

**WAGAIT SHIRE COUNCIL**  
**MINUTES**  
**ORDINARY COUNCIL MEETING**  
**16 JUNE 2009**

<b>Present:</b>	Peter Clee Karen Duncan Rocco Magnoli Trish McIntyre Vera Lamont Darryl Withnall Wally Lenyszyn Jill Formby	- President - Vice President (from 7.07pm) - Councillor - Councillor - Councillor - Councillor - Chief Executive Officer - Acting Chief Executive Officer
<b>Apologies:</b>	Matt Prouse	- Councillor

**1. MEETING OPENING**

President Clee opened the meeting at 7.00pm.

**1.1 APOLOGIES**

**Resolution No. 08/236**  
**That the apology of Cr Prouse be received.**

**Moved: Cr Magnoli**  
**Seconded: Cr McIntyre**  
**Vote: Carried 5-0**

**2. DECLARATION OF INTERESTS**

Nil.

**3. CONFIRMATION OF MINUTES**

**Resolution No. 08/237**  
**That the minutes of the Monthly Meeting of 19 May 2009 be accepted.**

**Moved: Cr Withnall**  
**Seconded: Cr Magnoli**  
**Vote: Carried 5-0**

**3.1 Matters Arising from the Minutes:**  
Nil.

**4. INWARDS CORRESPONDENCE**

**4.1 David and Elizabeth Barry**

Seeking clarification of the responsibility for the land from the edge of the road to their property line.

*"We were surprised to hear that a property owner is somehow responsible for public land, and this appears inconsistent with the Council undertaking the mowing of road verges. It is our belief that the Council is responsible for providing and maintaining one access to each block."* (R.3)

**President Clee requested that the CEO look into who has responsibility for providing and maintaining road verges adjacent to blocks within the community and submit his findings to the next meeting.**

**4.2 David and Elizabeth Barry**

Asking Council to clear a designated road along the unmade portion of Forsyth Road to serve as a barrier for bush fire control.

*"the Council originally (12 -15 years ago) contracted to complete Forsyth Road to the end to a gravel road standard. The Council then decided to complete it only to the Sports Ground as it could be paved for the same money instead of clearing to the ends as shown on the subdivision plan.*

*We are further advised that part of the reason for clearing to the end was for the street to serve as a bushfire barrier, similar to the obligation of residents to clear an area around their property line.*

*We request that the Council arrange for a clearing of the designated road to serve its bushfire barrier purpose. Not a slashing of the track but a clearing of the road corridor in preparation for its eventual paving."*

This matter was recently considered at the community Future Directions meeting at which it was rated 'Reliant on Finance'. It was also recorded that as the allotments the road would service already have sealed road access, it was considered low priority.

Should the Council desire to proceed with this project, in the first instance we should obtain a costing from our Consulting Engineer. (R.3)

Vice President Duncan arrived at 7.07pm

**Resolution No. 08/238**

**That Council advise David and Elizabeth Barry that the opening up of the balance of Forsyth Road is not warranted at this point in time.**

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

**4.3 Australian Council of Local Government (ACLG)**

Extending an invitation to the President to attend the 2<sup>nd</sup> meeting of the ACLG to be held in Canberra on the 25<sup>th</sup> June 2009.

*“The theme of Building Resilience in Local Communities will provide the focus and give us the opportunity to address current or emerging issues facing local government. This will include the challenges posed by the global economic recession in the context of the broader financial sustainability of local government, and the impact of recent natural disasters, which could be considered in the context of climate change.”*

(A 13.1)

**Resolution No. 08/239**

**That Council endorse the attendance of President Clee at the 2<sup>nd</sup> meeting of the Australian Council of Local Government on the 24<sup>th</sup>-25<sup>th</sup> June 2009.**

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

**4.4 Rob Knight Minister for Local Government**

Response from the Minister commending Wagait Shire Council's role in organising community consultations to explore local boundary expansion. He advised he will be following developments with close interest.

Noted.

**4.5 PowerWater Corporation**

Response to Council's letter dated 11 May 2009 with regard to the provision of a reticulated water supply at Wagait Beach.

They mentioned that PWC currently provide a water supply service to Cox Peninsula comprising bores that supply our water storage tanks and

can be accessed by the Community through the single supply outlet utilising a card operated retail system.

The extent of the current groundwater resources is sufficient for existing owners and future development of existing sub-divided land and they mentioned the following options:

- Extension of current ground water resource – dependent upon the completion of a detailed water resource assessment and allocation plan by NRETAS. Previous studies have shown that groundwater is unlikely to be sustainable for a fully reticulated water supply to the sub-division.
- Water supply via connection to the Darwin reticulated supply – an expensive option whether via a land route or under the Darwin Harbour.
- A local seawater desalination plant – this option having significant issues associated with environmental and waste management, power supply and being rather costly.

Other matters mentioned were that a reticulated supply within Wagait Beach could greatly increase customer water demand and is neither practical nor financially viable.

