



MEETING OF COUNCIL

THURSDAY, 25 MAY 2023

10:00 AM

Held at the West Daly Regional Council Chambers
NGANMARRIYANGA

This meeting is open to the public excluding confidential
Council business.

Agenda available online and if any queries please contact
Governance and Quality Assurance Officer on

info@westdaly.nt.gov.au

or phone: 08 7922 6403

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AGENDA

West Daly Regional Council Council Meeting

25 MAY 2023

**WEST DALY REGIONAL COUNCIL CHAMBERS,
NGANMARRIYANGA NT**

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

West Daly Regional Council acknowledges the Traditional Owners and custodians of the lands on which we live and work, paying our respect to Elders past, present and in the future.

PRESENT APOLOGY AND LEAVE OF ABSENCE

Elected Members:

Name	Title	Present	Apology	Absent
Ralph Narburup	Mayor			
Wilfred Harris	Deputy Mayor			
Mark Tunmuck-Smith	Councillor			
John Wilson	Councillor			
Terry Sams	Councillor			
Jake Clark	Councillor			

Staff:

Name	Title	Present	Apology	Absent
Matthew Eastham	Chief Executive Officer			
Andrew Everingham	Chief Operations Officer			
David Glover	Executive Director Corporate Services			
Sharon Binns	Governance			
Julianne Wylie	EA to CEO and Mayor			

CONFIRMATION OF MINUTES

- 1 Confirmation of previous minutes 5

DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF

Are there any matters that is a conflict of interest for members on this agenda?

GENERAL BUSINESS

Are there any matters of General Business that are not on this agenda?

REPORTS

- 2 Finance Report - April 2023..... 18
3 DRAFT Declaration of Rates and Charges 2023/34 34
4 Headstone replacement and Grave identification Wadeye/Nilinh sites 42
5 JLT Public Sector Risk Report..... 51
6 Meeting dates period ending June 2024..... 76
7 Draft Regional Plan 2023-24 82
8 Service Delivery 84
9 Chief Executive Officer Report 90
10 Grant - Removal of Abandoned vehicles - Common Seal..... 93
11 Grant - Fossil Head shelter upgrades - Common Seal 107

CORRESPONDENCE IN AND OUT

- 12 Correspondence Report..... 115

CONFIDENTIAL

- 13 Confirmation of previous confidential minutes

The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(e) of the Local Government (General) Regulations 2021. It contains information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest. (Confidential matters).

- 14 Appointment of new Auditor for WDRC
The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(d) of the Local Government (General) Regulations 2021. It contains information subject to an obligation of confidentiality at law, or in equity. (Confidential Discussion - RFQ - Appointment of new Auditor).
- 15 Diminin Cemetery Project 2023
The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(d) of the Local Government (General) Regulations 2021. It contains information subject to an obligation of confidentiality at law, or in equity. (Confidential Contract agreement).
- 16 2022-23 Capital Grant Funding agreement
The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(d) of the Local Government (General) Regulations 2021. It contains information subject to an obligation of confidentiality at law, or in equity. (Confidential).
- 17 Invitation to extend NT Government contract Remote Tenancy
The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(d) of the Local Government (General) Regulations 2021. It contains information subject to an obligation of confidentiality at law, or in equity. (Confidential Contract).
- 18 Tender Approval Period Contract - Civil Works
The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(d) of the Local Government (General) Regulations 2021. It contains information subject to an obligation of confidentiality at law, or in equity. (Confidential).
- 19 Tender Approval - Wadeye Swimming Pool
The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(d) of the Local Government (General) Regulations 2021. It contains information subject to an obligation of confidentiality at law, or in equity. (Confidential).
- 20 Mayors Work Vehicle
The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(iv) (d) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.; AND information subject to an obligation of confidentiality at law, or in equity. (Legal Advice - Mayors Vehicle).



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 25 MAY 2023

Report for Agenda Item No 1

Prepared by **Sharon Binns, Governance & Quality Assurance
Officer**

Confirmation of previous minutes

Purpose

To ensure Elected Members of Council have read and understood the minutes of previous meetings when making decisions for the West Daly region.

Background

The Ordinary Council meeting of Elected Members held on the **27 April 2023** are provided for your decision as a true record of the meeting.

If the minutes require amendment or updates, this is the time to make those changes.

The minutes are a record of the decisions made by Elected Members through discussion and debate in order to authorise business of Council. These minutes will then be a living document and stored appropriately for the next seven (7) years then destroyed.

These meeting minutes are submitted to Council for confirmation that the minutes are a true and correct record of the meeting for those in attendance.

The meetings held confidentiality will be provided in the Confidential Agenda of Council.

Statutory Environment

*Local Government Act 2019 (NT) ss 101 and 102.
Code of Conduct*

Impact for Council

Respect for confidences, being accountable and making decisions of paramount importance with transparency in the best interests for the West Daly region.

Strategic Alignment

This report is aligned to the West Daly Regional Plan 2022-23:

Focus 1 - Strengthen our Organisation	
1.2 Governance	
Journey 1.2.2	Continued development of the compliance framework
Journey 1.2.3	Continue to strengthen the governance framework and encourage active contribution at all meetings

Recommendation

1. That Council approve the Ordinary Council Meeting Minutes of 27 April 2023 as a true and correct record of the meeting.

Attachments

- 1 OCM Minutes



MINUTES OF THE COUNCIL MEETING
HELD IN THE WEST DALY REGIONAL COUNCIL CHAMBERS
WINNELLIE NT
ON THURSDAY, 27 APRIL 2023
AT 10:00 AM

Before the Council meeting, the Elected Members had another meeting that went over time. The CEO considered attendance and declared the meeting delayed in compliance with the *Local Government Act* s100.

Due to the Mayors late arrival, Deputy Mayor Harris declared the meeting opened at 10:40am.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

West Daly Regional Council acknowledges the Traditional Owners and custodians of the lands on which we live and work, paying our respect to Elders past, present and in the future.

PRESENT APOLOGY AND LEAVE OF ABSENCE

Elected Members:

Name	Title	Present	Apology	Absent
Ralph Narburup	Mayor	Late arrival at 12:41pm		
Wilfred Harris	Deputy Mayor	X		
Mark Tunmuck-Smith	Councillor	X		
John Wilson	Councillor	X		
Terry Sams	Councillor	X		
Jake Clark	Councillor	X		

Staff:

Name	Title	Present	Apology	Absent
Matthew Eastham	Chief Executive Officer	X		
Andrew Everingham	Chief Operations Officer	X		
Sharon Binns	Governance	X		
Julieanne Wylie	EA to CEO and Mayor	X		

Guest:

Colvin Crowe – Department of Chief Ministers and Cabinet

Dale Campbell – CouncilBiz – Finance matters

CONFIRMATION OF MINUTES**1) Confirmation of previous minutes**

020/2023 Sharon read the report.

Motion:

- 1. That Council approve the Ordinary Council Meeting Minutes of 29 March 2023 as a true and correct record of the meeting.**

Moved: Cr. Wilson
 Seconded: Cr. Sams
 Resolution: Unanimously

DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF

There were no declarations of interest at this Council Meeting.

GENERAL BUSINESS

Matthew Eastham	-	Meeting dates for 2023-2024
Cr Wilson	-	Rubbish at Peppimenarti
Cr Tunmuck-Smith	-	Civil workers
	-	Mechanic Workshop services
	-	Dumping ground - TDC

REPORTS**2) Local Authority Minutes and Recommendations**

021/2023 Sharon spoke to the report.

The CEO will speak to the Mayor with regards to his attendance at all Local Authority meetings.

Councillor Tunmuck-Smith advised that calling Local Authority meetings off due to unrest is not a good look for Council. The CEO advised that it is the Chairperson of the Local Authority with guidance from Elected Members who make the decision about cancelling the meetings. It is Elected Members responsibility to ensure they engage with their Local Authority Chairperson and inform of the importance of meeting as there is a risk of losing government funding.

Motion:

- 1. That Council notes the cancellation of the Wadeye Local Authority meeting scheduled 12 April 2023.**
- 2. That Council notes the cancellation of the Palumpa Local Authority meeting scheduled for 13 April 2023.**
- 3. That Council notes the meeting minutes of the Peppimenarti Local Authority meeting scheduled for 13 April 2023.**

4. That Council supports that Local Authority meetings in future be changed to 4 times a year to be confirmed with Local Authority membership.

Moved: Cr. Wilson
 Seconded: Cr. Sams
 Resolution: Unanimously

Cr Mark Tunmuck-Smith left the meeting, the time being 11:15 AM
 Cr Mark Tunmuck-Smith returned to the meeting, the time being 11:21 AM

Cr Jake Clark left the meeting, the time being 11:20 AM
 Cr Jake Clark returned to the meeting, the time being 11:22 AM

3) Finance Report - March 2023

022/2023 Matt spoke to the report with Dale providing expert advice on the financial matters.

As introduction Dale stated at this point of the year, there is some catch up with grant funding and the challenges of having no handover from the previous CFO, therefore there will be changes from the last report.

Cr Tunmuck-Smith asked if the finance snapshot report could be explained and interpreted better.

The CEO explained the information provided and stated with the abrupt exit of the CFO, a number of matters manifested and were identified as issues affecting the finance area. With the new Executive Director of Corporate Services beginning in the last week of May 2023, his wealth of experience will provide the finance team stability whilst working towards a better way to report to Councillors.

Cr Tunmuck-Smith asked about Current Operating Result figure and why in the red. The CEO advised that we are currently waiting on the overdue rates to be paid and other payments that will see an increase in revenue and cash flow. To further explain, if rates are in arrears with organisations that provide Council a service we have implemented a contingency of not paying for services until the debt is remedied.

The forecast is for break even or surplus.

A plan is also in place to review and acquit a number Grants that will see funding released to Council.

It was discussed the benefit of a Pre-OCM to go over the finances for better understanding and advised that it has been a challenge to coordinate in the past and for Elected Members to attend. In moving forward, we will begin the Pre-OCM again and advise of the dates.

Elected Members can contact CEO and CFO prior to the OCM and work through the papers as per previous discussions around accessing information.

Motion:

- 1. That Council notes the Finance report for month ending March 2023.**

Moved: Deputy Mayor Harris
 Seconded: Cr. Wilson
 Resolution: Unanimously

Cr John Wilson left the meeting, the time being 11:34 AM
 Cr John Wilson returned to the meeting, the time being 11:45 AM

Cr Wilfred Harris left the meeting, the time being 11:58 AM
 Cr Wilfred Harris returned to the meeting, the time being 12:00 PM

Cr Mark Tunmuck-Smith left the meeting, the time being 12:00 PM
 Cr Mark Tunmuck-Smith returned to the meeting, the time being 12:03 PM

Cr Mark Tunmuck-Smith left the meeting, the time being 12:09 PM
 Cr Mark Tunmuck-Smith returned to the meeting, the time being 12:11 PM

Cr Jake Clark left the meeting, the time being 12:16 PM
 Cr Jake Clark returned to the meeting, the time being 12:18 PM

4) 2022 - 2023 Budget Reforecast

023/2023 Matt spoke to the report with Dale providing expert advice.

Motion:

- 1. That Council approves and adopts the attached revised 2022-2023 Financial Year Budget.**

Moved: Cr. Sams
 Seconded: Cr. Tunmuck-Smith
 Resolution: Unanimously

5) 2023 - 2024 Draft Budget

024/2023 Matt spoke to the report with Dale providing expert advice.

Cr Tunmuck-Smith asked about fees and charges and informed that these will be updated and provided for the Regional Plan.

Motion:

- 1. That Council resolves to approve the Draft 2023-24 Budget.**

Moved: Cr. Tunmuck-Smith
 Seconded: Cr. Sams
 Resolution: Unanimously

Cr Terry Sams left the meeting, the time being 12:33 PM
 Cr Terry Sams returned to the meeting, the time being 12:35 PM

6) Elected Member Allowances 2023-2024

025/2023 Matt spoke to the report.

Motion:

- 1. That Council approves the payment of the maximum allowances to Elected Members as determined by the Remuneration Tribunal for the 2023-24 financial year.**
- 2. That the Council note the changes in allowances do not come into effect until 1 July 2023.**
- 3. Council approves the inclusion of the maximum approved allowances in the 2023-24 Regional Plan.**

Moved: Cr. Sams
Seconded: Cr. Tunmuck-Smith
Resolution: Unanimously

7) Local Authority Allowance 2023-24

026/2023 Matt spoke to the report.

Motion:

- 1. That Council set the maximum allowance to Local Authority members for the 2023-24 financial year.**
- 2. That the Council note the changes in allowances do not come into effect until 1 July 2023.**
- 3. Council approves the inclusion of the approved maximum allowance for Local Authority allowances in the 2023-24 Regional Plan.**

Moved: Cr. Tunmuck-Smith
Seconded: Cr. Sams
Resolution: Unanimously

8) Elected Member meeting Agenda and Responsibilities

027/2023 Sharon spoke to the report.

Motion:

1. That Council note the notification periods for convening meetings.
2. That Council note that Elected Members have a dedicated West Daly Regional Council email address for communication purposes.
3. That Council note that the Agendas for meetings can be accessed through the West Daly Regional Council website, via WDRC email, by visiting a West Daly Regional Council Office or by contacting the CEO directly via phone which complies with the notification period.
4. That Council note that Elected Members will access the Agenda for meetings via one of the means noted in this paper.
4. That Elected Members understand their responsibilities and will prepare for meetings by being well informed with the appropriate notification.

Moved: Deputy Mayor Harris
Seconded: Cr. Sams
Resolution: Unanimously

Meeting is closed for lunch break at 1:05pm to reconvene at 1:30pm

Deputy Mayor Harris declared the meeting reopened 1:38pm

9) Policy Approval

028/2023 Sharon read from the report.

Motion:

1. That Council approves the following policies that have been endorsed by the CEO:
 - a) GOV05 Allowances and Expenses (EM) policy with effect 1 July 2023
 - b) GOV14 Annual Return of Interest policy

Moved: Deputy Mayor Harris
Seconded: Cr. Sams
Resolution: Unanimously

10) Local Government Immediate Priority Grants 2021-2022

029/2023 Sharon spoke to the report.

Motion:

1. **That Council note the acquittal for the Local Government Immediate Priority Grant 2021-2022 being for a Tipper Truck and skid steer compact track loader.**

Moved: Cr. Sams
Seconded: Cr. Wilson
Resolution: Unanimously

11) Australian Local Government Association (ALGA) National General Assembly 2023

030/2023 Sharon spoke to the report.

Motion:

1. **That Council approves the Deputy Mayor Wilfred Harris, Councillors John Wilson and Councillor Mark Tunmuck-Smith, CEO and at CEO discretion selected members of the Senior Leadership team, to attend the Australian Local Government Association National General Assembly to be held in Canberra on 13-16 June 2023.**

Moved: Cr. Sams
Seconded: Cr. Tunmuck-Smith
Resolution: Unanimously

12) Organisational culture, leadership and change

031/2023 Matt spoke to the report.

Motion:

1. **That Council note the report provided by Driftwood Life and Leadership regarding West Daly Regional Councils organisational culture, leadership and change.**
2. **That Council supports the ongoing leadership development of staff within the West Daly Regional Council.**

Moved: Cr. Wilson
Seconded: Cr. Sams
Resolution: Unanimously

13) Service Delivery

032/2023 Andrew spoke to the report.

Cr Wilson asked with Peppimenarti community being closed down, what about Peppimenarti rubbish collection. Informed that it was scheduled for the morning of the meeting and will continue until unable to do so due to the health and safety of our employees.

Motion:

- 1. That Council acknowledges the opportunity to discuss matters with the COO and notes the information discussed with the COO.**

Moved: Cr. Sams
 Seconded: Cr. Wilson
 Resolution: Unanimously

14) Chief Executive Officer Report

033/2023 Matt spoke to his report.

Motion:

- 1. That Council notes and accepts the CEO report and acknowledges the invitation for Councillors to ask questions of the CEO regarding the report.**

Moved: Cr. Sams
 Seconded: Cr. Wilson
 Resolution: Unanimously

15) GENERAL BUSINESS

034/2023 Matthew Eastham - meeting dates for 2023-2024

The current schedule will require amendment and requires a decision on changes to meeting dates as follows:

25 May 2023 - Councillors confirmed they would like the OCM in Palumpa.

14-16 June 2023 - Local Authority meetings will need to be rescheduled due to the ALGA conference.

21 June 2023 - scheduled as Finance Committee, will need to be changed to OCM in order to deal with matters for the Regional Plan.

19 July 2023 - Councillors confirmed they would like the OCM in Wadeye.

25 July 2023 - The CEO will discuss with the new CFO regarding the ARMC to be scheduled at this time.

Overall it was decided that future Council meetings (OCM) will be held the last Thursday of every 2nd month (where possible) with the Finance Committee to convene the alternative months at the same time.

The CEO will work on the future meeting dates and provide this to Councillors via their WDRC email address.

Recommendation:

That Council note the new dates and accept the CEO will advise Elected members of 2023-2024 schedule when provided.

Moved: Cr. Sams
 Seconded: Cr. Wilson
 Resolution: Unanimously

Cr Wilson

- Rubbish at Peppimenarti has been dealt with in Service Delivery report.

Cr Tunmuck-Smith left the meeting at approximately 2:45pm due to personal reasons therefore his General Business matters cannot be discussed.

- Civil workers and their paygrades
- Mechanic Workshop services
- Dumping ground – TDC dumping fish and their rubbish

DECISION TO MOVE TO CLOSED SESSION

RECOMMENDATION:

Members of the press and public be excluded from the meeting of the Closed Session and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld. This action is taken in accordance with Section 65(2) of the *Local Government Act* as the items lists come within the following provisions:-

- 15 Confirmation of previous confidential minutes** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(e) of the Local Government (General) Regulations 2021. It contains information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest. (Confidential matters).*
- 16 Councils Asset Policy and Audit Requirements** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(e) of the Local Government (General) Regulations 2021. It contains information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest. (Infrastructure and Asset Management - Internal Council Policy for Discussion/Approval).*
- 17 Outstanding Insurance Claims Snapshot - Nganmariyanga Flooding** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(e) of the Local Government (General) Regulations 2021. It contains*

information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest. (Internal Council Operations - Civil Works - Flood Recovery).

- 18 Organisation Observations - Leadership Report** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(iv) (a) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.; AND information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual (Executive Leadership).*
- 19 LGANT 2023 April Conference and General Meeting** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(f) of the Local Government (General) Regulations 2021. It contains information in relation to a*



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 25 MAY 2023

Report for Agenda Item No 2

Prepared by **Matthew Eastham, CEO**

Finance Report - April 2023

Purpose

To provide the Financial Management Reports for the period ended 30 April 2023.

Background

The *Local Government (General) Regulations 2021*, Division 7, require that Council receive a report setting out:

- (a) the actual income and expenditure of the council for the period from the commencement of the financial year up to the end of the previous month; and
- (b) the most recently adopted annual budget; and
- (c) details of any material variances between the most recent actual income and expenditure of the council and the most recently adopted annual budget.

Council has continued to meet its financial obligations for the period, as per the attached report.

CouncilBIZ has assisted WDRC in the preparation of this finance report.

WDRC is currently transitioning financial responsibilities from CouncilBIZ back to the WDRC over the next 4 to 6 weeks.

Internal financial audits continue to be conducted across WDRC financial accounts and grant accounts.

Statutory Environment

Regulation 17 of the *Local Government (General) Regulations 2021*.

Impact for Council

Under Regulation 17 of the *Local Government (General) Regulations 2021* Council must receive the Financial Report.

Strategic Alignment

This report is aligned to the West Daly Regional Plan 2022-23:

Focus 1 - Strengthen our Organisation	
1.2 Governance	
Journey 1.2.3	Continue to strengthen the governance framework and encourage active contribution at all meetings

Recommendation

- 1. That Council notes and approves the Finance report for month ending April 2023.**

Attachments

- 1 Finance Report - April 2023



FINANCIAL MANAGEMENT REPORT

For the period ended 30 April 2023

Certification by the Council CEO

Council Name: WEST DALY REGIONAL COUNCIL
Reporting Period Ended: 30 April 2023



To the best of the CEO's knowledge, information and belief:
(1) the internal controls implemented by the council are appropriate; and
(2) the monthly reports best reflects the financial affairs of the council.


