

WAGAIT SHIRE COUNCIL
MINUTES
ORDINARY COUNCIL MEETING
15 DECEMBER 2009

Present:	Peter Clee	- President
	Karen Duncan	- Deputy President
	Darryl Withnall	- Councillor
	Trish McIntyre	- Councillor
	Rocco Magnoli	- Councillor (from 6.30pm)
	Vera Lamont	- Councillor
	Wally Lenyszyn	- Chief Executive Officer
Apologies:	Matt Prouse	- Councillor

1. MEETING OPENING

President Clee opened the meeting at 6.00pm.

1.1 APOLOGIES

Resolution No. 09/96
That the apology of Cr Prouse be accepted.

Moved: Cr Withnall
Seconded: Deputy President Duncan
Vote: Carried 5-0

2. DECLARATION OF INTERESTS

Nil

3. CONFIRMATION OF MINUTES

Resolution No. 09/97
That the minutes of the Monthly Meeting of 17 November 2009 be accepted.

Moved: Cr McIntyre
Seconded: Cr Withnall
Vote: Carried 5-0

3.1 Matters Arising from the Minutes:

Nil

4. INWARDS CORRESPONDENCE

4.1 United Nations Development Fund for Women

Inviting the Council to support UNIFEM Australia's International Women's Day 2010.

"International Women's Day (March 8th) is a global day that connects women around the world, aiming to inspire and acknowledge the important achievements of women in the community, with their families and their workplaces.

The theme of International Women's Day 2010 is 'Empowering Women to End Poverty by 2015.'

Should the Council be interested in supporting the occasion, there are a number of suggested activities in which the Council could become involved, including:

- Selling Purple Ribbons, a symbol of an individuals commitment to gender equality and the empowerment of women.
- Simply wearing a ribbon.
- Hold an International Women's Day event (C18)

Resolution No. 09/98
That Council sponsor a community morning tea to recognise International Women's Day 2010 and that support to the event be sought from the Seniors Group.

Moved: Cr Lamont
Seconded: Cr Deputy President Duncan
Vote: Carried 5-0

4.2 Minister for Local Government

Seeking Council's views on a discussion paper (Refer Attachment Pg No. 1-14) examining the determination and payment of Councillor Allowances.

"Several councils have expressed concern about the current limits on elected member allowances, as set out in the Local Government Act and the Local Government Act Guidelines."

The discussion paper has identified the following key questions for consideration:

1. *Do the current provisions appropriately remunerate elected members for their work?*
2. *How should elected members allowances be calculated to adequately reflect the significance differences between councils in the Northern Territory?*
3. *Who should set elected member allowances?*
4. *How to achieve a balance between affordability and appropriate remuneration?*

Council has also been asked to submit the number of hours spent by individual Councillors on Council business.

CEO's Comment:

One of the reasons put forward supporting Council amalgamations was that there would be savings achieved in not having to pay as many Councillors. It would appear that this has not been achieved. It would be interesting to compare what was previously paid to what is now being paid.

It has also been stated that an increased allowance would attract a better calibre of Councillor. It would be interesting to see if this has been realised.

Some Councils have indicated that it costs app \$30,000 to conduct a Council Meeting. Because of this meetings are held every second month. Is this good governance.

We should be careful when comparing other State remunerations. The services a Council provides dictates a Councillors workload. A small metropolitan Council could be involved in more activities than a large Territory Shire requiring a Councillor to be more active and attend more meetings/functions etc. A number of Councils in other States are responsible for Town Planning. This in itself requires a considerable commitment from individual Councillors.

It may be appropriate to fix allowances to the number of services that are provided. Normally the more services that are provided will increase the need for Councillor to gain and retain knowledge and attendance at a greater number of meetings. If we say that a Councillor conducts most of his/her Council business at the Council table, should this not be what they should be remunerated for.

A further factor that could be considered is the number of organisations a Council is affiliated with the need to have a Councillor delegate attend

external meetings. We find that a Councillor with a diversity of interests will attend more external meetings than Councillors with only a local interest. (C 17.5)

Resolution No. 09/99

That Council advise the Minister for Local Government that the current provisions do appropriately remunerate elected members for their work.

Moved: President Clee

Seconded: Cr Withnall

Vote: Carried 5-0

5. CHIEF EXECUTIVE OFFICER'S REPORT

5.1 Prisoner Work Groups

(Refer CEO's Report Item 2.3)

Resolution No. 09/100

That Council thank Mr Raby and Mr Petrie of the Darwin Correctional Centre for meeting with representatives of the Council and that following actions be taken in response to their visit:

1. That Council accept the support of the Department of Correctional Services to assist with a hard rubbish collection.

2. That Council advise the Department of Correctional Services that it would accept the Departments services in cleaning up beaches and maintaining of the grassed area at the sportsground.

