) Public holidays 3.00pm to 6:00pm (except as listed at (7))
- 4.2.7. The compound will be CLOSED Good Friday and Christmas Day.
- 4.2.8. The compound will be CLOSED on Tuesday, Wednesday, Thursday, Friday.
- 4.2.9. Outside of the opening hours, users can arrange to deliver hard waste to the compound by appointment. Appointments must be made with notice to Council two (2) days in advance and this may incur a fee.
- 4.2.10. The CEO may also close the Compound if there is illegal dumping or damage caused to the Compound or Work, Health & Safety violations.
- 4.2.11. Ad-hoc closures will be communicated by the CEO prior to the closure where viable, with notices on the Council website, facebook page, and Council Office and Supermarket noticeboards.
- 4.2.12. During the opening hours users are authorised to drop off hard waste and collect recycled hard waste items from designated stockpiles.
- 4.2.13. Council employees will keep a record of users entering and leaving the Compound.
- 4.2.14. Council employees are not permitted to either unload hard waste or load recycled hard waste items for users unless by prior arrangement.

- 4.2.15. Council employees are not permitted to take recycled hard waste items from the Hard Waste Compound without prior notice to the CEO.
- 4.2.16. Access to the Council workshop compound by users is prohibited.
- 4.2.17. No machinery or plant is to be brought into the compound by a user.
- 4.2.18. The Hard Waste Compound will be monitored 24 hours a day by CCTV.

4.3. GREEN WASTE AREA

- 4.3.1. Access to the Green Waste Area will only be by way of the Green Waste access road.
- 4.3.2. Users are not permitted to deviate from the approved access road.
- 4.3.3. The compound opening hours will be daylight hours.
- 4.3.4. The Compound will be closed during a burn-off.
- 4.3.5. The CEO may also close the compound if there is illegal dumping, damage caused to the compound or Work, Health & Safety violations.
- 4.3.6. Ad-hoc closures will be communicated by the CEO prior to the closure where viable, with notices on Council website, facebook page, and the Council Office and Supermarket noticeboards.
- 4.3.7. During the opening hours users are authorised to drop off green waste and collect woodchips (if available) from designated stockpiles.
- 4.3.8. There will be no charge to users for either dropping off green waste or collecting woodchips.
- 4.3.9. All signage must be obeyed.
- 4.3.10. Council employees are not authorised to either unload green waste or load woodchip for users.
- 4.3.11. No machinery or plant is to be brought into the compound by a user.

5. ASSOCIATED DOCUMENTS

P33 Work Health & Safety Policy
 P46 Council Verge Management Policy
 Wagait Shire Council Fees and Charges

6. REFERENCES AND LEGISLATION

Local Government Act 2019
 Local Government Regulations 2019
 Work, Health & Safety Act 2011

7. REVIEW HISTORY

Date Approved: 18/09/2018	Approved By Council Moved: Vice President Neil White Seconded: Cr Michael Vaughan Vote:	Resolution No. 2018/249	Date for review: 3 years from approval
Date Approved:	Approved By Council Moved: Seconded: Vote:	Resolution No.	Date for review:

8.7 P46 Council Verge Management Policy

The Department (Local Government Housing and Community Development) requested P06 Vehicular Crossovers & Drainage to be reviewed as a part of the Council Compliance review in 2019.

In the review, many linkages between P06 and P46 Council Verge Management Policy were noted. P46 has been revised to include information from P06 and it is proposed that P06 be rescinded.

A copy of both P06 and P46 are attached for your comment and consideration.

Resolution No: 2020/.....


The Audit Committee recommends to Council that:

- a) P46 Council Verge Management Policy be received and noted;**
- b) That Council adopts the revised P46 Council Verge Management Policy.**
- c) that P06 Vehicular Crossovers and Drainage Policy be rescinded.**

Moved:

Seconded:

P46 Council Verge Management Policy

	POLICY NUMBER:	P46
	COUNCIL VERGE MANAGEMENT POLICY	
	CATEGORY:	COUNCIL POLICY
	SP CLASSIFICATION:	GOVERNANCE
	LG ACT 2019 REF:	
	RESPONSIBLE OFFICER:	CHIEF EXECUTIVE OFFICER

1. PURPOSE

The purpose of this policy is to define:

- the approvals, responsibility, and financial liability for any works on a Council verge,
- the provision of vehicular crossovers to private property; and
- maintenance of the estate drainage network.