Matthew Eastham ASM
CEO

Date: 19/5/23

Snapshot - Financial Report

Revenue \$ 11.372 M 	Current Ratio 1.27 	Cash at Bank \$ 5.80M 
Expenditures \$ 13.187 M 	Unspent Tied Funds \$ 5.046M <small>(including commitments of \$869K)</small> 	Net Current Assets \$ 1.5 M 
Operating Result \$ -1.814K <small>(including tied grants)</small> 	Local Authority \$ 498 K 	Capital Expenditures \$ 2.73 M 

WDIRC Financial Management Report April 2023

Income and Expense Statement - Actual v Budget

	YTD Actuals \$	YTD Budget \$	YTD Variance \$	Annual Budget \$	Note Reference
OPERATING INCOME					
Rates	1,411,366	1,439,297	(27,931)	1,439,297	
Charges	754,658	972,294	(217,636)	972,294	
Fees and Charges	797,059	1,510,600	(713,540)	1,812,719	
Operating Grants and Subsidies	7,514,914	8,459,565	(944,651)	10,151,478	
Interest / Investment Income	206,566	214,906	(8,341)	257,888	(1)
Commercial and Other Income	688,230	110,907	577,323	133,088	(1)
TOTAL OPERATING INCOME	11,372,792	12,707,568	(1,334,776)	14,766,763	(2)
OPERATING EXPENDITURE					
Employee Expenses	5,112,271	4,892,985	(219,286)	5,871,582	
Operational & Other Expenses	4,021,709.56	2,863,852	(1,157,858)	3,436,622	(3)
Elected Member Allowances	179,194	180,153	959	216,183	
Elected Member Expenses	47,839	42,481	(5,358)	50,977	
Council Committee & LA Allowances	4,518	8,047	3,529	9,657	
Council Committee & LA Expenses	1,152	7,694	6,543	9,233	
Interest Expenses	240,533	185,324	(55,209)	222,389	
Repair and Maintenance	650,708	745,637	94,929	894,765	
Materials and Contracts	2,929,749	2,374,261	(555,488)	2,849,113	
TOTAL OPERATING EXPENDITURE	13,187,674	11,300,435	(1,887,239)	13,560,522	
OPERATING SURPLUS / DEFICIT	(1,814,882)	1,407,133	(3,222,015)	1,206,241	(4)
Depreciation, Amortisation and Impairment	909,752	948,849	(39,097)	1,138,619	
SURPLUS / (DEFICIT) INCLUDING DEPRECIATION	(2,724,635)	458,284	(3,182,919)	67,623	

WDIRC Financial Management Report April 2023

Monthly Balance Sheet Report

BALANCE SHEET AS AT 30 APRIL 2023		YTD Actuals	Note	BALANCE SHEET AS AT 30 APRIL 2023		YTD Actuals	Note
		\$	Reference			\$	Reference
ASSETS							
Cash at Bank		5,802,448	(5)	LIABILITIES		174,892	(7)
Tied Funds		5,046,504	(6)	Accounts Payable		10,027	
Untied Funds		755,944		ATO & Payroll Liabilities		451,901	
Accounts Receivable		984,399		Current Provisions		0	
Trade Debtors		424,845		Accruals		5,004,362	
Rates & Charges Debtors		559,554		Other Current Liabilities		5,641,182	
Other Current Assets		370,042		TOTAL CURRENT LIABILITIES			
TOTAL CURRENT ASSETS		7,156,889		Non-Current Provisions		27,448	
Non-Current Financial Assets				Other Non-Current Liabilities		5,771,559	
Right-of-Use Assets		5,328,871		TOTAL NON-CURRENT LIABILITIES		5,799,007	
Property, Plant and Equipment		1,934,137		TOTAL LIABILITIES		11,440,188	
Other Non-current Assets		2,911,304		NET ASSETS		5,891,012	(8)
TOTAL NON-CURRENT ASSETS		10,174,311		EQUITY			
TOTAL ASSETS		17,331,200		Asset Revaluation Reserve			
				Reserves			
				Accumulated Surplus		5,891,012	
				TOTAL EQUITY		5,891,012	

WIDRC Financial Management Report April 2023

Variance Analysis

Income/Expense or Balance Sheet Item	Note Ref	Comments
Commercial and Other Income	(1)	Balance varies compared to previous report due mainly to reclassifying certain income sources
Total Operating Income	(2)	Operating Income varies compared to previous report. Previous amounts were varied outside financial system, income now reported from within ledger.
Operational & Other Expenses	(3)	Variance to budget is less than prior periods
Operating Surplus	(4)	Operating Defecit will vary compared to previous report due to change in treatment of income.
Cash at Bank	(5)	Cash position largely unchanged from previous period
Tied Funds	(6)	Tied Funds amount has been re-classified to incorporate unspent grant liability. Balance varies from prior periods. Further analysis will take place on basis of 2022 Audit Report.
Accounts Payable	(7)	Liability largely unchanged from previous period
Net Current Assets	(8)	Balance varies from prior periods due to change treatment Tied Funds

Monthly Balance Sheet Report Details of Cash and Investments Held

Cash and Investments Held		Apr-23
11110 - Bank Operational		(29,160)
11130 - Bank High Inter	831,215	
11210 - Petty Cash	392	
12110 - Term Deposit	5,000,000	
TOTAL CASH	5,802,448	

Cash and Investments Held		Apr-23
Tied Funds		5,046,504
Untied Funds		755,944
Cash at Bank		5,802,448

* 11110 Balance due to bank reconciliation delay
Details of Cash Investment - Fixed Term

Product	Actual Balance	Available Balance	Interest Rate	Maturity
Fixed Term Deposit	\$1,000,000	\$0	4.06%	6/06/2023
Fixed Term Deposit	\$1,000,000	\$0	4.06%	6/06/2023
Fixed Term Deposit	\$1,000,000	\$0	4.27%	26/06/2023
Fixed Term Deposit	\$1,000,000	\$0	4.25%	19/07/2023
Fixed Term Deposit	\$1,000,000	\$0	4.25%	19/07/2023

Current Ratio

“How many dollars do we have for every dollar we owe?”

	Current Assets	Current Liabilities	
Cash in Bank	5,802,448	Accounts Payable	174,892
Less: Grants to be refunded		Other Current Liabilities	451,901
	5,802,448	Grants in advance	
Trade and Rates Debtors	984,399	Commitments	
Other Current Assets	370,042	Unspent Grants (Agency & Core)	5,004,362
Less:			
Staff Liability	7,156,889		5,631,154

1.27

Current Ratio for FY2022/23

PERIOD	July	August	September	October	November	December	January	February	March	April
FY 22/2023	1.50	1.72	2.07	1.77	1.63	1.41	1.57	1.82	1.46	1.27

Monthly Balance Sheet Report
Statement on Debts Owed to Council (Accounts Receivable)

Trade Debtors Ageing Analysis	
Current	59,099
Unapplied	-139,420
Over 30 days	207,155
Over 60 days	13,944
Over 90 days	171,828
Total	312,606

Monthly Balance Sheet Report
Statement on Debts Owed by Council (Accounts Payable)

Trade Creditors Ageing Analysis	
Current	68,469
Unapplied	-86,378
Over 30 days	71,675
Over 60 days	26,494
Over 90 days	6,247
Total	86,507

Monthly Balance Sheet Report Highest 10 Contractor Payments/ Items paid in the month

	Supplier Name	Territory	Interstate
13479	Sitzler Pty Ltd	\$ 129,964.67	
13467	Conigrave Pty Ltd T/A RMI Security	\$ 66,440.00	
13098	AUTOTREND WINNELLE	\$ 59,990.00	
13342	TITAN PLANT HIRE PTY LTD t/ Territory Plant Hire	\$ 57,742.30	
10376	COUNCLBIZ	\$ 46,991.02	
13505	True North Strategic Communication Pty Ltd	\$ 43,303.16	
13461	TOA Construction Pty Ltd	\$ 32,870.75	
12172	DJ AIR & ELECTRICAL SERVICES PTY LTD	\$ 27,204.36	
13280	The BelRose Group Pty Ltd	\$	\$ 21,010.00
12857	Z FURNITURE	\$ 13,139.50	
13142	COZENS JOHANSEN LAWYERS PTY LTD	\$ 13,035.00	
		\$ 490,680.76	\$ 21,010.00

Financial Report for each Local Authority Area

	Regional Office/Unallocated Darwin 200			LAI Nganmarr/Yanga 300		
	YTD Actuals \$	YTD Budget * \$	YTD Variance \$	YTD Actuals \$	YTD Budget \$	YTD Variance \$
OPERATING INCOME						
Rates	0	0		106,776	90,741	16,035
Charges	0	0		71,055	76,288	(5,234)
Fees and Charges	4,402	8,344	(3,941)	62,728	118,883	(56,155)
Operating Grants and Subsidies	0	0		507,322	571,094	(63,772)
Interest / Investment Income	0	0		0	0	0
Commercial and Other Income	(3,591)	(579)		194,798	31,391	163,407
TOTAL OPERATING INCOME	812	7,765	(6,953)	942,679	888,397	54,281
OPERATING EXPENDITURE						
Employee Expenses	1,371,941	1,313,093	(58,848)	495,304	474,058	(21,246)
Operational & Other Expenses	547,449	477,413		264,677	230,816	(33,861)
Elected Member Allowances	0	0		11,062	11,122	59
Elected Member Expenses	3,432	3,048		10,931	9,706	(1,224)
Council Committee & LA Allowances	(2,661)	(18,594)		1,963	13,715	11,752
Council Committee & LA Expenses	3,366	5,733		0	0	0
Interest Expenses	0	0		0	0	0
Repair and Maintenance	1,768	2,026	258	130,728	149,800	19,071
Materials and Contracts	256,482	207,853	(48,630)	301,344	244,208	(57,136)
TOTAL OPERATING EXPENDITURE	2,181,777	1,990,570	(191,207)	1,216,009	1,133,425	(82,584)
OPERATING SURPLUS / DEFICIT	(2,180,966)	(1,982,805)	(198,160)	(273,330)	(245,028)	(28,303)
Depreciation, Amortisation and Impairment	824,285	323,657	0	0	0	0
SURPLUS / (DEFICIT) INCLUDING DEPRECIATION	(2,180,966)	(1,982,805)	(198,160)	(273,330)	(245,028)	(28,303)

WDIRC Financial Management Report April 2023

Income and Expense Statement - Actual v Budget

	LA2 Peppinmanti 400			LA3 Wadeye 700			TOTAL		
	YTD Actuals \$	YTD Budget \$	YTD Variance \$	YTD Actuals \$	YTD Budget \$	YTD Variance \$	YTD Actuals \$	YTD Budget \$	YTD Variance \$
OPERATING INCOME									
Rates	120,256	102,197	18,060	1,184,333	1,006,476	177,857	1,411,366	1,199,414	211,952
Charges	71,143	76,383	(5,240)	612,460	657,573	(45,113)	754,658	810,245	(55,587)
Fees and Charges	122,038	231,288	(109,250)	607,891	1,152,086	(544,194)	797,059	1,510,600	(713,540)
Operating Grants and Subsidies	886,485	997,920	(111,434)	6,121,107	6,890,551	(769,445)	7,514,914	8,459,565	(944,651)
Interest / Investment Income	0	0	0	206,565,73	214,906	(8,341)	206,566	214,906	(8,341)
Commercial and Other Income	161,504	26,026	135,478	335,518	54,068	281,450	688,230	110,907	577,323
TOTAL OPERATING INCOME	1,361,427	1,433,813	(72,387)	9,067,875	9,975,660	(907,785)	11,372,792	12,305,636	(932,844)
OPERATING EXPENDITURE									
Employee Expenses	757,907	725,397	(32,510)	2,487,120	2,380,437	(106,683)	5,112,271	4,892,985	(219,286)
Operational & Other Expenses	252,527	220,221	(32,306)	2,219,325	1,935,402	(283,923)	3,633,488	2,863,852	(769,636)
Elected Member Allowances	24,163	24,292	129	143,968	144,739	771	179,194	180,153	959
Elected Member Expenses	6,352	5,641	(712)	27,124	24,086	(3,038)	45,769	42,481	(3,289)
Council Committee & LA Allowances	725	5,066	4,341	1,125	7,860	6,735	4,518	8,047	3,529
Council Committee & LA Expenses	0	0	0	1151,82	1,962	810	1,152	7,694	6,543
Interest Expenses	0	0	0	240,533	185,324	(55,209)	240,533	185,324	(55,209)
Repair and Maintenance	151,643	173,766	22,123	366,569	420,046	53,477	650,708	745,637	94,929
Materials and Contracts	79,737	64,619	(15,118)	2,292,186	1,857,581	(434,605)	2,582,309	2,374,261	(208,048)
TOTAL OPERATING EXPENDITURE	1,273,055	1,219,002	(54,053)	7,779,102	6,957,437	(821,665)	12,449,943	11,300,435	(1,149,508)
OPERATING SURPLUS / DEFICIT	88,372	214,811	(126,439)	1,288,773	3,018,223	(1,729,450)	(1,077,151)	1,005,201	(2,082,353)
Depreciation, Amortisation and Impairment	0	0	0	85,468	625,192	0	909,752	948,849	0
SURPLUS / (DEFICIT) INCLUDING DEPRECIATION	88,372	214,811	(126,439)	1,203,305	2,393,031	(1,729,450)	(1,986,904)	56,352	(2,082,353)

* Peppinmanti results affected by closure of services throughout the month of April 2023

WDIRC Financial Management Report April 2023

Member and CEO Council Credit Card Transactions

Where a council credit card has been issued to an Elected Member and/or the CEO, a list per cardholder of all credit card transactions in the month is to be published including the name of the supplier, the amount for each transaction and the reason for the transaction.

Cardholder Name: M Eastham

Transaction Date	Amount \$	Supplier's Name	Reason for the Transaction
19/04/2023	\$17.99	Arlo	Essential Indoor Security Camera Subscription
20/04/2023	\$16.00	News Limited Surry Hills	Newspaper subscription
Total	\$33.99		



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 25 MAY 2023

Report for Agenda Item No 3

Prepared by **Matthew Eastham, CEO**

DRAFT Declaration of Rates and Charges 2023/34

Purpose

To approve the 2023/24 DRAFT Declaration of Rates and Charges for inclusion in the DRAFT Regional Plan 2023-24 in preparation for public consultation.

Background

The DRAFT Declaration of Rates and Charges 2023/24 forms part of Councils yearly income. Council's income is derived from:

- Rates and statutory charges;
- Local Government Operational Grants; and
- Grants provided by other Agencies to undertake specific funded programs (such as Aged Care);

In determining the rating regime for 2023/24, Council has considered its sources of "own source income" as discussed below:

Income from rates and statutory charges

Rates and statutory charges, along with operational grants and any income derived from commercial sources, is referred to as 'own source income' and, is used to fund Councils municipal activities. This income can be used (expended) in any way that the Council directs and is used to fund all basic municipal services and discretionary projects.

Local Government operational grants

Due to uncertainty around grant distribution in the Commonwealth and NT government budgets all operational grants will be reviewed once 2023/24 levels are confirmed.

Grants from other Agencies

The Council undertakes a number of programs on behalf of other government agencies (Agencies). The budgets for these programs are typically defined by the funding agency. Surpluses from these programs are considered

'unexpended grants'. The funding agency may determine whether these funds are returned to the funding agency or carried over into the following year to fund the program. Grants can only be used for the purpose for which the grant is given and thus the Council cannot determine the allocation of these budgets. Within the 2023/24, all agency budgets are self-contained. That is, expenditure is always equal to the income received.

In determining the rating regime for 2023/24, the Council has considered a number of factors, including:

- The Council's statutory and legislative obligations
- The service level expectations of the communities, residents and ratepayers
- The remoteness of the West Daly Region and the cost of providing services
- The security of the West Daly Region and the increased costs of operating in an unstable security environment
- The funding environment and any reductions in income from grant and own source income
- The asset management and asset renewal obligations of the Council
- The Council's priorities with regards to local employment and maintenance of community based employment and training opportunities
- How current and future rating practices will impact on the Council's financial sustainability
- How existing services (particularly waste management) and others can be funded from existing revenue sources
- Mandatory staff cost increment as per EBA
- Federal level CPI index and Local government cost index
- Operational costs of the Wadeye Swimming Pool
- Council's budget obligation to balance the short fall

It is proposed that the relevant interest rate for late payment remains at 18%, which reflects the average credit card rate in Australia and brings the Council in-line with other local government organisations in the Northern Territory.

Statutory Environment

Pursuant to Section 219 of the *Local Government Act 2019*, Council may only levy rates on conditionally rateable land in accordance with a rating proposal approved by the Minister for Local Government at least 1 month before the commencement of the financial year for which the rates are declared. The relevant Interest rate for the late payment of rates and charges is fixed in accordance with Section 245 of the *Local Government Act 2019*.

Impact for Council

Compliance with the *Local Government Act 2019*.

Strategic Alignment

This report is aligned to the West Daly Regional Plan 2022-23.

Impact for Council

Council will be in Compliance with Act.

Recommendation

- 1. That Council notes and approves the DRAFT Declaration of Rates and Charges 2023/24 for inclusion in the Regional Plan 2023-24.**
- 2. That Council notes that the final Declaration of Rates and Charges 2023/24 will be put before Council for approval at the June OCM.**

Attachments

- 1 DRAFT Declaration of Rates and Charges 2023/2024

West Daly Regional Council

Declaration of Rates and Charges 2023/2024



Notice is hereby given pursuant to *Section 241 of the Local Government Act 2019* (the Act), that the following rates and charges were declared by the West Daly Regional Council ("Council") at the Ordinary Council Meeting held on XX June 2023 pursuant to Chapter 11 of the Act, in respect of the financial year ending 30 June 2024.

For the purpose of this declaration:

"allotment"	has the meaning set out in section 225 of the Act.
"Commercial purposes"	means rateable land used for commercial, industrial, community or other business purposes and irrespective of any intention to profit from such use.
"Council area"	means the area of Council as defined in the Act.
"garbage collection service"	the "garbage collection service" comprises a kerbside collection service of one garbage collection visit per week with a maximum of one 240 litre mobile bin per garbage collection visit. The total garbage collection service charge for an allotment is as follows: Total Garbage Collection Service Charge = garbage collection service charge x #bins assigned x #assigned minimum garbage collection services. The number of assigned collection services are dependent upon the community.
"Mining tenement"	has the meaning set out in section 7 of the Act
"Pastoral lease"	has the meaning set out in section 3 of the <i>Pastoral Land Act</i>
"Rateable land"	as defined at section 218 of the Act.
"Residential dwelling"	means a dwelling, house, flat or other substantially self-contained residential unit or building on residential land (whether or not it is exempt from rates) and includes a unit within the meaning of the Unit Titles Act and the Unit Titles Schemes Act;
"Residential land"	means land used or capable of being used for residential purposes (but does not include land on which there is no residential dwelling);
"Residential purposes"	means rateable land used or capable of being used for residential purposes.
"the Act"	means the <i>Local Government Act 2019</i> (NT) as in force.

Rates

The Council made the following declaration of rates pursuant to Chapter 11 of the Act:

1. Pursuant to section 227 of the Act, the Council adopts, as the basis of determining the assessed value of all allotments in the Council area, the unimproved capital value as it appears on the valuation roll prepared by the Valuer-General under the *Valuation of Land Act 1963* (NT).
2. However, consistent with section 227(3) of the Act:
 - (a) the unimproved value of a mining tenement is its assessed value; and
 - (b) the unimproved value is taken to be 20 times the annual rental payable under the tenement.
3. The Council, pursuant to section 237 of the Act, declared that it intends to raise, for general purposes by way of rates, the amount of \$1,572,894 which will be raised in accordance with section 226 of the Act. The basis of rates are the valuation-based amounts calculated as a proportion of the assessed value of each allotment with which are subject to minimum amounts and/or fixed amounts.
4. The Council declared the following differential rates with minimum amounts being payable in application of each of those differential rates:
 - (a) With respect to every allotment classed as Residential land in the council assessment record, a differential rate of 5.0624% of the assessed value of such land will apply with a minimum amount being payable in the application of this rate being \$1,714.52 multiplied by:
 - (i) the number of separate parts or units that are adapted for separate occupation or use on each allotment (pursuant to section 226(5) of the Act); or
 - (ii) the number 1,whichever is the greater.
 - (b) With respect to every allotment classed as Commercial land in the council assessment record, (excluding Pastoral leases and mining tenements), a differential rate of 16.9048% of the assessed value of such land will apply with a minimum amount being payable in the application of this rate being \$2,028.82 multiplied by:
 - (i) the number of separate parts or units that are adapted for separate occupation or use on each allotment (pursuant to section 226(5) of the Act); or
 - (ii) the number 1,whichever is the greater.
 - (c) With respect to every allotment of Rateable land within the Council area that is classed as Vacant land, a differential rate of 5.0624% of the assessed value with a minimum amount being payable in the application of that charge being \$1,714.52 (as set out in section 226 of the Act).
 - (d) With respect to every allotment of Rateable land within the Council area that is classed as Other land [not listed elsewhere in this declaration] a differential rate of 5.0624% of the assessed value with a minimum amount being payable in the application of that charge being \$1,714.52 (as set out in section 226 of the Act).

