



MEETING OF COUNCIL

WEDNESDAY, 24 FEBRUARY 2021

9:30am till 5:00pm

Held at the 3, 4 Albatross Street, Winnellie

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

Agenda available by the 19 February 2021, please contact Manager Corporate on <mailto:info@westdaly.nt.gov.au> or phone: 08 8901 3920

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AGENDA

West Daly Regional Council Meeting

Present

Apologies

Disclosure of interest – Councillors and Staff

Confirmation of Minutes

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Call for Items of General Business

Reports to Council

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General Business

Confidential

- 11 Tender Committee Report - Homelands Solar Power Supply and Installation
The report will be dealt with under Section 65(2) (f) of the Local Government Act 2008 and Regulation 8 of the Local Government (Administration) Regulations 2008. It contains Under Part 4 of the Local Government Regulations 8 (c) (i) "cause commercial prejudice to or confer an unfair commercial advantage on any person".
- 12 Wadeye Community Bus Tender
The report will be dealt with under Section 65(2) (f) of the Local Government Act 2008 and Regulation 8 of the Local Government (Administration) Regulations 2008. It contains Under Part 4 of the Local Government Regulations 8 (c) (i) "cause commercial prejudice to or confer an unfair commercial advantage on any person".



MINUTES OF THE COUNCIL MEETING HELD IN
WINNELLIE/WADEYE AND VIA TELECONFERENCE ON
THURSDAY, 4 FEBRUARY 2021 AT 9:30AM
(POSTPONED FROM 28 JANUARY 2021 AT 9:30AM)

Deputy Sams in the absence of Mayor Wilson declared the meeting open at 9:52am and welcomed all in attendance

PRESENT

| | |
|--------------------|-----------------------------------|
| Terry Sams | Deputy Mayor (via teleconference) |
| Wally Minjin | Councillor (via zoom) |
| Ralph Narburup | Councillor (via zoom) |
| Mark Martin | Councillor (via zoom) |
| Mark Tunmuck-Smith | Councillor (via zoom) |

Staff

| | |
|-------------------|---|
| Matthew Eastham | Chief Executive Officer (via zoom) |
| Peter Holt | Deputy Chief Executive Officer (via zoom) |
| Rebecca Purser | Manager Corporate (via zoom) |
| Ramesh Pudasaini | Senior Financial Consultant (via zoom) |
| Kristine Matienzo | Manager Grants (via zoom) |

Guests
Nil

APOLOGIES AND LEAVE OF ABSENCE

Apology received from Mayor Wilson

Motion:

That the Council accepts the apology received from Mayor Wilson

Moved: Cr. Tunmuck-Smith

Seconded: Cr. Narburup

Carried: Unanimously

DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF

There were no declarations of interest at this Council Meeting.

CONFIRMATION OF MINUTES

Minutes of the Council Meeting held on 16 December 2020

002/2021 **Motion:**

That the minutes be taken as read and be accepted as a true record of the Meeting.

Moved: Cr. Martin

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

Minutes of the Special Council Meeting held on 17 December 2020

003/2021 **Motion:**

That the minutes be taken as read and be accepted as a true record of the Meeting.

Moved: Cr. Martin

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

CALL FOR ITEMS OF GENERAL BUSINESS – NIL

REPORTS

1) ACEO Report

ACEO spoke to his written report.

Matters of discussion:

- NTEC Elections
 - * Process and dates for nominations and pre-polling.
 - * WDRC staff are able to conduct the polling at a significantly reduced cost to council. Training will be provided by NTEC.
- NIAA – Change Management regarding CNP Manager. WDRC to investigate the possibility of re-establishing the Father-Son Program.
- Roads – Discussions are underway with rectification of recently completed works.
- Swimming Pool – Interagency meeting required for support in the ongoing maintenance and continuation of the pool. Meeting to include DCM, Health Services, TDC, School, Kardu Diminin. Councillors are encouraged to attend all meetings regarding the swimming pool.

004/2021 **Motion:**

1. That Council receives and notes the ACEO report.

Moved: Cr. Minjin

Seconded: Cr. Narburup

Resolution: Unanimously

2) Financial Report - December 2020

Senior financial officer spoke to his written report. Also advised that TDC have recently made a payment reducing their debt to council.

005/2021 **Motion:**

1. That Council receives and notes the Financial Report for December 2020.

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

3) Foundation for Rural and Regional Renewal (FRRR) - Strengthening Rural Communities Round 6

Fees and Charges to be updated at next budget review to reflect hiring costs per day for the BBQ Trailer (\$100 per day)

006/2021 Motion:

- 1. That Council accepts the grant funding of \$9068 from Foundation for Rural and Regional Renewal (FRRR) - Strengthening Rural Communities Round 6 to purchase a BBQ trailer to be used by all three communities.**
- 2. Additional costs of \$840 from Council's own funds.**

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

4) Disaster Recovery Funding Arrangements (DRFA)

Councillors requested further information from LGANT and neighbouring Regional Council as to their approach/thoughts and that the motion be deferred.

Inquiries as to what is expected of, and any guidelines available, for Regional Council's with regards to requirements for record keeping/photos etc.

Motion:

That Council accepts and approves the standardised approach for the provision of funding to local government Councils for eligible expenditure on disaster related events from Local Government and Community Development Division of the Department of The Chief Minister and Cabinet.

Motion deferred

5) Local Roads and Community Infrastructure (LRCI) Grant Phase 2

Priority Roads are to be discussed at next meeting.

007/2021 Motion:

- 1. That Council accepts and approves the Local Roads and Community Infrastructure Program Grant Agreement Phase 2 between the Department of Infrastructure, Transport, Regional Development and Communications and West Daly Regional Council.**

Moved: Cr. Minjin
Seconded: Cr. Martin

Resolution: Unanimously

6) Variation to Community Sport Infrastructure Grant Agreement – Project CSI021522018 – Peppimenarti Football Oval Irrigation and Softball Oval Improvements

Irrigation requires 35K litres a day. Power and Water may need to sink a bore at additional cost to Council in the vicinity of \$80k.

Motion to be deferred until a full breakdown of project and additional costs undertaken.

Motion:

That Council accepts and approves the variation to Community Sport Infrastructure Grant Agreement between the Department of Infrastructure, Transport, Regional Development and Communications and West Daly Regional Council.

Motion deferred

7) Variation to Agreement with Northern Land Council – COVID-19 Homeland Assistance Project

008/2021 **Motion:**

That Council accepts and approves the variation to agreement between Northern Land Council and West Daly Regional Council regarding the COVID-19 Homelands Assistance Project executed on 12 October 2020.

Moved: Cr. Minjin

Seconded: Cr. Narburup

Resolution: Unanimously

8) Extension of time to expend the 2019-20 Special Community Assistance and Local Employment Funding (SCALE)

009/2021 **Motion:**

That Council accepts and approves the extension of time to expend the 2019-20 SCALE funding from the Local Government and Community Development Division of the Department of The Chief Minister and Cabinet.

Moved: Cr. Martin

Seconded: Cr. Minjin

Resolution: Unanimously

9) Remote Passenger Transport Program - Wadeye Community Bus Service

010/2021 **Motion:**

That Council accepts the Funding Agreement from the Northern

Territory of Australia through the Department of Infrastructure, Planning and Logistics (DIPL) amounting to \$256,768 excl GST for Wadeye Community Bus Service operations.

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

10) Local Government Priority Infrastructure Fund (LGPIF) 2020-21

Council elects for applications for the following be lodged.

1. Backhoe for Nganmarriyanga - \$164,933 ex gst (includes delivery to community)
2. Shed for Nganmarriyanga - \$116,313 ex gst

011/2021 **Motion:**

That Council approves for applications for a shed and a new backhoe at Nganmarriyanga be lodged for the funding opportunity under the LGPIF program managed by the Department of The Chief Minister and Cabinet.

Moved: Cr. Minjin
Seconded: Cr. Narburup
Resolution: Unanimously

11) Building Better Regions Fund (BBRF) – Round 5

Refurbishment of the swimming pool was discussed. Waiting on quotes to replace and/or repair the pool.

012/2021 **Motion:**

That Council is to decide on possible projects to seek funding under the BBRF Round 5 managed by the Australian Government, Department of Infrastructure, Transport, Regional Development and Communications.

Moved: Cr. Minjin
Seconded: Cr. Narburup
Resolution: Unanimously

GENERAL BUSINESS

Nil

12:45pm – Chairperson Sams closed the meeting for lunch

1:16pm – Chairperson Sams resumed the meeting.

DECISION TO MOVE TO CLOSED SESSION

1:17pm Chairperson Sams declared the meeting closed to the public and moved to the confidential agenda.

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:-

- 12 Palumpa Stations - Rates** - *The report will be dealt with under Section 65(2) (b) of the Local Government Act 2008 and Regulation 8 of the Local Government (Administration) Regulations 2008. It contains information about the personal circumstances of a resident or ratepayer.*
- 13 Tender Committee - 22-30 Seat Passenger Bus Wadeye** - *The report will be dealt with under Section 65(2) (f) of the Local Government Act 2008 and Regulation 8 of the Local Government (Administration) Regulations 2008. It contains Under Part 4 of the Local Government Regulations 8 (c) (i) "cause commercial prejudice to or confer an unfair commercial advantage on any person".*
- 14 Tender Committee - Homelands Solar Power Supply and Installation** - *The report will be dealt with under Section 65(2) (f) of the Local Government Act 2008 and Regulation 8 of the Local Government (Administration) Regulations 2008. It contains Under Part 4 of the Local Government Regulations 8 (c) (i) "cause commercial prejudice to or confer an unfair commercial advantage on any person".*

The meeting closed at am/pm.

THIS PAGE AND THE PRECEEDING 5 PAGES ARE THE MINUTES OF THE Meeting of Council HELD ON Thursday, 28 January 2021 AND CONFIRMED Wednesday, 24 February 2021.

MINUTES OF THE SPECIAL COUNCIL MEETING HELD IN THE
WADEYE ON FRIDAY, 29 JANUARY 2021 AT 3:45PM

Mayor Wilson declared the meeting open at 3:55pm and welcomed all in attendance.

PRESENT

| | | |
|--------------|--------------------|---------------------------------|
| Mayor | John Wilson | (teleconference from Darwin) |
| Deputy Mayor | Terry Sams | (teleconference from Emu Point) |
| Councillor | Wally Minjin | (teleconference from Wadeye) |
| Councillor | Mark Tunmuck-Smith | (teleconference from Wadeye) |

Staff

| | | |
|----------------|-------------------|------------------------------|
| Peter Holt | Acting CEO | (teleconference from Darwin) |
| Rebecca Purser | Manager Corporate | (teleconference from Darwin) |

APOLOGIES AND LEAVE OF ABSENCE

That Council receives and accepts the apologies from Councillors Mark Martin and Ralph Narburup.

Moved: Deputy Sams
Seconded: Cr. Tunmuck-Smith
Carried: Unanimously

DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF

There were no declarations of interest at this Special Council Meeting.

DECISION TO MOVE TO CLOSED SESSION

Mayor Wilson closed the meeting at 3:57pm and moved to the confidential agenda.

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:-

- 1 CEO Appointment** - *The report will be dealt with under Section 65(2) (a) of the Local Government Act 2008 and Regulation 8 of the Local Government (Administration) Regulations 2008. It contains 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.*

The meeting closed at 3:57pm.

THIS PAGE AND THE PRECEEDING 0 PAGES ARE THE MINUTES OF THE Special Meeting of Council HELD ON Friday, 29 January 2021 AND CONFIRMED .

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WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 24 FEBRUARY 2021

Report for Agenda Item No 1

Prepared by **Matthew Eastham, CEO and Peter Holt, Deputy CEO**

Chief Executive Officer's Report

Purpose

The purpose of the Chief Executive Officers report is to update progress on issues related to the governance and management of Council.

Background

The new Chief Executive Officer (CEO) Mr Matthew Eastham ASM has commenced. WDRC acknowledges the progressive work that Mr Peter Holt has undertaken as Acting CEO and Deputy CEO.

2021 Local Government Election

WDRC continues to work with the NT Electoral Commission to finalise a SLA relating to the provision of services and sharing of tasks for the upcoming Local Council elections. Benefits of this approach for the West Daly Region have previously been reported and once the SLA is finalised WDRC will work NTEC around staff training and a polling schedule to ensure adequate Community coverage. It is anticipated that overall costs will be lower than previous elections.

Independent Commissioner Against Corruption

Following correspondence from the Independent Commissioner Against Corruption (ICAC) the CEO has been appointed as the WDRC representative to be the primary contact to help public officers make a report to ICAC. By section 93(1)(b)(xv) of the Act, total responsibility to receive a protected communication, and the consequential reporting obligations, falls with the Chief Executive Officer. ICAC will provide training to the CEO in the coming months.

