

WAGAIT SHIRE COUNCIL

MONTHLY MEETING – TUESDAY, 16 SEPTEMBER 2008

MINUTES

Present:

| | |
|----------------|---------------------------|
| Peter Clee | - President |
| Karen Duncan | - Vice President |
| Ken Pittman | - Councillor |
| Kerry Murphy | - Councillor |
| Brian Edwards | - Councillor |
| Rocco Magnoli | - Councillor |
| Wally Lenyszyn | - Chief Executive Officer |

1. MEETING OPENING

The Council President Peter Clee opened the meeting at 7.00pm.

Apologies: Cr Vic Stow

Resolution No. 08/54

That the apology of Cr Stow be accepted.

Moved: Cr Murphy
Seconded: Cr Magnoli
Result: Carried 6-0

1(a) DECLARATION OF INTERESTS

Nil

2. MINUTES FROM PREVIOUS MEETINGS

Monthly Council Meeting - 19 August 2008

Resolution No. 08/55

That the minutes of the Monthly Meeting of 19 August 2008 be accepted.

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

2.1 Matters Arising from the Minutes:
2.1.1

3. INWARDS CORRESPONDENCE

3.1 Development Consent Authority

Forwarding a copy of a development application submitted by Optus for the establishment of a telecommunications tower on Lot 13 Wagait Tower Road.

The President advised that the Council has received a communication from the DCA advising that Council would be given an extension of time to comment on

the proposed development. The DCA has also acknowledged that due to Council's meeting cycle, in the future, sufficient time would be afforded to the Council to comment on proposals.

The Authority is seeking Council's comments on the proposed development. (Details of the proposal have been previously forwarded to Councillors.)

Given the short timeframe available for the Council to comment an extension of time was sought from the DCA. The extension was granted.

In addition, the Council has received a number of objections, (Ref Attachment Pg 6) A further objection from M Kiem and D Harry was tabled.

The Council is asked to consider the proposed development with a view to responding to the DCA. (N 4.6)

Resolution No. 08/56

That Council object to the proposed Optus Development Application on the following grounds:

- **The application is deficient and misleading in that the plan shown as Figure 2 on page 2 in the Connell Wagner Pty Ltd report is not a current photograph and fails to identify the current development surrounding the site.**
- **The Development Consent Authority failed to provide adequate notification (and therefore opportunity to comment) to persons within the immediate surrounding area who may be detrimentally impacted by the development.**
- **The Council is concerned over the possible detrimental impact of electromagnetic radiation upon surrounding residents.**
- **The proposed development does not comply with building setback requirements of the Planning Scheme.**
- **The proposed development should provide for a sealed roadway access to the site.**
- **The alternative Charles Point Road site would be better suited to the proposed development.**

Moved: Vice President Duncan

Seconded: Cr Murphy

Vote: Carried 6-0

3.2 National Local Govt. Drug and Alcohol Advisory Committee

Seeking Council support in making representations to the Federal Government on the matter of local government being given the right to have a say on the sale and distribution of alcohol.

The Committee have prepared a series of recommendations that if accepted will provide council with a say on alcohol management. (Ref Attachment No 9)

The Committee proposes that local government should be empowered to carry out the following functions:

- *To control the approval of building permits that comply with identified alcohol management design principles.*
- *To decide whether a premises is suitable for a licence, to set conditions on noise, trading hours, and other amenity grounds.*
- *To set limits/caps on the outlet density in local government precinct plans.*
- *To assess licences and development approvals on grounds of public interest, harm minimisation, emergency services capacity and local amenity grounds.*
- *To set other conditions on licences such as venue layout requirements, availability of water and food, seating and internal lighting conditions.*
- *To cancel licences if amenity and harm minimisation conditions are not consistently met.(A 13)*

(Further support documentation is available upon the request of Councillors)

Resolution No 08/57

That the Council is of opinion that it should not be a function of local government to control the sale/distribution of alcohol.

Moved: Cr Edwards
Seconded: Cr Pittman
Vote: Carried 6-0

3.3 The Hon Anthony Albanese MP

Responding to Council's request for support to representations for responsible consumption of alcohol by Aboriginals and the failure of the Government's Intervention Program.