- (e) With respect to every allotment of Rateable land within the Council area that is used or occupied for Residential purposes, where there is no Unimproved Capital Value assessed for the allotment, a fixed charge of \$1,714.52 will apply (as set out in section 226 of the Act).
- (f) With respect to every allotment of Rateable land within the Council area that is used or occupied for Commercial purposes (excluding Pastoral leases and mining tenements), where there is no Unimproved Capital Value assessed for the allotment, a fixed charge of \$2,028.82 will apply (as set out in section 226 of the Act).
- (g) With respect to every allotment of Rateable land within the Council area that is Vacant Land, where there is no Unimproved Capital Value assessed for the allotment, a fixed charge of \$1,714.52 will apply (as set out in section 226 of the Act).
- (h) With respect to every allotment of Rateable land within the Council area that is Other Land [not listed elsewhere in this declaration], where there is no Unimproved Capital Value assessed for the allotment, a fixed charge of \$1,714.52 will apply (as set out in section 226 of the Act).
- (i) With respect to every allotment of land within the Council area which is subject to Mining Tenements, the rate will be the assessed value (being 20 times the annual rental payable under the tenement) multiplied by 0.006427, with the minimum amount payable in the application of this rate being \$1,647.93 (as set out in section 226 of the Act).
- (j) Note:
 - (i) contiguous tenements or reasonably adjacent tenements held by the same person are to be rated as if they were a single tenement;
 - (ii) if the owner of the mining tenement is also the owner of the land underlying the mining tenement and is liable for the rates for the underlying land tenure, the only rates payable are either the rates for the mining tenement or the rates for the underlying land tenure, whichever is greater.
- (k) With respect to every allotment of land within the Council area over which there is a Pastoral Lease, the rate will be the assessed value multiplied by 0.000566, with the minimum amount payable in the application of this rate being \$696.28 (as set out in section 226 of the Act).

Charges

Garbage Collection charges

5. Pursuant to Section 239 of Act, the Council declared the following charges for the purpose of enabling or assisting Council to meet the cost of garbage collection services and the waste disposal services it provides for the benefit of eligible ratepayers within the Council area (except such land as Council from time to time determines to be exempt or excluded from the provision of such services or for which the Council has determined it is impractical to provide such services) and the occupiers of such land. The Council intends to raise \$1,076,520 by way of these charges.
6. The following charges were declared by the Council:
 - (a) Residential Garbage Collection Charge:
 - (i) a charge of \$1,365.22 per annum per allotment of Residential dwelling will apply.
 - (ii) the purpose for which this charge is to be imposed is to assist Council in meeting the cost of the garbage collection service it provides to, or which Council is willing and able to provide to each allotment of Residential land in the Council area;
 - (iii) where, in response to a written request from a person liable to pay a charge in respect of a residential dwelling referred to in paragraph 7.(a)(ii), Council approves the request and provides an additional service in the form of a weekly collection of waste

contained in additional garbage bins. An additional service fee of \$1,365.22 per annum in relation to the collection of waste from each additional garbage bin collected through the use by rateable properties of more than one (1) council specified garbage bin. The additional service shall be the provision and collection of waste contained in the number of additional garbage bins approved by Council in response to such written request, and the additional service fee shall be levied and paid in conjunction with the charge for the weekly collection service referred to in paragraph 7.(a)(i).

(b) Commercial Garbage Collection Charge:

- (i) a charge of \$2,474.18 per annum per allotment of Commercial purposes land will apply;
- (ii) the purpose for which this Charge is to be imposed is to assist Council in meeting the cost of the garbage collection service it provides to, or which Council is willing and able to provide to each allotment of Commercial purposes land in the Council area;
- (iii) where, in response to a written request from a person liable to pay a charge in respect of a Commercial Purposes land referred to in paragraph 7.(b)(ii), Council approves the request and provides an additional service in the form of a weekly collection of waste contained in additional garbage bins, an additional charge of \$2,474.18 per annum in relation to the collection of waste from each additional garbage bin collected through the use by rateable properties of more than one (1) council specified garbage bin. The additional service shall be the provision and collection of waste contained in the number of additional garbage bins approved by Council in response to such written request, which charge shall be levied and paid in conjunction with the charge for the weekly collection service referred to in paragraph 7.(b)(i).

(c) All Other Garbage Collection Charge:

- (i) a charge of \$1,365.22 per annum per all other allotment will apply;
- (ii) the purpose for which this Charge is to be imposed is to assist Council in meeting the cost of the garbage collection service it provides to, or which Council is willing and able to provide to each allotment of all other land not applicable to paragraphs 6(a) and 6(b) in the Council area;
- (iii) where, in response to a written request from a person liable to pay a charge in respect of another allotment referred to in paragraph 7.(a)(ii), Council approves the request and provides an additional service in the form of a weekly collection of waste contained in additional garbage bins. An additional service fee of \$1,365.22 per annum in relation to the collection of waste from each additional garbage bin collected through the use by rateable properties of more than one (1) council specified garbage bin. The additional service shall be the provision and collection of waste contained in the number of additional garbage bins approved by Council in response to such written request, and the additional service fee shall be levied and paid in conjunction with the charge for the weekly collection service referred to in paragraph 7.(a)(i).

Waste Disposal and Management Charge

7. Pursuant to section 239 of the Act, the Council declared the following charges in respect of Waste Disposal and Management Charge services it provides for the benefit of all land within the Council area (except such land as Council from time to time determines to be exempt or excluded from the provision of such services or for which the Council has determined it is impractical to provide such services).
8. A charge of every allotment for which the Council is not able to, or not willing to provide a garbage collection service. This charge provides access to landfill facilities within the Council boundaries and is as follows:
 - (a) Waste Disposal and Management charge = \$360.64 for residential allotments.
 - (b) Waste Disposal and Management charge = \$945.58 for commercial allotments.

Animal Management Charge

9. Pursuant to Section 239 of the Act, every allotment of Rateable land within the Council area that is used for Residential purposes in the Council assessment record, and for which the rural classification is not applicable, the Council declared a special charge to be imposed on Rateable land generally for the purpose of "Animal Management" and to assist the implementation of Animal Management in the Council area. The Council intends to raise the amount of \$9,100 by way of this special charge. This rate will be levied on all "Residential land" allotments by application of a fixed charge of \$20.00 per allotment.

Environmental Charge

10. Pursuant to Section 239 of the Act, the Council declared a special charge to be imposed on Rateable land generally "Environmental Charge" for the purpose of assisting with the implementation of waste facility management in the area. The Council intends to raise the amount of \$40,120 by way of this special charge and is as follows:
- (a) This rate will be levied on all "Residential purposes" allotments by application of a fixed charge of \$80.00 per allotment; and
 - (b) This rate will be levied on all "Commercial purposes" allotments by application of a fixed charge of \$100.00 per allotment.

Relevant interest rate

11. The relevant interest rate for the late payment of rates and charges is fixed in accordance with section 245 of the Act at the rate of 18% per annum and is calculated on a daily basis.

Payment dates

12. The Council determined that rates and charges for the year 1 July 2023 to 30 June 2024 inclusive shall be due and payable by the 29th September 2023.
13. Payments falling due on a weekend or public holiday may be paid by the following business day, without incurring any penalty.
- (a) details of due dates and specified amounts will be listed on the relevant rates notice in accordance with section 242 of the Act ("the Rates Notice").
 - (b) variations to those options for payment will be administered according to the conditions outlined on the front and reverse of the Rates Notice.
14. A concession will be provided to eligible residents who qualify under the NT Concession and Seniors Recognition Scheme.
15. A ratepayer and or charge payer who fails to abide by such conditions may be sued for recovery of the principal amount of the rates, charges and interest (if applicable) plus any expenses, costs or disbursements whatsoever incurred by Council in recovering or attempting to recover the rates, charges and interest, including but not limited to, debt collection agency fees and legal costs.

Rates Assessment Record Certification

I certify to the Council that, to the best of my knowledge, information and belief, the rates assessment record is a comprehensive record of all rateable land within the West Daly Region.

Matthew Eastham
Chief Executive Officer
West Daly Regional Council



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 25 MAY 2023

Report for Agenda Item No 4

Prepared by **Sharon Binns, Governance & Quality Assurance Officer**

Headstone replacement and Grave identification Wadeye/Nilinh sites

Purpose

On 29 March 2023, the Wadeye Local Authority asked Council to approve \$50,000 for the Wadeye/Nilinh cemetery headstone replacement and grave identification.

Background

An administrative error occurred where this request was omitted from the report and therefore requires Council approval.

Under the Agenda topic Community Projects of the meeting that occurred with Wadeye Local Authority on 8 February 2023, an amount of \$50,000 was missed from the recommendation.

It is therefore requested for Council to approve this amount.

Statutory Environment

Local Government Act

Impact for Council

Assist with Wadeye/Nilinh headstones and grave identification.

Strategic Alignment

This report is aligned to the West Daly Regional Plan 2022-23:

Focus 1 - Strengthen our Organisation	
1.2 Governance	
Journey 1.2.3	Continue to strengthen the governance framework and encourage active contribution at all meetings

Recommendation

1. That Council note that the Wadeye Local Authority minutes excluded the request for approval for \$50,000 being Headstone Replacement and Grave identification.
2. That Council approve the Wadeye Local Authority to fund \$50,000 for Headstone replacement and Grave identification for Wadeye/Nilinh sites.

Attachments

- 1 8 Feb 2023 Wadeye LA minutes



MINUTES OF THE MEETING
 HELD IN THE WADEYE COUNCIL CHAMBERS
 LOT 463 PERDJERT STREET
 WADEYE NT 0822
 ON WEDNESDAY, 8 FEBRUARY 2023
 AT 10:00AM

Deputy Mayor Wilfred Harris opened the meeting 10:08am

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

West Daly Regional Council acknowledges the Traditional Owners and custodians of the lands on which we live and work, paying our respect to Elders past, present and in the future.

PRESENT, APOLOGIES AND ABSENCE

	Name	Present	Apology	Absent
1	Deputy Mayor Wilfred Harris	X		
2	Mayor Ralph Narburup via Teams	X		
3	Cr. Jake Clark	X		
4	Cr. Tunmuck-Smith	X		
5	Damien Tunmuck		X	
6	Ken James	X		
7	Mark Ninnal	X		
8	Timothy Dumoo			X
9	Cyril Ninnal	X		
10	Basil Parmbuk	X		
11	Margaret Perdjert		X UNTIL JUNE 2023	
12	Anne Marie Nudjulu		X	
13	Gregory Munar	X		
14	Steven Pulchen (Chairperson)	X		
	Quorum for meeting needs 8 present	10	3	1

GUESTS

Kardu Diminin Cemetary working group
Nicole Douglas – Northern Land Council
May Bury – Northern Land Council
Patrick Briston – Northern Land Council
Colvin Crowe – Chief Ministers

CONFLICT OF INTEREST ON ANY MATTERS ON AGENDA

There were no conflicts to note at this meeting.

CONFIRMATION OF MINUTES**1) Local Authority Meeting minutes for approval**

001/2023 **Motion:**

1. That Wadeye Local Authority members note and confirm the minutes from the meeting held on 21 April 2022 as true and correct record.
2. That Wadeye Local Authority note the minutes from the 28 June 2022 where the decision was made to postpone the meeting.
3. That Wadeye Local Authority members note that a meeting was called on 17 August 2022 and after 30 minutes the meeting was cancelled.
4. That Wadeye Local Authority note the minutes from the 19 October 2022 meeting being a provisional meeting.

Moved: Cr. Clark
Seconded: Cr. Tunmuck-Smith
Resolution: Unanimously

REPORTS**2) Member attendance and nomination for Chairperson**

002/2023 Councillor Jake Clark advised Steven Pulchen wanted to nominate as Chairperson.

There were no other nominations for Chairperson and all present unanimously voted by a show of hands that the appointment is passed.

Motion:

1. That the Local Authority receives and notes the member attendance report.
2. That the Local Authority understands if the member does not submit an apology that they are absent from the meeting.
3. The Local Authority accept the nomination of Steven Pulchen as Chairperson effective immediately.

Moved: Cr. Clark
Seconded: Cr. Tunmuck-Smith
Resolution: Unanimously

3) Ordinary Council Meeting Minutes

003/2023 **Motion:**

1. That the Local Authority note the minutes of the Council meeting held on 24 November 2022.
2. That the Local Authority note the minutes of the Council meeting held on 15 December 2022.
3. That the Local Authority note the unconfirmed minutes of the Council meeting held on 31 January 2023.

Moved: Cr. Clark
Seconded: Cr. Tunmuck-Smith
Resolution: Unanimously

4) Finance Report

004/2023 James spoke to the report.

Motion:

- 1. That the Local Authority receives and notes the financial information provided by Council for the period ending 31 January 2023.**

Moved: Cr. Clark
Seconded: Steven Pulchen
Resolution: Unanimously

5) LA Project Update

005/2023 James provided an update and Andrew went through the projects.

It was noted the damage and destruction that is being caused by children in the community who are not in the care of parents. A stance needs to be taken to make it stop.

The women were asked to leave the meeting at 10:40am for men to discuss business. The women returned 10:50am.

Andrew continued with an update of the projects.

Civil Crew a big thank you for the hard work that they have done around the community as the community looks neat.

Motion:

- 1. That the Local Authority receives and notes the Project Status Report.**

Moved: Deputy Mayor Harris
Seconded: Cr. Tunmuck-Smith
Resolution: Unanimously

6) Wadeye Community Report

006/2023 Andrew and Luke spoke to the report.

ACTION: No Dumping signs to be looked at for community so people stop dumping in zones not assigned.

Motion:

- 1. That the Wadeye Local Authority note the Regional Service Manager report.**

Moved: Cr. Clark
Seconded: Deputy Mayor Harris
Resolution: Unanimously

7) Community Projects

007/2023 Andrew spoke to the report and asked if there was any input into the potential for further projects.

Nicole from NLC spoke advising that she was present with some Kardu Diminin Traditional Owners. Diminin has put a significant amount of funds for the community and wanted Local Authority approval to co-contribute. A proposal was presented to the Local Authority meeting. For background an RFQ was sent out and West Daly was chosen from those that applied. The project will be about \$410k. Traditional owners are wanting seating, shelter and water for the cemetery in addition to Solar power lights.

The Local Authority discussed and agreed to put \$105k towards the cemetery work and the Diminin Traditional Owner proposal. This will be added to the \$105K as co contribution to the Diminin Traditional Owner Proposal. The \$50K for WDRC project around Headstone Replacement and Grave identification at the Wadeye/Nilinh sites is submitted for approval.

Also, a proposal was presented from Marda Pek Pek to the Local Authority who inform they currently receive no funding and that they have been relying on borrowing tools and equipment from other programs. They would like to purchase their own equipment and tools seeking funding from the Local Authority.

The Local Authority discussed and agreed to assist with \$10,000 which could buy the required equipment and tools.

A question from the floor was regarding the removal of containers on Chicken Oval and was advised by Andrew (COO) that it will be part of the car removal program.

Motion:

1. That the Wadeye Local Authority has identified and approve the following projects to progress with expenditure not to exceed the following approved amounts:
 - a. Development of Chicken Oval - \$160,000
 - b. Development of the Footpath Nilinh - \$100,000
 - c. Two Walkway/Path towards 100 man camp - \$160,000
 - d. Playground - \$80,000
2. That the Wadeye Local Authority approves \$105,000 towards the Diminin Traditional Owner Proposal for Cemetary upgrade which will include seating, shelter and water.
3. The Wadeye Local Authority approves \$10,000 towards to the Marda Pek Pek project proposal.

Moved: Deputy Mayor Harris
 Seconded: Cr. Tunmuck-Smith
 Resolution: Unanimously

8) Chief Operations Officer Report

008/2023 Andrew spoke to the report.

Homelands was discussed and requires additional funding.

Motion:

1. That the Local Authority acknowledges the opportunity to discuss matters with the COO and notes the information discussed with the COO.

Moved: Cr. Clark
 Seconded: Ken James
 Resolution: Unanimously

9) CEO Report - Wadeye Local Authority

009/2023 The CEO spoke the report. The CEO spoke to the upcoming consultation with LA's around the Regional Plan for 2023/24.

Motion:

1. That the Local Authority acknowledges the opportunity to discuss matters with the CEO and notes the information discussed with the CEO.

Moved: Cr. Clark
 Seconded: Basil Parmbuk
 Resolution: Unanimously

10) Local Authority information session

010/2023 Sharon presented the PowerPoint regarding Local Authority covering Code of Conduct and Conflict of Interest.

Motion:

- 1. That Wadeye Local Authority note the information session provided and have a better understanding of the requirements of being a member on the Local Authority.**

Moved: Cr. Clark
Seconded: Deputy Mayor Harris
Resolution: Unanimously

MEETING CLOSED at 12:15pm

Unconfirmed



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 25 MAY 2023

Report for Agenda Item No 5

Prepared by **Sharon Binns, Governance & Quality Assurance
Officer**

JLT Public Sector Risk Report

Purpose

To provide Council with the JLT Public Sector Risk report released on 27 April 2023.

Background

Every year, JLT release a Public Sector Risk Report capturing the challenges Councils have faced, showing the effects of events over the past three years and the interconnectivity of those risks due to these events including multiple disaster.

Statutory Environment

N/A

Impact for Council

Information purposes

Strategic Alignment

This report is aligned to the West Daly Regional Plan 2022-23:

Focus 1 - Strengthen our Organisation	
1.2 Governance	
Journey 1.2.3	Continue to strengthen the governance framework and encourage active contribution at all meetings

Recommendation

1. That Council note the JLT Public Sector Risk Report.

Attachments

- 1 JLT Public Sector Risk Report



JLT Public Sector Risk Report



JLT Public Sector is your trusted expert in the design and delivery of risk solutions for governments and their communities.

Our solutions are built on knowledge and expertise across advice, protection, claims, risk and insurance service areas and our clients are our number one priority.

Our experience in the sector and in product innovation create risk solutions for stronger local, state and federal governments and more resilient communities for the future.

Acknowledgement of Country

In the spirit of reconciliation, JLT Public Sector acknowledges the Traditional Custodians of country throughout Australia and their connections to land, sea and community. We pay our respect to their Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.



**The 2022/23 JLT
Public Sector Risk
Report highlights the
unpredictability of events
that are arising, the
indescribable effects
that are coming out of
these and how Local
Governments are at the
coal face of these events.**

NOTE FROM GARY OKELY

Welcome



Through 2019 to 2021, Australia experienced disruption and impacts from bushfires, cyclones and the pandemic. During 2022 the impact of La Nina brought new challenges for Local Government, with flood events impacting across four different states.

The fifth edition of the Risk Report charts the significant challenges that local government leaders identify, the interconnectedness of the risks on their radar and, as we see herein, the potential of a domino effect.

197 Council CEOs and General Managers contributed to the JLT Public Sector Risk Survey, providing their perspective on the greatest risks for the sector at this time. Local Government Insights provide the basis of this report and we again incorporate our observations and knowledge of the industry to comment on these risks.

Unprecedented flooding events across the country and multiple local government areas leaving little to no time for communities to recover and prepare for the next event. These extraordinary events elevated the challenges that governments at all levels are facing, compounding the complexities and not allowing time for solutions to be

developed and executed to provide support and protection to their communities.

Additionally, the attacks on Optus and Medibank Private brought to the forefront the serious impact cyber terrorists can have on organisations holding personal data. These inseparable attacks where the community were affected highlighted how organisations are cyber reliant and at the same time cyber vulnerable and continuous management of cyber security is so vital.

As different events unfold, the interconnectedness of risk and the domino effect of these risks on government and the community is clear.

Thank you to all the CEOs and General Managers who participated in the survey. Your contribution is a vital attribute of the JLT Public Sector Risk Report.



GARY OKELY
Head of JLT Public Sector, Pacific





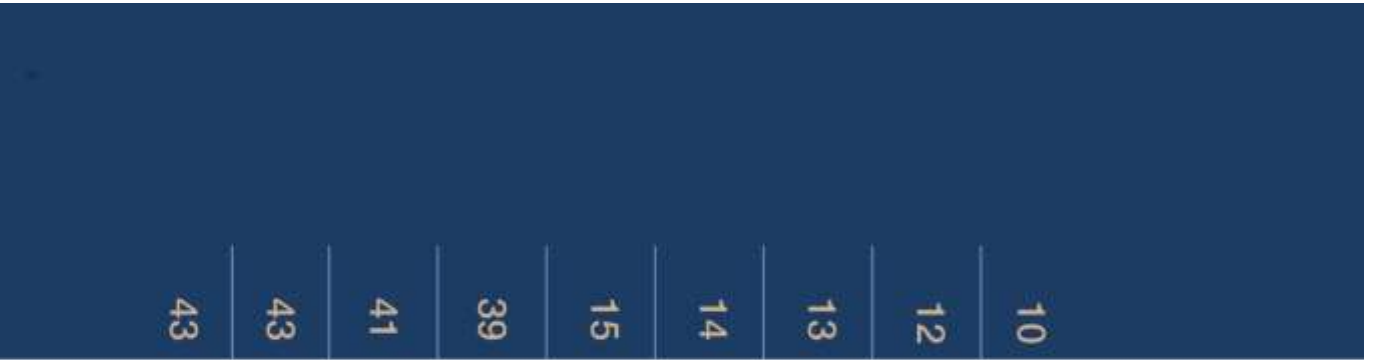


TABLE OF CONTENTS

10	Executive Summary	16	Financial Sustainability	29	Statutory/Regulatory Requirements
12	Overview 2022	18	Cyber	30	Human Resource Management
13	The movement of the top five risks 2018-2022	20	Assets & Infrastructure	32	Waste Management
14	Risk Rankings 2018-2022	22	Business Continuity	34	Ineffective Government
15	The ranking of the 12 risks	24	Disaster and Catastrophe	35	Reputation
39	The Key Risk Indicator Report Methodology	27	Climate Change/Adaption	36	Pandemic
41	Highest Risks by State				
43	Glossary				
43	References				



EXECUTIVE SUMMARY

In 2022, local governments and communities continued to be exposed by unprecedented natural hazard events that quickly escalated to disaster status.