Wadeye swimming pool

Investigations continue into the viability of the Wadeye swimming pool. This includes meetings with key stakeholders to determine if a collaborative approach to the ongoing funding and management of the swimming pool can be negotiated. Detailed quoting to either repair or replace the pool together with financial analysis is being undertaken. Community benefits and health benefits of having a swimming pool at Wadeye need to be weighed against the financial implications for Council.

Advice has been received from Northern Land Council that acknowledges that no other organisation is prepared to take on the lease on Lot 562 with the facility in its current state of disrepair.

Community Night Patrol

It has been identified that the Community Night Patrol (CNP) requires additional front line leadership and managerial support. This will provide a range of benefits to the CNP and is being pursued as a matter of priority. Significant work was undertaken over the past 2 weeks relating to Working with Vulnerable People (WWVP) and Workplace Health and Safety (WHS) compliance and reporting. Further development of CNP and WDRC training and compliance reporting continues and the exposure of risk to Council is decreasing.

March Local Authority Visits

Planning is underway for a visit by the Treaty Commissioner and the Minister for Local Government across the West Daly Region in March 2021. To accommodate the Commissioner and allow for discussion to take place with each community it is proposed to move the Peppimenarti Local Authority meeting to Monday March 8.

Road update

Due to the current weather conditions and inaccessibility of many areas a number of NTG and Commonwealth projects have been delayed. As many Homelands are inaccessible the focus of the Homelands Administration officer has been on completing the six monthly report to the NTG and completing the procurement activities and tender for the works at Fossil Head, Namarluk and Old Mission.

With regard to road works, the Council has funded Murin Association to remediate works it had undertaken on the Peppimenarti access road. Issues have also arisen with the works undertaken on the Emu Point Road and an investigation will be conducted when access is possible to assess the reasons for the failures during this unusually strong monsoon season.

BBQ Trailers

WDRC has been able to fund a two BBQ trailers that together with the BBQ trailer secured via the Foundation for Rural and Regional Renewal (FRRR) funding grant will enable WDRC to allocate a BBQ to Wadeye, Nganmarriyanga and Peppimenarti. This will provide benefits to Community and opportunities for engagement across all Community stakeholder groups.

Priorities for the new CEO is stakeholder engagement across the Community, NTG and business as well as reviewing the WDRC fiscal position and commencing an assessment of organisational governance and leadership.

Homelands

A Homelands Policy review has been conducted by the Northern Territory Government and an initial discussion has occurred with the Director of Homelands on the implications for WDRC. The review will lead to major

changes in funding arrangements and reporting. It is expected that in future there will be some reengagement with the Commonwealth and the Land Councils as has occurred with the recent releases of funds from the Aboriginal Benefit Account.

The review has examined four key areas:

- Homelands Eligibility criteria
- Grants programs
- Model of Service Delivery
- Homes in Homelands

CouncilBiz

On February 15-16 CouncilBiz conducted a workshop and their Board meeting. The one day workshop focussed on the planning for the ongoing development of CouncilBiz, the transition of services to the cloud and the changes required for a local government subsidiary under the new *Local Government Act 2019*. Comments were also sought on the CouncilBiz draft Annual Plan and these are due by 30 April.

A discussion was held on the Customer Satisfaction survey and some concerns were raised in the WDRC response regarding the access to training for WDRC staff and for assistance in improving our records management system. These and other matters will be raised in upcoming meetings with CouncilBiz Acting General Manager and the WDRC Chief Executive.

Orange Sky laundry proposal

Judith Meicklejohn, Program Manager for remote and Indigenous services at Orange Sky Australia, has contacted WDRC about supporting the Wadeye community in developing laundry facilities. It was suggested that discussion should occur with other community organisations but that the WDRC would assist and support the project wherever possible.

Orange Sky Australia is a not-for-profit organisation that provides access to free laundry; safe, hot shower services; and non-judgemental conversation for people in need or who may be experiencing homelessness. OS have 32 services across Australia with three laundry services being in remote communities, Lockhart River and Palm Island in Queensland and Maningrida.

Orange Sky information can be found on their remote services webpage at <https://orangesky.org.au/remote>.

Priorities for the new Chief Executive

Priorities for the new CEO is stakeholder engagement across the Community, the NTG and business as well as reviewing the WDRC fiscal position and commencing an assessment of organisational governance and leadership.

Impact for Council

Information purposes only.

Recommendation

- 1. That Council receives and notes the Chief Executive Officer's report.**

Attachments

- 1** Homelands-Policy-Review
- 2** NTG-Response-to-Homelands-Policy-Review

Letter from Anna Woods, Northern Land Council re: Wadeye Swimming Pool to be tabled.



TERRITORY FAMILIES,
HOUSING AND COMMUNITIES

Review of the **Homelands Policy**



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1 Introduction

Territory Families, Housing and Communities (TFHC) has undertaken a review of the Homelands Policy and Programs. This review document and its recommendations have been written to inform the development of a draft new Homelands Policy. The purpose of the review, as referenced in the Northern Territory Housing Strategy 2020 2025, is to identify an appropriate approach to supporting Aboriginal people to live on their ancestral lands.¹

1.1 Background

Through the various Homelands programs, TFHC provides a range of grants to assist service providers in the delivery of municipal and essential services and the maintenance and improvement of currently occupied dwellings in Homelands locations. In the 2018 19 financial year, 386 Homelands (out of approximately 600) were funded under various grant programs, with approximately 6,000 to 7,000 residents occupying 1,402 dwellings benefiting from funding.²

Almost all housing and related infrastructure in Northern Territory (NT) Homelands has been constructed under Commonwealth funded programs. Any Commonwealth commitment to the construction of housing on Homelands in the NT, however, formally ended in 2007 with the signing of a Memorandum of Understanding (MoU) between the two governments. The MoU stipulated that no Commonwealth funding would be provided to construct new housing on Homelands, and transferred responsibility for Homelands servicing to the NT. The NT Government has had full fiscal responsibility for the servicing of Homelands since 2015.

The debate over funding responsibilities between the Commonwealth and the NT has taken place within a dynamic policy environment, during which the viability of remote communities generally has been affected by the dual challenge of reforms to economic development and employment services (that has seen the withdrawal of the Community Development Employment Program) and reforms to local government that have seen the supersession of Indigenous Community Councils by Regional Councils, and therefore a greater reliance by communities on regional service providers.

Given this context and the limited funding available, many of the issues identified through what is arguably the most comprehensive review of Homelands undertaken to date – namely the House of Representatives Standing Committee on Aboriginal Affairs' (HRSCAA) review conducted between 1985 and 1987 – remain of concern in policy discourse today. This includes the location and number of Homelands and their residents, the economic viability of Homelands, and the quality of available housing infrastructure, education, and health services.³

The NT Government's first attempt to address the Homelands question independently of the Commonwealth was made in 2009, with the release of its first ever policy for Homelands; setting out how the Government intends to provide services and much needed infrastructure to assist communities living on Aboriginal owned lands.⁴

¹ A Home for all Territorians (2019) Northern Territory Housing Strategy 2020 2025

² Homelands Program Guidelines 2019/20

³ Return to Country: The Aboriginal Homelands Movement in Australia (1987) Blanchard

⁴ NT Government, Working Future: Fresh Ideas/Real Results (2009)

Although this new approach aimed to create an allocation framework for the disbursement of funds, and to improve certainty and transparency for all stakeholders, many impediments to social and economic development on country have persisted. This includes pervasive issues around tenure security, asset ownership and landlord responsibilities (where appropriate leases are not in place), as well as issues regarding the lack of formalised tenancy arrangements, which have combined to reduce certainty regarding expected levels of service delivery and the responsibilities of residents, service providers and Government.

While the 2015 Homelands Policy, addressed through this review, has established grants programs that address basic levels of need and seek to achieve an equitable distribution of funding across all locations, various policy challenges have persisted. Housing and related infrastructure assets remain in generally poor condition, while greater transparency is arguably required to ensure a more optimal allocation of resources, distributed across regions to locations in most need, and to ensure that residents and service providers have a clearer understanding of expected levels of service delivery and the responsibilities of residents.

1.2 Review Scope

In undertaking this review and to inform the drafting of a new Homelands Policy, the Department has considered the written submissions sought from stakeholders over 2018 (from which a total of 18 submissions were received) as well as key policy and program documentation provided by the Department and other publicly available reports relevant to the history of service provision to Homelands in the NT.

This material has been supplemented by the working knowledge of the policy and programs articulated by members of the Homelands Services Group (HSG) during a series of face to face and telephone interviews. The review is specific to the business of the TFHC and therefore excludes an analysis of matters which are the responsibility of other NT agencies or jurisdictions.

The review's Terms of Reference are to consider as a priority, the following four elements:

- **definition and eligibility criteria** – The efficacy and application of existing guidelines which restrict funding of Homelands to locations with on going social, cultural and economic development programs (in addition to support from a suitable service provider) as well as physical infrastructure requirements, such as a potable water supply, power supply, physical access, and safe and secure housing. The review and subsequent new policy is to establish policy principles, a definition of 'Homeland' and criteria for funding.
- **grants programs** – The efficiency, effectiveness and appropriateness of the policy's funded grants programs, including: Municipal and Essential Services (MES) grants; Housing Maintenance Services (HMS) grants; Homelands Extra Allowance (HEA); MES Special Purposes Grants (MESSPG); and Homelands Jobs. The review is to recommend on continuation of the current Homelands grants programs.
- **model of service delivery** – The efficiency, effectiveness and appropriateness of the current model of service delivery through approximately 40 service providers, including the structure of agency funding agreements and the certainty these provide for residents; and the performance of the model in terms of cost efficiency, service delivery outcomes and the quality of performance monitoring systems to ensure transparency and accountability. The review is to recommend on continuation of the current service delivery model.

- **construction of new houses** – An examination of opportunities to fund the construction of new houses (including under the proposed new housing in Homelands co funding policy) in locations with economic development potential and to address issues of overcrowding. Opportunities may also exist to part fund new investment where this is matched by private investment (either individually or through community trusts) and supported through costed asset planning. The review is to recommend on feasibility of the proposed new housing in Homelands co funding policy.
The review is also to address the following secondary issues, including the identification of policy positions appropriate for recognition in the draft new Homelands Policy.
- **economic development** – Development of criteria for inclusion in the funding program of Homelands with economic development potential, including new locations or those with the potential for expansion because of opportunities for enterprise in industries such as ecotourism, coastal security, the cultural economy or in industries related to biodiversity maintenance and climate change.
- **remote communities classification** – The prospects for reclassifying large Homelands as gazetted communities for integration into the NT Government co ordinated service delivery models for remote communities, based on usual population and the number of dwellings, and for locations where alternative models of service delivery are feasible.
- **water supplies** – Policy issues relating to the quantity and quality of water supplies available in existing funded Homelands locations (including chemicals and particulates, risk of microbiological contamination, and mitigation measures such as water treatment, monitoring, and other options to prevent contamination).
- **energy supplies** – Policy issues relating to the availability of reliable energy supplies in existing funded Homelands locations.

1.3 Submissions

In 2018, TFHC sought written submissions from stakeholders concerning the current policy from which a total of 18 submissions was received (listed in Appendix A). A number of key themes emerged throughout the submissions, including:

- **a lack of clarity and transparency** – Homelands' policies, decisions and guidelines are not clear or transparent to residents or stakeholders. This is further complicated by the number of NTG (Northern Territory Government) and Commonwealth agencies operating multiple programs on Homelands. Furthermore, messaging from the Department and service providers about Homelands' policies and programs is sometimes contradictory.
- **insufficient consultation** – Consultation of Homelands residents by the Department and service providers is insufficient and can lead to the services provided not being fit for purpose, and being delivered in a manner that is inefficient and not culturally appropriate.
- **new housing and upgrades to existing housing stock is required** – Homelands' housing stock is generally in poor repair, and in some circumstances overcrowded. These issues result in Homelands residents migrating to communities and urban centres, exacerbating the overcrowding of housing in those places, and leading to poorer outcomes.

- **homelands do not exist in isolation** – Homelands residents are frequently required to travel to communities and urban centres to access services, visit families and undertake other activities. Travel also occurs in response to regular weather events, including the wet season and extreme summer heat.
- **local decision making (LDM)** – The LDM process should be utilised to identify where Aboriginal people can have control over service provision.
- **consolidation of grant programs** – While there are a number of positive outcomes achieved through the grant programs, they are poorly understood by Homelands residents, service providers and other stakeholders. Compliance is burdensome and complex for service providers, and monitoring of the outcomes of spending is inadequate, with insufficient incentive for service providers to provide services efficiently. Grants should be streamlined and more flexible to allow prioritisation of works with community input.
- **greater coordination of policy and funding is required** – Coordination between all NTG and Commonwealth agencies, and Land Councils in policy and funding would result in reduced overlap in service provision and enhanced infrastructure and service delivery for Homelands residents.