"I appreciate the concerns you raise regarding the intervention and the rise in inappropriate behaviour in the Cox Peninsula local area associated with excessive alcohol consumption. These issues are most appropriately referred to Minister Macklin as you have done." (B 2)

Tabled and Noted

3.4 Department of Local Government

Responding to Council's representations concerning NT Operational funding levels.

"The Government has prepared a new, objective methodology for the distribution of NT Operational Grants for 2008/09.

For a number of years, the distribution of NT Operational Grants has not reflected distribution according to objective factors such as population, geographic area and service delivery locations.

The Department has developed an objective methodology for the distribution of NT Operational Grants, based on (but not identical to) the methodology developed by the NT Grants Commission.

The base methodology has the following key features:

- *The primary distribution measure is the indigenous population of the shire. This reflects the original intent of the grant and is in line with the commitments of the Territory Government under the Closing the Gap policy framework)*
- *The secondary distribution adjusters are service delivery 'location' and 'dispersion' factors. These reflect the fact that large shires and those with dispersed service delivery locations have higher costs than smaller shires with less dispersed service delivery locations.*
- *The grant will only be provided to shire councils (reflecting the status quo where only community government councils receive the grant). This will include the 'mini' shires of Belyuen, Coomalie and Wagait.*

A proposal for Wagait, Coomalie and Belyuen shires to form an alternate Council should consider the benefits under the new methodology, as the new funding model recognise the dispersed delivery locations.” (G 1.6)

Resolution No 08/58

That Council express its disappointment to the Minister for Local Government on the Government's discriminatory methodology being applied to determine NT Operational grant allocations and that the suggestion of a council amalgamation is seen as a threat and not warranted at this time.

Moved: Cr Edwards
Seconded: Cr Magnoli
Vote: Carried 6-0

3.5 Northern Territory Grants Commission

Advising that as a result of the Government's 'New Local Government' the Commission has re-visited and amended the cost adjusters that are used in the methodology in determining grant allocations.

“The effect of the changes we adopted has been to 'move money from the bitumen to the bush'.”

The Commission is now seeking comment on how they might further improve the process.

Councillors will note that the methodology proposed to be adopted is similar to that outlined above in the Department of Local Government correspondence.

Enclosed with the Agenda is a copy of the Grants Commission discussion paper.

It is interesting to note that the Commission has recognised that “The Location factor recognises the increased costs faced by local governments due to their location and isolation works.” The Dispersion factor also suggests that there has been an increased cost due to Council amalgamations. What happened to the Governments economies of scale argument and rhetoric of large savings the new shires were going to achieve. (G 1.6)

Resolution No 08/59

That the Council respond to the NT Grants Commission discussion paper "Refining the NTGC Methodology" by way of expressing the following views:

- That the proposed cost adjustors are racially biased towards Aboriginal communities.
- That the Wagait Shire should not be disadvantaged as a result of the Governments local government reform.
- That the Grants Commission should recognise the value and work being undertaken by the smaller councils and that ongoing funding to the smaller councils should be no less than the 2008/09 level indexed annually to the movement in the CPI.
- The cost adjustors are unfair in that all they do is shift funds from one area to supplement the perceived Government shortfall in funding of the new larger shires.

Moved: Cr Murphy
Seconded: Cr Magnoli
Vote: Carried 6-0

Resolution 08/60

That the Council seek the support of LGANT in making representations to the Government and NT Grants Commission in ensuring that smaller Councils like Wagait Shire are not financially disadvantaged as a consequence of the NT Grants Commissions methodology review.

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

3.6 Ministerial Assistant, Minister for Infrastructure & Transport

Advising that the Council's correspondence regarding the Mandorah Ferry Service will be drawn to the attention of the Minister at the earliest opportunity. (N 4.7)

Tabled and Noted

3.7 Office of Chief Minister

Advising that the Council's correspondence regarding Aboriginal Antisocial behavior will be drawn to the attention of the Chief Minister at the earliest opportunity. (B 2)

Tabled and Noted

3.7 Office of Marion Scrymgour MLA

Advising that the Council's correspondence regarding the Mandorah Ferry Service will be drawn to the attention of the Minister at the earliest opportunity. (N 4.7)