Moved: Deputy President Duncan

Seconded: Cr McIntyre

Vote: Carried 5-0

Cr Magnoli arrived at the meeting at 6.30pm.

5.2 Policy
(Refer CEO's Report Item 2.4)

Resolution No. 09/101
That Council having considered draft policies P09 and P12 and the Fraud Protection Plan adopts the said policies and plan as amended.

Moved: Cr Withnall
Seconded: Cr Lamont
Vote: Carried 6-0

6. WORKS SUPERVISOR'S REPORT

6.1 Jetty Precinct Redevelopment
(Refer Works Report Item 1.2)

Resolution No. 09/102
That Council seek an assurance from the Department of Planning and Infrastructure that the Council will be involved in any consultancy affecting the jetty precinct area including the preparation of briefs for a design consultant.

Moved: Cr Withnall
Seconded: Cr Deputy President Duncan
Vote: Carried 6-0

6.2 Drainage Clearance Works
(Refer Works Report Item 1.4)

Resolution No. 09/103
That Council accept the quotation of \$2,200 from M Keim to undertake the clearing of the Winnel Court drainage reserve.

Moved: Cr Lamont
Seconded: Cr Deputy President Duncan
Vote: Carried 6-0

6.3 Dump
(Refer Works Report Item 1.6)

Resolution No. 09/104
That Council accept the quotation for the supply and planting of 60 trees on the Cox Peninsula Road adjacent to the refuse dump.

Moved: Deputy President Duncan
Seconded: Cr McIntyre
Vote: Carried 6-0

7. SPORT & RECREATION OFFICER'S REPORT

Resolution No. 09/105
That Council extend its congratulations to Josh Chaplin on the attainment of his Certificate 111 in Sport and Recreation and the manner in which he conducted the MOvernember activities.

Moved: President Clee
Seconded: Deputy President Duncan
Vote: Carried 6-0

8. OFFICERS REPORTS

Resolution No. 09/106
That the Officers' reports be received and accepted.

Moved: Cr McIntyre
Seconded: Cr Withnall
Vote: Carried 6-0

9. FINANCIAL REPORTS

9.1 Financial Reports

(Refer Agenda Finance Report Item 1.1)

Resolution No. 09/107

That the November 2009 Monthly Financial Reports be accepted.

Moved: Cr McIntyre
Seconded: Cr Withnall
Vote: Carried 6-0

9.2 Shire Plan

(Refer Agenda Finance Report Item 2.1.2)

Resolution No. 09/108

That Council thank Mr Jack Ellis and Ms Chris Tyzack for their assistance in the redrafting of the 2010 – 2012 Shire Plan.

Moved: President Clee
Seconded: Deputy President Duncan
Vote: Carried 6-0

The President advised that the Plan which was being considered by the Council was the Plan without the Budget.

The Chief Executive Officer advised that it was a legislative requirement that the Plan include Council's Budget.

Should the Council desire to adopt the Plan without the Budget the Plan would be incomplete and therefore contravene the provisions of the Local Government Act in which case the resolution would be invalid and have no effect.

Resolution No. 09/109

That Council adopt the 2010 – 2012 Shire Plan dated 3rd December 2009.

Moved: Deputy President Duncan
Seconded: President Clee
Vote: Carried 6-0

9.3 Annual Report

(Refer Agenda Finance Report Item 2.1.3)

Resolution No. 09/110

That the Wagait Shire 2008-09 Annual Report as tabled not be accepted.

Moved: President Clee
Seconded: Deputy President Duncan
Vote: Carried 6-0

9.4 Annual Accounts

(Refer Agenda Finance Report Item 2.1.4)

Resolution No. 09/111

That the 2008-09 Annual Accounts and Auditor's report be received.

Moved: President Clee
Seconded: Cr Withnall
Vote: Carried 6-0

9.5 Annual Accounts – Merit & Partners

(Refer Agenda Finance Report Item 2.1.5)

Resolution No. 09/112

That Council pay Merit & Partners no more than the quoted price for the preparation of the 2008-09 Annual Financial Statement.

Moved: Cr Withnall
Seconded: President Clee
Vote: Carried 6-0

10. AGENDA ITEMS

Nil

11. GENERAL BUSINESS

The Chief Executive Officer advised that it was intended to attend a plant auction later in the week to purchase a light tip truck.