In brief, other answers to Council's questions were:

- Costs of providing a reticulated service - \$9-11 million exclusive of costs associated with further groundwater development.
- What maximum size population will current bore fields be able to service with reticulated water – currently 250 persons, or 60% of current occupied land.
- How would costs be apportioned and amounts repaid over time – capital costs of reticulated schemes are fully recovered from benefiting land owners and apportioned based on relative demand. Repayment options could be resolved as part of development negotiations.
- A query about landowners of vacant blocks being required to pay initial capital contributions and the possibility of deferring contributions – if the scheme is to be fair and viable all blocks along the reticulated routes would required to contribute, deferral being part of any development negotiations.
- What would the approximate rates per property be once water supply is available – if the scheme is viable and funded by residents, standard water supply charges would apply. 2009/10 charges are 89.90 cents per kilolitre, with connection charges of 31.29 cents per day. *'A typical residential property within Darwin utilises 500 kilolitres per annum.'*



**Resolution No. 08/240**

**That Council seek comments from the Community on the Report from the PowerWater Corporation**

**Moved: Cr McIntyre**  
**Seconded: Cr Magnoli**  
**Vote: Carried 6-0**

Cr Withnall mentioned other jurisdictions being licensed water areas while Wagait Beach was not and was asked by the President to report on this to the next Council meeting.

As an issue apart from the above, Councillors also requested that the CEO write to the PowerWater Corporation requesting a second standpipe be installed at the Water Facility. Waiting times for collection of water in the Dry had become a real problem.

**4.6 Jane Carrigan**

In brief an email to Council with regard to the following points:

- Installation of the notice board at the shop finally after 8 months.
- Legal requirement to have the monthly meeting agenda posted on the public notice board prior to the meeting – giving community members a chance to decide if they wish to attend a particular meeting.
- Open and transparent government and better understanding of how Council operates would be enhanced by having the ‘agenda/pre-written minutes’ posted on the notice board
- The minutes circulated to the public not having ‘Draft Minutes’ appearing on them.

*‘I look forward to the CEO/Council remedying the above.’*

**Resolution No. 08/241**

**That Council post a summary of the agenda on the shop noticeboard on Wednesdays prior to Council meetings**

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

**4.7 Sharon McAlear – Electorate Officer to Rob Knight**

Sharon McAlear emailed Council and the President to advise that the Minister may not be able to attend the June Council meeting as Tuesday 16<sup>th</sup> June is the beginning of the NT Governments Estimates Committee Hearings. She advised that she could confirm after having made contact with the Minister.

Not having heard, I phoned Sharon and she advised that she would be meeting with the Minister on Friday 12<sup>th</sup> and will let me know whether or not Rob Knight can attend the Council meeting, but warned there is every possibility that he will not be able to attend our meeting.

Tabled and Noted.

## 5. CHIEF EXECUTIVE OFFICER'S REPORT

### 5.1 TOPROC

(Refer CEO's Report Item 2.3)

#### **Resolution No. 08/242**

**That Council agree to the enter into a Memorandum of Understanding with TOPROC providing for joint collaboration between Darwin City Council, City of Palmerston, Litchfield Council and Wagait Shire.**

**Moved: President Clee  
Seconded: Cr Magnoli  
Vote: Carried 6-0**

### 5.2 Policy Development

(Refer CEO's Report Item 2.6)

**It was requested that the adoption of Wagait Shire Council Policy No.P09 be deferred until the July Meeting.**

## 6. WORKS SUPERVISOR'S REPORT

Tabled and Noted.

## 7. SPORT & RECREATION OFFICER'S REPORT

Tabled and Noted.

## 8. OFFICERS REPORTS

#### **Resolution No. 08/243**

**That the Officers' reports be received and accepted.**

**Moved: Cr McIntyre  
Seconded: Cr Lamont  
Vote: Carried 6-0**

## 9. FINANCIAL REPORTS

### 9.1 Financial Reports

(Refer Finance Report Item 1.1)

- 9.1.1 Program Report by Account S 13 LG (Acc) Regs:
- 9.1.2 Bank Reconciliation Statements
- 9.1.3 Invoices Paid May
- 9.1.4 Outstanding Rates (Tabled)

#### **Resolution No. 08/244**

**That the May Monthly Financial Reports be accepted.**

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

### 9.2 2009 – 10 Budget

(Refer Finance Report Item 2.1)

#### **Resolution No. 08/245**

**That pursuant to Section 155 of the Local Government Act 2008 the Council declares:**

1. That it proposes to raise \$167,700 in general rates for the 2009/10 financial year.
2. The general rates are to be raised by way of a fixed charge of \$430 per allotment of rateable land within the Wagait Shire.
3. That the due date for the payment of rates shall be 1 September 2009.
4. The payment of general rates will be accepted by quarterly instalments due on the 1 September 2009, 1 December 2009, 1 March 2010, and 1 June 2010.
5. A penalty of 17% per annum will be imposed on all rates and charges not paid by the due date for payment thereof.