Data indicates the devastating floods that swept through south-east Queensland and northern New South Wales in late February and early March 2022 caused \$5 billion in insured damages. Failed the third most costly extreme weather event in Australia's history, the 2022 east coast flood is now the most costly flood event in Australian history.

While climate change is described as the cause for delivering such an intense period of natural disasters, lack of local knowledge, inability to prepare, inadequate resources to respond and access to contemporary data results in a country that is unable to cope. Lack of capacity and capability across all levels of government to prepare, respond and protect communities against the impacts of natural disasters continues to overwhelm local governments and devastate communities.

The JLT Public Sector Risk Report (Risk Report) highlights all of the above. The key "risks" that keep a CEO/GM up at night, continue to highlight financial sustainability, climate change, disaster/catastrophic events, cybercrime and governance. The centrality of the flow-on effects of these critical risks are at the cost face for local governments.

The Risk Report provides a measure for the maturity of local government's strategic risk profile. CEOs and GMs recognise the risks and the underlying reasons why they are ranked as set out in the Report.

The 2022 events, off the back of previous disasters, continue to focus the lens on financial sustainability. While climate change continues to be a key risk, the risk of impacts of disaster/catastrophic events on communities here and now has understandably leapfrogged climate change in the list.

The 2022 survey responses include feedback that highlights the need to understand what makes a council vulnerable and how investment in mitigating the impacts of hazard events will support vulnerable communities.

Local government has been confronted with a myriad of issues as impediments from the pandemic have lined. Across Australia, Federal and State Government elections have transpired and caused a shift in the political landscape. Globally the economic fallout caused by Covid-19, impacted and continues to impact tourism, aviation, health, building and government sectors. These occurrences have further been affected by chain of supply issues, the Russian-Ukrainian War and inflation, contributing to a domino effect on increase of costs across the local government sector.

The Report highlights concerns for the emerging risks CEOs and GMs continue to face at an executive level. Ability to oversee and ensure compliance with good governance highlights the value of measuring sustainability (ESG).

The interconnectedness for these risks continued to be acknowledged in this year's report, with the top six contributing to the overall key risk - financial sustainability.

The findings of the survey also demonstrated a domino effect. As one risk is impacted by an event, it falls and topples into the next risk creating a circular list of key risks, all impacting on each other.

The survey responses recognise the domino effect disasters and catastrophes have on assets & infrastructure, in particular ageing and/or inadequate infrastructure. Outside of disasters, the survey indicated issues around the cost of upgrade or betterment of infrastructure and the ability to appropriately manage assets as an ongoing concern.

In response to disaster events, compounded in some situations with successive disaster events, there is an identified need to have in place effective business continuity plans. The survey results established the interconnection between the event and sustainability of business continuity plans, extending to information technology capabilities.

Compounding the issues for local government is the heightened awareness and reality of what a cyber-attack can mean for a council organisation, in particular the risk of exposure of personal information of the community.

The major and public attacks on Optus, Medibank and Latitude brought to the forefront the vulnerability of public facing organisations in relation cyber security.

While appropriate risk transfer (insurance) is important, the importance equally lies in risk mitigation. The Australian Cyber Security Centre's Annual Cyber Threat Report said "critical infrastructure networks are being increasingly targeted" with the "rapid exploitation of critical public vulnerabilities" becoming the norm.

The Risk Report has cyber risk remaining at ranking number two - demonstrating CEOs and GMs continue to recognise that maturing the strategic risk reduction framework aligned with strategic plans and informed budgets is paramount to successful ongoing business.

Local Government is the pillar of its community. To be able to better support communities, councils need financial and resource support to have in place effective strategic plans, budgets and risk reduction initiatives that are able to contemplate unforeseen and unpredictable events.

The annual contribution by CEOs and GMs in responding to the Risk Survey enables JLT Public Sector to deliver powerful information and data that gives the Risk Report integrity and continue to provide valuable insight into the thoughts and views of the sector's leaders as strategic and financial considerations continue to mould the key risk framework of local government in Australia.

60

1 Australian Government, ACCO, Austral Cyber Threat Report, Australian Signal Operations etc.

OVERVIEW

2022

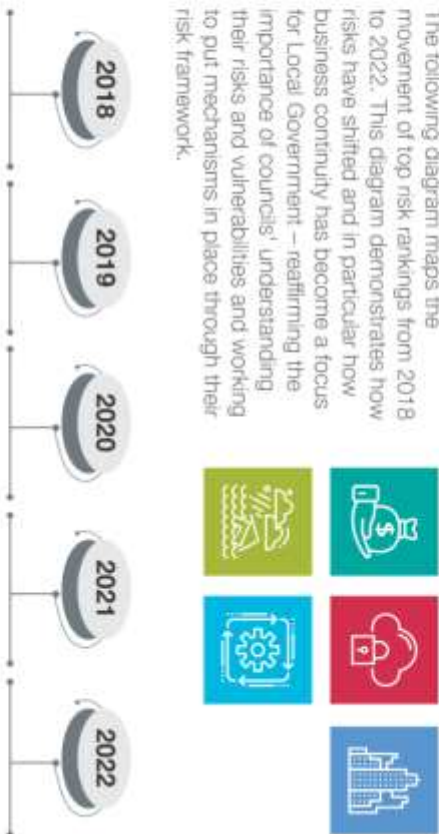
The 2022 Survey provides compelling insight of local government executives from across the country. There are certainly similarities in the risks that concern the sector, but the underlying reason behind the concerns can vary, depending on the State, geography (metro and regional) and the local regulatory environment.

This year, JLT Public Sector interviewed the CEOs of two Councils, asking for insights they have in particular risks within the survey. This provided deeper information into what Councils are facing within these risks. We thank Troy Green of Tweed City Council and Glenn Pattison of Casey City Council for contributing to this year's Risk Report.

We made changes to how Councils responded to the survey. Rather than choosing the leading reason for why they selected a risk, we gave the opportunity for respondents to rank the underlying reasons driving their perception of the risk. Using these findings, along with the historic data, we hope this report continues to help Councils consider how they approach risks, consider their vulnerabilities and shape their frameworks.

THE MOVEMENT OF THE TOP FIVE RISKS 2018-2022

The following diagram maps the movement of top risk rankings from 2018 to 2022. This diagram demonstrates how risks have shifted and in particular how business continuity has become a focus for Local Government – reaffirming the importance of councils' understanding their risks and vulnerabilities and working to put mechanisms in place through their risk framework.



“As different events unfold, the interconnectivity of risk and the domino effect of these risks on government and the community is clear.”

GARY OKELY
CEO, JLT Public Sector

RISK RANKINGS

2018-2022

2018	2019	2020	2021	2022
Financial Sustainability	Financial Sustainability	Financial Sustainability	Financial Sustainability	Financial Sustainability
Threat, fraud and vendor crime	Cyber Security	Assets & Infrastructure	Cyber Security	Cyber Security
Reputation	Reputation	Disaster or Catastrophic	Asset & Infrastructure	Asset & Infrastructure
Statutory & regulatory Requirements	Natural Catastrophes	Cyber Security	Disaster or Catastrophe	Business Continuity
Environmental Management	Climate Change/Adaption	Reputation	Legislation	Disaster or Catastrophe
Asset & Infrastructure	Asset & Infrastructure	Business Continuity	Business Continuity	Climate Change/Adaption
Natural Catastrophes	Statutory & regulatory Requirements	Waste Management	Climate Change/Adaption	Statutory & regulatory Requirements
Cyber Security	Ineffective governance	Statutory & regulatory Requirements	Impact of Pandemic	HR Management
Business Continuity	Business Continuity	Climate Change/Adaption	Statutory & regulatory Requirements	Waste Management
Ineffective Governance	HR/WHS Management	HR/WHS Management	Ineffective Governance	Ineffective Governance
HR/WHS Management	Environmental Management	Ineffective Governance	Waste Management	Regulation
Errors, omissions or civil liability exposure	Errors, Omissions or Civil Liability Exposure	Threat, fraud & crime threats (including social media)	HR/WHS Management	Impact of Pandemic
	Threat, fraud and crime	Errors, omissions or civil liability exposure	Civil Liability Claims	
	Terrorism	Terrorism	Terrorism	

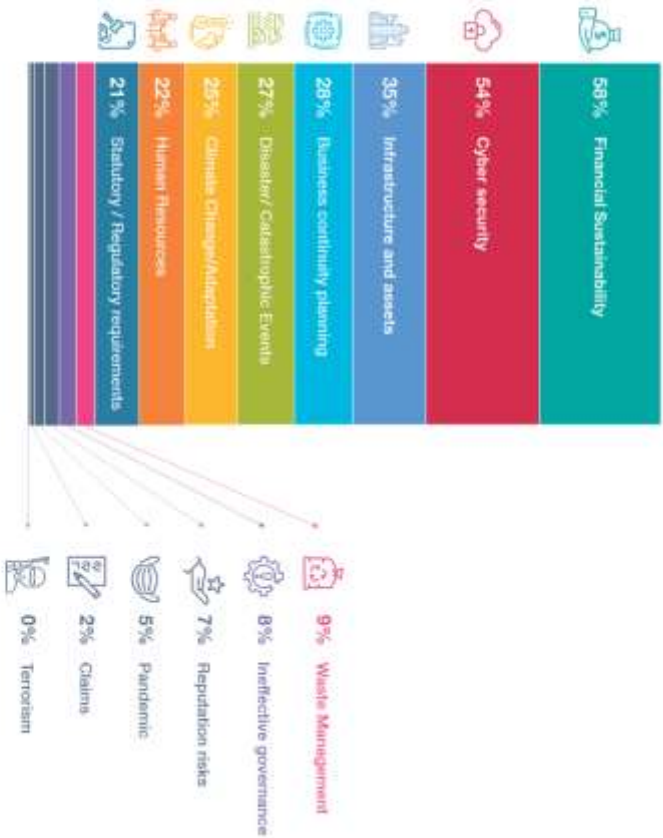
THE RANKING OF THE

12 RISKS

The two major cyberattacks on Optus and Medibank Private in Australia in 2022 contributed to continuing concerns about Cyber Security and the Breach of Data keeping Cyber Security top of mind in local government.

With the ongoing effects of devastating events of 2019, 2020 and 2021, the destructive floods of 2022 held influence on how risks impact local government. The impact of floods in New South Wales, Victoria and Queensland has maintained concerns around business continuity, disaster and catastrophic events continuing to be in the sights of Council.

Highest Ranking by respondents - Ranked 14



This report demonstrates that Councils are recognising the interconnectivity of risks and the domino effect they have on each other. Even with particular risks moving within the ranks, they know the impact of one risk will have a chain reaction across a number of others.

FINANCIAL SUSTAINABILITY



1

“One of the biggest issues with the national disaster relief is liquidity.”

TROY GREEN
CEO, Tweed City Council

110 | Performance Against Local Government Performance 2020/21 (by Budget Submission - December 2019)
Australian Local Government Association | 2021 National Issues of Key Interest Report

The evolving local government risk environment continues to present council executives with challenges in developing and resourcing business plans that enable the delivery of the organisation's strategic direction.

Catastrophic events, many being weather related, continue to dominate the local government landscape. The new post-Covid work, environment and community expectations provide Executives with challenges and opportunities, and the ever changing exposure to cyber related crime has challenged Local Government like no other time in history.

Since 2018, Financial Sustainability has been ranked by Risk Survey respondents as the number one concern they face. While councils benefit from the relative stability of annual Council rates which increase modestly most years, it is the escalating cost of meeting community expectations with maintaining and modernising public living spaces and key public assets - including ageing assets - which presents executive teams with major planning and budgetary hurdles year-on-year.

There are certainly similarities in the type of financial challenges faced by metro and regional councils across Australia. Not only are they navigating the ongoing cost shifting from state to local governments but also a disproportionate allocation of needed Federal Assistance Grants (FAGs). The ever increasing impact of compliance across all aspects of local government, additionally makes recruiting appropriately experienced staff in a competitive job market an ongoing challenge.

Competition for talent across the country increases relentlessly and a common theme is that local government has lost both talent and capacity in recent times as employees are attracted to the private sector. The general consensus is councils are a great platform for developing skilled talent due to the breadth and diversity of operations, services provided. This is further exacerbated in regional areas where talent attraction and retention has always been difficult.

Local government in most states is also responsible for the care and maintenance of many critical state-owned assets which are leased to councils. The arrangements were often cast years ago when the assets were in reasonable conditions either through rates or grants to maintain the assets in line with community or regulatory expectations. An example in jets and yachts which are extremely expensive to maintain and replace but are seen as a critical asset to a town's tourism and local economy. If failure was to occur, the impacts would be far-reaching with broad financial implications for the community and its visitors.

Financial sustainability and the underlying risks can vary depending on the geographic location and demographic mix of each community. This report endeavours to unpick some of these challenges.

Weather-related events continue to rate as one of the biggest risks councils face, compounded by the continued moving responsibilities on from federal and state jurisdictions to local government with minimal to no financial support for these transferred responsibilities.

The impacts that have occurred across the past three years are not well supported financially through the FAGs. In 1996, 1% of Commonwealth taxation revenue was committed to FAGs but by 2017 this had dropped to only 0.55%. This is despite population growth, increased responsibilities, along with the surge in disasters, catastrophes and the pandemic.

"One of the biggest issues with the national disaster relief is liquidity," says Troy Green, of Tweed City Council. "The protests after a disaster place a great deal of strain on the financial position of local government." In some cases, councils are drawing down on limited unrestricted cash reserves to pay for the immediate requirements of day to day expenses and rebuild the community after a disaster. In some instances, it can take years before the money is reimbursed as per the guidelines.

"Disaster impacts all capital works programs," continues Mr Green, "focus is completely on rebuild and programmed capital works are impacted. This affects financial sustainability of council and conversely our 'Fit for the Future' asset renewal and maintenance ratios."

The urgent concern is that there is cost shifting moving from other governments with no increased funding to local government to assist. 41.62% of respondents of the risk survey rated cost shifting as the leading issue undermining Financial Sustainability which impact councils. This was followed by 35.53% of respondents ranking insufficient rate revenue or growth to support the delivery of services.

In many instances, local government is managing infrastructure and assets built after the second-world war and delivered during the Australia Boom. Today, this sector manages physical assets valued at \$523B.

With the four highest-ranking concerns for councils associated with assets, it is little surprise these impact on the sector's Financial Sustainability outlook.

As noted in 2021, councils continue to be limited in how they can increase revenue in order to deliver operational requirements. This provides considerable pressure to meet the demand and expectations of the community. Rate-paying continues to impact Councils and with such constraints in place, grant funding mitigating, the ability for Councils to maintain Financial Sustainability is minimal placing a burden on how local government can maintain services to the community.

Financial Sustainability survey results



2 CYBER SECURITY

The frequency and sophistication of malicious cyber-attacks against organisations is increasing. This increase affects online services at all levels of government, with businesses and the community due to the increasing dependency on the internet and hybrid working modes. These circumstances provide greater opportunity for cyber-criminals to exploit vulnerabilities within the broad range of technology being used in society.

With COVID19 fast-tracking how work, school and engaging with people and organisations, take place virtually solutions were quickly developed using technology. Councils were no different and needed to respond and reshape how services could be delivered online and from the home environment where possible.

Over 43% of Councils listed their leading concern underlying the issue of Cyber Security as not knowing their vulnerability of IT infrastructure and their proactive ability to manage cyber security. The second ranking issue at 25% was their concern on cyber security failure. These two are supported by the fact that when ranking what underpins this risk, Local Government is not confident it is not aware of potential attacks and how they would respond.

Cyber has also been affected by the disaster and catastrophes in 2022 impacting business continuity



Troy Green of Tweed City Council noted, "This has led to the need to look at how we manage and deliver our services differently. When we lost access to our services during the floods and the NBN was taken out, we couldn't be as effective or efficient. This has led us to evaluate our BCP and look at moving everything to the Cloud. By moving our core applications to software as a service (SaaS), our services will continue, in any event, as our people can work from any location. By looking at outsourcing to the Cloud, we are outsourcing our cyber risk as well as addressing the business continuity aspect with the added benefit we have our data in a secure vault, backed by Tier 1 vendors".

The Australian Cyber Security Centre reported in its 2022 Annual Cyber Threat Report, there were over 70,000 cybercrime reports in the 2021/2022 year, an increase of nearly 13% on the previous year. This was attributed to state sponsored cybercrime incidents, Australia's prosperity attracting cybercriminals, evolution of transnational attacks and the rapid exploitation of critical public vulnerabilities."

Through the work, JLT Public Sector has performed in partnership with our Council clients, it is clear that basic cyber-controls such as email filtering, web security, managing secure system configurations and keeping secured, encrypted and tested backups is relatively commonplace. However other controls require a renewed focus including endpoint detection and response, privileged access management and multifactor authentication to enhance the sector cyber-security posture.

The Albert Risk Barometer found Cyber as the highest issue that organisations globally are facing and second in Australia. This was piped by Business Interruption."

¹ https://www.tweedcity.nsw.gov.au/~/media/2022-11/ACT22-Annual-Cyber-Threat-Report-2022-Agency-Data-Overview-3-Spanner_Agency-Data-Barometer-2022

Councils are responsible for approximately one third of Australia's public sector owned assets and infrastructure. The most recent estimated value of this portfolio exceeds \$523 billion annually and costs over \$35 billion to manage.⁴

Figure 1 depicts the split over a range of asset classes. The Australian Local Government Association (ALGA) estimates that of the total portfolio under council control, nearly three of every 100 assets require replacement and one in 10 assets require urgent attention. The cost of this is considerable, with estimates for replacing infrastructure in poor condition sitting in the order of \$5.1 billion and those in fair condition ranging up to \$138 billion.⁴

To put this into perspective, the cost of replacing the assets in poor condition exceeds the total annual revenue available to local government.

It should be noted, those estimates were compiled before the surge in inflation over the course of 2022 and into 2023 and do not directly account for the cost to councils to adequately manage and maintain the remaining components of the total infrastructure portfolio.

This clearly has significant implications for councils and highlights the strong interconnectedness between asset management and the underlying financial sustainability of the sector. This has a domino effect with significant implications for liability exposures associated with local government operations.

Further, it is recognised that this is potentially not just a liability matter, but could possibly incorporate property as assets in poorer condition are more vulnerable to loss. This in turn has implications for continuity of operations, reputation among the community as custodians of assets.



Figure 2 highlights that councils do not believe they have the capacity to finance the management of infrastructure assets and this is the biggest risk driver across the sector. This is exacerbated by inflation and supply chain disruption and disaster impacts. These, along with betterment in recovery, were identified and are seen as interrelated and compounding factors.

Equal second place of underlying issues to management of assets and infrastructure is the cost of upgrading or betterment of repairing these. For example, councils are finding assets have shorter lifecycles and the funds to deliver new assets is not achievable.

For example, City of Casey has concerns surrounding open space assets such as playgrounds and sports fields.

⁴ Australian Local Government Association, 2021 National Survey of the Assets Report (dated 26 Oct 2021)

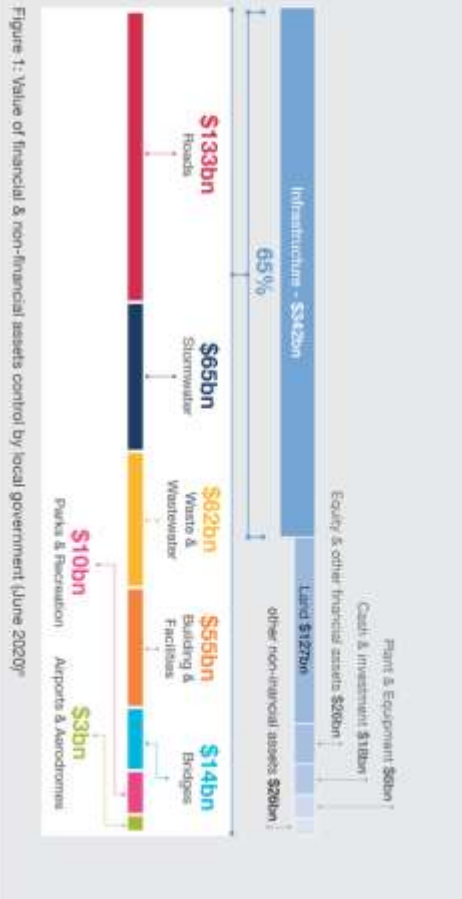


Figure 1: Value of financial & non-financial assets control by local government (June 2020)*

“Such assets have a shorter renewal cycle” says Glenn Pathison, CEO of City of Casey.