2 Homelands' Definition and Eligibility Criteria

This section examines the efficacy and application of existing guidelines which restrict funding of Homelands to locations with on going social, cultural and economic development programs (in addition to support from a suitable service provider) as well as physical infrastructure requirements, such as a potable water supply, power supply, physical access, and safe and secure housing.

2.1 Current Definitions

The NT's Homelands vary widely in terms of population size, number of occupied dwellings and the human, physical and financial resources available to residents. Most are small, comprising only one or two families, often predominantly dependent on welfare income, while others may have expanding populations of more than 100 people, with developing economies built on arts production, employment as rangers or wildlife harvesting.⁵ Indeed, the diversity of locations described as Homelands has led one commentator to conclude, that "for every definition of [Homelands] many exceptions to the general rule are readily found" and so "rather than attempting to arrive at a national definition, it is more realistic, for policy purposes, to accept [Homelands] in all their various regional manifestations."⁶

While the 2015 Homelands Policy provides no specific definition, the document suggests Homelands are "small Aboriginal communities where residents live in order to fulfil their cultural obligations to their inherited country and its underlying traditional law", and thereby conceptualises their existence within a rights based framework in which "Government acknowledges the importance of Aboriginal people's cultural connections to their traditional lands."⁷ The definition implied by the policy emphasises Homelands as a place of residence for a distinct social grouping of people, whose rightful homes are located on ancestral lands of cultural and spiritual significance, and for whom a return to traditional country is regarded as an important means of fulfilling cultural obligations.⁸

2.1.1 Challenges and Implications

Although this characterisation of Homelands affirms the right of Aboriginal people to access their traditional lands under various United Nations treaties and declarations,⁹ there are significant practical obstacles to such a framework's implementation and clarity of interpretation under the current policy. As acknowledged during consultations for this review, the fact of broad diversity in the types of locations identified as Homelands is a consequence of an approach that loosely focuses on the expressed rights of a people, rather than the specific attributes of a place, with wide reaching implications for resourcing that has tended towards inequity and inefficiency in resource allocation.

Within a cultural framework for Homelands resourcing, individuals in small and remote locations with high levels of dependency may conceivably receive levels of investment that are disproportionately greater than their counter parts in more central locations, given that servicing such sites requires a disproportionate base level of infrastructure investment and administrative effort for fewer people.

In the context of extreme geographic remoteness and increasingly constrained fiscal resources (often over decades of support), this logic has driven a progressively ad hoc approach to Homelands servicing across the NT, as service providers scramble to meet their obligations and struggle to manage the scarcity. Despite the inclusive and aspirational intent of the cultural rights approach, support for Homelands has tended to be driven by hard financial imperatives (or else is susceptible to the wishes of those with corporate and cultural decision making power able to influence the outcome).

Furthermore, despite frequent references to traditional owners and the inferred connection between traditional ownership, cultural aspirations and Homelands residency, the 2015 policy makes no reference to land tenure or the significance of tenure arrangements for the exercise of cultural rights. Although the majority of Homelands are located on Aboriginal owned lands, the policy adopts no specific position with respect to traditional ownership or land tenure, with the implication that despite the cultural framework implied, support for Homelands is currently not strictly limited to either communal tenures or traditional ownership. Based on consultations with Government, it is apparent that many Homelands residents are not traditional owners and have neither a direct ancestral connection to the location or engage in cultural practices particular to the site.

Almost all Homelands are located on communally owned and controlled land, such as Aboriginal Land Trust areas (returned to traditional ownership under the Territory's Aboriginal Land Rights (NT) Act 1976), or other statutory tenures, including Community Living Areas (excised from pastoral leases) and parcels of land within national parks. Although not fungible assets, the communal nature of the tenures for lands where the majority of Homelands are located is itself a cause of confusion in the absence of clear policy direction, and the complexity of use and ownership rights under which these tenures are protected is a source of considerable misunderstanding and uncertainty.

Homelands' dwellings are not privately owned and are not managed as public housing, but are regarded as communally owned structures located on Aboriginal land which are managed by the occupants.¹⁰ Residents and service providers alike, however, typically view homes as Government property, and rarely understand their obligation to take collective responsibility for the assets they technically own on their land. Consultation findings suggest there is almost no clarity over rights and obligations, at the individual or collective level, and typically no acknowledgement from Land Councils of their ultimate responsibilities to residents under the Residential Tenancies (NT) Act 1999.¹¹ This is a particularly problematic issue for Government with respect to high value capital investments on Homelands' like power stations – particularly should these assets become under used and stranded – given that the underlying ownership of these investments is technically with the land holders.

⁵ The Future of Homelands/Outstations (2010) Kerins, Centre for Aboriginal Economic Policy Research, Topical Issue No. 01/20105

⁶ Review of Resource Agencies Servicing Indigenous Communities (1998) Altman, Gillespie and Palmer

⁷ Return Northern Territory Government (2015) Homelands Policy: a Shared Responsibility

⁸ Australian Human Rights Commission (2009) Social Justice Report

⁹ Such as the United Nations Declaration on the Rights of Indigenous Peoples (2007) and the United Nations Declaration on the Right to Development (1986)

¹⁰ Department of Housing, Local Government and Community Development (2018) Draft Homelands Policy Framework

¹¹ Residential Tenancies Act 1999 (NT) Division 1 & 3 (Australia)

Many Aboriginal people are reported to have chosen a Homelands location – as distinct from gazetted communities – not simply because of their role in cultural maintenance and survival, but because these are places that have offered them an opportunity to escape the pressures and dysfunctions of life in the larger communities. Seen from this perspective, the transience of population that is a feature of Homelands living is not so much about the movement of people from Homelands to larger communities to access Government services, but the movement from larger communities to Homelands where the institutions of welfare dependency, and the intergenerational trauma that persists, can be escaped. Indeed, recent evidence suggests that there is a trend towards the depopulation of Homelands, with evidence of net migration to larger communities and urban centres over recent years.¹²

A finding from consultations undertaken for this review is that many of the more recent bolt on elements of the current policy have failed to recognise this reality, and add on new criteria around social and economic development (to shape the vision for Homelands that can be supported) but without the means to give this practical effect. Eligibility criteria for Homelands residents that references participation in education, training or economic participation, fits within this category and place the onus of responsibility on residents, while ignoring the entrenched barriers to access that render the criteria meaningless.

A good example of this is the eligibility criterion for the Homelands Extra Allowance (HEA) requiring children of prospective recipients to regularly attend school, despite there being no means of proving this requirement or there being no accessible school. It is neither enforceable nor enforced. All such social and economic development criteria are adjunct to the core cultural rights framework, which offers a vision of rights based development that Government simply lacks the resources to deliver.

As the Aboriginal land base has expanded and support for decentralisation has grown, the looseness of a cultural framework as the basis for defining Homelands is revealed. Instead of enabling demand driven opportunities for the maintenance and expansion of cultural rights under the policy, it has exposed the inability of Government funding to give these and other social and economic rights to development full effect. With a broad cultural imperative, the rationale for identifying locations as Homelands has become fluid and subject to local administrative and financial management convenience, as opposed to principles of Government policy that cannot realistically be met.

2.1.2 Towards a Redefinition

There is a compelling case that a clear cut population based definition of Homelands should be considered, along with greater clarity regarding the types of land tenure that are covered. While some Homelands have grown under the policy to become significant sized communities (of greater than 200 persons), in the vast majority of cases they have populations of less than 100 and are smaller than townships and regional centres.¹³ Over 80 Homelands consist of only one home and many more have less than 10 occupied dwellings. This fact has already been explicitly recognised in contemporary policy documents, such as The National Partnership Agreement on Stronger Futures in the Northern Territory, for example, which defines a Homeland as “a small remote discrete community of Aboriginal peoples, usually less than 50 100, with a water supply and permanent accommodation that is reliant on larger communities or hubs for many services such as schools and health centres”.¹⁴

Governments have routinely defined settlements by their size and position within a hierarchy of settlements and provided resources accordingly.¹⁵ In the context of managing the delivery of Government services, therefore, Homelands might best be considered as the smallest or lowest level in a hierarchy of settlements, for which it is not feasible to be self reliant for many services that must be provided at larger centres. Planning at the regional council, resource agency and individual Homeland level was a central thrust of the National Homelands Policy adopted by the Aboriginal and Torres Strait Islander Commission (ATSIC) in 1999.¹⁶ This set out the threshold conditions to be met in order for a new Homeland to attract Government funding and established the core criteria for the establishment of new Homelands that, in part, continue to be applied today: namely suitable land tenure, principal place of residence, access to potable water, and support from a community organisation or resource agency.¹⁷

Of these criteria, ‘principal place of residence’ is regarded as the most contentious concept, given the

high level of population mobility amongst Homelands residents. Several commentators see a tension between the threshold condition first set out in the National Homelands Policy and the observed pattern of residence of Aboriginal people, who may have more than one regular place of residence. The argument runs that it is possible for an Aboriginal Homeland to be empty for extended periods, but still have pressures placed upon its infrastructure when people are resident, while settlements that are not a principal place of residence may serve a vital role in maintaining livelihoods and therefore continue to be worthy of support. Stranded infrastructure is a related issue raised during this review, whereby Homelands with infrastructure considered to be under used or abandoned are at risk of being de funded and the infrastructure left to decay.¹⁸

Fixing the definition of Homelands to a threshold of population does not necessarily, however, ignore the reality of such transience and fluctuations in population caused by the need for people to travel to larger centres for health, education and work.¹⁹ This truth can readily be managed by considering raw population as contingent on other factors, including principal place of residence, but also length of occupancy and land tenure. People may need to travel for many reasons, but according to those interviewed for this review, most Homelands are occupied by their usual residents for most of the time (unless otherwise inaccessible in the wet season). A population threshold need not be inconsistent with a requirement to continue to maintain services to existing eligible locations – no Homeland currently receiving support should lose it – and the policy must continue to recognise that while Aboriginal people may be mobile for a variety of reasons, this is not an indication that they wish to permanently vacate their Homelands.

From a fairness and equity perspective, a population centred definition of Homelands offers a number of credible benefits. It is best that all community sized locations be treated the same, and those concerned about the demarcation between Homelands and larger communities should be given greater clarity to make these decisions. As acknowledged by the Australian Human Rights Commission, a population based definition enables a wide range of types of Homelands to be recognised (including Community Living Areas) without denying the need to support the sustainability of infrastructure in cases where occupancy fluctuates.²⁰ The reviewers note that this is also the position of the Centre for Appropriate Technology (CAT) who when undertaking its review of the assets of Homelands locations, “saw no difficulty in continuing to utilise the criterion of population less than 50 to identify a category of very small settlements with particular service needs.”²¹

Where policies in relation to residency are made clear, along with clarified expectations around the level of support that can be provided when low rates of occupancy occur, it is feasible to move forward. As demonstrated in the CAT Homelands’ Asset Review, it is possible for Homelands residents to clearly understand that if their occupation drops below an agreed level then they will no longer be eligible for the maximum level of support. According to CAT, the majority of service providers have a general approach of matching support to the observed level of commitment to a particular location, through which essential services are prioritised should a previously unoccupied Homeland become occupied again.²² Where Homelands are unoccupied and residents wish to return, initial investments in low cost or appropriate technologies to secure water, shelter and power are possible.

In circumstances where the emphasis on threshold population (with its derived focus on a hierarchy

¹² Northern Territory Contemporary Indigenous Migration Trends (2019) Taylor, A. & Dyrting, S. Northern Institute Research Briefs, (RB02), 1 29

¹³ The Northern Territory Homelands and Outstations Assets and Access Review (2016) Centre for Appropriate Technology

¹⁴ The National Partnership Agreement on Stronger Futures in the Northern Territory (2012)

¹⁵ Funding agreements between the Commonwealth and NT Governments have historically distinguished between larger Indigenous communities (for which the NT Government has taken primary responsibility) and smaller communities, classed as Homelands or Outstations, for which the Commonwealth retained funding responsibility until 2008

¹⁶ National Homelands Policy Review (2004) Centre for Appropriate Technology

¹⁷ National Homelands Policy Review (2004) Centre for Appropriate Technology

¹⁸ Northern Territory Homelands and Outstations Assets and Access Review (2016) Centre for Appropriate Technology

¹⁹ The First Ever Northern Territory Homelands Policy (2009) Kerins, Indigenous Law Bulletin 7

²⁰ Australian Human Rights Commission (2009) Social Justice Report

²¹ National Homelands Policy Review (2004) Centre for Appropriate Technology

of service and infrastructure requirements) is considered overly restrictive – and detrimental to the establishment or growth of settlements with economic development potential – then alternative arrangements should apply. The negotiation of a suitable LDM agreement between Government and a regional or local representative body offers such potential within the contemporary policy landscape of the NT. These arrangements provide the opportunity to accommodate aspirations for a broad based investment in social and economic development, in conjunction with physical infrastructure investments, to enable the types of broad based community development (with access to Whole of Government support) which the current Homelands policy is unable to deliver.²³ Negotiation of an LDM agreement provides opportunities for interested Homelands to become more independent and self supporting, if managed in conjunction with an assessment of Homelands' servicing capability and assistance with capacity development. The guiding principles of healing, engagement and respect will guide the way the program engages, interacts, works and partners with Homelands' residents.