**Moved: President Clee**  
**Seconded: Vice-President Duncan**  
**Vote: Carried 5-1, Cr Magnoli against**

### 9.3 Shire Plan

(Refer Finance Report Item 2.2)

**Resolution No. 08/246**

**That Council accept the draft 2009–2012 Shire Plan and offers it for public inspection prior to consideration and adoption at the July Council Meeting.**

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

**Resolution No. 08/247**

**That Council fix a charge of \$5 for bound copies of the draft 2009–2012 Shire Plan.**

**Moved: Cr Magnoli  
Seconded: Vice-President Duncan  
Vote: Carried 6-0**

**9.4 Insurances**

(Refer Finance Report Item 2.4)

**Resolution No. 08/247.1**

**That Council accept the quotation of \$14,973.73pa from Jardine Lloyd Thompson for insurance cover for the 2009/10 financial year.**

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

**10. AGENDA ITEMS**

**10.1 Territory Day Fireworks:**

All preparations are in hand for the Territory Day Fireworks Display – commencing at 5.30pm on Wednesday 1 July with a Sausage Sizzle to be run by the CP Volunteer Bushfire Brigade and the fireworks commencing between 6.30 and 7.30pm. A public notice advertising the event will be posted on the community notice-boards a week prior to the event.

**10.2 Planning Application for Lot 67 De Lissa Drive:**

**Resolution No. 08/248**

**That Council have no objection to the Planning Application for Lot 67 De Lissa Drive.**

**Moved: President Clee  
Seconded: Vice-President Duncan  
Vote: Carried 6-0**

**11. GENERAL BUSINESS**

- 11.1** Vice-President Duncan asked about the status of the Council Web Site. President Clee responded that it was being worked on.

She also requested information with regard to timing of the placement of the concrete table/seating at the jetty and was advised by the President that the next one constructed would be placed at that site.

- 11.2** Councillor Lamont wanted to know if Council had heard anything about the Medical Centre. CEO advised that a response had been received from the Minister late in the afternoon the details of which will be presented to the next Council Meeting.

- 11.3** Councillor Withnall inquired as to the status of Council's application for Special Purpose Grants.

He was advised that they had been submitted to the Department of Local Government a day prior to the due date, but it was ascertained through queries to the Department that the envelope had been misplaced and Council duly received an apology. Council was advised that its applications would definitely be included in the August 2009 submissions.

The President advised that he would raise the matter with the Minister for Local Government.

**12. IN-CAMERA ITEMS**

Nil.

**13. MEETING CLOSE AND DATE OF NEXT MEETING**

Vice-President Duncan advised that she would not be available for the July meeting due to work commitments and tendered her apologies.

President Clee closed the meeting at 8.25pm.

The next monthly Council Meeting is to be held on 21 July 2009 at 7.00pm.

**PRESIDENT:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**CEO:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WAGAIT SHIRE COUNCIL**  
**CHIEF EXECUTIVE OFFICER'S REPORT**  
**ORDINARY COUNCIL MEETING**  
**16 JUNE 2009**

**1. GENERAL CORRESPONDENCE**

**1.1 Department of Local Government and Housing**

Responding to Council's request for information in relation to the interment of ashes in a Memorial Wall.

*"The Northern Territory Cemeteries Act does not contain provisions for the establishment of memorial gardens for the interment of ashes and placement of plaques. Section 21 of the Cemeteries Act states that the body of a deceased person (unless cremation is proposed) shall only be buried in a cemetery. Cremated remains do not constitute a body."*(W 1)

Received and Noted

**1.2 Belyuen Council**

Responding to Council's correspondence in relation to rubbish collection.

*"At present our rubbish is collected through Yilli Housing who are the housing managers. That is very likely to be changing in the near future. Finns Bins do the actual collection and it is dumped in our rubbish dump.*

*There is a big possibility that Belyuen will be purchasing a garbage compactor so we will do our own garbage collection and that leaves openings for Belyuen to extend their service.*

*We will respond in more detail once the letter is discussed at Council."*  
(C 14.8)

Received and Noted

**1.3 Minister for Senior Territorians**

Advising that the Wagait Shire Council has been selected to receive a grant of \$800 to assist with its Wagait Beach Seniors Dinner Dance activity, to be held during Seniors Month 2009. Forwarding a copy of the association's submission to the forthcoming Federal Budget that outlines local government's priority areas.

Received and Noted

#### **1.4 Australian Local Government Association**

Advising that this years National General Assembly of Local Government (NGA) will be held from 21–24 June in Canberra.

The Assembly is timed to precede the meeting convened by the Prime Minister of Australia of all Australian mayors on the 25 June.

*“Councils across Australia have submitted more that 140 motions for consideration at the NGA. Motions at this year’s NGA address three important themes – climate change, infrastructure and finance.*

*We have structured the 2009 NGA along similar lines to the successful 2008 Local Government Constitutional summit. The Summit approach ensured that debate was more focused – which resulted in more structured and tangible outcomes. We will be aiming to repeat this approach at this year’s NGA.” (A 13)*

Received and Noted

#### **1.5 Department of Justice**

Advising of the introduction of the Penalty Units Bill 2009 that will introduce changes to the Penalty Units Act 2002. The Penalty Units Act allows for the monetary penalties for offences to be expressed in penalty units.