12. IN-CAMERA ITEMS

12.1 Australia Day Awards

13. MEETING CLOSE AND DATE OF NEXT MEETING

President Clee closed the meeting at 7.30pm

The next monthly Council Meeting is to be held on 19 January 2010 at 7.00pm.

PRESIDENT: _____

DATE: _____

CEO: _____

DATE: _____

WAGAIT SHIRE COUNCIL
CHIEF EXECUTIVE OFFICER'S REPORT
ORDINARY COUNCIL MEETING
15 DECEMBER 2009

1. GENERAL CORRESPONDENCE

(Not requiring response from Council)

1.1 Office of the Minister for Local Government

Acknowledging receipt of Council's correspondence seeking an extension of time for the submission of the Shire Plan and Annual Report. (A 3.1)

Received and Noted

1.2 Minister for Local Government

Advising that he has asked the unincorporated land steering committee to revise and resubmit a funding application to undertake additional consultation.

"Given that the discussions at the Steering Committee meeting would have an impact on your original proposal, I would like to invite you to submit a revised proposal." (C 17.6)

Received and Noted

1.3 Minister for Immigration and Citizenship

Advising that he has reviewed the positions authorised to preside at Australian citizenship ceremonies and decided to include the position of Deputy Mayor within the classes of persons who can preside at Australian citizenship ceremonies. (C 1).

Received and Noted

1.4 Darwin City Council

Forwarding a copy of their Annual report for the year ending 30 June 2009. (D 1)

Received and Noted

1.5 Telstra, Chief Executive Officer

Responding to Council's correspondence regarding broadband services in Wagait Shire.

"I understand that your area is not currently serviced by ADSL but wireless broadband is available as a result of our investment in Wagait Beach and the construction of a mobile tower.

Let me assure you that we are taking your concerns very seriously and the business case for an ADSL upgrade is still active, but we do not have funding allocated at this time." (T 1)

Received and Noted

2. CHIEF EXECUTIVE OFFICER'S REPORT

2.1 Monthly Status Report

Please find attached (Attachment Pg 1) the current Status Report detailing action taken by Council staff on decisions made by the Council.

The report is open for any questions from Councillors.

Received and Noted

2.2 Correspondence

Please find attached (Attachment Pg 2 - 5) a copy of Inward and Outward correspondence for the Month of November.

Received and Noted

2.3 Prisoner Work Groups

On the 13 November the President, Cr Lamont and myself met with representatives of the Darwin Correctional Centre:

Mr Kevin Raby, Act Superintendent, Darwin Correctional Centre

Mr Ray Petrie, Work Party Coordinator

The President advised that for many years the community had been receiving a service of prisoner work groups collecting rubbish from road verges and assisting the elderly in cleaning up yards. For some reason the service had ceased and the Council was wondering if it could be resumed.

Unlike other areas there is a limited commercial service in the community and many elderly people are unable to maintain their yards.

Mr Raby advised that there are currently 450 pensioner houses in the Darwin / Palmerston area that need servicing. The resources available are not big enough to service the rural area. The service has had to be discontinued at Mandorah, Humpty Doo and Howard Springs.

Other issues discussed included:

- There are seven work parties within the system and the demand for work is getting greater.
- Correctional Services would be happy to provide one-off services provided the work was not for private individuals.

- The Council should continue to lobby the Government to have more work parties established.
- The service would not be provided to fit people.
- It takes app. \$28,000 to equip a work team, plus supervision. There is plenty of labour available.
- It would appear that local MLAs' dictate where the work parties will work.
- A Trip to Mandorah would cost app. \$3,100.
- When the service was provided app 40 garbags of refuse was collected from the roadside between Wagait Beach and Belyuen.
- It could be possible to provide a beach clean-up twice per year.
- Work Camps cost app. \$2 - \$3 million to establish. They are a long way off for the rural area.
- Assistance could be provided with cleaning up after a cyclone.
- The Service would be happy to assist with a hard rubbish collection.
- In the private sector, assistance is only provided to pensioners and genuinely ill people.
- It may be possible to commit a group to look after the sportsground.

Draft Resolution

That Council thank Mr Raby and Mr Petrie of the Darwin Correctional Centre for meeting with representatives of the Council and that following actions be taken in response to their visit:

- 1. That Council lobby our local Member of Parliament to have the Government allocate sufficient funding for the reintroduction of a prisoner work group to service Wagait Beach.**
- 2. That Council accept the support of the Department of Correctional Services to assist with a hard rubbish collection.**
- 3. That Council advise the Department of Correctional Services that it would accept the Departments services in cleaning up beaches and maintaining of the grassed area at the sportsground.**

2.4 Policy

As part of the ongoing process of developing policy, the following draft policies have been amended and are submitted for Council's consideration along with a draft Fraud Protection Plan; (Refer Attachments Pg. 6 – 19)

- P 09 – Accounting Policy
- P 12 – Meeting Procedure – Operational
- Fraud Protection Plan

Could Councillors please supply details of any concerns, requested changes prior to the council meeting to allow potential changes to be introduced prior to the meeting.