2. SCOPE

This policy applies to all Wagait Shire property owners and properties within the Wagait shire estate.

3. DEFINITIONS

Road verge	Means that area of public land between the property boundary and the edge of the road.
Tree	Means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground
Owner	Means a property owner in the Wagait Shire
Drainage network	The network of structures supporting the road network including unlined open drains, open V drains and culverts.
Road network	Refers to the road reserve that is the area of land from a property boundary and includes all road verges, road-ways, bike-paths, crossovers and pedestrian pathways.
Vehicular crossover	The vehicle accessway from the road carriageway to the property boundary.

4. POLICY

Council maintains the road verges throughout Wagait Shire estate by mowing, snipping, herbicide application, tree and bush pruning and/or removal.

4.1 Council Responsibility

- 4.1.1. Council is responsible for the care and maintenance of the drainage network adjacent to roads.
- 4.1.2. Council is responsible for the care and maintenance of the road network, that includes road reserves (verges).

- 4.1.3. Any person wanting to undertake work within the road reserve needs to obtain the prior written approval of Council.
- 4.1.4. Any person wanting to undertake work on vehicular crossovers needs to obtain the prior written approval of Council.
- 4.1.5. All works that are undertaken on a road verge or within the road reserve at the request of a property owner shall be at the property owners' expense.

4.2 Verge Treatment Options

- 4.2.1. *Grassed verges* remain the most common and preferred form of treatment for road verges in Wagait Shire and include:
 - The use of tropical grasses provides a low maintenance treatment for dust suppression which requires periodic mowing and weeding
 - Grassed verges must allow for pedestrian traffic and ensure clear site lines for pedestrians and motorists
 - No permit is required to establish a grassed verge
- 4.2.2. Alternative Plantings on a road-verge require an application to Council for a permit which must be approved prior to the commencement of any works. Owners are advised that all maintenance activities for a landscaped verge are to be undertaken by the owner at the owners expense.

Completed applications can be sent to Wagait Shire Council, PMB 10, Darwin NT 0800 or emailed to council@wagait.nt.gov.au for council's consideration.

The submission will then be reviewed and the owner will be notified in writing of the outcome. Should the application be approved by Council, the owner will then receive a *Works Within a Road Reserve Permit*.

The following information is to be contained in the application:

- A council road reserve permit application
- A sketch of the landscape proposal for the verge; this need not be to scale however all relevant dimensions are to be included
- A list of the plant species to be used
- Confirmation that the applicant is the owner of the property

The application should also contain a signed letter from the owner indicating:

- They will irrigate the landscaped area from a supply within the property
- They accept all physical and fiscal responsibility for any required maintenance of the landscaped area
- They accept that should the need arise Council may request the removal of the landscaped area

4.2.3. Non-Approved Plants

Plants that must not be planted on the verge or on the property boundary include, but are not limited to:

- Prickly or thorny plants, e.g. Bougainvillea
- Plants with spiked leaves or fronds, e.g. Agave, yucca, cycads
- Poisonous plants
- Plants carrying large, heavy fruit, e.g. coconuts
- Declared weed species
- Trees unless otherwise allowed for in this policy

4.2.4. Prohibited

No trees shall be planted in a position such that it is probable they will interfere overhead power lines at maturity.

None of the following items are to be placed on a Council road verge in such a manner that the items form a barrier to either vehicular or pedestrian traffic.

- Rocks
- Timber posts/poles/sleepers
- Retaining walls
- Hard surfaces such as concrete, pavers, asphalt or stepping-stones

If the landscaped verge is not consistent with the original submission and does cause risk to the public, the treatment may be removed by council and council may seek to recover removal costs.