Tabled and Noted

4. REPORTS:

4.1 CEO's Report

4.1.1 Local Government Reform Issues

4.1.1.1 2008 Elections

The Returning Officer has fixed the following dates for the conduct of the October 2008 Council Election:

| | | |
|----------|-----------|---|
| 12/09/08 | 5.00pm | Opening of Nominations |
| 23/09/08 | 5.00pm | Close of Rolls |
| 02/10/08 | 12.00noon | Close of Nominations |
| 03/10/08 | 10.00am | Declaration of Nominations/Draw for Ballot paper Position |
| 08/10/08 | | Pre-Poll Voting Commences |
| 25/10/08 | 8.00am | Polling Day |

Tabled and Noted

4.1.1.2 2008 Elections

On the 25 August I met with representatives of the NT Electoral Commission and Department of Local Government to discuss the conduct of the forthcoming Council Election. Also in attendance were representatives from LGANT, Litchfield and Coomalie Councils.

Items worthy of reporting are:

- The NTEC has only just received the new Local Government Electoral regulations.
- A communication network will be established to provide Council staff with NTEC staff.
- A communication strategy will be established for dissemination of election information.
- Councils will be asked to provide staff at Council Offices for pre-polling.
- A Candidates handbook is being prepared.
- Each candidate will need to pay \$100 when submitting their nomination form.
- A nomination form is to be signed by three persons.
- Voting is compulsorily.
- Councils will be provided with roll information that will need to be checked prior to the roll actually being printed.

- All necessary materials, forms etc. for the conduct of the election will be provided by the NTEC.
- Polling will be conducted between 8.00am – 6.00pm on election day.
- A request for payment of 85% of the NTEC's quote was requested.

Tabled and Noted

4.1.1.3 October Meeting of New Council

The Local Government Act prescribes that the first meeting of a Council after an election shall be held within 14 days of the conclusion of the election.

The Returning Officer has advised that he will declare the results of the poll on Monday 3 November 2008.

The Council is asked when would be a suitable day and time to hold a meeting within 14 days after the 3rd November.

It is proposed that this meeting deal only with the swearing in of Councillors and any other statutory matters.

Resolution No 08/61

That the first meeting of the new Council be held on the 16 November 2008 commencing at 7.00pm.

Moved: Cr Magnoli
Seconded: Cr Pittman
Vote: Carried 6-0

4.1.1.4 Authorised Officers

The following report was presented to the Council at its July meeting:

Prior to any officer being able to act or institute any proceedings under the new Local Government Act, it is necessary to obtain Council authorisation.

The authorisation is mainly required to allow officers to enter upon property and ascertain the identity of persons.

At the July meeting, the Council requested that additional information be provided.

- *The Act provides for the Council to appoint authorised officers to exercise powers under the Act under any limitations or conditions the Council may wish to impose.*
- *An authorised person has the power to ask a person's name and address or provide further evidence of a specified kind of identity, and to enter upon lands or premises with the consent of the owner or where a warrant has been issued or in an emergency with the CEO's approval.*

- *An authorised purpose is to investigate a suspected offence against the Act:*

In an emergency to protect the health of or prevent injury to a person or animal or to relieve the suffering of an animal or to seize or destroy a savage, diseased or injured animal.

Destroying a dog that has, within the preceding 24 hours, attacked and injured a person in a public place.

Exercising any other power conferred on an authorised person by the Act.

- *The provision of the new Act are similar to the provisions of the old Act. If anything, the old Act was more regulatory as it provided for the seizure of goods.*

The Council at its August meeting then requested that further information be provided:

In the appointment of an authorised officer the Council can place limitations on what the officer can and can't do.

It is not necessary for the Council to have an authorised officer. All the authorisation does is provide the officer with support when undertaking his/her duties. Without the authorisation the officer is open to challenge when undertaking duties. i.e picking up a stray dog knowing he has the approval of the Council v's picking up a stray dog, in the interests of the community and Council with the owner potentially being able to sue the employee for having no right to pick the dog up.

The Council could authorise an officer to take certain action each time a situation arises. This would not be practicable as not all incidents occur at times of Council meetings.

Part 13.2 of the Local Government deals with the issue of "Regulatory Orders". The orders, which the Council can make provide for:

- *Having an unsightly condition cleaned up including removal of unsightly structures or objects.*
- *Require a person to construct drains to prevent water from the land draining across an adjoining road.*
- *Require someone to cut back overhanging vegetation.*
- *Require owner or occupier to fence the land to prevent animals from running out from the land across a road.*
- *Require the owner or occupier to clear away objects or materials that could prove hazardous to neighbours during a cyclone.*
- *Require action to reduce the number of cats kept on a property.*
- *Require action to reduce noise and odours.*
- *Require the destruction of a dangerous animal that cannot be adequately controlled in its current location.*

When it is necessary for the Council to take action in respect of an order it would be more convenient to have an authorised officer implement the action.