It is proposed to increase the value of a penalty unit from \$110 to \$130. (N 10.1)

Received and Noted

#### **1.6 Department of Planning and Infrastructure**

Advising of the granting of approval for the construction of the Optus tower on Lot 13 (89) Wagait Tower Road. The decision to grant the permit included:

*“The applicant has demonstrated that potential electromagnetic emissions are below the human health exposure levels specified by the Commonwealth Government. The revised location of the tower on the site following mediation maintains adequate separation from local residences and minimises the visual impact of the facility.”*

A copy of the new plan is attached at Appendix Page 1. (N 4.6)

Received and Noted

## 2. CHIEF EXECUTIVE OFFICER'S REPORT

### 2.1 Monthly Status Report

Please find attached (Attachment Pg 2) 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 3 & 4) a copy of Inward and Outward correspondence for the Month of May.

Received and Noted

### 2.3 TOPROC Meeting

On the 14 May I attended a meeting of TOPROC. The following matters discussed at the meeting may be of interest to Councillors:

- Coomalie Council no longer wished to be part of the Committee.
- Mr Bill Stuchbury of the Darwin Harbour Advisory Committee (DHAC) addressed the meeting on the progress of consultation on the new Strategy Plan. The process is nearly complete and once complete, the documentation will be presented to the Minister for Government endorsement. There has previously been a lack of response from the Government to give the Committee teeth to be able to act.
- The DHAC is working closely with the Department in looking at the implications of Inpex, Waddell, Arafura Harbour and the development of the Cox Peninsula in the preparation of a Water Quality Plan.
- The DHAC is looking at climate change that will need investigations, studies and preparing plans.
- If the DHAC can get the endorsement of the Government they will then seek the Government to provide the necessary resources to have the identified goals and objectives accomplished.
- TOPROC agreed to monitor the progress of the Government's endorsement of the Plan and if necessary to ask the Government to provide the resources to the DHAC to enable the identified actions to be undertaken.

- The Committee needs to be looking for funding opportunities to undertake studies on global warming and climate change coastal erosion.
- There was a suggestion of a tourist road around the harbour. The Committee will investigate the matter further and discuss the matter with the Transport Minister when he attends a TOPROC meeting.
- A draft Memorandum of Understanding has been suggested based upon an existing model between the Darwin City Council and City of Palmerston. The model will be expanded to include Litchfield and Wagait Councils. It provides for joint cooperation in dealing with issues such as community projects of mutual interest, joint purchasing opportunities, joint training opportunities, tender arrangements, environmental issues, Government liaison. (Refer Attachment Pg )
- Information will be sought from Minister Knight on what his plans are for future Regional Waste Management.
- It was agreed that where the Government proposes to hand over property or other assets to councils, they should be accepted only if they will not impose a burden upon the council. Particularly financial burdens through ongoing costs.
- The Committee will look at the implications of issuing a future joint tender for road resealing works.
- An officer from the Office of Regional Development will be invited to the next meeting to discuss Regional Development Project Funding.
- The next meeting is to be held at Palmerston City Council on 9 July 2009.

**Draft Resolution**

**That Council agree to the enter into a Memorandum of Understanding with TOPROC providing for joint collaboration between Darwin City Council, City of Palmerston, Litchfield Council and Wagait Shire.**

I wish to advise of the following actions taken in respect of matters agreed to by the Council emanating from the community Future Directions Planning meeting:

ITEM	ACTION
Establish cost of collection and requirements for Council to be included with the Belyuen household refuse collection.	Correspondence forwarded to Belyuen 12/5 seeking information on collection service.
Reintroduce containers at the Dump for the storage of individual recyclables. Make inquiries of Darwin firms that may be interested in the collection of recyclables. Undertake a waste audit prior to doing anything. Council to purchase a chipper and sell mulch back to community.	Grant application made for containers to be placed at Dump. 13/5.  LGANT requested to provide support to undertake waste audit. 11/5.  Quotes being obtained for chipper. 12/5.
Council to seek an update from PowerWater as to the possibility and cost of providing reticulated water to Wagait Beach.	Correspondence forwarded requesting details and information. 11/5.
Make further representations to the Minister for Planning for a formal Planning Scheme for the Cox Peninsula area and a dedicated Development Consent Authority.	Matter to be included on Agenda for discussion with Minister for Local Government. To be asked to take up on Council's behalf.
Council to formally resolve to support a bridge from Darwin.	Council Meeting May 09.
Council to make representations to Warren Snowdon for Wagait Beach postcode and post boxes.	Correspondence forwarded asking that he take the matter up on Council's behalf. 11/5.
Council to seek the support of Jack Ellis in the determination of a fitness trail with appropriate exercise activities.	Correspondence forwarded asking for design and component identification. 11/5.
Council to seek an update from its Consulting Engineer on the costings to enclose the Wagait Tower Road drain.	Information supplied. Result to June Council Meeting.
The Council to contact the appropriate Authority to determine the requirements for the establishment of a helipad at the Sportsground able to accommodate a large helicopter.	Information available on internet. No formal approval required.
Council to seek the advice of the Department of Education on their requirements for the establishment of a pre-primary school at Wagait Beach.	Correspondence forwarded seeking details of requirements. 11/5.
That Council seek to have a meeting with the Larrakia Development Corporation for the purpose of discussing the following projects: Development of a Pre-Primary School, Business Incubator, Ant Hill area development, Senior Citizens Unit Complex, Milady Crash site and open up gun placements with walk trail.	Correspondence forwarded requesting meeting. 12/5.
That Council seek the support of DOPI in preparing a design for the completion of the Bicycle Path to Cox Drive.	Correspondence forwarded seeking a design. Based on cost of current work, cost could be up to \$600,000. 12/5.
That Council seek to have discussions on matters of mutual interest with the Belyuen community.	To be undertaken during boundary expansion discussions.