4.3. Guidelines for Development and Maintenance of a Verge

4.3.1. *Excavation and Cultivation of the verge* must be carried out manually. Mechanical excavation is not permitted other than for the purpose of installing an approved culvert or driveway.

4.3.2. The property owner is responsible for repairing any damage to Council infrastructure caused by any works undertaken.

4.3.3. Installation of Driveways and Culverts on Verge

Each property is entitled to a single access. Access may be bare earth, concrete or bitumen spoon drain, a culvert or a combination thereof.

Applications must be made to Council for any new works to property driveways and culverts within a Council road verge.

The following information is to be contained in the application:

- A works within a council road reserve permit application
- A sketch showing the proposed location of the property access
- Engineering drawings for the proposed access treatment

Council will consider applications for multiple property accesses on a case by case basis.

Completed applications can be sent to Wagait Shire Council, PMB 10, Darwin NT 0800 or emailed to council@wagait.nt.gov.au for council's consideration.

4.3.4. Clearways are to be established and maintained on the verge as follows:

- A minimum clear pedestrian width of 1.5 metres is to be retained.
- The buffer zone MUST be grassed to ensure sight lines are maintained.
- Vegetation should not encroach onto road-ways or impede the vision of motorists.
- Approved plantings are to be maintained preferably below a height of 30 centimetres with a maximum unpruned height of 1.5 metres.
- No trees are to be planted within 4 metres of the roadway.

4.4. Works on Council Verges by Other Agencies

Regardless of any development of the verge area, council reserves the right to construct or maintain infrastructure on any part of the verge at its discretion.

If necessary, in doing so, Council may remove any existing plants, shrubs, groundcover, irrigation systems or decorative features without compensation to the owner or resident for such removal or alteration.

Utility companies may require access to the verge to perform maintenance work from time to time and the following regulations will apply:

- The companies are required to make good the verge following maintenance work, but are not required to re-instate residential verges that have been landscaped other than with grass.
- Council will not be responsible for replacing plants or landscaping as a result of such works by others.

4.5. Risk Management and Safety

Wagait Shire Council is dedicated to providing a safe environment within the municipality.

Any feature placed by an owner that is deemed by council to be a risk to the public as a tripping hazard, obstruction or other hazard, or for which a permit has not been issued or does not comply with the requirements of the permit, may be removed from the verge without consultation or warning.

Council will act to rectify problems in relation to tripping hazards or road-safety issues. Council will write to the relevant owner requiring that they attend to the identified problem.

Failure to act following a request by Council may result the works being undertaken by Council at the expense of the property owner, or in legal action.

5. ASSOCIATED DOCUMENTS

Works within a road reserve permit application.


6. REFERENCES AND LEGISLATION

Local Government Act 2019.

7. REVIEW HISTORY

Date Approved:	Approved By: First: Seconded: Vote:	Resolution No:	Date for review:

P06 Vehicular Crossover & Drainage – To be Rescinded

	POLICY TITLE:	VEHICULAR CROSSOVERS & DRAINAGE
	POLICY NUMBER:	P06
	CATEGORY:	COUNCIL POLICY
	RESPONSIBLE OFFICER:	CHIEF EXECUTIVE OFFICER

1. PURPOSE

The purpose of this policy is to define the responsibility and financial liability for the provision of vehicular crossovers to private property and maintenance of the drainage network.

2. SCOPE

This policy applies to all vehicular crossovers on Council roads within the Shire and the drainage network.

3. DEFINITIONS

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

Term	Definition
Drainage Network	The network of structures supporting the road network including unlined open drains, open V drains and culverts.
Road Network	Refers to the road reserve (verge), that is the area of land from a property boundary and includes all roadways and pathways.
Vehicular Crossover	The vehicle accessway from the road carriageway to the property boundary.

4. POLICY

- 4.1 Council is responsible for the care and maintenance of the drainage network adjacent to roads.
- 4.2 Council is responsible for the care and maintenance of the road network, that includes road reserves (verges).
- 4.3 Any person wanting to undertake work within the road reserve and drainage area, needs to obtain the prior written approval of Council.
- 4.4 Any person wanting to undertake work on vehicular crossovers needs to obtain the

prior written approval of Council.