From my understanding of the Council's concerns, the Council appears reluctant to authorise someone to ask for names and addresses and enter property. In relation to entering a property, the legislation already provides that an authorised officer cannot enter a property without the consent of the owner.

The authorisation is also convenient should an officer be hindered in the undertaking of duties. Where there is no authorisation, the officer has no comeback on a person causing hindrance to an officer undertaking their duties.

Resolution No. 08/62

That pursuant to Section 112 of the Local Government Act the Council appoints Mr Wally Lenyszyn and Mr Gary Zikan as authorised officers of the Wagait Shire Council for the purpose of dealing with the humane destruction of injured or vicious animals.

Moved: Vice President Duncan

Seconded: Cr Murphy

Vote: Carried 6-0

4.1.1.5 IT Support Arrangements

The Council has received a proposal from LGANT to provide ongoing IT support arrangements. LGANT will provide services for Desktop, server, email and web support under the following terms:

1. At a rate of \$99/hr plus GST for all technician support, training and travel time.
2. Consumables will be charged at cost.
3. LGANT provides no guarantees in relation to problem response time, server uptime/availability or time to finally effect a problem resolution or fix.
4. Telephone support will be charged at \$99/hr pro-rata when calls exceed 20 minutes duration. Up to that window, all support calls made to LGANT will be free.
5. Web support services that exceed 20 minutes in duration will similarly be subject to a \$99/hr pro-rata rate when they exceed 20 minutes duration.
6. Major projects such as web site redesign or major revision, site cabling, server installation, training courses and major upgrades will be negotiated through a quotation service.

IT support of this nature is required, and although may be available elsewhere, given LGANT's knowledge of our system, it is considered reasonable that we continue to support LGANT. The only question that arises is what about the work currently being undertaken by LGANT on our behalf.

Resolution No. 08/63

That Council accept the LGANT proposal for providing ongoing IT support arrangements subject to any work commenced by LGANT prior to the agreement not being part of the agreement.

Moved: President Clee

Seconded: Vice President Duncan
Vote: Carried 6-0

4.1.1.6 New IT Arrangements

As part of the need to upgrade our computer network because of the local government reform, the following are new addresses that are now in use by the council:

E-Mail council@wagait.nt.gov.au (Jill)
 ceo@wagait.nt.gov.au (wally)
 works@wagait.nt.gov.au (Gary)
 president@wagait.nt.gov.au (President)
Web Site <http://www.wagait.nt.gov.au>

Tabled and Noted

4.1.1.7 Regional Management Plan

In July I circulated a copy of the Draft Regional Management Plan. Council has now received a copy of the final Regional Management Plan. (RMP) (Although it still requires corrections for Cox Peninsula Council.) (refer separate enclosure with Agenda)

The following matters, from the Plan, are brought to the attention of the Council:

Shire councils must participate in the Regional Management Plan. LGANT can also contribute to the RMP.

Pg 4 – The new Act specifically provides for a RMP to include the joint management of facilities of Councils, such as a regional cemetery or regional waste management facility. Cooperative arrangements, with regards to resource sharing and development at a regional level, are intended provide service delivery efficiencies, including the benefits of economies of scale.

The Local Government Department is to report annually to the Minister for Local Government on the performance of councils as measured against the relevant RMP.

The development of cooperative relationships between local government councils within a region, and between councils and other organisations and agencies with interests in the region, will improve capacity to provide more efficient services, achieve economies of scale and attract additional resources to the region.

Cooperation between local governments in a region will strengthen the ability to lobby and influence government policy, develop service delivery funding submissions and negotiate major projects with public agencies.

Taking the above issues into account and the contents of the RMP we should be looking forward to more dollars and improved and new services.

What the documents lacks is how the collective group of Councils will get together, who will take charge of the administrative arrangements needed to oversee the Committee, will members have voting rights, how many members will sit on the Committee and how often the Committee will meet.

The other concern is trying to identify what we have in common with the other local governments covered by the plan.