All of the issues will be referred to the Council and followed up as information comes to hand. Particularly where further action may be required by the Council.

Tabled and Noted

## 2.5 Federal Government Budget

The following matters affecting local government have been extracted from the Federal Government's recent Budget for the information of Councillors:

- \$1.9 billion for Financial Assistance Grants to local government nationally;
- Confirmation of \$550 million over 2 years for the Regional and Local Community Infrastructure Program - Strategic Projects;
- Roads to Recovery at \$350 million per year for the next 5 years;
- \$79.3 million in the next 4 years for a Disaster Resilience Australia Package to strengthen efforts to combat man-made and natural threats and disasters across Australia;
- \$72 million for Healthy Communities to fund the rollout of lifestyle modification programs focusing on poor nutrition, physical inactivity, smoking and excessive alcohol consumption;
- \$58.2 million over 4 years as supplementation to local roads to address the relative disadvantage of South Australia in the local roads component of the Financial Assistance Grants;
- \$715.3 million to continue to support drought affected farmers, farm families, small business and rural communities;
- \$8.5 billion for nationally significant transport infrastructure projects across Australia;
- \$3 million for 2009-10 to up-grade remote area airstrips identified under the Remote Air Service Subsidy Scheme requiring priority work;
- \$5 million over 4 years for Rural National Broadband Network Coordinators to encourage local government, community and business usage of broadband opportunities;
- \$15 million for the ABC to encourage the development of user generated content and to establish websites creating 'visual town squares' for communities to share experiences;
- \$156.6 million over 3 years for remote policing and substance abuse initiatives;
- \$10 million over 4 years to support the expansion of the Sporting Chance Program to improve education, life skills and employment prospects for Indigenous students

Received and Noted

## 2.6 Policy Development

Policy Development will be ongoing with updates provided on a monthly basis until all matters that need addressing have been addressed.

This month, the following policy is presented for Council's consideration:  
(Refer Attachment Page No.5)

P 09 Accounting Policy

### **Draft Resolution**

**That Council adopt Wagait Shire Council Policy No.P09 – Accounting Policy.**

2.7 Boundary Review

There have been a number of meetings concerning the review of boundaries within the area of the former proposed Top End Shire.

It has previously been reported that the Government is anxious for the remaining portions of unallocated Crown land to be incorporated in with a Shire. The Minister for Local Government has provided \$20,000 for an investigation to take place.

Meeting 14.05.09

This meeting was called by the Department of Local Government as the Department had received a request from Litchfield Council for funds to enable them to undertake their own investigations. The following is a summary of the main issues discussed:

- Litchfield advised that they had a meeting with the Minister for Local Government and he had suggested that they should be looking at incorporating the Marraki area with their Council.
- It was stated that the problem is that we will all have financial problems within the next four years and we need to look at other areas to achieve additional income and cost savings.
- The people of Marraki may wish to go either way.
- President Clee stated that we will still need to go back to our respective communities before a decision can be made. It was his understanding that the Committee will arrange for community consultation within existing Council areas.
- Neil Murray advised that it would be 5–6 years before Belyuen would no longer be able to exist under the current arrangements. He had spoken to the community about viability and sustainability and will arrange for community members to be in attendance at the next meeting.
- A suggestion that Litchfield join the Committee was rejected until such time as the consultant completes the task of determining what the people of Marraki favour.
- It was agreed to keep the consultation going with Litchfield and that they be part of the consultants consultation phase and be allowed to attend meetings as an observer.
- Litchfield agreed to withdraw their request for funding to undertake their own studies.

- The Committee agreed to ask the Minister for Local Government to levy a \$300 fixed rate for 09/10 on all properties in unincorporated areas to let the people know that they will be required to pay rates once the Committee completes its task.

#### Meeting 18.05.09

This meeting introduced consultants Sharyn Innes and Peter Shepherd who were engaged to undertake consultation and brief communities within the unincorporated area.

The meeting assisted the consultants with producing lists of people to contact, determining the objects of the consultation and identifying stakeholders.