2.2 Additional Eligibility Criteria

Irrespective of the definition assigned to Homelands and their populations, several additional criteria have historically applied with respect to eligibility for funding of these locations, including water security, power supply and support from a service provider. Although overall less contentious than the core definitional issues discussed, questions of eligibility remain pertinent for this review.

Foremost of these criteria is access to potable water, given the high costs associated with provision of new supply and the complicating issue of water purity in addition to water availability. Water security has been a key criterion for the approval of a Homeland for funding, with the position taken under the current policy that access to a continuous (and uncontaminated) water supply is crucial for the viability of the Homeland location. More recent policy thinking has strengthened this view, stating that effective community water management plans must be in place to understand and mitigate the risks to water security and ensure that Homelands have a continuous supply.²⁴

Currently, only around 25 per cent of Homelands have a current water management plan in place, and it is accepted that further prescription is required to establish how water security is defined and the extent to which Government is responsible for ensuring continuity of supply where local water availability is limited or water is contaminated. The issue is of increasing concern across all NT regions as rainfall patterns become more erratic and tend towards lower average annual rainfall. Clearly, where there is no available supply of water for residents locally, it is untenable for Government to continue to support the location.

Similar to water supply, the current policy stipulates that a Homeland must have in place infrastructure for the provision of an adequate power supply. The age of this infrastructure and its generally poor condition, however, has severely tested this requirement, and according to the CAT Homelands' Assets Review, nearly 40 per cent of Homelands have no global power supply and rely on small diesel or petrol generators connected to individual dwellings. While it is reasonable to expect that a continuous power supply be a requirement for Homelands funding, the lack of reliable supply is overall symptomatic of an insufficient funding base to support the requirement.

Subject to available funding, efforts to transition to new technologies should be considered, given the lower operating costs (for both fuel source and maintenance) associated with solar solutions. Any such investment should be made in conjunction with appropriate leasing arrangements to ensure there is tenure security for new Government assets. In this regard, solar also has the advantage of being a relatively mobile technology (compared to in situ diesel) which mitigates the risk of stranded assets.

²³ Contemporary examples include the Baniyala and Djalkiripuyu LDM agreement, between the Djalkiripuyu people and NTG, which sees to return local decision making and service delivery to local Aboriginal communities

²⁴ Department of Local Government, Housing and Community Development (2018) Draft Homelands Policy Framework.

The final eligibility requirement linked to Homelands funding is 'support from a service provider', which continues to be a non negotiable requirement given that Government must enter into a formal contract to fund the provision of services. A prospective service provider must also, of necessity, have reasonable access to the locations it services in order for services to be delivered. The role of service providers in the delivery of Homelands' services and the model of service delivery is discussed in the proceeding section of this review.

2.3 Policy Recommendations

With respect to the definition of Homelands and the funding eligibility criteria for Homelands' support, this review recommends that:

- **Recommendation 1:** The NT Government re engages with the Commonwealth Government and Land Councils to encourage a more equitable sharing of financial and program responsibilities, in the interests of securing long term and sustainable policy outcomes through a co ordinated approach to Homelands' policy and service provision.
- **Recommendation 2:** Homelands be defined on the basis of population size and land tenure: as small discrete Aboriginal communities of less than 100 persons of Aboriginal descent living on Aboriginal communally owned and controlled lands. Locations that are already over 100 people, but do not wish to become a community, should be grandfathered and Homelands' services maintained. Existing Homelands that grow to exceed 100 people should become a gazetted community.
- **Recommendation 3:** That Homelands experiencing strong growth pressures in locations with economic development potential have the opportunity to negotiate funding for investment in new and expanded service delivery through LDM processes. Where Homelands successfully negotiate an LDM agreement that incorporates services that provided by the Homelands' program, and that Homeland meets eligibility requirements for funding, there should be a funding transfer from the Homelands program to fund the LDM agreement.
- **Recommendation 4:** That existing eligibility criteria be maintained and strengthened to require that an eligible Homeland must be the occupant's principal place of residence, and that support for a Homeland will be reviewed if left unoccupied for more than four months.²⁵ The onus on providing proof that Homelands are occupied should lie with service providers.
- **Recommendation 5:** A Homeland must have an adequate potable water supply for its occupants, as identified in the water management plan for that location. For Homelands being added to the program, funding will not be available to establish a new water source locally (where the existing source of water is no longer available or becomes contaminated and unusable).
- **Recommendation 6:** A Homeland must have in place appropriate infrastructure for the provision of an adequate power supply for its occupants. Where the Department makes an investment in updating power infrastructure (such as a transfer from diesel to solar generation) it should secure the rights, through negotiation with the appropriate Land Council, to repurpose or move the asset should the Homeland become unoccupied.

²⁵ The 2019 Program Guidelines define 'permanent occupancy' as from 75% and 'seasonal occupancy' from 60%, while to avoid an unrealistic administrative burden, the onus is on the resident to prove 'principal place of residence' in order to avoid those who are the primary or co tenant of public housing receiving Homelands support

3 Homelands' Grants Programs

This section considers the efficiency, effectiveness and appropriateness of the policy's funded grants programs, including: Municipal and Essential Services (MES) grants; Housing Maintenance Services (HMS) grants; Homelands Extra Allowance (HEA); MES Special Purposes Grants (MESSPG); and Homelands Jobs.

3.1 Current Policy

The Homelands policy currently provides services to eligible Homelands through five grant programs. These are administered by providing the funding to intermediary service providers who are contracted to provide corresponding services to a scheduled list of Homelands. The model of service delivery will be considered further in the following chapter. Programs are designed to address basic levels and need for municipal and essential services, and housing maintenance across eligible Homelands, as well as seeking to achieve an equitable distribution of funding across all Homelands and regional locations.

In the 2019/20 year, the funding allocation for the grant programs is as follow:

| Grant Program | 2019/20 Funding Allocation |
|--|----------------------------|
| Municipal and Essential Services (MES) | \$14.934 million |
| Housing Maintenance Services (HMS) | \$ 6.715 million |
| Homelands Jobs | \$ 6.000 million |
| MES Special Purposes Grants (MESSPG) | \$ 5.823 million |
| Homelands Extra Allowance (HEA) | \$ 2.548 million |

The grant programs are outlined in the HSG 2019 20 Homelands Program Guidelines.

3.1.1 Municipal and Essential Services (MES)

MES grant funding is directed toward repairs and maintenance, minor works and general operational costs for the delivery of municipal and essential services to Homelands. Municipal services are primarily concerned with road and aerodrome maintenance, waste disposal, landscaping and dust control in common areas, firebreaks, animal control, environmental health activities and other municipal services. Essential service activities are primarily concerned with electricity supply, water supply and sanitation systems operation and maintenance.

MES grant funding is allocated to service providers based on the number of dwellings in the Homelands they manage, with an adjustment for those Homelands that are either difficult to access, or provide either or both their own power and water (that is, either or both power and water are not provided by Power and Water Corporation). Funding is adjusted annually for the number of occupied dwellings on eligible Homelands included in the program. The Homelands program requires contracted service providers to perform an annual occupancy and population survey, verified by the program's Technical Officers, to inform the number of eligible Homelands and occupied dwellings.

Service providers must not use more than 20 per cent of MES funding for administrative or overhead costs associated with program delivery, or more than 50 per cent of MES funding for paying salaries or wages to staff involved with program delivery. MES funding should not be utilised in the delivery of any other grant program.

3.1.2 Housing Maintenance Service (HMS)

HMS grant funding is directed toward assisting Homelands' residents to live in a safe and healthy environment. Service providers are instructed to direct funding first to urgent repairs, which should be attended to within 48 hours, and then to general or routine repairs and maintenance with the purpose of extending the life of houses and minimising deterioration.

As with MES grant funding, HMS grant funding is allocated to service providers based on the number of dwellings in the Homelands they manage, with an adjustment for those Homelands that are difficult to access, and those Homelands that provide either or both their own power and water. Funding is adjusted annually for the number of occupied dwellings on eligible Homelands included in the program. The Homelands program requires contracted service providers to perform an annual occupancy and population survey, verified by the program's Technical Officers, to inform the number of eligible Homelands and occupied dwellings.

Service providers must not use more than 20 per cent of HMS funding for administrative or overhead costs associated with program delivery, or more than 50 per cent of HMS funding for paying salaries or wages to staff involved with program delivery. HMS funding should not be utilised in the delivery of any other grant program.

3.1.3 Homelands Jobs

Homelands Jobs grant funding is provided to service providers to employ local Aboriginal people in Homelands to assist in the delivery of Homelands' programs in order to increase economic participation by offering employment and training opportunities to local residents. The funding is to be used to pay salaries or wages or to up skill Aboriginal staff who are directly involved in the delivery of Homelands' programs.

As with MES and HMS grant funding, Homelands Jobs is allocated to service providers based on the number of dwellings in the Homelands they manage, with an adjustment for those Homelands that are difficult to access, and those Homelands that provide either or both their own power and water. An annual adjustment is made for changes in Homelands' eligibility and number of dwellings. No program monies are to be directed to administrative or overhead costs.

3.1.4 MES Special Purposes Grants (MESSPG)

MESSPG funding is used to complement the MES program in funding capital costs for the delivery of municipal and essential services to Homelands. Any assets or infrastructure purchased or improved under the grant must be used to deliver services to eligible Homelands. Service providers can apply for projects to be funded, and funding is prioritised according to the project's assessed need, with projects prioritised in descending order as follows:

- water systems and water management systems;
- power and sanitation systems;
- waste management;
- other municipal services and backup essential services systems; and
- infrastructure or municipal projects beyond the scope of MES.

The Program Guidelines recommend that service providers check and reference the infrastructure and equipment registers and maintenance logs they are required to maintain under the MES and HMS program requirements, before lodging applications for MESSPG grant funding. MESSPG funds are not to be directed to pay for administrative or overhead costs, and overheads or for paying salaries or wages to staff involved with program delivery.

3.1.5 Homelands Extra Allowance (HEA)

HEA grant funding is intended to modernise facilities, improve living spaces or covered areas and to make work areas more accessible, safer and easier to maintain. Funding should first be directed to urgent housing works or general repairs and maintenance works, such as electrical works, water leaks, blocked toilets, taps, doors, windows, locks, lights and fans.

Homelands can apply for up to \$8,000 funding in 2019/20 through their Homeland's service provider, with the application being agreed between the resident and the service provider. The house identified in the application must be part of an eligible Homeland. The program accepts HEA applications from the start of the financial year until funding is exhausted.

Applications must meet a number of additional eligibility requirements, including:

- the house where works will be undertaken is the applicant's principal place of residence and the applicant is not a primary or co client of NT Government assisted housing;
- children who live permanently on the Homeland attend school regularly;
- the applicant is contributing to the upkeep of the house, such as maintaining the home or Homeland, or paying service fees to the service provider;
- the applicant must be participating in the economy through paid work, self employment, community jobs schemes, training, registered volunteer work and/or membership of community boards and committees, or be in receipt of an age, disability or carers payment; and
- the total income received by the applicant did not exceed \$85,000 in the last financial year.

Service providers can use up to 10 per cent of HEA funding for administrative costs and overheads related to delivering the program.

3.2 Challenges and Implications

3.2.1 Municipal and Essential Services (MES) and Housing Maintenance Services (HMS)

A finding from consultations with Government is that service delivery plans, infrastructure and equipment registers and maintenance logs are not consistently prepared by service providers, and are not of a standard to promote efficient work by the service provider or accountability to HSG when prepared. In the absence of these core planning instruments, service providers complete both MES and HMS works in a reactive manner, and oversight by HSG staff is rendered difficult to ineffective. Where oversight is undertaken, it relies almost entirely on the institutional knowledge and initiative of HSG staff. Furthermore, consultations indicated that funding levels are not sufficient to maintain either municipal and essential services or Homelands' houses, while the absence of robust planning instruments makes it difficult to quantify the magnitude of funding required to meet need.

The reactive manner in which work is undertaken places a further strain on already limited resources. Many Homelands are isolated or difficult to access, and travel and access costs for a single visit can consume a large portion of a Homeland's annual MES or HMS budget. Skilled work planning could be undertaken to maximise the costs of travel and the subcontracting of skilled tradespeople. However in the absence of outcomes focused measures or sanctions for inefficient practice, service providers have no incentive to complete works in the most cost effective and efficient manner.