“While in recent years efforts have been made to increase the funding envelope for this asset class, other pressures on the capital program, along with a need to move developer contribution funds into project delivery, creates a tension between the new and renewal requirements.”

This underlines the imperative for a substantial expansion to the funding that is available to councils from other tiers of government to support asset management. These funding mechanisms include financial assistance grants and other targeted infrastructure funding programs such as the Commonwealth road back stop funding, various disaster risk reduction funding programs and disaster recovery funding that supports building back better and the development of resilient infrastructure.

It also highlights the importance of the need for dependable and mature data that is capable of supporting informed and robust planning and decision-making that reflects the fundamental and determinative interrelationship between asset management planning and financial sustainability.

The impacts from the profound socio-demographic shifts arising from the COVID-19 pandemic are also likely to have significant implications for asset and infrastructure management into the future. This is from interregional migration and population shift, changes in infrastructure demand and utilisation, skilled and affordable contractors, and the ability of councils to attract and retain skills and capacity within their workforce.

With the 2022 survey providing the opportunity for councils to provide specific rankings of issues underlying a risk, Figure 2 demonstrates the national overview of each issue underlying this risk. The leading concern by a significant number of points is the capacity to finance the assets further magnified by the significant funding required due to the supply chain issues and inflation.



Figure 2: Management of and/or damage of property, infrastructure and Asset risk/level map.

With the events of the past three years, local governments have turned their attention to business continuity and the consideration of short, medium and long-term steps they need to take to help their communities navigate uncertainty during an event. Well-crafted and implemented business continuity plans typically aim to quickly and efficiently restore normal service through the actions of staff and the executive. Unsurprisingly, business continuity awareness has moved up two spaces in 2022 from sixth to fourth position.

The substantial devastation and effects of the 2022 floods across Australia has moved the destruction of council assets/infrastructure due to an insured peril and to the second highest issue underpinning the Business Continuity risk. Widespread global volatility impacting supply chains, labour costs and inflation, has created a perfect storm impacting asset and business interruption declared values. We have seen a surge in valuation activity from proactive councils seeking to ensure their declared values reflect the reality of replacement under current market conditions, a task which cannot be overlooked when planning for business continuity.

There is a linkage between disaster and catastrophic events and the domino effect on councils' Business Continuity plans, impacting processes which in some cases are compounded by unplanned IT outages, each being part of the interconnectivity of risks.

Respondents demonstrated an active interest in processes to respond to unplanned outage of IT / social media / telecommunications, which has become a focus for councils. IT resilience is a growing challenge for local government, and the financial impact of unplanned outages and security breaches is increasing. Failure to align IT security capabilities with council's strategic goals and appetite for risk, including the integration of operational disaster recovery plans into the strategic business continuity plans may expose vulnerabilities to the continuity of services and should be a priority of local government.

Finally, councils recognise that the development of community resilience plans and processes to mitigate the impact on council services and functions need to be addressed. Councils focused to distil critical and operational choices with the executive during the pandemic escalation must now ensure business continuity plans allow for a tailored approach to the continuity of services. This needs to be delivered in an orderly manner and in a way that communicates with affected communities with compassion and transparency.

BUSINESS CONTINUITY

4



CEOs and GM's ranked the leading underlying concern for Business Continuity, the destruction of council assets / infrastructure due to natural and other disasters.



The next ranking concern within the Business Continuity Risk is the destruction of council assets/ infrastructure due to an insured peril.



Process to respond to unplanned outages of IT/social media/ telecommunications is the third concern underpinning the risk for Business Continuity.



DISASTER AND CATASTROPHE



5

It comes as no surprise the impacts from disasters and catastrophic events on councils and their constituents and features highly, rounding out the top five in the 2022 survey.

In the shadow of the 2019/20 Black Summer bushfires, followed by severe weather wrought by a return to La Niña conditions in 2020/21 across most of Australia, councils were already stretched and exhausted by the continued impacts of the COVID-19 pandemic. Councils were then having to brace for a second consecutive La Niña in 2021/22.

Yet it was an earthquake that sounded the bell of things to come when it centred in Mansfield, Victoria, in September 2021. Tremors were felt in Tasmania and into New South Wales, a magnitude 5.9 event caused damage to a number of homes and commercial buildings. South Australia and Victoria were first hit by widespread severe weather, with strong winds, lightning and hail causing extensive and catastrophic damage to agriculture, buildings and community infrastructure in late October 2021.

The unforeseen three weather systems which combined to cause flooding across the east coast of Australia in February 2022, with the most severe flooding experienced in South East Queensland as well as Central and Northern New South Wales, brought communities under extreme stress. Flooding impacts occurred in more than 70 local government areas and

caused damage of over \$5 billion in insured losses according to the Insurance Council of Australia – the third costliest weather event in Australia's history.

Saturated catchments and widespread flooding from ongoing rain events continued into 2023. This included the Hawkebury-Napan which experienced its worst flooding in nearly 50 years in July, then the Murray-Darling where unprecedented flooding in November devastated Forbes and surrounding towns in Central West NSW before impacting downstream communities in the months that followed.

Unsurprisingly, disaster hazards occupy the most attention of councils, however emergency response, event predictability, funding, community awareness and planning aspects of disaster management were identified as high concern by respondents as indicated by Figure 3.

Glenn Patterson, CEO of City of Casey Council agree councils are working to reduce climate change risks through long-term planning, ensuring this is reflected in policies and planning controls.

"It is important that government responses are informed by accurate data and science, and that collaboration occurs between all levels of government, community and industry to effectively address mitigation and adaptation".

Bushfire, flood, cyclone, storm, drought, earthquake, terrorism
 Immediate response to damaged Council assets and infrastructure
 The unpredictability, uncertainty and severity of extreme events
 Increasing land banking available for mitigation of assets in a catastrophic disaster
 Community awareness of Councils Emergency Response plans
 Implementation of Emergency Management response plans
 Role as Community leader to manage disruption and recovery processes
 Preparation and partnering with State and Federal Government agencies
 Individual preparation and understanding of individual risks & vulnerabilities
 Other please specify

Figure 3: Disaster/Catastrophic Events Heat Map

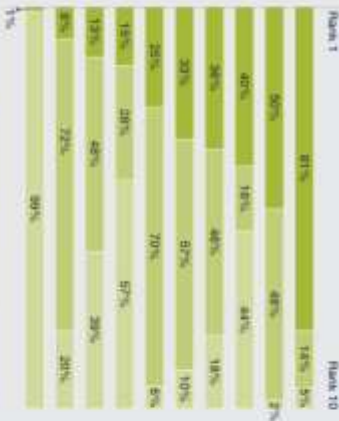


Figure 4: Disaster/Catastrophic Event Average Ranking of underlying concerns 1 to 10



The impact of the events of 2022 and 2023 are well seen in how they connect with other risks. The roll on effect from these events is seen throughout this report from the financial implications, to the impact on technology, as well as business continuity programmes unable to survive reoccurring events.

Since 2020, it is estimated that there have been over \$12 billion in claims. These events come at a significant additional economic impact, with Treasury estimating a \$3billion cost to the national economy due to the 2022 disasters through crop losses, mining and construction delays, supply chain disruption and increased inflationary pressure. The events of 2021/22 are a stark reminder of how Councils must continue to focus on understanding vulnerabilities, improving systems, and building community and organisational capacity to reduce risk and strengthen resilience.

"The hidden cost of a catastrophic event, which is hard to factor, is the emotional cost" stated Troy Green of Tweed City Council. "Start are working ridiculous hours to manage operations of Council as well as responding to the immediate effects of a disaster. The community doesn't have the lens over all aspects of what is involved in a disaster and eventually, Council employees are at the end of multiple complaints each day. The emotional impact on Council staff during such events can impact morale. One of the hidden effects of a disaster is in trying to obtain additional skilled human resources to assist those agencies undertaking recovery deal with the additional demands placed upon them over an extended period of recovery."

The results of the survey, as shown in Figure 4 demonstrate that the immediate response to manage assets and infrastructure during a disaster and catastrophic event. What all councils across remote, rural, regional, metropolitan and city are equally concerned about is if their emergency management response plans can be effectively implemented and is the community aware of the response plans are.



1 | Overview of Understanding and Shared State of New Climate Report

The unpredictability of disasters coupled with La Niña and the Negative Indian Ocean Dipole in the second half of 2022 have contributed considerably to the impact of catastrophic events. This layered over the events of 2010 through 2022: (has) applied pressures to all councils with more significant impacts on those communities who have had the effects of multiple events over this time period.

The annual Bureau of Meteorology and CSIRO State of the Climate Report draws on the most recent national and international climate research, encompassing observations, analyses and future projections. The report notes associated changes in weather and climate extremes – such as extreme heat, heavy rainfall and coastal inundation, (the) weather and drought – have a large impact on the health and wellbeing of our communities and ecosystems.

These changes are happening at an increased pace with the past decade seeing record frequency extremes leading to cultural occasions, as well as having a growing impact on the lives and livelihoods of all Australians. These, combined with chronic, periodic and local storms, will compound local communities' vulnerability to such disasters.

The 2022 state survey results show all at-risk territories, and in NSW in particular, have been affected substantially by four major flood events in 2022. The time required to identify, investigate and assess the damage and then work through what needs to be rebuilt is considerable. In some cases, a number of communities have not had the time to work through this process before another major flood event occurred.

The effort to ensure that infrastructure and the community reduce their vulnerability is important as this will contribute to better preparedness in the future.

As noted above, though this example represents primarily NSW, all states and territories are concerned that the ability to procure insurance is not achievable or the cost of doing so is unworkable to pay. This is very much of the forefront of concerns, affected by multiple events across a short period of time.

The basic premise is that natural hazards only lead to disasters if they interact with a community that is exposed, unprepared and vulnerable. Disasters are increasingly exceeding the capacity and capability of councils and local communities to respond to and recover, thus making it necessary to invest more and smarter in disaster risk mitigation.

Mitigating the risk of disaster, reduces identifying and understanding the direct and indirect cause

and effect of vulnerability. Exploring how local community values influence 'vulnerability' needs to be properly understood and established. Local government decisions affecting a community's ability to build resilience are the result of multiple, cumulative, non-linear processes by which local community values, traditions and trade-offs are able to be effectively managed.

Resilience continues to clarify, assessment of predicted climate change impacts on their community functions and activities as the key issue they face within this risk. The need to develop strategic policies informed by credible knowledge of climate change impacts and supported by robust risk reduction is the reason this risk is in such position.

The 2022 State of the Climate Report has projected that Australia will continue to be affected by increasing temperatures with more heat extremes, a decrease of cool seasons and dangerous fire seasons.

In accord with the National Disaster Resilience Strategy, the Australian Government is working with local government in order to support the development of skills and expertise to build resilience in the community.

The creation of a vulnerability profile of local government, as the community leader, will assist in understanding and identifying how it can influence the capacity of a local community to prepare for, absorb and recover from a natural hazard event while building resilience.

The translation of resilience from a descriptive concept to a series of accepted values, able to be integrated into a strategic plan, attracts challenges while providing opportunities.

Achieving resilience will not be an outcome. Resilience is an ongoing course that will mature and evolve as the risk environment of local government continues to be influenced by varying factors.

Governments are encouraged to commit to specific funding programs to enable local governments to invest in and undertake essential mitigation programs. These will help reduce the exposure of communities to the impacts of natural disasters enabling the ongoing maturity of community resilience.

A resilient community is better prepared for, more able to respond, and able to recover from a natural disaster event. Increasing community resilience will create a more attractive environment for the insurance industry to maintain alternative and appropriate insurance and/or risk solution products.



6

CLIMATE CHANGE/ADAPTION



It is important that government responses are informed by accurate data and science, and that collaboration occurs between all levels of government, community and industry to effectively address mitigation and adaptation.

GLENN PATTERSON
CEO, City of Casey Council



STATUTORY & REGULATORY REQUIREMENTS

7



Local governments across Australia are operating in an environment of increased statutory and regulatory requirements. The driving forces behind this trend include ongoing court shifting mechanisms from other tiers of government, increasing governance and accountability requirements, which have come about as a result of integrity and accountability related legislative reform.

Respondents have indicated that this area is significantly influencing their organization's risk profile as evidenced by the movement in risk ranking in this year's report from ninth in 2021 to sixth in 2022.

Local governments may see these risks manifest in a number of ways including:

- An increase in litigation and claims activity as a result of non-compliance activity (including governance and accountability matters against councillors and officers), which in turn connects to the risk of Ineffective Governance.
- Financial sustainability implications as a result of local governments needing to provide additional services and functions to communities that were previously the responsibility of other tiers of government. This connection with the leading risk, places further pressure on organisations already stressed from a resourcing perspective.

Increased exposure to additional fines and penalties for non-compliance and the additional cost associated with compliance management.

- Increased risk shifting from state/territory government agencies to local government, including complexity around Planning and Development regulations and obligations, and
- Increased community complaints and adverse audit findings resulting in risk to reputational damage.

The key challenges identified in managing and controlling this risk include access to appropriately qualified staff which links with the seventh ranked risk – Human Resources. This is further exacerbated by the sheer pace of legislative change and cost shifting mechanisms from other tiers of government as they too grapple with financial sustainability pressures.

There is a continuing focus by individuals, stakeholders, interest groups and regulators on corporate governance structures and decision-making processes across all levels of government. This is particularly in the areas of environmental, social and governance matters, which we anticipate will continue to drive the ever changing and expanding legislative agenda facing local governments in the coming years.





We need to shift from traditional and reactive sourcing to a strategic and proactive approach.

GLENN PATTERSON
CEO, City of Casey Council

8
HUMAN RESOURCE MANAGEMENT

The Australian Local Government Association (ALGA) reported in September 2022 that “around nine in ten Australian councils are now experiencing skill shortages – an increase of 30% in four years and two thirds of councils have had local projects impacted or delayed as a result.”¹⁰

The Local Government employment profile is complex, with low unemployment rates creating a skills shortage across many key roles, with this challenge further compounded for regionally located Councils. The complexity of council service delivery and the challenge of meeting regulatory obligations and community expectations makes it very difficult for councils to appropriately resource their organisations.

The age profile of Local Government is also significantly geared towards the more senior age brackets, creating workplace efficiency and transition to retirement challenges. The clear distinction in roles and responsibilities of ‘outside’ and ‘inside’ workers presents hurdles such as how to overcome a transition for workers to a more labour intensive role.

Governments in general were not set up for a work from home arrangement prior to the pandemic and being able to sustain this and manage performance is proving difficult.

Councils have started to develop Employee Value Propositions (EVPs) to source, attract, recruit and retain staff.

“Local Government needs to identify what can be offered through benefits, remuneration and career development”, states Glenn Patterson, CEO of Casey City Council. “We need to shift from traditional and reactive sourcing to a strategic and proactive approach”

Mr Patterson continues that “to retain talented staff, local government must uplift culture and implement future focussed, new ways of working. We need a



Figure 6: Human Resources Average Ranking of underlying concerns 1 to 8

Consistent feedback in the 2022 Risk Survey showed local government in general needs to consider how it can compete in the low-unemployment environment and better position local government as an industry of choice for new graduates. This can also be said of the challenge to attract the best leadership talent to help overcome succession challenges for senior positions.

There is minimal differences in rankings between meeting market costs and being able to manage employee productivity which is supported by the fact councils face challenges when it comes to managing a remote workforce.

robust, employee centred approach that actively engages employees throughout their work lifecycle.”

With minimal ability to influence operating revenues through rate increases and being primarily reliant on federal assistance and grants, councils are financially constrained in being able to effectively resource and attract the best talent to the organisation.

Further compounded by the heavy media scrutiny around Council spending and the public access to Executive remuneration.

¹⁰ ALGA, News & Issues



WASTE MANAGEMENT

9

The 2018 National Waste Report noted that "Australia generates more waste than the average Western economy".¹¹ Local Government manage approximately 26% of Australia's waste via self-management or specialised services and kerbside, dispatched and recycled material.

Over 9.7 million tonnes of waste is collected and managed nationally each year costing around \$3.5 billion.

In 2020, an Action Plan was put in place for better waste management practices. An 80% recovery rate target across all waste streams by 2030. Further requirements within this report include halving organic waste to landfill and phasing out unnecessary plastics by 2025. These targets put pressure on Councils with minimal financial support to achieve this.

Concerns for financial capacity to meet these requirements is reflected in the results of the 2022 Public Sector Risk Survey. Waste Management moved up two places in the rankings from 2021. The cost and ability to effectively manage waste was ranked as the number one reason for this concern. This accounted for 68% of Councils ranking this as number one.

Councils are under increasing pressure to repurpose, build, fund and educate residents around the changing requirements. Waste management is a high-risk activity with significant losses sustained in the industry every year. The most obvious risk posed is environmental contamination.

Clean up expenses, fines and damages, increased costs, are all further potential outcomes. Overarching these operational hazards is the significant reputational risk to mitigate environmental harm whilst innovating to create a circular economy in a climate of increased environmental sensitivity.

The increased focus on reducing waste to landfill creates opportunities but also opens the door to new risks such as:



- Maintenance run-off of older facilities and monitoring of legacy landfill which will create a burden to balance sheets as well as regulatory changes.
- Increased costs to manage
- Stockpiling because of insufficient, suitable infrastructure and limited demand in the domestic market.

Waste facilities have evolved from past models of landfill-only operations to sophisticated waste management solutions including refuse recovery, recycling, and energy generation.

This change in pace around waste management creates opportunities in the waste 2-energy space, potentially opening the door to new revenue streams for local government. Whilst these opportunities appear attractive, a move into this space will change the profile of local government waste management activities and the implications of this are something that Councils ought to thoroughly consider when planning for and evaluating these opportunities.

There are a number of local government projects underway across Australia directly engaged in WZE. Investigating WZE solutions and developing solutions to cater for the waste generated from these plants.



Figure 7: Waste Management Average Ranking of underlying concerns 1 to 5

¹¹ Department of Australia, Waste Management & Recycling, Budget Review 2020 21 2020



INEFFECTIVE GOVERNMENT

10

Governance within a local government encompasses all the structures, systems and processes by which it is controlled and operated, and the organisation as a whole, and its people, are held to account. Effective governance processes and practices (including enterprise risk management) within local governments are critical to their success and meeting the needs of the communities they serve.

While ineffective governance remains in 10th position, failure to initially set up and maintain appropriate governance structures, and then appropriately apply and monitor them is the key feature in the continued increase of claims in Public and Professional Liability, Council and Officers, and Fidelity/Crime covers.

The largest issue council executives identified this year relating to ineffective governance is the inadequacy of financial controls. While previously ranked at the bottom of the underlying governance sub issues, respondents ranked this as the leading issue for ineffective governance. The driving forces behind this movement may be linked to the increasing budgetary pressures in a challenging operating

environment of inflationary pressures, supply chain issues, and workplace planning difficulties.

Challenges from managing elected member and or employee behaviour/misconduct and challenges with managing Council meetings, efficiently and effectively were ranked closely being the adequacy of financial controls. The driving forces behind these sub groups emerging as priorities for a large number of councils likely include the integrity related legislative reform agenda across the country.

In the procurement of contractors, facilities and events, councils need to ensure there is ongoing incorporating justification for engagement as well as the approach taken in how they go to the market to deliver services and events. The process must ensure sourcing is carried out transparently and the process is managed effectively. This can be particularly challenging in the current environment with pressures on supply chains and the labour market. Failing to undertake appropriate due diligence and get these critical processes right exposes councils to public liability claims, financial loss, and significant reputational damage.



REPUTATION

11

With the ranking of risks this year, councils have considered a number of issues around what effects local government. Reputation has been ranked 11th out of the 12 risks.

As the closest level of government to the community, councils are best in touch with their community needs and understand the best ways to ensure those needs are met.

Councils are responsible for providing a wide range of key services but, also have a legislative responsibility to provide governance and leadership for their local community through advocacy, sound decision making and action.

Councils are accountable to their local communities in the performance of their functions, the exercise of powers and the use of resources. Should there be any real or perceived failure in performance of these duties, there could be significant consequences to a council's reputation.

In 2022, councils have been under increased pressure to continue to provide essential services while supporting their local communities through a number of events that have occurred across 2022.