Resolution No. 08/64

That Council request the Department of Local Government to provide details of administrative arrangements for the Northern Region Local Government Regional Management Plan.

Moved: Cr Edwards
Seconded: Cr Murphy
Vote: Carried 6-0

4.1.2 Monthly Status Report

Please find attached (Attachment. Pg 4) 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.

It was reported that a Wagait Beach sign has been erected at the Stuart Highway/Cox Peninsula Road intersection.

Tabled and Noted

4.1.3 Issues Arising from Last Meeting

4.1.3.1 Waste Oil

Arrangements have been made to purchase drums for the disposal of waste oil. Council's workers are currently designing a funnel that will hopefully be vandal proof.

The drums should be in place at the Dump within the next two weeks.

4.1.3.2 Removal of Rubble from Dump Site

Three companies have been identified as possible removalists. Cleanaway (131339), Transwaste and Veolia (89478947) In addition, we will calculate what would be required to dispose of the waste on-site.

The outcome of investigations will be provided to Council at the October meeting.

4.1.3.3 Office Traineeship

Expressions of interest were invited from interested persons to undertake the traineeship.

To date, there has been no interest expressed.

4.1.3.4 Drainage Motions

Council at its last meeting raised the matter of responsibility for undertaking works/maintenance within the drainage network. It was suggested that the Council had addressed the matter some years ago.

A review of Council decisions back to 1995 was undertaken and the only decision recorded was in November 1997 when the council resolved:

“That Council is to obtain legal opinion on Council’s responsibility in regard to the new kerbing and open drain. If someone drives into the drain, or has a collision with the kerbing, what are the Council’s liabilities? Clerk to advise legal experts that none of the roads are as yet gazetted under the due control of the Council”

It has not been possible to find any legal advice that may have been received.

My opinion would be that the Council is responsible for the care and maintenance of the drainage network. Any person desiring to undertake work within the road reserve (drainage) area would require the approval of the Council. This would also apply to vehicular crossovers where approval would be required. The Council is within its rights to charge the adjoining landowner for any requested works, including crossovers.

Resolution No. 08/65

That Council is responsible for the care and maintenance of the drainage network. Any person desiring to undertake work within the road reserve (drainage) area is required to obtain the approval of the Council. This also applies to vehicular crossovers where approval is required. The adjoining landowner is responsible for all costs for any requested works, including crossovers.

Moved: Cr Edwards
Seconded: Cr Murphy
Vote: Carried 6-0

4.1.3.5 Memorial Wall

The offer for persons to submit design suggestions for a memorial wall was advertised in the September edition of the Wagaitear. No responses were forthcoming.

At a recent meeting I was able to establish a contact with a person involved in the cemetery industry for some time.

Unless the Council has some other ideas, it is proposed to contact this gentleman with the view to having a design prepared.

4.1.3.6 Sportsground Water

Council at its last meeting asked what arrangements could be put in place for the upgrading of the water supply at the Sportsground.

A quotation has been obtained for a new water tank:

| | |
|--------------|------------|
| 6,000 litre | \$1,220.00 |
| 11,000 litre | \$1,500.00 |
| 25,000 litre | \$2,700.00 |

There has also been more thought given to the installation of the bore. In any event, the additional tank storage facility would continue to be used.

With the Caretaker on site and campers, during the past month there have been several occasions when we have run out of water and with water deliveries only available on a weekly basis, there have been 3–4 day periods without water.

Resolution No 08/66

That Council purchase a 25,000 litre water tank for the Sportsground.

Moved: Vice President Duncan
Seconded: Cr Edwards
Vote: 6-0

It was suggested that it may be more appropriate to purchase 2 x 11,000 litre tanks.

It was agreed that further quotations be obtained and the matter be reconsidered by the Council at its next meeting.

4.1.4 Regional Group of Councils

At the invitation of the Darwin City Council the President and myself met with representatives from the Darwin City Council and Palmerston Council. Representatives from Litchfield and Coomalie Councils were also invited but were unable to attend.

The Lord Mayor opened the meeting and advised that Darwin City had been contemplating the establishment of a group of Councils that had regional interests. Similar to the former Top End Regional Group of Councils. (TOPROC)

Darwin City, Palmerston, Litchfield and Coomalie were identified as a group that could benefit from discussions at a regional level. If the group were to get on and positive results were achieved, this could solve the problems of any further Council amalgamations.