Despite the considerable need for service provision under these grant programs in all Homelands, both programs are consistently underspent by providers. In the case of underspends funding is carried forward, in some cases over multiple years, with carry forward amounts sometimes outstripping a

service provider's entire annual funding amount. Once funding is carried forward by a service provider, it is difficult for the HSG to track which Homelands monies were allocated.

The Program Guidelines state that there is to be no cross subsidisation between the MES and HMS grants, however, given that few service providers account for spending on an individual Homeland level, it is almost certain that this occurs in practice. Consultations with Government suggest that it is difficult in practice, especially for very small Homelands, to draw a line between the two service streams and serves little purpose in practical terms.

3.2.2 Homelands Jobs

The Homelands Job program aligns with the policy principle of shared responsibility by having Homelands residents involved with the maintenance of their own Homelands. However, as discussed elsewhere in this review, the lack of definition as to what shared responsibility means and how it is shared between individual residents, service providers and the HSG leads to difficulties in implementation.

Minimal guidance is provided in the Program Guidelines as to what work those employed through Homelands Jobs should undertake. Concerns were raised during consultations that some Homelands Jobs funded workers were only undertaking basic maintenance activities on their own Homelands, which they should in any case complete as residents under the principle of shared responsibility; and that other Homelands Jobs funded workers were unable to be productive or effective, because they were not provided with adequate tools, materials or training.

3.2.3 MES Special Purposes Grants (MESSPG)

The MESSPG grant is vastly oversubscribed, with over \$20 million in bids being made against the less than \$7 million in funding in 2019/20. As with MES and HMS, because consistent and quality infrastructure and equipment registers and maintenance logs are not maintained by service providers, the corporate knowledge of program staff is essential to effective assessment of project bids.

An additional complication of poor infrastructure and equipment registers and logs is that HSG has a limited ability to forward plan and forecast for future MESSPG spending needs. Consultations suggest that a significant portion of solar assets on Homelands were nearing end of life, and would require funding for replacement. In the absence of a maintained infrastructure register, the program has limited ability to forecast the timing and magnitude of funding required to remedy such upcoming issues.

Where projects are delivered well, consultations suggest that significant benefits can be delivered to Homelands residents. However, as with MES and HMS, service providers generally do not have the capacity to deliver projects, and funding is often rolled over, despite the urgency of need for many of the projects. The requirement that MESSPG funding not be directed to staff salaries or administrative costs acts as further disincentive for service providers in undertaking projects.

3.2.4 Homelands Extra Allowance (HEA)

It was reported during consultations that, in some regions, HEA has contributed significantly to residents' quality of life, by allowing important structural upgrades and other measures to reduce overcrowding and correct structural housing issues. Successful works in these instances were coupled with HSG staff assisting residents in the preparation of applications, work that under the Program Guidelines is meant to be undertaken by service providers.

It was also reported that HEA funds were being directed to non essential works and not being used to address higher priority issues that put resident safety at risk. The program's additional eligibility requirements, especially the requirement that children who live permanently on the Homeland attend school regularly, can be difficult to assess when the Department is unable to assess or enforce the requirement. In practice, the additional eligibility requirements are ignored or worked around.

As with MESSPG, the work generated for service providers by HEA grants adds to a workload that service providers are already struggling to deliver, and funding is often rolled over. Consultations with Government suggest that this is exacerbated by service providers generally being of the opinion that the current HEA grant level of \$8,000 is insufficient to complete many substantial or meaningful works.

As with all programs, the administrative ability of the HSG to monitor and track rollovers is limited, and this is further complicated by HEA grants not just belonging to individual Homelands, but to a combination of an individual and a specific house. Given that Homelands residents regularly move between houses, Homelands, communities and urban areas, it is difficult to monitor how spending allocated to a specific issue at a specific resident is spent. There is concern that some service providers purposefully roll forward HEA grants so that sufficient monies can be pooled to complete larger works.

3.2.5 General

The current grant funding programs and the associated administrative processes are focused almost solely on program inputs, with almost no ability to monitor outputs or outcomes or keep service providers accountable. Where monitoring of outputs does take place, it relies on the institutional knowledge and initiative of individual program staff, rather than robust policies, procedures or practices. Although the current program data makes it difficult to assess the outcomes of the grant programs, consultations suggest that they are neither effective nor efficient.

Breaches by service providers and an inability of service providers to spend their allocated grant monies or provide contracted services in a timely manner are common occurrences, however, program staff have limited ability to monitor or apply sanctions when breaches are highlighted. Even where field officers are able to visit Homelands and review works completed by service providers, what constitutes acceptable quality is unclear and they generally do not believe that their reports to administrative staff result in remedy or sanction of service providers. It was widely acknowledged during consultations that the majority of residents and service providers do not understand the nuances of the programs, and are not necessarily able to distinguish between them. Residents do not consider the allocation of funds to be transparent or logical.

3.3 Towards a New Policy

The separation of Homelands grants into five grant programs provides no discernible benefits, and does nothing to encourage effective, efficient or appropriate spending of funds by service providers. HSG staff do not have the data, systems or resources to monitor compliance with the programs, and regular non compliance by service providers is known and accepted.

The current input focused nature of grant monitoring does not provide incentives for service providers to allocate grant monies in a way that will have maximum benefits to Homelands residents. A shift should be made to monitoring of the program outcomes achieved by service providers, with service providers allowed flexibility in how monies are spent to achieve these outcomes. Moreover, rollover of unspent grant monies from year to year by service providers should be limited from their current high levels, which are in some cases in excess of the entire annual allocation of funding.

Rationalisation of grants programs into a single grant program would allow HSG and service providers to redirect the energies away from oversight, management and reporting of program complexities that

add little value, and towards quality outcomes for Homelands residents. Allowing service providers to allocate monies based on their ground experience and with a focus on outcomes will be beneficial to residents, and is mostly in line with current practice. HSG resources can then be redirected to monitoring outcomes.

3.4 Policy Recommendations

The With respect to the continuation of the current Homelands grants programs, this review recommends that:

- **Recommendation 7:** Municipal and Essential Services (MES), Housing Maintenance Services (HMS), Homelands Jobs, and Homelands Extra Allowance (HEA) grant programs be combined into a single grant to allow maximum flexibility for service providers in delivering services to Homelands. MES Special Purposes Grants (MESSPG), to fund municipal and essential services capital works, should be quarantined as a separate grant program (to which service providers are required to apply for funding of capital projects). Quarantining of additional funds for emergency works should also be considered as a component of the MESSPG.
- **Recommendation 8:** The focus of program monitoring shift from program inputs, to program outputs, with the onus placed on service providers to illustrate compliance with the output measures that are established and the outcomes achieved.
- **Recommendation 9:** Grant rollovers from year to year only be allowed where the service provider has been fully compliant with the terms of the agreement in the prior year and the proposed activities and spending timing of the rollover funds are provided, to be included as an addendum to the next year's agreement.



4 Model of Service Delivery

This section evaluates the current model of service delivery through approximately 40 service providers, including the structure of agency funding agreements and the certainty these provide for residents; and the performance of the model in terms of cost efficiency, service delivery outcomes and the quality of performance monitoring systems to ensure transparency and accountability.

4.1 Current Model

For the 2018/19 period, a total of approximately \$40.536 million has been allocated to 39 service provider organisations under funding agreements to deliver services to Homelands. Of these organisations, 27 are Aboriginal controlled. Often referred to as 'resource agencies', these organisations are frequently described as "community organisations or agencies that are able to provide sound planning, management and accounting skills, and centralised service delivery arrangements". The role envisaged for resource agencies has historically included core functions to assist Government and residents with planning for individual Homelands, receiving and managing funds on behalf of residents, and assisting with the development, operation and maintenance of housing and infrastructure in Homelands locations.²⁶

Contractual arrangements under the current Homelands Policy are managed by the HSG on a regional basis, with service providers grouped into five geographic regions each allocated a Technical Officer (or Field Officer) from within the unit. The HSG itself sits within Community Services, a division of the TFHC. The unit employs two Regional Directors, three Managers (operations, programs and strategic initiatives) and a Program Coordinator and Project Officer, in addition to seven Field Officers for Darwin, Alice Springs, Nhulunbuy, Katherine and Tennant Creek.

The contractual obligations of service providers are ostensibly built upon the principles of transparency and accountability stated in the 2015 Homelands Policy, with minimum standards for service provision. Service providers are required to submit their implementation plans and delivery schedules to the relevant Field Officer, based on annual allocations per Homeland and capital expenditure. This information is then published on the Department's website for transparency.²⁷

As stipulated in the Program Guidelines, the service provider must not, without the Department's prior written consent: use more than 20 per cent of HMS or MES funding for administrative costs and overheads directly involved with program delivery; use more than 10 per cent of HEA funding for administrative costs and overheads directly involved with program delivery; use more than 50 per cent of the HMS or MES funding for paying salaries or wages for positions directly involved with program delivery; or use MES funding to deliver HMS services. No component of the Homelands Jobs funding can be spent on administration or staff costs. To manage and assess service delivery and service provider performance, half yearly reporting templates have been developed by the Department. These reports provide details of activities undertaken and financial expenditure.

²⁶ ATSIC National Homelands Policy 2002.

²⁷ See <http://www.homelands.nt.gov.au/>

4.2 Challenges and Implications

The policy principles of transparency and accountability, with respect to the relationship between service providers, residents and Government, are arguably not being observed under the current policy. A range of challenges and limitations are identified as part of this review, including around service planning and resident consultation; the tension between capped funding, need, and the allocation of grant funding; the capability of service providers to deliver; and the capacity of the HSG to adequately administer the program in its current form.

It is widely acknowledged that service delivery plans – an annual agreement between service providers and residents for planned works at each Homeland – are infrequently and inconsistently prepared by service providers, despite these being a core planning element of the policy. Consultations with Government suggest that officers within the HSG lack the resources to police and enforce the requirement, while from a service provider perspective, there is little point in undertaking forward planning for assets if they lack the resources to do this rigorously and since funds are not available through the Homelands grants programs to undertake the full scope of works identified.

Consultations also suggest that the majority of service providers have a very limited appreciation of the rationale behind the requirement for service delivery agreements with residents, and their role in aligning service delivery expectations as well as works planning. In some instances, there may be a general ‘understanding’ between the resource agency and Homelands residents as to what services will be provided. However in the majority of cases, there is no clear agreement, which can become a major source of discontent, when Homelands residents are of the view that individually designated funding for each Homeland is provided to the service provider and they want direct control of ‘their money’.

As indicated during consultations, in the absence of effective agreements, Homelands residents have high expectations of services without a reciprocal responsibility to make contributions, but at the same time lack an appropriate channel of communication with service providers to seek greater clarity. According to the CAT Homelands’ Asset Review, most residents would like to better understand what funding is allocated for municipal and essential services and how this money is spent,²⁸ while the current system of online publishing of service delivery reports is little substitute for nuanced community engagement strategies when residents lack computer literacy or internet access. While some service providers may be community controlled with a long history of service delivery to Homelands’ locations (including delivery of social, cultural and economic development programs), for many, such engagement is something they are ill equipped in terms of governance and management structures to accommodate.²⁹

The role of service providers to receive and manage funds on behalf of Homelands residents is itself unclear, with the likelihood of inconsistencies in the level of MES and HMS services delivered by different agencies to Homelands with similar needs. Although a requirement of the program, only a few service providers are known to operate individual accounts or budget lines for each Homeland and, in most cases, seek grant funds in their own right and pool resources, to enable them to deliver the services as they see fit. This risks money being expended by service providers on a reactive basis, as well as the potential for the diversion of grant funding to ineligible locations on the basis of convenience.

While service providers may take the opportunity to save up grants to deliver on substantial and high priority works, it may also be the case, as suggested during consultations, that substantial works are not completed precisely because of the de jure inflexibility around the freedom for service providers to manage funds, leading in extreme cases to under scoped and under quoted work remaining incomplete. Service providers are frequently unable to manage the workload for capital projects, HMS or MES, and funding is often rolled over, even when allocated to high priority projects.

The policy and procedures put in place to manage unexpended funding are, however, largely unworkable, since if funds are carried over by a service provider, there is no system to track which properties and Homelands this money otherwise belongs to.³⁰ Service provider acquittals through half yearly financial and activity reports are widely considered to be ineffective and onerous, and reportedly few service providers are administratively able to break down their expenditure to a community level.

²⁸ The Northern Territory Homelands and Outstations Assets and Access Review (2016) Centre for Appropriate Technology

²⁹ National Homelands Policy Review (2004) Centre for Appropriate Technology

³⁰ If any funding remains unexpended at the end of each financial year, the service provider is required to seek the Department’s approval to have the funding carried forward, and service providers are required to submit a carry forward request for any unexpended Homeland program funding. Service providers are expected to continue delivering the appropriate services to the remaining Homelands with the unexpended funds, until receiving approval or further advice, in writing, by the Department. If the carry forward is extensive, the Department may opt to reduce the service provider’s allocation for the following financial year to ensure the carry forward amount is fully spent.