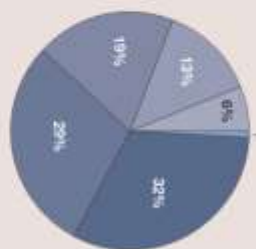
While councils have been seen in the community, advocating for their needs, council resources have been stretched as well as stretched which in some circumstances has led to frustration in the community and potential impacts to a Council's reputation.

Local Government identified their biggest concern in the reputation category is their ability to administer council governance effectively. However, this was closely followed by the impact of failing to comply with or undertake legislative requirements as these changes, while related to the shifting of responsibilities, changes of legislation and the inability to engage and maintain the right people to manage this through. This leads to the loss of community trust in elected members and administrative staff.

This year, with the ability for respondents to specifically rank their reasoning behind each risk, there has been movement in the specific number one ranked risks. The ability to administer council governance effectively moved to number one with the loss of confidence in elected members moving to number 2. It should be noted these remained extremely close.



Ability to administer Council governance effectively



- Ability to administer Council governance effectively
- Loss of community trust Elected Members
- Failure to comply with/undertake legislative requirements
- Loss of community trust in Council Administration
- Investigations by external government bodies
- Other please specify



Figure 8 Ineffective Government Concerns Rankings



The COVID-19 outbreak tested previous thinking about planning and responding to an evolving pandemic. It continued to impact organizations and communities in 2022. Though shut downs have eased, the third and fourth pandemic waves in conjunction with the first serious flu season in two years continued to see governments and businesses have employees work from home when needed. This reduced the capacity of local businesses being able to bounce back and thrive with people returning to work in metropolitan and regional cities.

Public sector pandemic planning had two key underlying assumptions:

- Phased approach to linear developing pandemic conditions in accordance with relevant health authorities declared phases.
- Focus on continuity of critical and core service deliverables associated with 40-60% workforce reduction and supply chain interruptions due to people being sick or caring for the sick.

The COVID-19 pandemic challenged all previous pandemic planning assumptions because these were:

- Rapid non-linear escalation;
- Global, national and state based border closure;
- Lock downs at various stages across the country;
- Mass vaccination responses to reduce transmission and protect vulnerable populations, along with;
- Technology advancements that facilitated communications (including misleading information);
- Work from home capabilities.

While the COVID-19 pandemic continues to have impacts, the lifting of border closures, lock downs and supply chain delays eased during 2022. The lessons learned over the past three years have changed pandemic planning and response for local government in many ways, not only addressing the risk but also realising opportunities. Today local government is adapting to:

- The return of visitors and workers to capital and major cities following a mass exodus during the pandemic;
- Some regional areas are experiencing increased community population, changed demographics and associated changes to service expectations;
- Different ways and evolving expectations for community services, events and engagement;
- The critical role local government plays in facilitating and delivering key health messages to their local communities.

There have been high levels of demonstrated resilience at a whole of community and local government level with the proven ability to deliver continuity of critical and core services. This 'new normal' prepares us for future pandemic threats with recent monitoring of Foot and Mouth outbreak in Indonesia and reported Monkey Pox cases in Australia.



The 2022 JLT Risk Survey was carried out through September and October of 2022. Due to the continued events in October, November and December, the report has moved for release in March 2023. 197 CEOs and GMs participated in the questionnaire representing metropolitan, regional, metropolitan and city councils from across Australia.

Reshaping the ranking of Risk

The survey provides the view of CEOs and General Managers of local government and their perception of 12 key risks.

This year, we provided the opportunity for respondents to be more specific in ranking their risks. In the first instance, each risk was ranked in order of concern.

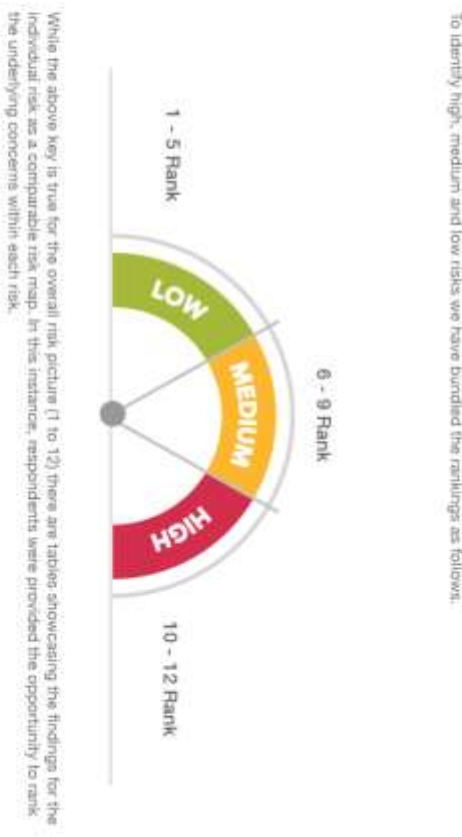
THE KEY RISK INDICATOR REPORT METHODOLOGY

The following explains the approach of the example of rankings:
Risk Category:
 Business continuity planning and Community disruption

Risk Category	1	2	3	4	5	6
Destruction of Council assets/infrastructure due to natural and other disasters (quarries, flood, extreme storms, terrorism, etc.)	40.61%	29.34%	14.21%	13.20%	9.14%	0.51%
Destruction of Council assets/infrastructure due to an insured peril (fire, storm, vandalism)	22.64%	21.47%	18.27%	16.74%	11.68%	0.00%
Process to respond to unplanned outage of IT/social media/telecommunications	16.24%	16.37%	14.21%	19.29%	34.07%	1.02%
Development of community resilience plans and processes to mitigate the impact of a loss of/reduced Council services and functions	11.17%	10.66%	36.07%	20.81%	18.20%	0.00%
Process to ensure clear, consistent communication with affected community/the integrity of current business continuity plan and process.	6.57%	19.20%	15.27%	20.26%	25.89%	0.00%
Other please specify	0.51%	1.02%	0.00%	0.00%	0.00%	96.48%

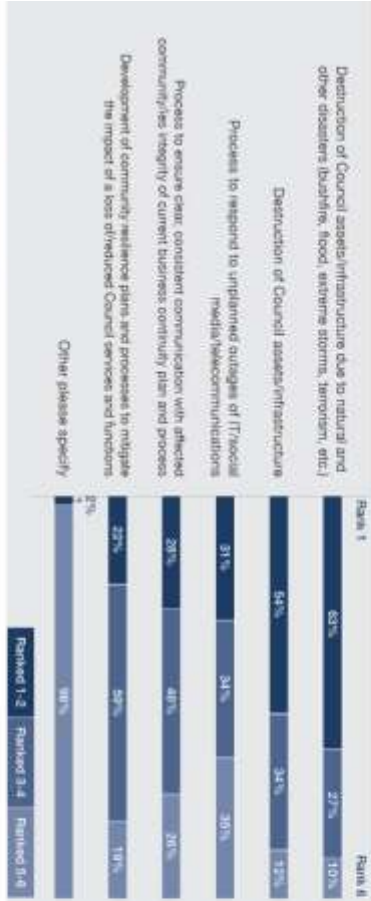
If we take business continuity risk category as an example, the highlighted column above sums to 100% and shows a breakdown of all the risks ranked at number 1. This sample shows 40.61% of respondents had Destruction of Council assets/infrastructure due to natural and other disasters (quarries, flood, extreme storms, terrorism, etc.) ranked 1.

To identify high, medium and low risks we have bundled the rankings as follows:



The following example looks at Business Continuity Planning and Community Disruption. The underlying issue is Destruction of Council assets/infrastructure due to natural and other disasters (bushfire, flood, extreme storms, terrorism, etc.), has an average rank of 2.29

Destruction of Council assets/infrastructure due to an insured peril (fire, storm, vandalism) has an average rank of 2.62. This means when we average out all the rankings the respondents placed these risks for business continuity (high, med, low) they averaged out to be fairly close, this is an example where people had differing opinions on the rank 1 risk for this category.



Survey Respondents

197 local government CEOs and General Managers participated in the 2022 JLT Public Sector Risk Survey. Participants were from each state and territory – these also represented metropolitan, city, regional, regional city and rural/remote communities.

Participants ranked 14 risks from highest to lowest, drilling down further into the reasons behind each risk. We have presented the results of the top 12.

State representation nationally

The 2022 Risk Survey had 197 respondents representing 37% of Council CEOs/GMs. Of this 37% the representation of State responses is in Figure 8.

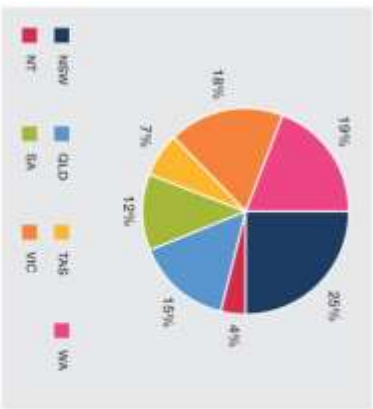


Figure 8: State respondent representation

Regions

The representations within these charts consider annual populations in remote Australia through to densely populated cities. Remoteness is based on the level of access to services. The following provides the breakdown of councils by region.

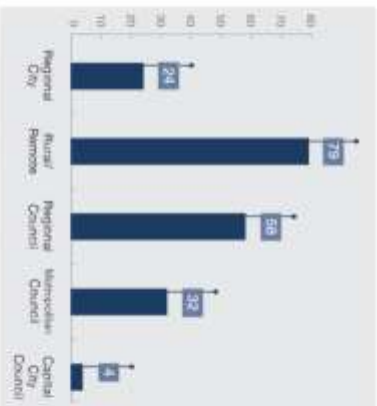


Figure 10: Regional Representation

HIGHEST RISKS BY STATE

Table 1 shows the impact of varying events and how different States are identifying issues that affect them. For example, Financial Sustainability doesn't rank first across the board. In some cases Cyber Security is ranked first. In most states, the same risks are ranked somewhere in the top five.

Top 5 Risks compared by state





GLOSSARY

Financial Sustainability		Financial Sustainability
Cyber Security		Cyber security / data breach / vulnerable IT infrastructure
Assets & Infrastructure		Management of and/or damage to ageing, property, assets infrastructure and assets
Business continuity planning		Business continuity planning and community disruption
Disaster / Catastrophic Events		Disaster or Catastrophic Events
Climate Change/ Adaptation		Climate Change and/or Adaptation
Human Resources		Implementation and maintenance of efficient, effective HR & WHS management systems
Statutory/Regulatory requirements		Increased Statutory/Regulatory requirements
Waste Management		Waste Management Environment Management
Ineffective governance		Ineffective governance
Reputation		Reputation risks
Pandemic		Impact from infectious diseases/pandemic
Claims		Negligence causing civil liability claims against Council
Terrorism		Terrorism

REFERENCES

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- Australian Local Government Association, 2021 National State of the Auses Report
- Bureau of Meteorology and CSIRO, State of the Climate Report, 2022
- Insurance Council of Australia, Media release, 26 June 2022
- ALGA, News & Events
- Parliament of Australia, Waste Management & Recycling Budget Review 2020-21 Index



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WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 25 MAY 2023

Report for Agenda Item No 6

Prepared by **Sharon Binns, Governance & Quality Assurance
Officer**

Meeting dates period ending June 2024

Purpose

To provide Elected Members with a calendar of scheduled meetings for the year.

Background

A schedule of meetings allows Elected Members to be able to plan for their attendance in advance.

In order to coordinate administrative support for the meetings scheduled, an apology notice must be **given 3 days in advance** of an Ordinary Council, Special Council, Local Authority or Committee meeting, otherwise an absence will be recorded at the discretion of the Council or Committee Chairperson. This decision cannot rest with the Mayor or CEO as it is the Council or Committee that makes the resolution to accept or deny an apology.

This will also allow for Council to cancel arrangements for travel or accommodation that has been paid, without seeking reimbursement from Councillors for non-attendance.

Council meetings will be cycled through the communities to allow for public attendance.

Statutory Environment

The *Local Government Act*

Impact for Council

To ensure Elected Members attend all meetings scheduled.

Strategic Alignment

This report is aligned to the West Daly Regional Plan 2022-23:

Focus 1 - Strengthen our Organisation	
1.2 Governance	
Journey 1.2.3	Continue to strengthen the governance framework and encourage active contribution at all meetings

Recommendation

- 1. That Council note and approve the meeting schedule for Elected Members for the period ending June 2024.**
- 2. The Council notes and accepts that as the year progresses the meetings dates may change due to circumstances beyond Councils control.**
- 3. Elected Members note that an apology for non-attendance at any meeting is with three (3) days-notice to the CEO or Mayor otherwise recorded as absent.**

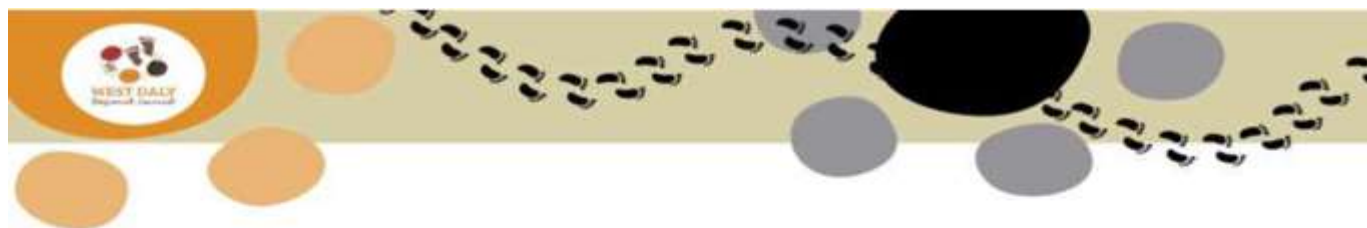
Attachments

- 1 Meeting Dates to end of Financial Year 2024



**WEST DALY REGIONAL COUNCIL
MEETING DATES**

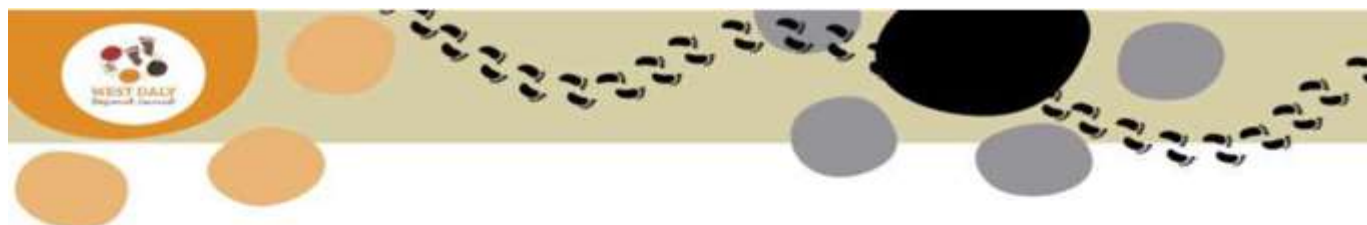
Meeting date	Meeting	Elected Members required	Location
MAY 2023			
Public holiday 1 May – May Day			
24 May	Pre-OCM	Mayor Narburup Deputy Mayor Harris Cr Jake Clark	Nganmariyanga
25 May	OCM	Cr John Wilson Cr Terry Sams Cr Mark Tunmuck-Smith	
JUNE 2023			
Public holiday 12 June			
28 June	OCM	Mayor Narburup Deputy Mayor Harris Cr Jake Clark Cr John Wilson Cr Terry Sams Cr Mark Tunmuck-Smith	Darwin
JULY 2023			
26 July	Pre-OCM	Mayor Narburup Deputy Mayor Harris Cr Jake Clark	Wadeye
27 July	OCM	Cr John Wilson Cr Terry Sams Cr Mark Tunmuck-Smith	
AUGUST 2023			
Public holiday 7 August – Picnic Day			
16 August	Wadeye LA	Mayor Narburup Deputy Mayor Harris Cr Jake Clark Cr Mark Tunmuck-Smith	Wadeye
17 August	Palumpa LA	Mayor Narburup Deputy Mayor Harris Cr Terry Sams	Palumpa
18 August	Peppimenarti LA	Mayor Narburup Deputy Mayor Harris Cr John Wilson	Peppimenarti
29 August	Audit and Risk Management Committee	Mayor Narburup Deputy Mayor Harris Cr Terry Sams	Darwin
31 August	Finance Committee	Mayor Narburup Deputy Mayor Harris Cr Jake Clark	Video conference
SEPTEMBER 2023			
27 September	Pre-OCM	Mayor Narburup Deputy Mayor Harris Cr Jake Clark	Darwin
28 September	OCM	Cr John Wilson Cr Terry Sams Cr Mark Tunmuck-Smith	



Meeting date	Meeting	Elected Members required	Location
OCTOBER 2023			
18 October	Wadeye LA	Mayor Narburup Deputy Mayor Harris Cr Jake Clark Cr Mark Tunmuck-Smith	Wadeye
19 October	Palumpa LA	Mayor Narburup Deputy Mayor Harris Cr Terry Sams	Palumpa
20 October	Peppimenarti LA	Mayor Narburup Deputy Mayor Harris Cr John Wilson	Peppimenarti
26 October	Finance Committee	Mayor Narburup Deputy Mayor Harris Cr Jake Clark	Video conference
NOVEMBER 2023			
28 November	Audit and Risk Management Committee	Mayor Narburup Deputy Mayor Harris Cr Terry Sams	Darwin
29 November	Pre-OCM	Mayor Narburup Deputy Mayor Harris Cr Jake Clark	Darwin
30 November	OCM	Cr John Wilson Cr Terry Sams Cr Mark Tunmuck-Smith	
DECEMBER 2023			
21 December	Finance Committee	Mayor Narburup Deputy Mayor Harris Cr Jake Clark	Video conference

School holiday terms for 2023:

Term 1	31 January 2023 to 6 April 2023
Term 2	17 April 2023 to 23 June 2023
Term 3	17 July 2023 to 22 September 2023
Term 4	9 October 2023 to 15 December 2023



Meeting date	Meeting	Elected Members required	Location
JANUARY 2024			
Public holidays 1st Jan NYE, 26 Jan Australia Day			
24 January	Pre-OCM	Mayor Narburup Deputy Mayor Harris Cr Jake Clark	Darwin
25 January	OCM	Cr John Wilson Cr Terry Sams Cr Mark Tunmuck-Smith	
FEBRUARY 2024			
21 February	Wadeye LA	Mayor Narburup Deputy Mayor Harris Cr Jake Clark Cr Mark Tunmuck-Smith	Wadeye
22 February	Palumpa LA	Mayor Narburup Deputy Mayor Harris Cr Terry Sams	Palumpa
23 February	Peppimenarti LA	Mayor Narburup Deputy Mayor Harris Cr John Wilson	Peppimenarti
29 February	Finance Committee	Mayor Narburup Deputy Mayor Harris Cr Jake Clark	Video conference
MARCH 2024			
Public holidays 29-31 March Easter			
26 March	Pre-OCM	Mayor Narburup Deputy Mayor Harris Cr Jake Clark	Darwin
27 March	OCM	Cr John Wilson Cr Terry Sams Cr Mark Tunmuck-Smith	
APRIL 2024			
Public holidays 1 April Easter Monday; 25 April Anzac Day			
23 April	Audit and Risk Management Committee	Mayor Narburup Deputy Mayor Harris Cr Terry Sams	Darwin
24 April	Finance Committee	Mayor Narburup Deputy Mayor Harris Cr Jake Clark	Video conference



Meeting date	Meeting	Elected Members required	Location
MAY 2024			
Public holiday 6 May – May Day			
15 May	Wadeye LA	Mayor Narburup Deputy Mayor Harris Cr Jake Clark Cr Mark Tunmuck-Smith	Wadeye
16 May	Palumpa LA	Mayor Narburup Deputy Mayor Harris Cr Terry Sams	Palumpa
17 May	Peppimenarti LA	Mayor Narburup Deputy Mayor Harris Cr John Wilson	Peppimenarti
29 May	Pre-OCM	Mayor Narburup Deputy Mayor Harris Cr Jake Clark	Darwin
30 May	OCM	Cr John Wilson Cr Terry Sams Cr Mark Tunmuck-Smith	
JUNE 2024			
Public holiday 10 June			
26 June	Pre-OCM	Mayor Narburup Deputy Mayor Harris Cr Jake Clark	Darwin
27 June	OCM	Cr John Wilson Cr Terry Sams Cr Mark Tunmuck-Smith	

School holidays for 2024

Term 1	30 January 2024 to 5 April 2024
Term 2	15 April 2024 to 21 June 2024
Term 3	16 July 2024 to 20 September 2024
Term 4	7 October 2024 to 13 December 2024



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 25 MAY 2023

Report for Agenda Item No 7

Prepared by **Julianne Wylie, EA to CEO and Mayor**

Draft Regional Plan 2023-24

Purpose

Council's Draft Regional Plan and Budget 2023-24 be authorised for release for public consultation.

Background

The Draft Regional Plan and Budget 2023-24 has received valued input from Elected Members and staff over the course of the past few months.