An objective of the group would be to increase services currently available to communities.

The big picture issues to be discussed could include:

- Global warming and the impact upon the harbour
- Waste disposal
- Planning
- Statehood, Constitutional Recognition
- Need for increased Government grants
- Aboriginal Land Claim issues
- Impact of Implex and Woodside developments
- Future infrastructure needs
- ? Development of Cox Peninsula
- Establishment of Relationship with Government and Opposition
- Discuss general matters of a mutual interest.

With the potential expansion of Darwin and its environs there needs to be some serious planning undertaken, and quickly if extended communities and increased service industries are to be accommodated. It was agreed that the group as proposed would be a useful forum to discuss these major issues. It was suggested that the group should get together every month or two with each Council having two delegates and the CEO as its representatives.

The next meeting is to be held at the DCC on Tuesday 16 September at 12.00 noon.

Resolution No. 08/67

That the President and Vice-President Duncan be nominated as delegates to the Regional Group of Councils.

Moved: President Clee

Seconded: Cr Murphy

Vote: Carried 6-0

4.1.5 Special Purpose Grant – Election Expenses

As part of the initial establishment costs for the new Wagait Shire, Council was granted an amount of \$10,000 for the conduct of the October 2008 election.

Based upon known cost for the election, there is no way that we will require the full allocation.

There are however other establishment matters that have not been funded and require funding prior to implementation.

Resolution No. 08/68

That Council make representations to the Minister for Local Government to apply the unspent portion of the Specific Purpose Grant for the conduct of the October 2008 Election to be used to offset other costs associated with the establishment of the new Wagait Shire.

Moved: Cr Edwards
Seconded: Cr Magnoli
Vote: Carried 6-0

4.1.6 Final Council Meeting

The next Council meeting scheduled for the 21 October will mark the final meeting of this Council.

Members are asked if they wish to recognise the event by way of some type of social event following the meeting.

It was agreed that a social bbq be held on the 19th October 2008 commencing at 1.00pm and that all current and previous Cox Peninsula Community Government Councillors and partners be invited.

Works Report:

4.2.1 General Matters

4.2.1.1 Roadmarking

I believe that the Council would agree that the Wagait Tower Road requires linemarking. The current lines are virtually nonexistent.

We have received a quote in the amount of \$1,368.00 to undertake the work.

The quote is conditional upon the contractor being in the area and doing other work at the same time and the roadway being swept clean by the Council.

Resolution 08/69

That the Council accept the quote from Top End Linemarkers to undertake linemarking of the Wagait Tower Road.

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

4.2.2 Works Supervisor's Report

Mr Zikan has submitted the following report: for August/ September:

4.2.2.1 Dogs and Wildlife

We have received quite a number of reports of cross-bred dingoes frequenting the estate and fringes of the estate. People are very concerned that I have not had the authority to act in regard to controlling this potentially dangerous presence. Also of concern is the inability to

destroy maimed wildlife for the same reason as stated above. Luckily for one maimed kangaroo, Police happened by and destroyed the poor beast. Others have not been so lucky and have suffered unnecessarily.

4.2.2.2 Dump

All green waste has been pushed up by Council and has been burned by the Fire Brigade

Raking of the disposal area continues to be undertaken three times per week and burning of the hole is undertaken four days per week.

We will shortly need to clear another area at the back of the dump for building waste or have the existing waste removed or buried.

On the list of upcoming duties is the maintenance of the tip entrance road before the onset of any rains.

4.2.2.3 Water

The bores are still being operated manually due to a malfunction somewhere in the system. As has been previously reported by the Works Dept., we have notified PowerWater and they have indicated their desire to rectify the problem and bring things back to normal as soon as possible. Powerwater have indicated they will be repairing all of these problems within the next 2 weeks.

Tank No. 2 (the one closest to the road) was filled post repair. However, leaks were detected, the tanks were emptied and the contractors called back to rectify the problem. The tank in question is now full and isolated and is being monitored for any further problems.

We continue to receive a number of callouts during the period for which Powerwater have been billed.

4.2.2.4 Jetty

Graffiti was again painted over.

More barnacles were removed.

Regular washing down and removal of litter undertaken.

There continues to be an increase in the amount of litter in the carpark, particularly under the large tree.

4.2.2.5 Estate

Once again, volunteers turned up on Sunday 31st August to paint the roadside kerbing along Wagait Tower Rd. This has helped immensely in our quest to complete this ongoing project and is appreciated very much.