The program requires a large amount of information from service providers, yet they are unable to report this information in a meaningful way that assists in holding them to account. Service providers have little in the way of baseline data to effectively manage assets, while tracking of residents and housing, for example, is extremely difficult due to the transience of the population and privacy concerns (in addition to the way program budgets are pooled and managed). Regular breaches of the policy are therefore known to occur, such as expenditure on houses or locations that have been unoccupied for more than half of the year.

Issues with service provider sustainability, governance and capacity undoubtedly play a role here, and a high rate of staff turnover (combined with an insufficient focus on workforce development and training) was frequently cited during this review as a reason for poor levels of service delivery and accountability. Most service providers are understood to have experienced difficulties in attracting and retaining staff with appropriate skills, while a reliance on external contractors has not always been organised through effective management systems to ensure consistency of operating standards and the capture of key operational information.

Challenges for effective corporate governance are also a factor, particularly in the case of community controlled service provider organisations. Board or committee members who are also leaders of their own settlements is a typical situation, with the potential for conflicts of interest between representation of the wider community they serve and the interests of their own settlement. Influential board members can have an outsized influence on where money is spent, at the expense of other residents and Homelands that are not well represented on boards.³¹

Although smaller service providers tend, on the whole, to experience greater difficulty providing accurate and timely reporting, the difficulties service providers have with maintaining and reporting data can only partly be explained by a lack of corporate capacity or the absence of capability to project manage budgets. More fundamentally, it could be argued that the goals of the policy and the incentives offered to service providers are simply misaligned. A service provider who is also a Regional Council, for example, may not be incentivised to undertake the work because it is not part of their core business, shortfalls are not fully funded with resident contributions, and the policy does not explicitly allow the build up of cash reserves to replace assets. There is simply too little funding for service providers to plan both capital works and maintenance programs at the same time, with the effect of forcing service providers into a reactive model of provision in which they operate from crisis to crisis.

According to the CAT Homelands' Assets Review, the uncertain funding environment is considered by the majority of service providers to be a critical constraint on their ability to plan their operations and manage their resources and assets effectively, while the other aspects of their operating environment, such as the mobility of Homelands' populations and the logistics of working across vast remote regions, have contributed significantly to the complexity of the task.

Concerns were also voiced during this review regarding the capacity of the current HSG to effectively administer the policy, given the complexity of reporting requirements and the difficulties this poses for public officers trying to assess outcomes and maintain accountability in the system. Although breaches by service providers are known to be common, the ability of program managers to monitor compliance and apply sanctions is understood to be limited. Indeed, officers are unable to effectively monitor works and expenditure with reference to the data provided.

In the absence of adequate system verification, such assessments are clearly open to subjective interpretation, otherwise there is an over reliance on the working knowledge and experience of the affected officer, which can result in variance in administrative standards between staff over time. A current sanction mechanism, which is to increase the reporting frequency requirement for service providers who are non compliant, is impractical and fails to address root causes associated with poor data.

The inability of program managers to apply adequate program governance and controls, given the paucity of financial reporting data provided, is exacerbated by the inability of HSG Field Officers to

³¹ In Search of an Outstations Policy for Indigenous Australians (2006) Altman, Centre for Aboriginal Economic Policy Research, Working Paper No.34

effectively monitor and verify outcomes on the ground. This is principally because officers are unable to link the reported data to activities in specific Homelands and dwellings (as well as the reality that what constitutes an acceptable standard is itself fluid and ill defined), but is worsened by vast regional geographies and the inability of Field Officers to visit all Homelands twice a year as prescribed.

Based on consultation findings, Field Officers simply do not have sufficient capacity to perform proper oversight of service providers in situ (and unresolved issues tend to be compounded in Homelands that are not frequently visited). Such visits are also critically dependent on Field Officers maintaining trusted relationships with service providers and residents, and rely on the right people being present in a location to provide access when Field Officers are on site. Field Officers also commented that they often receive dated reports, while the capacity of head office to review and action recommendations once submitted following a site visit is limited. Notwithstanding the cost and limitations of this method, the program continues to rely on Field Officers to ensure that eligibility definitions for Homelands are being properly applied.

4.3 Towards a New Model

This review has found clear limitations regarding the extent to which the Homelands program can achieve and sustain effective outcomes in Homeland locations under the current service model. The requirement for service providers to be accountable for funding on a per Homeland basis is impractical, and in practice is neither effectively monitored by the Department nor implemented by service providers. A policy which more explicitly addresses this reality is needed, to give service providers the flexibility and permission to decide how best to spend Homelands' monies, while at the same time reducing the burden placed on HSG staff to monitor outcomes without the necessary information.

To ensure this shift is aligned to a more demand responsive policy framework, service providers should be obligated to prepare service delivery plans in consultation with residents, and to discuss, plan, reflect and implement realistic and sustainable service levels for each Homeland. A more sophisticated and transparent approach to planning and resource allocation at the service provider level should avoid many of the tensions that currently occur in the system when residents feel ignored, ill informed and unclear on the roles and responsibilities of all stakeholders. This approach will also create opportunities for service providers to agree with residents on provisions for the payment of user contributions, with the potential, where appropriate and feasible, for an arrangement whereby residents pay an agreed contribution for Homelands' services received through the service provider. This will require a shift in the skill base and operating methods of resource agencies towards a greater focus on facilitation of processes of community engagement.³²

In this regard, findings from the 1998 Review of Resource Agencies,³³ which made a series of recommendations regarding the amalgamation of service providers (or components of their operations) into larger regional entities to achieve economies of scale and improve administrative and consultation capacity remain valid, and have been reiterated by those consulted for this review. This is supported by the submissions provided by stakeholders including current service providers and Land Councils, which indicated a preference for service provider rationalisation in their submissions for this review, supporting either rationalisation on the basis of regions, or even on the basis of service types.

Recommendations also stand concerning the need for a greater focus on institutional capacity building as well as capacity building at the level of corporate governance, operations and finance. This would see a role for Government in facilitating information exchange and networking opportunities between service providers, through initiatives such as sector workshops and regional forums, to encourage cross sector knowledge sharing and mitigate against the current pervading sense of isolation.³⁴

Rationalisation of service providers (not precluding the delivery of Homelands' services through sub contracting, joint-venture or partnership arrangements) goes hand in hand with recommendations made in this review for the rationalisation of grant programs, both of which could be achieved with

³² Australian Human Rights Commission (2009) Social Justice Report

³³ Review of Resource Agencies Servicing Indigenous Communities (1998) Altman, Gillespie and Palmer

³⁴ Review of Resource Agencies Servicing Indigenous Communities (1998) Altman, Gillespie and Palmer

adequate NT Government oversight through a traditional Government tender process. This approach could replace the current acquittal process for grant program finances that has proven to be so cumbersome, and should strengthen service provider accountability through a renewed focus on outputs and outcomes set in refreshed key performance indicators (KPIs) for Homelands services provided.

Such an approach will not only improve accountability and oversight of service providers by Government, but will create space for greater flexibility in the way services to Homelands are planned and organised, within a common outcomes framework that better aligns the activities of service providers to the needs of residents and the broader community of stakeholders. Additional benefits to Government from a reduction in the administrative and compliance burden currently borne by HSG Field Officers and program managers would also be realised through this process.

4.4 Policy Recommendations

With respect to the model of service delivery for Homelands, this review recommends that:

- **Recommendation 10:** Public expressions of interest should be called for the delivery of Homelands' services. The expression of interest and draft contract should seek to rationalise the delivery of services to Homelands on the basis of their regions by seeking one service provider per region (not precluding the delivery of Homelands' services through sub contracting, joint-venture or partnership arrangements).
- **Recommendation 11:** That a function of the HSG to support the institutional capacity building of Homelands' service providers be established, through initiatives such as regional workshops, information sessions and other activities which encourage networking and information sharing between service providers working on common issues, and that Departmental funds be allocated accordingly.

5 Construction of New Housing

This section examines opportunities to fund the construction of new houses under the proposed new housing on Homelands' co funding policy. It assesses the feasibility of opportunities to part fund new investment where this is matched by private investment (either individually or through community trusts) and supported through costed asset planning.

5.1 Co-funding Policy Initiative

The September 2007 MoU between the Commonwealth and the NT Government, Indigenous Housing, Accommodation and Related Services, stipulated that "no Australian Government funding will be provided to construct housing on outstations/homelands".³⁵ Since this time, the NT Government's policy direction has been to not provide funding for new housing on Homelands, and the limited housing that has since been built has been funded either privately or by exception.

The possibility was raised during this review that a new Housing on Homelands grant program be established to assist building new homes on Homelands where grant recipients are prepared to co fund the build. Under the proposed program, a resident who is able to fund or part fund a new Homelands

³⁵ Northern Territory Government: Department of Local Government, Housing and Sport, 2007, p. 17

dwelling would be eligible to apply to the NT Government for co funding.

The financial constraints in Homelands' funding has meant that very little new housing has been constructed since 2007, with consultations suggesting that the majority of housing stock was originally constructed by the Commonwealth Government over 30 years ago, and that current Homelands housing stock is in poor repair, especially in the Northern region where there are a large number of houses with significant structural issues. This is supported by the CAT Homelands' Assets Review which found that nearly one third of houses had substantial or longstanding issues that necessitated rebuilding rather than repair.³⁶ As a result, the injection of additional funds generated by co funding to fund new housing would be widely welcomed by residents and other Homelands stakeholders.

Consultations conducted for this review also highlighted that construction of new housing on Homelands would provide opportunities for residents currently living in communities to move to Homelands, thereby reducing regional overcrowding and freeing up limited public housing stock. This is supported by the Department's housing strategy, which recognises the interconnectedness of Homelands with the other remote and urban regional components on the NT's housing system.³⁷ This is further supported by submissions made by Homelands residents to the review, which note that new houses would greatly improve the quality of life of Aboriginal people in the corporation's region.

Throughout consultations undertaken for this review, the small size and isolation of many Homelands was cited as a barrier to delivering program services within the current funding envelope. It is argued that an increase in the number of houses on some very small Homelands would improve their viability by enabling services to be delivered in a more efficient and cost effective manner.

The argument runs that, were the principle of shared responsibility better defined by the program, there could be potential to reduce costs, whilst meeting policy objectives, by working with Land Councils and other regional stakeholders as development partners. Furthermore, construction of new housing could provide existing or potential Homelands that have been identified to have economic development potential the opportunity to establish and grow.

5.2 Challenges and Implications

Co funding of construction of new housing on Homelands is congruent with the broad 2015 Homelands Policy principle of shared responsibility, and would support Aboriginal people's aspirations to live on Homelands.³⁸ Further, co funding is consistent with the Department's housing strategy which supports Aboriginal Territorians to live on, develop and maintain their Homelands. However, the unclear definition and application of the shared responsibility principle within the program complicates its application, including for co funding. How responsibility should be shared between individual representatives, Land Councils and land trusts, and the Commonwealth and NT Governments is not defined and therefore hampers the sharing of both benefits and risks.

Contrary to the arguments around the benefits of sharing costs through co funding, consultations for this review raised concerns regarding the potential for limited funding to be further diluted by the addition of new houses on Homelands. Currently, the majority of operational program funding is distributed on a per house basis, adjusted for factors such as the Homeland's isolation, and therefore the addition of any new houses dilutes the funding directed to repairs and maintenance and the maintenance of municipal and essential services per house. Additionally, significant additional funding will be required to co fund the construction of new housing and ensure that utility and other essential infrastructure is upgraded or installed to cater to new houses. Additional funding from either the NT or Commonwealth Governments would therefore be required to fund both additional recurrent expenditure and the Government's co funding share.

³⁶ The Northern Territory Homelands and Outstations Assets and Access Review (2016) Centre for Appropriate Technology

³⁷ Northern Territory Housing Strategy 2020 2025 (2019) A Home for all Territorians

³⁸ Northern Territory Housing Strategy 2020 2025 (2019) A Home for all Territorians

Consultations with Government identified that the majority of Homelands residents will have a very limited capacity to finance co contributions. This is supported by a review submission from the Arnhem Land Progress Aboriginal Corporation,³⁹ which notes that the majority of Homelands have no external sources of income to direct towards the construction of additional housing. Even where an individual level solution is achieved when residents have the financial capacity to obtain a commercial loan, land tenure arrangements for communally owned land (which complicate the use of land assets as collateral and prevent repossession by a lender in the event of foreclosure) make commercial loans unlikely.