Various suggestions were forthcoming with the consultants agreeing to put the information together and prepare an information paper for the Councils.

Within the next few weeks the consultants will begin a series of meetings for communities within the unincorporated area in an attempt to determine preferences of those residing within the areas.

Received and Noted

#### 2.8 Meeting with Rob Knight MLA

Mr Rob Knight, Member for Daly, has been invited to meet with the Council at 6.30pm on the day of the Council Meeting.

Included with the Agenda is a copy of the various issues proposed to be discussed with Mr Knight. Additional matters may be raised at the meeting.

Received and Noted

#### 2.9 Memorial Garden Project:

An informal public meeting was held in the Council Chambers on Wednesday 20/6/2009, to set up a Working Group for the above project.

Peter McLinden and Michael Visentin of LGANT were invited to attend as they had undertaken a lot of the research, on Council's behalf, with regard to the rules and regulations that would need to be applied to this project. CEO Wally Lenyszyn also wrote to the DLG&H and received written confirmation that there were no legislative constraints with regard to the interment of ashes (Att #2.9-1). Also in attendance were the following: From Council - Jill Formby and Cr Vera Lamont. From the community: Jack Ellis, Dave Barry, Kaye Rogers, Fred Gillis, Julie Rogers and Bryan Male. Apologies from: Cr Karen Duncan & Gary Zikan.

The meeting was conducted as a round-table discussion and matters arising from this are set out below:

- Make-up of the Working Group: Jill Formby, Gary Zikan, Karen Duncan, and interested Councillors, Jack Ellis, Dave Barry and Kay Rogers (with CEO Wally Lenyszyn handling the budgetary and financial side of things). Peter McLinden and Michael Visentin said that they would be available in an informal capacity to provide advice if needed and were only too happy to attend any meetings of the Working Group.
- Fund Raising: Peter McLinden pointed out that if Council could inject some sort of heritage aspect into the project then there may be a historical basis for gaining funding through Federal avenues and the Rudd stimulus packages.
- Therefore, it is suggested that perhaps the project could be named "The Wagait Beach Memorial Garden and Heritage Park". Each Memorial Wall could be designated/named after an historical area or Wagait Beach Pioneer, e.g. 'The Milady Wall' or 'The Bill Harney Wall', etc. and perhaps the wall at the front entry of the garden, instead of being used for plaques, could become 'The Heritage Wall' with a visual history of this section of Cox Peninsula as it's theme.
- After completion Council, as a means to defray some of the costs connected with upkeep and maintenance, would have the option of selling plaques and wall sites and the ash repository boxes and sites – so ensuring there is overall continuity of design, which would give a much more professional look to the first stage, as well as ensuring its visual impact. The meeting was quite strong in its opinion regarding conformity within this first stage area. However, there could be more leeway with regard to the walk-through area of the garden (third stage), where perhaps shrubs, trees or bushes could be purchased by clients and small commemorative plaques set alongside or under chosen plants with the ashes buried beneath – apparently this would not contravene any of the legislative regulations either.
- Public Liability Matters: It was advised that Michael Visentin (an engineering student on work experience with LGANT) had undertaken a lot of the research and had come up with an excellent alternative to the block walls (Att. #2.9-2). His design was agreed to in principle by those present. Not only is it a more cost effective and safer alternative (engineering and public liability concerns notwithstanding), but it provides quite a stunning visual impact to the overall design of the garden. Peter McLinden was of the opinion that Council should seek certification of the project thus ensuring cover by Council's public liability insurance.
- However, the proposed new design of the walls only allow for placement of plaques, so discussion then centred around the placement of repositories for ashes at ground level and the garden

bed edging around the first stage of the initial plan provided the best option (see attached revised plans #2.9-3-4-5). These ash repositories would be set in the ground in a 10cm deep and 20cm wide trench backing onto the garden beds, with 10cm-15cm protruding above ground level and would have locking lids for security and placement of plaques. This height above ground should also prevent rainwater entering the repositories.

- Planning Permission: Queries were made with regard to planning permission issues and questions were raised with regard to zoning matters and how this might affect Council. This needs further research.
- Budget: Prior to the meeting I approached both Barry Demasson and Peter Duffy to see if we could get an estimate from them as to possible costings for the first stage (see attached list #2.9-6 as provided by Barry Demasson). However, this estimate is based on the original block-work design of the walls. Peter Duffy came and had a look at the site and will provide an estimate at a later date. While at the site Peter made a couple of observations, i.e. laying concrete was horrendously expensive over here and suggested that perhaps paving would be a cheaper option; he also then suggested that the pool of reflection could be constructed of stainless steel (it would be watertight, another less expensive option and would only need a concreted base to rest upon). The meeting liked the idea of a stainless steel reflective pool. For safety and public liability reasons this pool can only be 10-15cm deep.
- However, the commencement of this project will rest with whatever decision Council makes, as well as being able to access funding/grants, etc. and includes the necessity of having detailed costings, in order to be able to set-up a budgetary framework and possible time-lines.

The meeting concluded at 7.45pm on a positive note.