Upon the adoption of these two policies and the Fraud Protection Plan, we have met our obligations required by the Local Government Act and Regulations.

Draft Resolution

That Council having considered draft policies P09 and P12 and the Fraud Protection Plan adopts the said policies and plan.

2.5 Outstanding Issues – Rob Knight MLA

Mr Knight has indicated that he will attempt to attend Council's meeting. He has advised that all of the issues on the "Outstanding Issues" list have been actioned by his electorate office and further information will be supplied as he gets advice.

Attached at Appendix Pg 20 is a copy of an updated list, with the most recent changes being:

- Mandorah Boat Ramp
- Local Government Restructuring
- Broadband
- Prisoner Work Program
- Wagait Beach Postcode
- Water Supply Licences

Further action in respect of the issues may need to be taken following discussions with Mr Knight.

Tabled and Noted

2.6 TOPROC Meeting

On the 30 November the President and myself attended a TOPROC meeting which was held at Wagait Beach.

Issues discussed at the meeting included:

- There is a need to follow up on the Regional Waste Management Facility.
- Arrangement are still being undertaken for a meeting with the Minister for Planning.

- Representations will be made for TOPROC to have a representative on the Darwin Harbour Advisory Committee.
- Information is still being gathered for the Darwin Harbour Tourist Route.
- The impact of Storm Surges on planning controls.
- Palmerston advised that they recently met with the NT Grants Commission and were advised that the Commission that 09-10 outcomes are based on 06-07 data. TOPROC will be asking for the release of all calculations in line with the Commissions transparency approach.
- Darwin City Council is in the Nations top 10% of towns in terms of sustainability.
- Consideration will be given to the upgrading of the Regional Development Plan.
- The Kenbi land claim is no closer to being settled due to intervention by elders and others.
- Concern was expressed that a proposed grant application by the Department of Local Government and LGANT may not be of value to all Territory Councils.

Tabled and Noted

2.7 Christmas Greetings

I thank all Councillors for their support over the past year and wish you and your families a merry Christmas and Happy New Year.

Tabled and Noted

WAGAIT SHIRE COUNCIL
WORKS SUPERVISOR'S REPORT
ORDINARY COUNCIL MEETING
15 DECEMBER 2009

1. GENERAL MATTERS

1.1 Wagait Tower Road Carriageway Widening

The appointed consultants BTO, are working with council's consulting engineer in the preparation of the engineering design, construction drawings and tender documentation.

1.2 Jetty Precinct Upgrade

I have been informed that there has been very little progress made on the updating of the design for the jetty precinct upgrade.

It appears that the design proposal has grown beyond the means of the Department of Planning and Infrastructure (DOPI) to the extent that the Department proposes to seek the support of a consultant to undertake the design works.

Apart from the initial matters, the consultancy will also include investigating the boat ramp and the possibility of a pontoon and breakwater.

Draft Resolution

That Council seek an assurance from the Department of Planning and Infrastructure that the Council will be involved in any consultancy affecting the jetty precinct area including the preparation of briefs for a design consultant.

1.3 Sportsground Bore

An attempt was made to commence the drilling of the bore at the Sportsground.

Unfortunately the Department, NRETA has requested that a further application be submitted due to the time elapsed since the previous approval was given.

The appropriate documentation has been submitted for approval.

1.4 Drainage Clearance Works

Drainage clearance works have been completed. Attachment Pg No 1 shows the drains that were cleared of silt and debris.

Although there has been some criticism of the of work undertaken, this has certainly not been warranted as I am sure we will see a much improved flow of water during periods of high rainfall.

In some instances the work was quite demanding with some pipes 95% full of silt and debris.

Providing the drains are cleared on an annual basis the workload should not be as demanding as it was this year.

The other issue that was observed during the process was the drain at the end of Winnal Court. There is actually a drainage reserve that does not appear to have been given any attention for quite some time. Nearby neighbours have indicated that if the reserve were to be cleared of debris, it would considerably improve drainage problems in the area.

A quotation of \$2,200 has been received to undertake the necessary works.

Draft Resolution

That Council accept the quotation from M Keim to undertake the clearing of the Winnel Court drainage reserve.

1.5 Recycling Program

We are gearing up to officially launch recycling in January 2010.