We have begun to erect plastic guideposts along the side of Wagait Tower Rd. If funds are available and the desire of Council for this practice to continue exists, we can continue to erect these posts within the Estate.

The major rut on the old boat-ramp beach access road has been repaired. This involved transporting of gravel to the site, filling in, watering down and compacting.

4.2.2.6 Community Centre

Community Centre Genset continues to be started on a fortnightly basis and run for 1.5hrs. We are currently looking for a back-up power supply for the battery. In the process of fitting an exhaust to stop gasses from entering the complex.

The gardens surrounding the Centre are being watered on a twice weekly basis together with removal of leaves & waste from veranda and paths.

4.2.2.7 Sportsground

The relocation of the Caretakers caravan has taken place and has been secured to the ground by way of steel supports concreted into the ground. The accompanying veranda has been put in place and the fence shall be erected in due course.

The toilet and storeroom doors have been replaced, along with the fans and lights which were damaged by vandals.

The Caretaker and Campers at the Sportsground have recently had the unpleasant experience, on a number of occasions, of having no water due to the insufficient capacity of the existing tank. A quote of \$1,500 for a 10,000 litre tank has been obtained.

4.2.2.8 Works Program

Other specific works/projects to be undertaken when time permits include as follows. Please note that these projects are additional to routine works undertaken on a daily basis.

| JOB | EST START | EST COMP | COMPLETED |
|---|-----------|--------------------|-----------|
| Landscaping at rear of Community Centre | May 08 | Subject to finance | |

| | | | |
|--------------------------------------|------------------|--------------|------|
| Genset protective cage | April 08 | July 08 | |
| Concrete tables & chairs | May 08 | Aug.08 | Part |
| Paint Road Barriers | June 08 | September 08 | |
| Gravel Dump Entrance Road | June 08 | July 08 | |
| Repair finishing deck | July 08 | July 08 | |
| Repair Pressure Cleaner | (report to Cnl) | | Yes |
| Sportsground Caretaker Fence | August 08 | September 08 | |
| Purchase trailer | October 08 | October 08 | |
| Removal of builders rubble from Dump | October 08 | Nov 08 | |
| Install guide posts & signs | Sept 08 | Sept 08 | |
| Upgrade Dump entrance | October 08 | Nov 08 | |
| Clean gutters Council buildings | September 08 | Sept 08 | |

Tabled and Noted

The Council agreed that Cr Magnoli be allowed to seek options and quotations for a replacement trailer.

Sport & Recreation Report:

4.3.1 General Matters

4.3.1.1 Recreation Officer

I advised at the last meeting that there was some interest shown in the Recreation Officer Position.

Since then, the person to whom I have spoken has indicated that they would like to complete their study this year following which there is every likelihood that they will apply for the position.

There has also been one other person express interest, although I am not confident that they will follow up their inquiry.

The CEO advised that he had received one application and further information would be provided to the next meeting.

Tabled and Noted

4.3.2 Recreation Officer's Report

No Report submitted

OFFICERS REPORTS

Resolution No. 08/70

That the Officer's reports be received and accepted.

Moved: Vice President Duncan

Seconded: Cr Murphy

Vote: Carried 6-0

5. OTHER OR LATE CORRESPONDENCE:

Monthly Mail List – Inward Correspondence: (Refer Att. Pg 16)

Monthly Mail List – Outward Correspondence: (Refer Att. Pg 18)

Late Correspondence:

1. M Kiem & D Harry
Expressing concern over the time it takes to fill water carts at the Powerwater standpipe.

Resolution No. 08/71

That Council express concern to PowerWater over the length of time it is taking to repair the outflow pipe at the water standpipe.

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

Resolution No. 08/72

That the Inwards Correspondence be received and the Outwards correspondence be confirmed.

Moved: President Cleo
Seconded: Cr Edwards
Vote: Carried 6-0

The President adjourned the meeting at 8.49pm.

The meeting resumed at 8.55pm.

6. FINANCIAL MATTERS

6.1 Financial Report:

6.1.1 Program Report by Account S 13 LG (Acc) Regs: (Ref Att, Pg 20)

6.1.2 Bank Reconciliation Statements (Refer Attachment Pg 45)

6.1.3 Invoices Paid May (Refer Attachment Pg 48)

Resolution No 08/73

That the August Monthly Financial Reports be accepted.