Jill Formby

**WAGAIT SHIRE COUNCIL**  
**WORKS SUPERVISOR'S REPORT**  
**ORDINARY COUNCIL MEETING**  
**16 JUNE 2009**

**1. GENERAL MATTERS**

1.1 Wagait Tower Road Bicycle Path

Construction of the Wagait Tower Road Bicycle Path is progressing well and should be completed very soon.

At the time of writing, the path has been sealed.

The Department of Planning and Infrastructure (DOPI) have been forwarded Council's contribution of \$100,000. It has been agreed that in the event of the work costing less than \$200,000, any unspent portion will be shared equally.

In addition, during recent discussions with DOPI, the following additional matters affecting the Path have been agreed to:

- Clearance of 2m off the west side of the path (to allow for mowing and no tree roots).
- Cycle Path to be located 10m from the centreline of the road.
- Trees to be burnt on site (after review by DOPI not acceptable). Trees to be removed from site by the contractor and transported to the dump where the Council will then dispose. (Unable to inform contractor in time.)
- Road culverts will be cleaned out by DOPI at their cost. (Not from Cycle Path funds.)
- Patching of existing Cycle Path from previous project to be completed by DOPI at their cost. (Not from Cycle Path funds)

The Department will be advised of the above agreed issues if necessary. In particular it has been observed that there are still some trees located within the 2m clearance zone.

Received and Noted

**2. WORKS SUPERVISOR'S REPORT**

Mr Zikan has submitted the following report: from May 1 to May 30, 2009

2.1 Dump

The Waste Oil Station was bowled over by an unknown source and was subsequently relocated to a safer position.

Raking of the disposal area continues to be undertaken three days per week and burning of the hole is conducted when necessary.

2.2 Water

The Concrete/Drainage works have been completed and will be viewed by PowerWater on 22 May.

The boundary fence of the water facility is being cleared of trees/branches by the Works Dept. This is extra work for which PowerWater will be billed.

2.3 Jetty

The rusted handrails have been replaced.

We have been given permission to paint the wooden handrails at the end of the Jetty. A quote was prepared for and accepted by the Department of Planning and Infrastructure. It is hoped this job will be finished by the end of the month.

Regular washing down and removal of litter undertaken

2.4 Wildlife

One local dog was destroyed at the owners request after it had bitten a child and then began a campaign of unruly behavior.

There have been no reports of pigs in the area for some time now.

One children's python was captured at the Community centre and relocated.

The Pig Trap has had no luck. We have used all sorts of bait; Kangaroo, Fowl, Salad and Vegetable Scraps, Fish Carcass and Chicken Feed Pellets soaked in water, to no avail.

2.5 Council Grounds

The Community Centre Genset continues to be started on a fortnightly basis.

With the presumed onset of the Dry season upon us, we will commence with watering the Community Centre garden. This will occur twice per week.

2.6 Fencing Works RUA

We have been requested by Dept of Planning and Infrastructure to quote on undertaking fencing works and bollard installation within the RUA.

A quotation will be submitted within the time prescribed.

2.6 Unscheduled Jobs undertaken during the above period were:

- Fit new Noticeboard to Shop
- Recommission Ground Level water storage tank
- Remove frogs from high level tanks
- Replace standpipe hose
- Remove vegetation and leaves from Bore site
- Roadside rubbish removal from Charles Point Road

Received and Noted

**WAGAIT SHIRE COUNCIL**  
**SPORT & RECREATION OFFICER'S REPORT**  
**ORDINARY COUNCIL MEETING**  
**16 JUNE 2009**

**1. GENERAL MATTERS**

**2. SPORT & RECREATION OFFICER'S REPORT**

This month has been full of activities with another smoke free table tennis game, movie night, walk to school day, and other regular sporting activities.

Over the past few weeks I have completed my bronze medallion qualification which also includes resuscitation.

The second round of the smoke free table tennis championship commenced. With over a dozen smoke free challengers and a wide range of skill levels, another table tennis table was lent to us for the day by Jane Carrigan and was very welcome. For the juniors Kate Hinchliffe won the prize and for the seniors/teenagers Stanley King won the prize. The next smoke free championship game will be on 13<sup>th</sup> of June.

I have been in contact with the Beluyen Council in order to get in touch with their Sport and Recreation officer Craig Woody to find out if they would like to undertake joint sporting activities, for example a Beluyen vs Wagait Beach soccer match. Craig Woody has replied and is interested in the idea. A time and date will be decided later which is mutually agreeable/practical for both communities.

The 15<sup>th</sup> of May was Walk to School Day, most of the regular children who catch the school bus in the morning walked from just under the half way mark of Charles Point Road to the jetty. At the jetty a healthy breakfast was provided as part of the Walk to School Day promotion of active and healthy lifestyles.

The return of night sport will occur this fortnight with soccer at 7pm till 10pm, plus all the other regular sporting activities.

On the 18<sup>th</sup> till 22<sup>nd</sup> June Camp Quality is camping at the sports grounds with 50 children, 50 carers and the army is helping out.