Other funding models, where the Government extends a loan to residents in return for an equity share, are also problematic for a range of reasons, including: the financial risk to which the Government will be exposed upon default; the inability to recover assets on default due to land tenure issues; the remoteness of houses and associated cost; the reputational risk of the funding causing financial hardship for residents; and the financial and budgetary risk of managing construction overspends whilst ensuring construction is completed.

As discussed previously, the communal nature of the tenures for lands where the majority of Homelands are located is a cause of confusion. The complexity of use and ownership rights under which Homelands are protected is a source of considerable misunderstanding and uncertainty. Consultation findings suggest that both residents and service providers typically view homes as Government property. This is supported by the submissions made by Aboriginal corporations representing Homelands residents, which attribute the responsibility to build new housing as wholly belonging to Government.

As with other dimensions of Homelands' policy, clarification of the ownership of Homelands' assets (both housing and infrastructure) and the obligations of residents and other stakeholders is an important first step for the viable construction of new housing on Homelands. Furthermore, the ability to transfer ownership of Homelands' assets to parties other than the communal owners would likely be required to attract commercial finance. Consultation and partnering with Land Councils would be beneficial in advancing these matters.

Consultations with Government indicate that Homelands' program staff and service providers are presently experiencing significant issues managing their program workloads and ensuring that program funds are effectively spent and allocated. The ability of either party to manage the additional workload and risk that project managing and constructing additional housing would generate is questionable. Furthermore, both program staff and the Department would be required to consult extensively with successful applicants in the planning and design of new dwellings. Consultation findings suggest that both parties' capability and capacity to consult with Homelands residents is limited.

Compliance with construction codes is not required in remote areas of the NT, however Building Code of Australia, Standards Australia, Northern Territory Department of Health Environmental Health Standards, and the National Indigenous Housing Guide are usually applied. Consultations suggest that these codes and guidelines could be somewhat relaxed in the construction of new Homelands housing to reduce costs, which would expose the NTG to significant reputational and financial risk in the case of defects.

Where new houses on Homelands are required to be built according to these codes and guidelines, the program may have difficulty in enforcing standards given their current limited ability to manage service provider accountability. The Residential Tenancies Act stipulates that the underlying land owner is responsible for keeping premises in a reasonable state of report. Were this to be better communicated to the underlying owners, land trusts and the Land Councils, the risks around enforcing building codes and guidelines could be shared. Further involvement of land trusts and the Land Councils would also mitigate some of the financing risks identified.

³⁹ Arnhem Land Progress Aboriginal Corporation (2019) Homelands Program Review Submission

5.3 Towards a New Policy

Although substantial benefits are likely to be provided through the construction of new housing on Homelands, the challenges of establishing and implementing a co funding program and the risks to which this exposes NTG cannot be met or mitigated by the current Homelands policy. Where there are opportunities available for co funding, these would be best managed on a regional level and through a mechanism outside of the Homelands' program and HSG.

Individual Homelands residents are unlikely to have the capacity to manage construction, and a well functioning Aboriginal corporation would be better placed to manage this and other land use and asset planning and housing finance functions. A LDM agreement between the NT Government and a regional or local representative body offers a potential way forward to manage the construction of co funded housing on Homelands. To limit strain on current Homelands' program funding, any housing on Homelands funded through such a mechanism should be exempt from program support and recognise the responsibility of the land holder for the ongoing maintenance of housing assets on their land.

5.4 Policy Recommendations

With respect to the opportunities to fund the construction of new houses, including under the proposed new housing on Homelands' co funding policy, this review recommends that:

- Recommendation 12: Co funding of housing should cease to be a policy of the Homelands program. Where Homelands residents have access to funds to contribute to co funding new housing on Homelands, this should be managed through a LDM agreement between the NT Government and a regional or representative body, and include the relevant Land Council with potential planning and funding responsibilities.
- Recommendation 13: Guidelines should be put in place to attribute to parties other than the NT Government, responsibility for upgrades and recurrent maintenance of utilities and other essential infrastructure required when new housing is constructed on Homelands.

6 Conclusion

This review finds that the 2015 Homelands Policy and its associated programs are unsustainable in their current form, and raise a wide range of policy challenges for Government that cannot realistically be addressed through a business-as-usual approach. To address the shortcomings of the existing policy and the associated challenges for program implementation, 13 substantive recommendations are made which, taken together, seek to simplify and clarify funding and service delivery arrangements for Homelands in the interests of residents, service providers, land holders and Government alike. The broad rationale for the policy recommendations made by review theme is summarised here.

6.1 Homelands' Definition and Eligibility Criteria

The tight fiscal environment in which the NT Government is presently operating, combined with the limited sharing of responsibilities for Homelands' development under the current Homelands' policy, has brought into focus the strong need for the NT Government to be better supported by stakeholders who share this responsibility if resident aspirations for Homelands are to be fulfilled. The first recommendation of this review (Recommendation 1) is therefore to acknowledge the need for re engagement between the Commonwealth Government, Land Councils and the NT Government, to encourage a more equitable sharing of financial and program responsibilities through a co ordinated approach to Homelands' policy and service provision, if long term and sustainable policy outcomes are to be achieved in the interests of residents and the broader community.

To provide greater clarity for planning and decision making regarding the distinction between Homelands and larger communities, and to re focus support for Homelands on small discrete communities that offer a home for residents only as part of a broader hierarchy of settlements, this review recommends (Recommendation 2) that Homelands be defined on the basis of population size and land tenure: as small discrete Aboriginal communities of less than 100 persons of Aboriginal descent living on Aboriginal communally owned and controlled lands. The current absence of definition and the implied application of a loose cultural framework for the allocation of resources is found to be unworkable and, in the context of extreme geographic remoteness and constrained fiscal resources, has driven a progressively ad hoc approach to Homelands' servicing across the NT, with little consistency or consideration of efficiency or equity principles when allocating funds across diverse locations and communities.

In circumstances where the emphasis on threshold population is considered overly restrictive and detrimental to the establishment or growth of settlements with economic development potential and the prospect of exceeding 100 usual residents then alternative arrangements should apply. For communities interested in becoming more independent and self supporting, the negotiation of a suitable LDM agreement between Government and a regional or local representative body (Recommendation 3) offers such potential. Within the contemporary policy landscape of the NT, these arrangements provide the opportunity to accommodate aspirations for broad based investment in social and economic development, in conjunction with physical infrastructure investments, to enable the types of community development (with access to Whole of Government and ideally Land Council support) which the current Homelands policy is unable to deliver.

Existing eligibility criteria stating that an eligible Homeland must be the occupant's principal place of residence, and that support for a Homeland will be reviewed if left unoccupied for more than four months (Recommendation 4) are consistent with a population based definition of Homelands and should be retained to ensure fairness and consistency of approach to the allocation of limited Government resources.

This review similarly recommends retaining and strengthening existing criteria around the requirement for eligible Homelands to have access to a potable water supply (Recommendation 5) and adequate power supply (Recommendation 6), with the respective qualifications that for any new Homelands being added to the program, funding will not be available to establish a new water source locally, and that where Government makes an investment in updating power infrastructure (such as a transfer from diesel to solar generation), it should secure the rights, through negotiation with the appropriate Land Council, to repurpose or move the asset should the Homeland become unoccupied.

6.2 Homelands' Grants Programs

The separation of Homelands' grants into five separate grant programs is found to provide no discernable benefits, and does little to encourage effective, efficient or appropriate spending of funds given the tendency for grant funds to be pooled by service providers. Service providers do not consistently or appropriately report on grant expenditure by program, location or dwelling as stipulated in the Program Guidelines, and HSG staff do not have the data, systems or resources to monitor compliance with the programs as currently administered.

Rationalisation of grants into a single grant program (Recommendation 7) will allow service providers greater flexibility to more appropriately expend funds according to resident needs and priorities, without the constraint of program by program administration and reporting. Allowing service providers to allocate monies based on their on the ground experience (in conjunction with reforms to the Homelands service model) provides an opportunity for a greater focus on program outcomes, to the benefit of residents, rather than persisting with what has proven to be an ineffective approach to the monitoring and reporting of program inputs and expenditure.

This review has found that the current grant funding programs and associated administrative processes are focused almost solely on program inputs, with almost no ability to monitor outputs or keep service providers accountable for outcomes. In addition to combining grants programs, and as a component of reforms to the Homelands service model, this review therefore recommends a shift from program inputs, to program outputs within service delivery agreements, with the onus placed on service providers to illustrate compliance with the output measures that are established and the outcomes for residents achieved (Recommendation 8).

A rationalisation of grants programs will also reduce the administrative burden on HSG staff, with the benefit of redirecting staff time and other resources, currently invested in unworkable systems and processes, away from a regime of micro level monitoring and compliance, towards a program that incentivises service providers to deliver quality outcomes for Homelands residents. The rollover of unspent grant monies from year to year by service providers should also be limited from their current high levels (Recommendation 9) with the proviso that grant rollovers only be allowed where the service provider is fully compliant with the terms of their agreement in the prior year and the proposed activities and timing of the rollover funds are presented as an addendum to the next year's agreement.

6.3 Model of Service Delivery

This review finds there are significant and fundamental limitations to the current model of service delivery, whereby Homelands' services are delivered by a large number of discrete service providers and the onus placed on Government to ensure program by program and community by community accountability is administratively unfeasible. The requirement for a large number of service providers of varying organisational capacity to be accountable for funding on a per Homeland basis is found to be impractical, and in practice is neither effectively monitored by the Department nor implemented by service providers who lack the resources and personnel to effectively plan, budget and monitor outputs on this basis.

This review therefore recommends (Recommendation 10) that the delivery of Homelands' services be rationalised on a regional basis through a traditional Government tender process, with the objective to reduce the number of service providers and circumvent the need for the current acquittal process for grant program finances that is found to be complex, opaque and resource intensive. The goal is to reduce the administrative complexity of current arrangements and to give service providers greater flexibility in planning for service delivery and decision making regarding how monies are expended, while strengthening accountability through a focus on service delivery outcomes and the satisfaction of residents (set in refreshed KPIs in contracts for Homelands' services provided). This approach will also create opportunities for service providers to agree with residents on provisions for the payment of user contributions, where appropriate and feasible for residents in that region.

The new arrangements will reduce the burden currently placed on HSG staff to monitor service provider expenditure and reduce the need for technical and program officers to micro monitor expenditure and service outputs. Rationalisation of service providers goes hand in hand with recommendations made for the rationalisation of grant programs.

To facilitate the exchange of good practice and respond to common policy education and information requirements among service providers, this review recommends (Recommendation 11) that part of the productivity dividend from rationalisation of the service model be allocated to establishing a HSG function to support the institutional capacity building of Homelands' service providers (through support for initiatives such as regional workshops, information sessions and other activities which encourage networking and information sharing between service providers).

6.4 Construction of New Housing

The proposal to establish a Government backed co funding arrangement for the construction of new housing on Homelands is found to be unviable and leaves the NT Government open to a range of policy and reputational risks as well as increased financial liabilities in what is a challenging fiscal environment. In the absence of additional program funding, implementation of the policy and the ongoing responsibility for housing maintenance and infrastructure upgrades implied, will further dilute the limited monies available for existing Homelands' housing. Co-funding will also expose the HSG to a range of project planning and budgetary uncertainties as a consequence of potential high construction costs and the possible cost overruns, and the complexity of managing financial arrangements and ongoing asset responsibilities should a resident default on a home loan.

This review therefore concludes (Recommendation 12) that co funding of housing should not be a policy of the Homelands' program. To enable the construction of new housing in circumstances where Homelands residents have access to funds, this review finds that this will be better managed in locations with economic development potential through a LDM agreement between the NT Government and a regional or representative body that is capable of managing project planning and funding responsibilities on behalf of the resident. Under such an arrangement, responsibility for upgrades and recurrent maintenance of utilities and other essential infrastructure required when new housing is constructed on Homelands would be not be the responsibility of the NT Government (Recommendation 13).

Appendix A: 2018 Stakeholder Submissions received by TFHC

In 2018, TFHC sought written submissions from stakeholders concerning the current policy. Submissions were received from the following stakeholders:

- Baniyala Garrangali Aboriginal Corporation
- Bawinanga Aboriginal Corporation
- Central Desert Regional Council
- Central Land Council
- Children's Ground
- Northern Territory Department of Education
- Arnhem Land Progress Aboriginal Corporation
- Greg Marks
- Ingkerreke Outstations Services Resources
- Layhapuy Homelands Aboriginal Corporation
- MacDonnell Regional Council
- Mäpuru Homeland
- Marthakal Homelands and Resource Centre Aboriginal Corporation
- Yingiya Mark Guyula MLA, Member for Nhulunbuy, NT Legislative Assembly
- The Milingimbi and Outstations Progress Resource Aboriginal Corporation
- Power and Water Corporation
- Roger Fargher
- Tiwi Islands Regional Council

TERRITORY FAMILIES, HOUSING AND COMMUNITIES

nt.gov.au





Northern Territory Government Initial Response to the Homelands Policy Review





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- 01 ONE About the Review
- 02 TWO Our Commitment
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ONE ABOUT THE REVIEW

In October 2019, the NT Government commissioned an independent review (the Review) of the Homelands Policy and Programs, which guide the delivery of services for Northern Territory homelands.