There have been a number of workshops and planning sessions to confirm our new Vision, Mission and Values as well as a robust workshop with Elected Members held on the 16 March 2023. It was at this particular workshop that we landed on our new Vision:

Working together to make a difference in our community.

Improving how we live in our communities by creating places that are respectful, peaceful and safe.

We are also pleased with the input from our Local Authorities - specifically Peppimenarti Local Authority, who provided valued input into their future projects wishlist for the Community at the LA Meeting in April.

Councils Draft Budget 2023-24 was also reviewed and approved by Elected Members at the 27 April 2023 Ordinary Council Meeting.

Further to the valued contributions outlined above, and in line with the requirements of the *Local Government Act (Act)*, Council's Draft Regional Plan and Budget 2023-24 must be released for public consultation for a period of 21 days.

The Act also requires that a notice inviting written submissions on the Draft Regional Plan and Budget 2023-24 be published on Council's website and in a newspaper circulating in Council's area.

It is also a requirement of the Act that Council's Draft 2023-24 Regional Plan and Budget be formally adopted by Council and forwarded to the Department of Local Government, Housing and Community Development by 30 June 2022.

Impact for Council

For information and decision.

Recommendation

- 1. That Council authorises the release of the draft 2023-24 Regional Plan and Budget for public consultation.**
- 2. That Council approves the draft 2023-24 Regional Plan pending ongoing minor edits.**
- 3. That Council authorises the publishing of a notice on its website and in the NT News inviting written submissions on the draft Regional Plan and Budget 2023-24 for a period of 21 days.**

Attachments



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 25 MAY 2023

Report for Agenda Item No 8

Prepared by **Andrew Everingham, Chief Operations Officer**

Service Delivery

Purpose

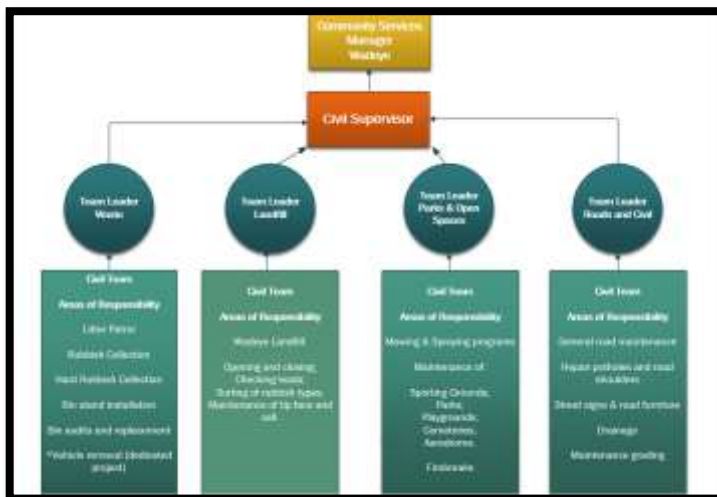
The purpose of this report is to inform the Council on matters relating to service delivery.

Background

The focus and overall aim of the service delivery arm of the Council remain to deliver quality services to Communities and Homelands through planning, development and implementation of structured work programs.

Wadeye Civil

Work has been undertaken with consultation from the Council Operations Manager (COM), Civil Supervisor and Civil staff to establish designated work teams to address our priority works areas. The new structure also supports increased civil employment and the implementation of a dedicated Team Leader Landfill, who will manage the Wadeye landfill site on a day-to-day basis.

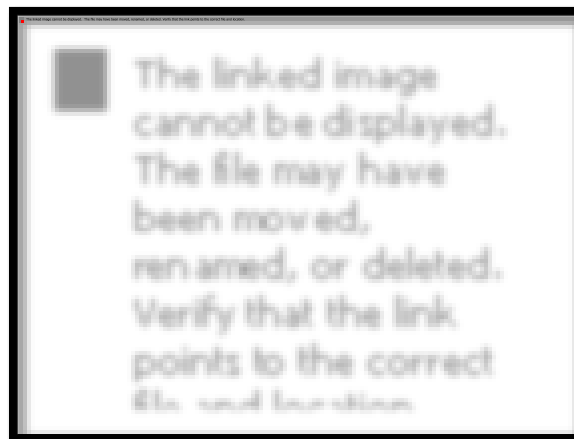


Waste Management

Major works continue at the Wadeye Waste Management Facility. The contractor has been completing significant earthworks and site remediation to address legacy waste issues and ensure ongoing compliance against Northern Territory Environmental Protection Agency (NTEPA) directions under the Pollution Abatement Notice (PAN).



As part of our ongoing work to improve regional waste management practices, Council is installing new bin holders. The bins are designed to complement the landscape and provide durability and longevity for these assets. Council will continue education around litter management and recycling to keep our country strong and healthy. These bin holders will soon be installed across Palumpa and Peppimenarti.



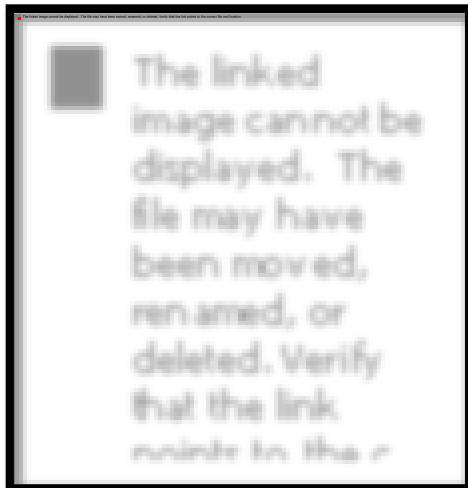
Roads

The Port Keats road remains in very poor condition post the big wet season. The floods have caused significant damage to multiple sections of the road. This damage is impacting the Council's ability to commence its capital works program, including several major projects. Council was initially engaged to complete a small number of emergency repairs near Palumpa to allow minimal access through significantly damaged areas. Council has been in continued contract with the Department of Infrastructure, Planning and Logistics (DIPL) regarding a timeline for grading, repairs and lifting the weight restrictions (currently light vehicles only @4.5 GVM maximum). The most recent advice provided to Council from DIPL is that contractors have commenced maintenance grading between Emu Point and Daly River, and contractors are expected to commence Tuesday 23rd, between Wadeye and Emu Point. Additionally, contractors will revisit in early to mid-June to repair other major flood-damaged sections before lifting weight restrictions. These delays in repairing and reopening the Port Keats road are causing impacts on our work programs and pose an ongoing risk for these projects. The Wadeye Roads & Civil Team have been working to patch pot holes across the internal roads. The heavy wet season has caused significant

damage across the network, and the team will continue to complete repairs over the coming weeks.



The civil teams across the region have also been working on re-cutting the fire breaks around Wadeye to prevent the risk of fire damage to assets and infrastructure within the communities.



Major Projects and Capital Works

Wadeye Swimming pool

Confirmation of the successful contractor via an RFT process has been confirmed, and a project start-up meeting has been completed with the successful contractor. Council is currently working with the contractor to finalise the project program, and estimates are for construction to begin in 6-8 weeks, depending on road conditions and lifting weight restrictions to Post Keats Road. The project is due for completion before the commencement of

the wet season.



Manthathpe Walkway

The contractor is ready to mobilise as soon as Port Keats road weight restrictions are lifted.

Training

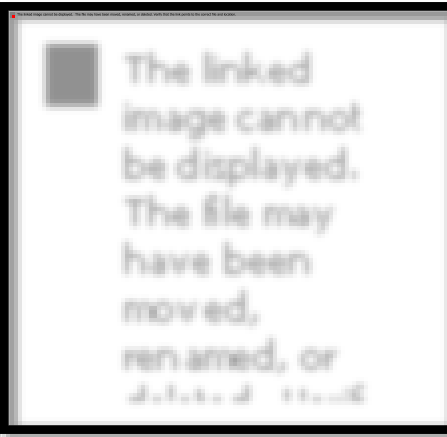
A number of recent training courses have been delivered to staff in the community, including 4wd training, First Aid Training and WHS training. The training was well received by those staff that attended. Council is currently working with a training provider to deliver several civil plant and equipment training sessions in the coming months.



Homelands

With the commencement of the dry season and roads starting to dry out, our Homelands team, supported by our civil staff, have been working to open roads and conduct general maintenance activities across the regions Homelands. Given the large wet season, the focus has been on road repairs

and clearing, weed management, mowing and fire abatement activities to protect infrastructure from fire.



General

Recently the Chief Minister made an overnight visit to Wadeye. Our very own Council Operations Manager, Brett, spent some time talking with the Chief about the work Council does throughout the community.



Statutory Environment

Nil

Impact for Council

For reporting purposes only.

Strategic Alignment

This report is aligned to the West Daly Regional Plan 2022-23:

Focus 1 - Strengthen our Organisation

1.2 Governance

Journey 1.2.3

Continue to strengthen the governance framework and encourage active contribution at all meetings

Recommendation

1. That Council receive and note the Service Delivery report. .

Attachments



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 25 MAY 2023

Report for Agenda Item No 9

Prepared by **Matthew Eastham, CEO**

Chief Executive Officer Report

Purpose

To update Council on matters related to governance and management.

Background

Key goals for Council in the 2022/23 Regional Plan are:

1. Strengthen our Organisation
2. Support our People
3. Develop our Community
4. Grow our Services
5. Build our Region

Key risks identified for Council in the 2022/23 Regional Plan are:

1. Financial Sustainability
2. Assets and Infrastructure
3. Service Delivery Continuity
4. Environmental Impact
5. Regulatory and Statutory Requirements

Council's service delivery across the West Daly region is increasing with the emergence of the dry season and opening of roads. Road conditions remain poor especially on the main road from Daly River to Wadeye and this does impact Councils fleet (mechanically wear and tear) as well as access for contractors to move machinery into the West Daly Region. DIPL have been contacted regarding these matters.

Recovery post flood at Nganmariyanga continues.

CouncilBiz continues to provide financial assistance to WDRC and with the commencement of the Executive Director of Corporate Services and the Senior Accountant a transition of responsibilities back to the WDRC has commenced. Various external audits are being conducted of Councils finances as well as internal audits of all tied and untied grant programs. New auditors for the 22/23 FY audit are expected to be appointed within two weeks.

Social unrest at Peppimenarti has been damaging for the WDRC especially relating to the safety and security of our people, homes, equipment and infrastructure. Council continues to work with all stakeholders and the CEO has visited Peppimenarti on

several occasions during the past two weeks. Emergency relief payments have been made to several staff that lost many personal items due to unlawful entries of their properties and loss of food. Council continues to work with staff regarding their health and safety and where possible transition back to Community. Additional security measures are being considered.

CEO met with Traditional Owners and residents of Emu Point and WDRC technical staff at the Emu Point crossing to gain an understanding of the flood damage and requirements to rectify under DRFA funding.

Several meetings with Chief Ministers Department were held to discuss the West Daly Region and matters occurring across the Region. Council continues to advocate for improved services and access to grants for additional security and safety proposals.

Significant progress has been made at the Wadeye landfill site and WDRC continues to work with the EPA on further improvements.

Several key staff appointments have commenced:

- Executive Director of Corporate Services
- Senior Accountant
- People and Culture Manager
- Strategic Grants Co-ordinator

Regional Planning is ready for public release and consultation.

Work continues with the NTG/DIPL around the Wadeye Swimming Pool.

A review and engineering/dilapidation assessment of the Peppimenarti Council Office has commenced.

Workplace / strategic and legislative planning has commenced for the 2023.

Preparations are underway to attend the ALGA national assembly in Canberra during June.

Statutory Environment

Nil

Impact for Council

Information purposes only.

Strategic Alignment

This report is aligned to all areas of the West Daly Regional Plan 2022-23:

Focus 1 - Strengthen our Organisation	
1.2 Governance	
Journey 1.2.2	Continued development of the compliance framework
Journey 1.2.3	Continue to strengthen the governance framework and encourage active contribution at all meetings

Recommendation

1. That Council notes and accepts the CEO report and acknowledges the invitation for Councillors to ask questions of the CEO regarding the report.

Attachments



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 25 MAY 2023

Report for Agenda Item No 10

Prepared by **Sharon Binns, Governance & Quality Assurance Officer**

Grant - Removal of Abandoned vehicles - Common Seal

Purpose

The Council has received an opportunity for a grant requiring the use of the Common Seal for the Removal of Abandoned vehicles.

Background

The Ward of West Daly is littered with abandoned vehicles which may cause environmental damage if they are not removed.

Statutory Environment

Local Government Act

Impact for Council

Cleaner environment

Strategic Alignment

This report is aligned to the West Daly Regional Plan 2022-23:

Focus 1 - Strengthen our Organisation

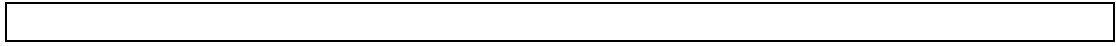
1.2 Governance

Journey 1.2.3

Continue to strengthen the governance framework and encourage active contribution at all meetings

Recommendation

- 1. That Council approve the use of the Common Seal for the Removal of abandoned vehicles in Wadeye.**



Attachments

- 1 Grant removal of vehicles



Northern Territory of Australia

Short Form Grant Agreement: Regional Flexible Grants For the: Removal of abandoned vehicles in Wadeye

DETAILS

Grant Activity	Removal of abandoned vehicles in Wadeye	
Us, We, Our (the Territory)	Northern Territory of Australia, care of its agency Department of the Chief Minister and Cabinet	
Our Contact Details	Contact name	Aneurin Townsend
	Contact person position	Regional Director
	Postal Address	GPO Box 4396, Darwin NT 0801
	Telephone	0429 834 945
	Email	aneurin.townsend@nt.gov.au
You, Your (the Recipient)	West Daly Regional Council (WDRC)	
Your Contact Details	Contact name	Mr Matthew Eastham
	Postal Address	GPO Box 36294 Winnellie NT 0821
	Telephone	08 7922 6403
	Email	Matthew.Eastham@westdaly.nt.gov.au
Grant Purpose	<p>Purpose of the Grant Activity:</p> <p>The grant will be used to support the removal of approximately 700 abandoned vehicles in Wadeye and the surrounding region as outlined in West Daly Regional Council's (WDRC) Project Funding Proposal - <i>West Daly Circular Economy Investment Fund. Wadeye Abandoned Vehicle Removal Pilot Project.</i></p> <p>The grant will compliment funds provided to the WDRC via the <i>Local Government Immediate Priority Grant 2023- 23.</i></p>	
Grant	Grant Amount exclusive of GST	
	\$88,500 (ex GST)	

Payment Requirements	The Grant will be paid in accordance with the following table, provided that you are compliant with this Agreement.		
	Pmt No.	Anticipated Date	Payment Amount (excl GST)
	1.	25 May 2023	\$88,500
Reporting Requirements	Requirement		Due Date
	Final acquittal to include a report detailing the outcomes of the grant in accordance with original proposal – the <i>West Daly Circular Economy Investment Fund. Wadeye Abandoned Vehicle Removal Pilot Project.</i>		30/06/2024
Acquittal Requirements	Requirement		Due Date
	Complete and certify Final Acquittal Form		30/06/2024
Grant Period	01/06/2023 to 31/05/2024		
Special Conditions:	NA		

TERMS AND CONDITIONS

1. Interpretation and Definitions

- 1.1 A word or phrase in this Agreement that is capitalised is a reference to that word or phrase in the first column of the Details at the start of this Agreement, or as otherwise defined in these terms.
- 1.2 No rules of construction apply to the disadvantage of a party on the basis that that party was responsible for the preparation of this document or any part of it.
- 1.3 The word "including" is not a word of limitation.

2. Acknowledgments

- 2.1 You acknowledge:
 - (a) and agree that this Agreement is, and is intended to be, legally binding;
 - (b) your failure to comply with this Agreement may be taken into consideration in any future grant applications and may result in you being excluded from consideration for subsequent or other funding;
 - (c) where you have an Australian Business Number (ABN), details of this grant may be provided by us to the Australian Taxation Office;
 - (d) and agree we may do anything in connection with this Agreement that may be required for compliance with our public accountability responsibilities, including legislative obligations under privacy and freedom of information laws and the *Independent Commissioner Against Corruption Act 2017* (NT) ("ICAC Act"); and
 - (e) you are a "public body" for the purposes of the ICAC Act with respect to the Grant and you are subject to mandatory obligations under that Act to report suspected improper conduct.

3. Special Conditions and Additional Conditions

- 3.1 You must comply with the Special Conditions (if any) and the Additional Conditions to the extent they have application to you or the Grant Activity.
- 3.2 To the extent of any inconsistency between the documents or parts comprising this Agreement, then the following order of precedence will apply:
 - (a) the Special Conditions;
 - (b) the Additional Conditions;
 - (c) these terms and conditions;
 - (d) the Details; and
 - (e) any other document incorporated by reference.

4. Grant of funding

- 4.1 We agree to pay you the Grant subject to the terms and conditions set out in this Agreement.
- 4.2 You must provide us with your Organisation's bank account details and issue a tax invoice (or alternatively we may issue a recipient created tax invoice and you must not issue a tax invoice) before we are obliged to pay any amount under this Agreement.
- 4.3 The Grant must be held only in an account in your name at a bank, credit union or building society that is registered in Australia.

5. Use of the Grant

- 5.1 You must use the Grant (including any interest earned on the Grant) within the Grant Period (or such other period as is agreed to be us in writing) for the Grant Purpose and for no other purpose (unless and until a variation is approved by us in writing).
- 5.2 During the Grant Period, you may request a variation of the Grant Purpose, which request must be in writing, providing reasons for the proposed change and (if applicable) providing a budget for the varied purpose. Approval will be at our discretion and must be in writing.

6. Conduct of the Grant Activity

- 6.1 You must:
 - (a) carry out the Grant Purpose, including all tasks, activities, any project plan, budget and/or performance measures, and in a manner that meets the objectives;

- (b) carry out the Grant Activity diligently, effectively, in a professional manner to accepted industry standards, in accordance with this Agreement and consistent with the representations made in your grant application/proposal;
- (c) adequately resource the Grant Activity with appropriately qualified, competent, experienced and skilled personnel;
- (d) promptly comply with all of our reasonable requests or directions in respect of the Grant Activity;
- (e) if required by us, keep us fully informed as to the progress of the Grant Activity and the expenditure of the Grant; and
- (f) promptly advise us in writing of any relevant matters which might affect your ability to deliver or complete the Grant Activity or to meet any of your obligations under this Agreement.

7. Acknowledgement of Grant

- 7.1 You agree to acknowledge our contribution to the Grant Activity in all promotional, advertising or other publications (such as annual reports, newsletters, websites) by using our "Proudly supported by" logo.
- 7.2 We will provide you with the current version of the logo.
- 7.3 The logo must be reproduced only in the format provided and of equal size and prominence to your logo.
- 7.4 We reserve the right to limit and withdraw the use of our name and logo by you.

8. Records, Reporting, Acquittal and Audit

- 8.1 You must keep accurate financial records relating to the Grant so that at all times the use of the Grant is identifiable, ascertainable and substantiated.
- 8.2 You must comply with all Reporting Requirements and Acquittal Requirements by the specified Due Dates.
- 8.3 You authorise us to inspect and audit all of your records in connection with this Agreement and you agree to fully cooperate with us in that regard.
- 8.4 You authorise us to publish or otherwise report on the outcome of the Grant Activity.

9. Withholding funding

- 9.1 If in our reasonable opinion you have not complied with this Agreement in any material way we may, by notifying you in writing, withhold payment of all or any part of the Grant.

10. Unspent, Misused or Unacquitted Grant

- 10.1 If the Grant, or part of it, is not spent on the earlier of:
 - (a) the end of the Grant Period (and we have not agreed a variation); or
 - (b) termination of this Agreement,
 you must promptly return that part of the Grant that has not been spent to us.
- 10.2 If at any time we form the reasonable opinion that the Grant, or a part of it, has not been used in accordance with this Agreement or has not been acquitted by you to our reasonable satisfaction, then you must repay the Grant, or any part of it, as we require in any written notice we give you.

11. Conflict of Interest

- 11.1 For the purpose of this Agreement, "Conflict" means any matter, circumstance, interest, activity or other matter in connection with you, or your officers, employees, subcontractors, agents, advisors, volunteers and other personnel and their related entities, such as parent or subsidiary companies, directors, managers or other persons in a position of influence and their close relatives, which may or may reasonably be perceived to impair you or your personnel's ability to carry out any responsibilities or obligations under this Agreement diligently, independently and impartially.
- 11.2 You warrant that, at the date of signing this Agreement, to the best of your knowledge no Conflict exists or is likely to arise in connection with this Agreement.
- 11.3 If during the performance of this Agreement you become aware of a Conflict, you must immediately notify us and the steps you propose to take to resolve or deal with the Conflict. We may suspend your delivery of the Grant Activity and your use of the Grant until such time as the Conflict is resolved to our satisfaction.