- 4.5 All works that are undertaken at the request of a property owner shall be at the property owners' expense.

5. ASSOCIATED DOCUMENTS

Nil

6. REFERENCES AND LEGISLATION

Local Government Act 2008

7. REVIEW HISTORY

Date Approved:	16/09/2008	Approved By: Moved: Cr Edwards Seconded: Cr Murphy Vote: 6 - 0	Councillors – Resolution No. 2008/65	Date for review:	Next Council Election
Date Approved:	21/04/2009	Approved By: Moved: Cr Withnall Seconded: Cr Lamont Vote: AIF	Councillors – Resolution No. 2008/214	Date for review:	Next Council Election

9.0 June Budget Report

9.1 Cash Income and Expenditure Report – June 2020

	June 2020 Actual \$	June 2020 Budget \$	Variance in \$	Variance as %	Year to date Actuals \$	Year to date Budget \$	Variance in \$	Variance as %	Actual Approved Budget	Forecast to June 2020	Notes
INCOME											
RATES	\$5,523	\$0	\$5,523	#DIV/0!	\$236,720	\$233,297	\$3,423	1.5%	\$233,297	\$233,297	1
WASTE MANAGEMENT	\$1,917	\$200	\$1,717	0.0%	\$117,840	\$117,800	\$40	0.0%	\$117,800	\$117,800	2
GRANTS - Operational	\$0	\$25,116	-\$25,116	0.0%	\$364,063	\$294,931	\$69,132	23.4%	\$294,931	\$294,931	3
GRANTS - Special Purpose Grants	\$8,954	\$12,000	-\$3,046	0.0%	\$281,218	\$65,700	\$215,518	328.0%	\$65,700	\$65,700	4
CONTRACTS	\$20,250	\$8,350	\$11,900	142.5%	\$114,382	\$98,000	\$16,382	16.7%	\$98,000	\$98,000	5
RENTAL INCOME	\$514	\$675	-\$161	-23.9%	\$6,950	\$8,000	-\$1,050	-13.1%	\$8,000	\$8,000	6
MISCELLANEOUS	\$4,438	\$0	\$4,438	#DIV/0!	\$19,695	\$14,000	\$5,695	40.7%	\$14,000	\$14,000	7
TRANSFER FROM RESERVES		\$0	-\$0	-100.0%	\$0	\$34,500	-\$34,500	-100.0%	\$34,500	\$34,500	8
TOTAL INCOME	\$41,596	\$46,341	-\$4,745	-10.2%	\$1,140,869	\$831,728	\$309,141	37.2%	\$866,228	\$866,228	
EXPENSES											
ADMINISTRATION EXPENSES	\$12,216	\$4,150	-\$8,066	-194.3%	\$103,375	\$103,200	-\$175	-0.2%	\$103,200	\$103,200	9
EMPLOYMENT EXPENSES	\$32,652	\$36,600	\$3,948	10.8%	\$407,153	\$441,300	\$34,147	7.7%	\$441,300	\$441,300	10
ROADS	\$0	\$2,000	\$2,000	0.0%	\$4,605	\$73,000	\$68,395	93.7%	\$73,000	\$73,000	11
CONTRACTS & MATERIALS	\$330	\$900	\$570	0.0%	\$2,940	\$5,000	\$2,060	41.2%	\$5,000	\$5,000	12
REPAIR & MAIN TOWN ASSETS	\$553	\$4,300	\$3,747	87.1%	\$18,090	\$17,400	-\$690	-4.0%	\$17,400	\$17,400	13
VEHICLE & PLANT	\$1,164	\$1,562	\$398	25.5%	\$25,149	\$22,600	-\$2,549	-11.3%	\$22,600	\$22,600	14
GRANT EXPENSES	\$731	\$15,175	\$14,444	95.2%	\$84,509	\$100,200	\$15,691	15.7%	\$67,700	\$67,700	15
WASTE MANAGEMENT	\$14,685	\$12,500	-\$2,185	-17.5%	\$93,836	\$90,000	-\$3,836	-4.3%	\$90,000	\$90,000	16
SERVICES	\$804	\$750	-\$54	-7.2%	\$6,459	\$11,400	\$4,941	43.3%	\$11,400	\$11,400	17
TOTAL EXPENSES	\$63,134	\$77,937	\$14,803	-19.0%	\$746,116	\$864,100	\$117,984	-13.7%	\$831,600	\$831,600	
TOTAL OPERATIONAL SURPLUS / DEF	-\$21,538	-\$31,596	\$10,058	-31.8%	\$394,752	-\$32,372	\$427,124	-1319.4%	\$34,628	\$34,628	
CAPITAL EXPENDITURE	\$2,105	\$0	-\$2,105	0.0%	\$2,105	\$0	\$0	0.0%			