Moved: Cr Murphy
Seconded: Cr Magnoli
Vote: Carried 6-0

6.2 Audit Report 2007/08

The Audit of Councils accounts for 2007/08 has been completed.

The Auditor's Report is enclosed. (Refer Attachment Pg 50)

There have been no irregularities or non-compliance issues identified in the accounts. The Auditor has however made the following comment:

"The Council is dependent on operating grants from Government and funding agencies. The financial statements have been prepared on a going concern basis in the expectation that such funding will continue."

Resolution No. 08/74

That the Council receive and note the Auditor's report for the 2007/08 financial year.

Moved: Cr Edwards
Seconded: Cr Murphy
Vote: Carried 6-0

6.3 Annual Report and Accounts

The 2007/08 Annual Financial Statement has been completed and audited. (Included with agenda as part of the Annual Report)

The Annual Report has also been completed and is attached to the Agenda.

The Local Government Accounting Regulations require that the Financial Statement be placed before the Council.

Resolution No. 08/75

That the Cox Peninsula Community Government Council 2007/08 Annual Report and Financial Statements be received and copies forwarded to the Department of Local Government and Grants Commission.

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

6.4 Community Benefit Fund

An application has been submitted to the Community Benefit Fund for funding the repair of the court at the Sportsground.

A quotation has now been received for the repair works.

| | |
|---------------------------|----------|
| - Repairs Only | \$20,160 |
| - Repairs and Resurfacing | \$26,190 |

Normally the CBF only funds up to \$5,000. Grants above this amount are very rare. Although the application has been forwarded, I am not confident that it will be successful.

As a consequence, I have identified a further source of funding in the Major Community Grants program.

I have forwarded an application for a grant of \$25,000 to enable the repairs to be carried out.

Resolution No. 08/76

That Council endorses the application for a grant of \$25,000 from the Major Community Grant program to undertake repairs to the multi-purpose court at the Sportsground.

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

6.5 Community Centre Audit

At the request of the Department of Infrastructure, Transport, Regional Development and Local Government arrangements were made to have the accounts pertaining to the construction and development of the Community Centre audited. The Department requested the audit for the purpose of grant acquittal. The audit is also part of the conditions of the grants provided by the Department. (Refer Attachment Pg 52)

The Auditor has reported that the schedule of income and expenditure in respect of the Community Centre presents fairly the activities of the Council in respect of the grant.

Resolution No. 08/77

That Council receive the Audited Report on the Wagait Beach Community Centre and that the a copy of the report be forwarded to the Department of Infrastructure, Transport, Regional Development and Local Government for the purpose of acquitting grants provided by the Department for the project.

Moved: Cr Edwards
Seconded: Cr Pittman
Vote: Carried 6-0

6.6 Appointment of Auditor

The Local Government Act requires the Council to appoint an Auditor. The appointment can be up to four years.

Council's previous appointment of an Auditor was for a period of one year only due to the potential Council amalgamation.

Resolution No. 08/78

That Council Invite tenders for an appropriately qualified Auditor to undertake the audit of Council's accounts for a period of three years commencing 2008/09.

Moved: Cr Edwards
Seconded: Cr Magnoli
Vote: Carried 6-0

7. AGENDA ITEMS

Nil

8. GENERAL BUSINESS

- 8.1** Cr Magnoli suggested that the jetty should be cleaned three times during the week and not on Sunday.

The Council indicated that the current arrangements were the most suitable.

- 8.2** Cr Magnoli requested that the placement of a stop or give way sign should be erected in Baluria Road at the Cox Drive intersection.

The CEO advised that he would report on the matter at the next meeting.

- 8.3** The Council requested that details of employment contract dates and annual leave be provided to the next meeting.

- 8.4** The Council requested that works employees be requested to complete detailed job cards for a two week period.

- 8.5** Cr Magnoli reported that the lock chain at the jetty was in need of repair.

9. IN-CAMERA ITEMS

Nil

10. MEETING CLOSE AND DATE OF NEXT MEETING

There being no further business, President Clee closed the meeting at 9.25pm.

The next monthly Council Meeting is to be held on Tuesday 21 October 2008 at 7.00pm.

PRESIDENT: _____

DATE: _____

CEO: _____

DATE: _____