12. Insurance

- 12.1 You must hold and maintain insurance policies in amounts sufficient to insure for your risks and liabilities in connection with this Agreement (such as public liability, accident or injury to your volunteers and employees, plant and

- equipment, motor vehicle, loss, damage or theft of assets, travel) and provide us with written proof from your insurers when requested.
- 12.2 You are responsible for determining what types and levels of insurance are required to cover the Grant Activity and comply with this clause.
- 13. Risk & Indemnity**
- 13.1 You agree to deliver each Grant Activity at your own risk and we are not liable:
- (a) to you or your personnel for any loss or damage you suffer or the injury or death of any person, howsoever occasioned; or
 - (b) for the actual cost of the Grant Activity being greater than anticipated.
- 13.2 You indemnify us against all claims, proceedings or actions whatsoever brought or made against us and all losses, damages, costs or expenses we may sustain or incur howsoever arising, whether directly or indirectly in connection with this Agreement, except to the extent caused or contributed to by our negligent act or omission.
- 14. GST**
- 14.1 Any term used in this clause that is referred to in *A New Tax System (Goods and Services Tax) Act 1999* (Cwth) will have the meaning which it has in that Act.
- 14.2 You must pay all taxes, duties and government charges imposed or levied in connection with the performance of this Agreement, except as provided by this clause.
- 14.3 The Grant Amount is GST exclusive.
- 14.4 If you are not registered for GST, you warrant that you are not required to be registered for GST, and you must not charge GST.
- 14.5 If you are registered for GST or are required to be registered for GST and the Grant Amount is being provided in return for a Taxable Supply, we will pay you the GST Amount on provision of a tax invoice by you or a recipient created tax invoice ("RCTI") by us.
- 14.6 The parties acknowledge and agree that, prior to the Supplier (you) providing the Recipient (us) with a tax invoice for a supply as described in clause 14.5, we may (at our discretion) issue you with a RCTI and/or adjustment note in respect of the supply on the following terms and conditions, or otherwise in a format set out by the Australian Taxation Office:
- (a) both parties acknowledge that they are registered for GST when the RCTI is issued and the RCTI must show your Australian Business Number ("ABN");
 - (b) you agree that we can issue tax invoices in respect of the supply within 28 days from the date of determining the value of the supply;
 - (c) you will not issue tax invoices in respect of the supply;
 - (d) you will notify us if you cease to be registered for GST purposes.
- 14.7 If the GST Amount differs from the amount of GST paid or payable, we must issue an appropriate recipient created adjustment note and pay you or you must pay us, as the case may be, any difference within 14 days.
- 14.8 No party may claim or retain from the other party any amount in relation to a supply made under this Agreement for which the first party can obtain an input tax credit or decreasing adjustment.
- 14.9 If you become registered for GST or become required to be registered for GST, or you cease to be registered for GST, you must notify us within 7 days.
- 15. Intellectual Property**
- 15.1 Intellectual property in material created by or on your behalf in the course of, or for the purpose of, the Grant Activity ("Agreement Material") vests in you.
- 15.2 You grant us a perpetual, irrevocable, royalty-free, non-exclusive licence to use, adapt, communicate, publish, reproduce, and sub-licence Agreement Material (including material that is incorporated in or supplied with that Agreement Material) for our governmental purposes.
- 15.3 Where the Agreement Material is a work that is primarily created for aesthetic appeal or artistic expression, the licence in clause 15.2 is limited to use promoting the purpose of the Grant Activity or promoting the Northern Territory Government or the Northern Territory.
- 16. Confidential Information and Privacy**

- 16.1 The parties will not disclose each other's information that is marked as or is agreed to be confidential, or which should reasonably be assumed to be confidential, without prior written consent of the party whose information is to be disclosed unless required or permitted by law.
- 16.2 You agree to deal with all 'personal information' (as defined in the *Information Act 2002* (NT)) in connection with the Grant Activity in a manner that is consistent the Information Privacy Principles set out in that Act as if you were a public sector organisation.
- 17. Notices**
- 17.1 All communications required to be given in writing in this Agreement must be given by registered post or by email to the relevant party's Contact Details. A communication sent by:
- (a) prepaid post is taken to be received on the 3rd business day after posting; and
 - (b) email is taken to have been received at 9.00 a.m. on the following business day, subject to no automated notification having been sent advising that the email was not delivered or the addressee is "out of office" or similar.
- 18. Debt Due and Payable**
- 18.1 Without prejudice to any of our other rights under this Agreement, we may recover any amounts that you owe to us under this Agreement as a debt due and payable to us by you upon demand or set off the amount against future payments under this or any other agreement with you.
- 19. Intervening Event**
- 19.1 You must notify us if you are unable to perform any part of your obligations under this Agreement due to a circumstance or event which could not reasonably have been foreseen by you and is caused by circumstances beyond your reasonable control (but does not include circumstances caused by acts or omissions of you, your officers, employees, subcontractors or agents) ("**Intervening Event**").
- 19.2 In the event of an Intervening Event, your performance under this Agreement and our obligation to pay shall be suspended for the period that the event continues and you will have a reasonable extension of time for performance of your obligations in the circumstances.
- 20. Disputes:**
- 20.1 The parties agree not to initiate legal proceedings in relation to a dispute unless they have first tried and failed to resolve the dispute by negotiation and mediation. The procedure for dispute resolution does not apply to action relating to termination or urgent litigation or where a party unreasonably fails to participate in negotiation or mediation.
- 21. Termination**
- 21.1 We may immediately terminate this Agreement by written notice to you if in our reasonable opinion:
- (a) you are no longer able or willing to complete the Grant Activity;
 - (b) you have a Conflict that cannot be resolved to our satisfaction or remains unresolved after a reasonable period of time;
 - (c) information provided to us by you contained materially incorrect, false or misleading information;
 - (d) you breach or otherwise fail to comply with this Agreement and you fail to remedy that breach within the period specified in our notice to you;
 - (e) an Intervening Event continues for more than 30 consecutive days; or
 - (f) you are insolvent or become subject to any form of external administration,
- and clause 10 will apply.
- 22. General**
- 22.1 Survival: The expiry or earlier termination of this Agreement does not affect the continued operation of a clause that expressly or by its nature survives the termination or expiry of this Agreement.
- 22.2 No assignment: This Agreement is not assignable or transferrable without our written consent.
- 22.3 Variation: This Agreement may only be varied by an agreement in writing between the parties.
- 22.4 Warranties: You warrant that you are properly established and constituted at law and you have the power and authority to enter into this Agreement.

- 22.5 Compliance with laws: You agree to comply with all laws relevant to the Grant Activity and your obligations under this Agreement.
- 22.6 Entire Agreement: This Agreement constitutes the entire agreement between the parties in respect of the Grant.
- 22.7 Severance: If a court determines that a word, phrase, sentence, paragraph or provision in this Agreement is unenforceable, illegal or void then the rest of this Agreement continues in effect as if the invalid part were excluded.
- 22.8 Waiver: A waiver by a party of any right under this Agreement, including a failure to enforce an obligation or exercise a right, is not, and will not be deemed to be, a waiver of any other right of that party under this Agreement.
- 22.9 Governing law: This Agreement will be governed by and construed in accordance with the laws of the Northern Territory. The parties submit to the non-exclusive jurisdiction of the courts of the Northern Territory.
- 22.10 Execution: The parties agree that this Agreement may be executed in any number of counterparts, which may be signed using a digital signature and may be given to the other party by electronic means. Each signed counterpart when read together will be deemed to form one binding Agreement.
- 22.11 Legal costs: Each party must pay their own legal costs of and incidental to the preparation, negotiation and execution of this Agreement.

EXECUTION PAGE

You agree that, before executing this Agreement you have read and understood all of the terms and conditions of this Agreement, you are fully aware of your rights, duties and obligations under this Agreement, and the persons signing are fully authorised to execute this Agreement to legally bind the Recipient.

Executed as an Agreement.

SIGNED by

(print name of delegate)

for and on behalf of the **NORTHERN TERRITORY OF AUSTRALIA** pursuant to a delegation under the *Contracts Act*

on the day of (Print Month and year) in the presence of:

.....
(Signature of Delegate)

.....
(Signature of Witness)

.....
(Name of Witness)

If Company/Corporation (default execution clause for all Corporations Act companies not executing with a common seal)

EXECUTED by [Print Legal Name]

in accordance with section 127(1) of the *Corporations Act 2001 (Cth)*

on the day of

(Print Day in Words)

(Print Month and year)

by

(Print Name of Director)

(Signature of Director)

and

(Print Name of Director/Secretary)

(Signature of Director/Secretary)

If Company/Corporation executing in accordance with its common seal

The COMMON SEAL of [Print Legal Name]
was hereto affixed

on the day of
(Print Day in Words) (Print Month and year)

in the presence of
(Print Name of Director) (Signature)

and
(Print Name of Director/Secretary) (Signature)

Additional Conditions

1. Subcontracting and Buy Local

- 1.1. If you engage subcontractors to carry out the Grant Activity (or any part of it) you must:
- (a) use your reasonable endeavours to engage enterprises operating in the Northern Territory, that have a permanent presence in the Northern Territory, and employ Northern Territory residents (“**Territory Enterprises**”);
 - (b) conduct an appropriate competitive process inviting Territory Enterprises (and any other enterprises) to submit quotes or tenders, having due regard to probity;
 - (c) avoid conflicts of interest; and
 - (d) encourage subcontractors to engage Territory Enterprises to carry out subcontract work associated with the Grant Activity,
- and, if required by us, you must provide us with details of your compliance with this clause.
- 1.2. Subcontracting does not relieve you of any obligation or liability under this Agreement.
- 1.3. If you have not paid a subcontractor for its completed work on the Grant Activity, we may, in our absolute discretion, directly pay the subcontractor on your behalf and you will owe that amount to us.

2. Capital and Minor Works

- 2.1. This clause applies where the Grant Activity involves the acquisition, construction or improvement of structural assets or equipment, including building and construction of new facilities, extension to or upgrading of existing facilities, the purchasing, installation or upgrading of equipment, fixtures and fittings, general repairs and maintenance on existing facilities, equipment, fixtures and fittings (“**Works**”).
- 2.2. You must:
- (a) ensure the Works are completed by the end of the Grant Period;
 - (b) ensure the Works are carried out diligently, effectively, in a proper and workmanlike manner, and in accordance with all applicable laws and Australian Standards;
 - (c) only engage contractors who are appropriately qualified, skilled and experienced;
 - (d) unless you have our prior written consent, only engage contractors and personnel with respect to the Works that do not have a Conflict; and
 - (e) ensure that you, your employees and your contractors, comply with all requirements of the work health and safety legislation applicable to such Works, including legislation relating to asbestos.
- 2.3. You warrant that:
- (a) you have the right to undertake the Works at the site at which the Works will be carried out, and you have obtained any consents, approvals, agreements, authorisations or permissions of the owner and/or lessee of that site; and
 - (b) the site at which the Works will be carried out is, and will at all times be, fit for the purposes of carrying out the Grant Activity and the Works.

3. Registered Training Organisations

- 3.1. If you are a registered training organisation, you must maintain registration in accordance with, and comply with the requirements of, the *National Vocational Education and Training Regulator Act 2011* (Cth) and the VET Quality Framework.

4. Auspiced bodies

- 4.1. If you are the administering body of the Grant for another organisation (such as an unincorporated association):
- (a) prior to disbursing the Grant Amount to that organisation, you must first ensure we are aware of, and have agreed to, your grant administration arrangement for that organisation; and
 - (b) you are not relieved of any of your obligations under this Agreement.

5. Assets

- 5.1. For the purpose of this clause, "Asset" means any item of property that has been created, acquired or leased wholly or in part with the Grant Amount, or that we otherwise provide to you for a Grant Activity, but does not include consumable items.
- 5.2. You must first obtain our written consent before using the Grant Amount to acquire an Asset valued at \$10,000 or more. Our consent is already granted for any Asset expressly described in the Details.
- 5.3. The Asset must be used primarily for the Grant Activity and you must:
 - (a) own the Asset in your name and, if the Asset is capable of being registered, register it in your own name;
 - (b) hold the Asset securely and safeguard it against theft, loss, damage and unauthorised use;
 - (c) maintain the Asset in good working order; and
 - (d) maintain, and provided to us on request, a register of Assets including date of acquisition, price, description and location.
- 5.4. You must seek our prior written consent before disposing of an Asset and we may direct you to sell for the best price reasonably obtainable (and retain for an approved purpose, or pay to us, some or all of the sale price) or otherwise dispose of the Asset, including transferring the Asset to a third party.
- 5.5. If you dispose of an Asset without our prior written consent, we may by written notice require you to repay that part of the Grant Amount we contributed to the acquisition cost of the Asset.



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 25 MAY 2023

Report for Agenda Item No 11

Prepared by **Sharon Binns, Governance & Quality Assurance Officer**

Grant - Fossil Head shelter upgrades - Common Seal

Purpose

To seek Council approval through the use of the Common Seal for the Fossil Head Shelters upgrade.

Background

The grant will provide funding to:

- Install internal wall cladding and
- Add insulation to internal walls on 3 sides.
- Supply and fit 3 x windows and awnings to 4 current structures on site.
- Supply and fit perforated sheets to 4 current structures and install insulation batts.
- Supply and install new main water lines to all 4 shade structures.

Statutory Environment

Local Government Act

Impact for Council

Improve the lives of people at Fossil Head

Strategic Alignment

This report is aligned to the West Daly Regional Plan 2022-23:

Focus 1 - Strengthen our Organisation	
1.2 Governance	
Journey 1.2.3	Continue to strengthen the governance framework and encourage active contribution at all meetings

Recommendation

- 1. That Council approve the attached Capital Grant funding agreement for Fossil Head shelter upgrades by Common Seal**

Attachments

- 1 Fossil Head shelter upgrades



Northern Territory of Australia

2022-23 Capital Grant Funding Agreement

GRANT NUMBER	CAP222310152
RECIPIENT NAME	West Daly Regional Council
CAPITAL PROJECT NAME	Fossil head shelters upgrades

RECIPIENTS PLEASE NOTE:

This contract is comprised of Part A Contract Details and Part B Terms and Conditions, including the General Conditions and the Special Conditions (if any).

The General Conditions are incorporated into the contract by reference and are available through the web-based link provided at Part B. **DO NOT** sign this this document without reviewing the General Conditions. If you cannot access the link you must contact our Primary Contact Person for assistance.

PART A – CONTRACT DETAILS

1. PARTIES

This Agreement is between the **NORTHERN TERRITORY OF AUSTRALIA** (ABN 84 085 734 992) acting through the Department named at "Our Details" below ("us", "we" or "our")

and the entity named at "Your Details" below ("you" or "your")

OUR DETAILS													
Us, we, our	Northern Territory of Australia , care of its agency Territory Families, Housing and Communities												
Address for Service of Notices	GPO Box 4621 Darwin NT 0801												
Primary Contact Person	<table border="0"> <tr> <td>Position:</td> <td>Director Homelands Services Group</td> </tr> <tr> <td>Telephone No:</td> <td>1800 031 648 / 08 8999 8390</td> </tr> <tr> <td>Mobile No:</td> <td></td> </tr> <tr> <td>Postal Address:</td> <td>GPO Box 4621 Darwin NT 0801</td> </tr> <tr> <td>Street Address:</td> <td></td> </tr> <tr> <td>Email:</td> <td>Homelands.program@nt.gov.au</td> </tr> </table>	Position:	Director Homelands Services Group	Telephone No:	1800 031 648 / 08 8999 8390	Mobile No:		Postal Address:	GPO Box 4621 Darwin NT 0801	Street Address:		Email:	Homelands.program@nt.gov.au
Position:	Director Homelands Services Group												
Telephone No:	1800 031 648 / 08 8999 8390												
Mobile No:													
Postal Address:	GPO Box 4621 Darwin NT 0801												
Street Address:													
Email:	Homelands.program@nt.gov.au												
YOUR DETAILS													
You, your	West Daly Regional Council (ABN: 259 665 795 74)												
Address for Service of Notices	GPO Box 36294, Winnellie, Northern Territory Australia 0821												
Primary Contact Person	Mr Matthew Eastham, Chief Executive Officer Ph: 0437 668 835 E: grants@westdaly.nt.gov.au												

2. PROJECT DETAILS

ITEM (Clause references are to the General Conditions)	DETAILS
Item 1 Project (cl 1.1)	Fossil head shelters upgrades – WHEG2200004
Item 2 Works (cl 1.1, 6)	<p>Install new internal wall cladding and add insulation to internal walls on 3 sides. Supply and fit 3 x windows and awnings to 4 current structures on site. Supply and fit perforated sheets to 4 current structures and install insulation Batts G/Wool. Supply and install new main water lines to all 4 shade structures.</p> <p>All works must be completed by licensed professionals/tradesmen according to the relevant Australian Standards.</p>
Item 3 Project Objectives (cl 1.1)	Complete additional works to upgrade 4 existing structures at Fossil Head.

Item 4	Funding (cl 1.1, 4, 23)	Funding Amount			GST	
		\$126,144.04			N/A	
Item 5	Milestones and Milestone Payments (cl 1.1, 4)	Pmt No.	Milestone	Approximate Date	Funds Payable	GST (if applicable or N/A)
		1)	Execution of this agreement	12/05/2023	\$126,144.04	N/A
Item 6	Property (cl 1.1, 5)	Fossil Head				
Item 7	Practical Completion Date (cl 1.1, 8)	To be completed by 30 June 2024				
Item 8	Designated Use (cl 1.1, 11)	Designated Use: N/A Designated Use Period: N/A				
Item 9	Other Insurance (cl 15)	N/A				
Item 10	Assets (cl 20.1)	N/A				
Item 11	Asset Amount (cl 1.1, 20.2)	N/A				
Item 12	Reports and Acquittal (cl 1.1, 18)	Requirement			Date Due	
		Final Report, Acquittal and Financial Statements			28/08/2024	
		Other Reports: Full documentation of the completed works including all mandatory certificates, warranty documents and photographic evidence to be provided at the end of the project as part of the acquittal process.			28/08/2024 and upon our reasonable request.	
Item 13	Other Contributions	N/A				
Item 14	Probity Plan requirement amount (cl 9.8)	N/A				

PART B – TERMS AND CONDITIONS

1. GENERAL CONDITIONS

1.1 The contractual conditions (General Conditions) that apply to this Agreement are the:

Northern Territory Capital Grant Agreement Conditions Version no. 2022:02

1.2 The General Conditions are provided separately from this document at <https://nt.gov.au/community/grants-and-volunteers/grants/types-of-grant-funding-agreements> and are incorporated into this Agreement by reference with the same force and effect as though fully set out in this document. If you have not been provided with the General Conditions, you must contact our Primary Contact Person.

2. SPECIAL CONDITIONS

2.1 Unless the contrary intention appears, words and expressions defined in these Special Conditions have the same meaning and the same rules of interpretation as the General Conditions.

2.2 The following Special Conditions apply to this Agreement:

A.	N/A
----	-----

2.3 The following Additional Special Conditions apply to this Agreement:

A.	N/A
----	-----

SIGNING

Executed as an Agreement.

You agree that you have read all the Parts of this Agreement (including the General Conditions and any Special Conditions) and agree that you are fully aware of your rights, duties and obligations under this Agreement.

SIGNED by)
 (name of delegate) for and on behalf of the)
NORTHERN TERRITORY OF AUSTRALIA pursuant to)
 a delegation under the *Contracts Act 1978* in the) (Signature of Delegate)
 presence of:)
 Date: / /

.....
(Signature of Witness)

.....
(Name of Witness)

The **COMMON SEAL** of **WEST DALY REGIONAL**)
COUNCIL was hereto affixed in accordance with)
 section 26 of the *Local Government Act 2008* on)
 the day of 2023 in the)
 presence of:)

.....
Signature of Chief Executive Officer

.....
Signature of Council Member

.....
Print full name of Chief Executive Officer

.....
Print name of Council Member



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 25 MAY 2023

Report for Agenda Item No 12

Prepared by **Julieanne Wylie, EA to CEO and Mayor**

Correspondence Report

Purpose

To confirm a standard administrative process and best practice for West Daly Regional Council in the management of incoming and outgoing correspondence.

Background

A list of the incoming and outgoing correspondence Council receives is reported on at each Ordinary Council Meeting to provide our Elected Members with an overview – and copies can be made available on request.

Statutory Environment

Section 94 *Local Government Act 2019* is relevant to this matter.

Impact for Council

To bring Council into line with best practice amongst Northern Territory Regional Councils.

Strategic Alignment

This report is aligned to the West Daly Regional Plan 2022-2023.

Focus 1 - Strengthen our Organisation

1.2 Governance

Journey 1.2.3

Continue to strengthen the governance framework and encourage active contribution at all meetings

Recommendation

1. That Council notes and accepts the correspondence report for the period April 2023 to May 2023.

Attachments