9.2 Notes on Cash Income and Expenditure Report for June 2020

1. June & YTD higher due to the collection of prior year rates
2. June & YTD slightly higher than expected.
3. Grants Year to date higher mainly due to grants being carried forward & not included in budget, as previously advised.
4. Additional Special Purpose Grants received May include Scale 2020 & R2R roads grants. Other grants as advised previously include Senior's week, dog pound, Australia Day & NT Youth Vibe.
5. June & YTD higher than budget
6. June & YTD marginally lower than budgeted, due to no rentals during February.
7. June & Year to date slightly higher than budgeted as stated previously mainly due to interest received being higher than expected
8. Nil
9. June & Year to date over budget, cost not spent as per budget was FBT
10. June & YTD lower than budget
11. June & Year to date lower as stated previously due to budgeted road works not yet commenced
12. June & Year to date lower than budget, mainly due to timing of repairs
13. June lower than budgeted. Year to date marginally higher than budgeted
14. June lower than budget however Year to date slightly higher than budget
15. June & year to date lower than budgeted due to timing of spending of grant funds.
16. June & YTD higher than budget mainly due to regular weekly collections Overall in relation to budget year to date hard & green waste is still under.
17. June & Year to date continue to be lower due to savings being made using solar power, however to be noted water & sewerage charges continue to be over budget to date

9.3 Grants Report – July 2020

Date Received	Grant	From	Amount	Expended to date	Amount Remaining	Acquittal Due
8/11/2018	Construct Dog Pound and Associated Septic Pit	DLGHCD SPG	\$30,537	\$2,680	\$27,857 (Partially acquitted 22 July 2020)	Before 31 August 2019 or thereafter for a period of two years.
June 2019	25,000ltr Water Tank	DLGHCD SPG	\$7,607		\$7,607	30 June 2020
June 2019	Electronic Records Management System	NTG	\$34,889	\$30,984.74	\$3,904.26 (Partially acquitted 22 July 2020)	30 June 2020 (request for extension submitted)
14 April 2020	Youth Engagement Grants Program Youth Week	Territory Families	\$2,000	\$0	\$2,000	Deferred to Oct 2020 due to COVID-19
May 2020	SCALE – COVID-19	DLGHCD	\$100,000	\$0	\$100,000	
May 2020	R2R	Comm DRT	\$125,000	\$0	\$125,000	
May 2020	GP advance	FAA	\$3,976	\$0	\$3,976	
May 2020	Roads advance	FAA	\$29,037	\$0	\$29,037	
June 2020	Remote Sports Program Stimulus Package Round 2 (Grant period 20 June to 31 July)	Dept Tourism, Sport & Culture	\$4,954	\$0	\$4,954	31 August 2020
June 2020	Quick Response – Youth Engagement Grant	Territory Families	\$2,000	\$1,697.78	302.00	TBA
June 2020	Youth vibe – School Holiday Program	Territory Families	\$2,000	\$1,336.40	663.60	24 August 2020
July 2020	Seniors Month Grant	Territory Families	\$2,000	\$0	\$2,000	28 September 2020

10.0 General Business

11.0 Closure of Meeting:

The next meeting of the Wagait Shire Council Audit Committee will be held in the Wagait Shire Council Chambers at 9.00am, Wednesday 27th May 2020.

The Chair declared the meeting closed at