Date	Place	Number of people
Tuesday 5 <sup>th</sup>	Sports Grounds	12
Thursday 7 <sup>th</sup>	Sports Grounds	16
Saturday 9 <sup>th</sup>	Community Centre	21
Sunday 10 <sup>th</sup>	Beach	17
Tuesday 12 <sup>th</sup>	Sports Grounds	11
Thursday 14 <sup>th</sup>	Sports Grounds	16
Friday 15 <sup>th</sup>	Walk to School	30
Saturday 16 <sup>th</sup>	Sports Grounds	10
Saturday 16 <sup>th</sup>	Community Centre	17
Sunday 17 <sup>th</sup>	Community Centre	13
Sunday 17 <sup>th</sup>	Beach	16
Tuesday 19 <sup>th</sup>	Sports Grounds	18
Thursday 21 <sup>st</sup>	Sports Grounds	15
Sunday 24 <sup>th</sup>	Sports Grounds	9
Tuesday 26 <sup>th</sup>	Sports Grounds	17

Received and Noted

**WAGAIT SHIRE COUNCIL**  
**FINANCE REPORT**  
**ORDINARY COUNCIL MEETING**  
**16 JUNE 2009**

**1. FINANCIAL MATTERS**

**1.1 Financial Report:**

- 1.1.1 Program Report by Account S 13 LG (Acc) Regs: (Ref Att, Pg 1 )
- 1.1.2 Bank Reconciliation Statements (Refer Attachment Pg 27 )
- 1.1.3 Invoices Paid May (Refer Attachment Pg 30)
- 1.1.4 Outstanding Rates (Tabled)

**Draft Resolution**

**That the May Monthly Financial Reports be accepted.**

**2. GENERAL MATTERS**

**2.1 2009 – 10 Budget**

The Council Budget has now been completed. (Refer to last pages in the Shire Plan.)

The main factor affecting the Budget is the reduction of the Territory Government's NT Operational Grant estimated to be reduced by app. \$80,000. The Budget has been prepared on the basis that we will continue to receive the same level of funding as last year.

In the event of Council receiving confirmation of the grant reduction, there will be no adjustment to the rate to be recovered as capital expenditure will be reduced.

It has been necessary to increase rates by \$210 per assessment to \$430. In the event of the Government not reducing the NT Operational Grant, rates could have been levied at \$250 per assessment.

## **Draft Resolution**

**That pursuant to Section 155 of the Local Government Act 2008 the Council declares:**

- **That it proposes to raise \$167,700 in general rates for the 2009/10 financial.**
- **The general rates are to be raised by way of a fixed charge of \$430 per allotment of rateable land within the Wagait Shire.**
- **That the due date for the payment of rates shall be the 1 September 2009.**
- **The payment of general rates will be accepted by quarterly instalments due on the 1 September 2009, 1 December 2009, 1 March 2010, and 1 June 2010.**
- **A penalty of 17%per annum will be imposed on all rates and charges not paid by the due date for payment thereof.**

## **2.2 Shire Plan**

The Local Government Act requires the Council to prepare a Shire Plan that must contain:

- A Service Delivery Plan
- The Council's Budget
- Community or Strategic Plans
- Long term Financial Plan
- An assessment of:
  - the adequacy of constitutional arrangements presently in force
  - the opportunities and challenges for local government service delivery in the council's area
  - possible changes to the administrative and regulatory framework for delivering local government services
  - whether possibilities exist for improving local government service delivery by cooperation with other Councils

The Plan is to be adopted by the Council by the 31 July 2009.

Enclosed with Council's Agenda is a copy of the Draft plan for 2009 - 2012.

## **Draft Resolution**

**That Council accept the draft 2009 – 2012 Shire Plan and offers it for public inspection prior to consideration and adoption at the July Council Meeting.**

## **Draft Resolution**

**That Council fix a charge of \$5 for bound copies of the 2009 – 2012 Shire Plan.**

### **2.3 PowerWater Contract**

Council will recall that back in February we sought to have the PowerWater contract extended for a further period of 3 years. At the time we were told that the contract documentation had not been finalised and we were offered an extension to the contract up to the 9 July 2009.

We have now received advice from PowerWater that they wish to offer a further extension up to the 5 September 2009.

When making inquiries, I was advised that contract documentation was still being prepared. However, it is being prepared on the basis that it will be extended to incorporate the current Coomalie contract. At this point in time I am not able to ascertain if PowerWater will allow two bids for the contract, one for the Coomalie portion and one for the Wagait Beach section or whether they will require the same contractor to undertake the whole contract.

Council will be advised when further information comes to hand.

Received and Noted

### **2.4 Insurances**

Quotations have been sought for Council's insurances.

Details of quotations received will be presented to the council at the meeting.

Work continues to be undertaken on the Shire Plan. The Local Government Act provides that the Plan must be adopted by the 31 July.

## **Draft Resolution**

**That Council accept the quotation of \_\_\_\_\_ for insurance cover for the 2009/10 financial year.**