The major asset in our favour is that the hard waste area has been cleaned up and the area is looking a lot more respectable.

We are in the process of having signage prepared to direct people where to dump various types of refuse. The Dump site will be layed out with areas for:

- Recycled Aluminium cans, Glass, plastic, batteries, tyres, gas bottles
- Trees and Garden waste
- Household refuse
- Hard waste, car bodies, fridges etc.
- Oil

We still need to acquire drums for glass and bales for the storage of goods received.

The recycling program will only work with the cooperation of the community. Even if we retrieve some recyclable materials it will be less than what would normally be deposited to landfill.

1.6 Dump

It was suggested at the last meeting that consideration be given to screening the refuse dump by way of tree plantings.

It has been assessed that it will take approximately 60 trees to provide a satisfactory screening.

The cost to the Council will be approximately \$550 plus Council will be required to dig the holes and provide water to the trees for the first few dry seasons.

Draft Resolution

That Council accept the quotation for the supply and planting of 60 trees on Cox Peninsula Road adjacent to the refuse dump.

2. WORKS SUPERVISOR'S REPORT

No Report Submitted

WAGAIT SHIRE COUNCIL
SPORT & RECREATION OFFICER'S REPORT
ORDINARY COUNCIL MEETING
15 DECEMBER 2009

1. GENERAL MATTERS

1.1

2. SPORT & RECREATION OFFICER'S REPORT

This month has also been known as MOvember. Over the past month six blokes have been growing a 'mo'. Ian Hinchliffe, Michael Vincent, Anthony Kerr, Chris Chaplin, Darryl Withnall, Jeff and myself.

It is pleasing to report that the Wagait Beach MOvember team raised over \$1600. The money will go to Beyond Blue and men's prostate cancer.

At the end of November we celebrated with a BBQ at the shop Saturday morning.

During November we also had a toad bust down at the jetty. It was a good night with 200 toads busted. The next toad busted will be in mid December.

From the 29th of November until the 9th December I'll be taking recreation leave.

Upon my return I'll be drafting a letter to the parents of kids who come down to the sporting program asking if they would like to help out and volunteer helping me run the sports games after school.

I have completed my Certification III in Sport and Recreation.

"Sorry I lost the paper with the number of how many people who came to sport."

Received and Noted

WAGAIT SHIRE COUNCIL
FINANCE REPORT
ORDINARY COUNCIL MEETING
15 DECEMBER 2009

1. FINANCIAL MATTERS

1.1 Financial Report:

- 1.1.1 Program Report by Account (Ref Attachment Pg 1)
- 1.1.2 Bank Reconciliation Statements (Refer Attachment Pg 26)
- 1.1.3 Invoices Paid November (Refer Attachment Pg 30)
- 1.1.4 Outstanding Rates Report (Tabled)

Draft Resolution

That the November 2009 Monthly Financial Reports be accepted.

2. GENERAL MATTERS

2.1 Wagait Beach Fishing Club Grant

Council recently assisted the Wagait Beach Fishing Club with an application for funding to acquire a shade shelter to be used in conjunction with fishing competitions along the foreshore.

The Minister for Racing, Gaming and Licensing has advised that a grant of \$2,000 has been approved.

Tabled and Noted

2.1.2 Shire Plan

The redrafting of the Shire Plan has been completed and a copy is tabled for Council's consideration. (Copy included with Agenda)

Draft Resolution

That Council adopt the 2010 – 2012 Shire Plan dated 3rd December 2009.

2.1.3 Annual Report

The Annual Report for 2008-09 has been completed and a copy is tabled for Council's information. (Copy included with Agenda)

The report also contains the Annual Accounts for 2008-09.

Copies of the Report will be available from Council's web site and the Council Office.

Tabled and Noted

2.1.4 Annual Accounts – Audit

The audit of Council's 2008-09 Accounts has been completed have been included with the Annual Report.

Council's attention is drawn to the Auditor's Report.

Draft Resolution

That the 2008-09 Annual Accounts Auditor's Report be received.

2.1.5 Annual Accounts – Merit & Partners

Merit and Partners have completed the preparation of the Annual Accounts.

The firm quoted \$4,900 plus GST to undertake the work. The Council accepted the quotation on the 20 October 2009.

On the 6 November 2009, Council received correspondence:

"In addition, there will be an engagement administration charge which covers courier charges, photocopying, postage, telephone calls, facsimiles and stationary. The engagement administration charge will be 3% of our fee for the professional services."

Never at any time during negotiations was this additional fee mentioned.

Draft Resolution

That Council pay Merit and Partners no more than the quoted price for the preparation of the 2008-09 Annual Financial Statement.