The purpose of the Review was to provide a new direction for the delivery of services to homelands following handover from the Australian Government to the NT Government in 2015 of policy and financial responsibilities.

The Review addressed four priority policy and program areas:

1. **Homelands eligibility criteria** – to review the current guidelines which restrict funding to occupied homeland locations with viable housing and infrastructure, and to establish new or revised policy principles including a definition of a ‘homeland’ and criteria for funding.

2. **Grants programs** – to evaluate the current grants programs, including: Municipal and Essential Services; Housing Maintenance Services; Homelands Jobs Grants; Special Purpose Grants; and the Homelands Extra Allowance.

3. **Model of service delivery** – to assess and recommend changes to the way services are delivered by approximately 40 service providers.

4. **Homes in homelands** – to examine opportunities for better homes in homelands and to recommend pathways for the provision of new housing.

The Review assessed submissions from 18 homelands stakeholders and conducted over 30 face-to-face and telephone interviews.





**TWO OUR
COMMITMENT**

The NT Government is determined to drive improved outcomes for all Aboriginal people across the Northern Territory and recognises homelands as being intimately connected to Aboriginal social, cultural and emotional wellbeing.

We acknowledge that the Review only addressed the current Homelands Policy and was therefore limited in scope. Given this, we commit to undertaking further engagement with Land Councils, the Australian Government, homelands residents and other relevant stakeholders to develop a sustainable and holistic Homelands Policy that provides clarity and empowers homelands residents.



THREE OUR RESPONSE TO THE REVIEW RECOMMENDATIONS

| Priority Areas | Brief Summary of Recommendation | NT Government Response |
|--------------------------------|---|--|
| Homelands Eligibility Criteria | Recommendation 1: Re-engage with the Australian Government and Land Councils to develop a sustainable policy. | Agree The NT Government commits to establishing a new body with Land Councils and the Australian Government to engage and co-design a long-term vision for homelands, including an holistic Homelands Policy framework. The development of a more collaborative and strategic Homelands Policy is required to support the aspirations of Aboriginal Territorians, to guide investment across a broader range of services and to support the implementation of relevant Closing the Gap commitments. |
| | Recommendation 2: Homelands be defined on the basis of population size and land tenure: as small discrete Aboriginal communities of less than 100 people living on Aboriginal communally-owned and controlled land. | Agree in principle The NT Government commits to working with Land Councils, the Australian Government and key stakeholders including homelands residents to develop sound evidence based definitions and criteria for homelands and homelands funding. This will be informed in part through the joint review into remote housing and leasing currently underway. |



| Priority Areas | Brief Summary of Recommendation | NT Government Response |
|----------------|---|---|
| | Recommendation 3: Homelands experiencing strong growth pressures with economic development potential can explore Local Decision Making opportunities. | Agree The NT Government commits to working with Land Councils, the Australian Government and key stakeholders including homelands residents, to consider Local Decision Making self-determination opportunities that encourage and support economic development on homelands. |
| | Recommendation 4: An eligible homeland must be the principal place of residence of the occupants. | Agree The NT Government commits to reviewing the existing eligibility criteria and to changing the definition of 'unoccupied homeland' from four to six months. The NT Government commits to working with Land Councils, the Australian Government and key stakeholders including homelands residents to develop sound evidence based definitions and criteria for homelands, and homelands funding, including further consideration of the principal place of residence criteria. |



| Priority Areas | Brief Summary of Recommendation | NT Government Response |
|-----------------|--|---|
| | Recommendation 5: An eligible homeland must have an adequate potable water supply. | Agree The NT Government will continue developing a long-term, comprehensive sustainable water strategy to ensure all Territorians have access to water for drinking, for agriculture and for economic opportunities. The strategy will be informed by extensive community consultation including engagement and partnership with Land Councils and Aboriginal Territorians. |
| | Recommendation 6: An eligible homeland must have a serviceable electricity supply. Where the department makes an investment in updating power infrastructure it should secure the rights, through negotiation with the appropriate Land Council, to repurpose or move the asset should the homeland become unoccupied. | Agree The NT Government commits to working with Land Councils, the Australian Government and key stakeholders including homelands residents to develop sound evidence based definitions and criteria for homelands and homelands funding. |
| Grants Programs | Recommendation 7: Existing homelands grants to be combined into one single grant to allow maximum flexibility. | Agree The NT Government commits to implementing these recommendations, maintaining the commitment of overall funding, by 1 July 2021. By removing red tape and streamlining the funding program, homelands residents will have greater flexibility and increased decision-making to target the use of funds against identified works on their own homes. |

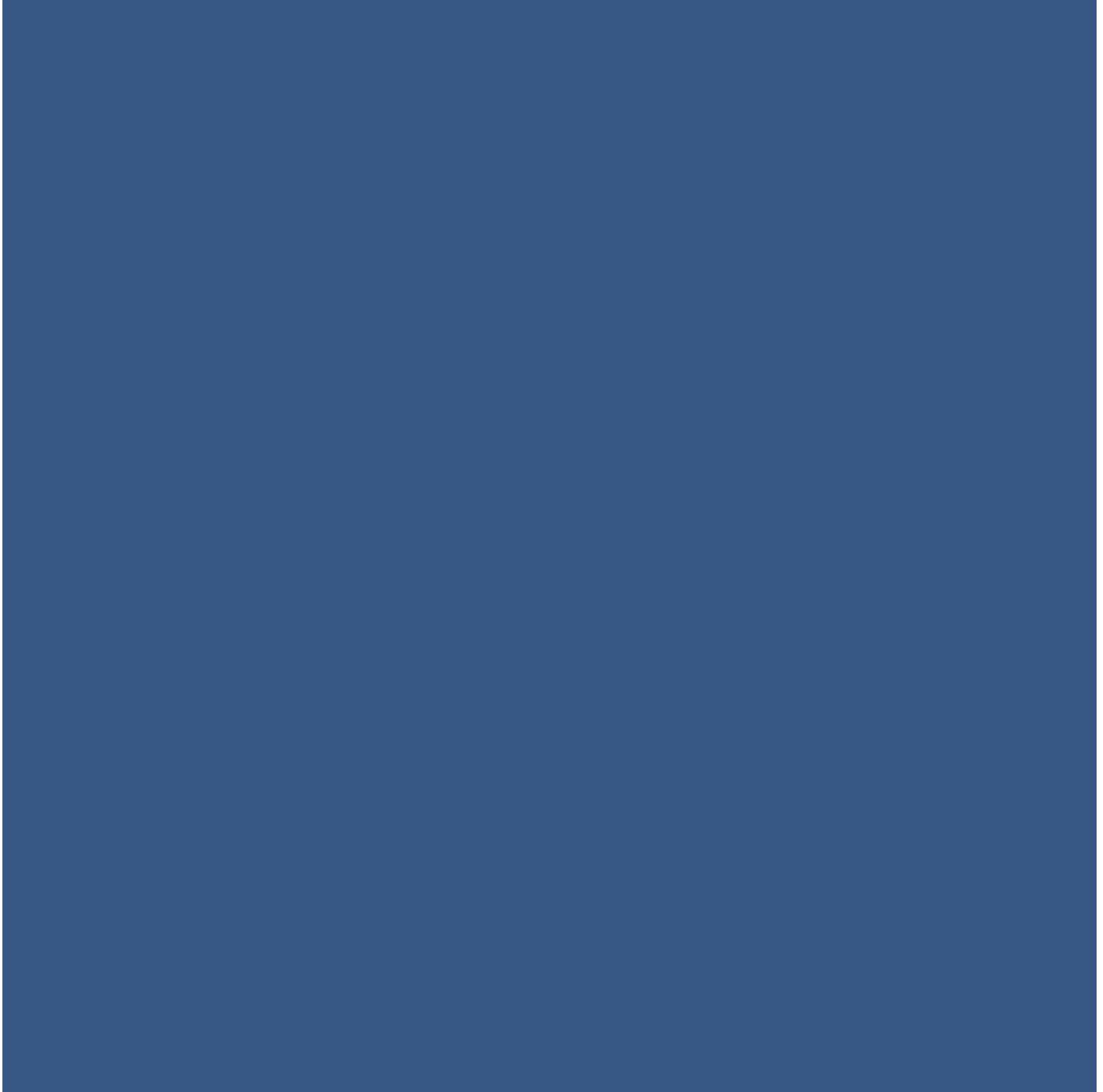
| Priority Areas | Brief Summary of Recommendation | NT Government Response |
|----------------------------------|--|--|
| | Recommendation 8: Shift the focus of program monitoring from inputs to outputs, with the onus placed on providers to illustrate progress against targets. | Agree The NT Government commits to implementing these recommendations, maintaining the commitment of overall funding, by 1 July 2021. This will be supported by a shift to monitoring program outcomes and the development of a more holistic policy framework with Land Councils, the Australian Government and key stakeholders including homelands residents. |
| | Recommendation 9: Grants be allowed to rollover from year to year provided services have been delivered in accordance with the previous year's terms of agreement. | Agree in principle The NT Government will work with Land Councils, the Australian Government and service providers to ensure that housing and infrastructure funding for homelands is effectively utilised and targeted. |
| Model of Service Delivery | Recommendation 10: Public expressions of interest should be called for the delivery of homeland services. One service provider should be sought per region (not precluding the delivery of homelands services through sub-contracting, joint venture or partnership arrangements). | Agree The NT Government will complete a performance review of all existing service providers and work with relevant stakeholders to develop a new policy framework and way for the delivery of homeland services. Through Local Decision Making, the NT Government will work with residents and Land Councils to identify capable local service providers for support and capacity building. |

| Priority Areas | Brief Summary of Recommendation | NT Government Response |
|--------------------|---|---|
| | Recommendation 11: That a function of the Homelands Service Group to support the institutional capacity building of homelands' service providers be established and funded by the department. | Agree The NT Government will maintain existing capacity building activities and commits to examining new ways to build on regional networks to facilitate good practice, improved services and information sharing. The NT Government also commits to facilitating a bi-annual workshop/conference to provide a platform for service providers, stakeholders and governments to come together to discuss matters relating to improved homeland service delivery, best practice models and new technologies to improve essential services. |
| Homes in Homelands | Recommendation 12: Where homelands residents have access to funds to contribute to co-funding new housing on homelands, this should be managed through Local Decision Making agreements, and include the relevant Land Council. | Agree The NT Government welcomes any additional investments that homelands residents may contribute or secure towards their homeland. The NT Government will work with homelands residents and service providers to ensure that homeland assets are maintained through appropriate grant programs. The NT Government acknowledges that additional investment into homelands may be auspiced through a relevant government department, service provider or Land Council. |

| Priority Areas | Brief Summary of Recommendation | NT Government Response |
|----------------|--|--|
| | Recommendation 13: To reduce reliance on the NT Government, guidelines should establish who has responsibility for upgrades and maintenance when new housing is constructed. | Agree The NT Government remains committed to improving the conditions on homelands across the Territory and is committed to exploring opportunities for co-investment into homelands, including new housing and service infrastructure. The NT Government commits to partnering with the Australian Government, Land Councils and Aboriginal peak organisations in the development and establishment of future housing and infrastructure guidelines. Future guidelines will need to be accessible, clear and easy to interpret. |

WHERE DO I GO FOR MORE INFORMATION?

Further information on the Northern Territory Government's Initial Response to the Independent Homelands Policy Review is available at www.dlghcd.nt.gov.au



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 24 FEBRUARY 2021

Report for Agenda Item No 2

Prepared by Ramesh Pudasaini, Senior Financial Consultant

Financial Report - January 2021

Purpose

To provide financial information for the month of January 2021 by providing information on issues related to cash ratio, cash and bank balance, income and expenses of Core and Agency funded programs, variance analysis and information on large debtors and creditors.

Financial Overview

The financial report for the period shows that WDRC has met its financial obligations for the period.

| | Jan-21 | Dec-20 | Variance | |
|----------------------------|-----------|-----------|-----------|-----------|
| Current Assets | | | | |
| Cash in Bank | 7,601,466 | 6,920,910 | 680,556 | Increased |
| Receivable | 550,287 | 681,002 | (130,715) | Decreased |
| Current Liabilities | | | | |
| Staff Liability | 272,893 | 280,555 | (7,662) | Decreased |
| Trade & Other Liability | 4,216,953 | 4,235,180 | (18,227) | Decreased |
| Unspent Grants (tied fund) | 3,310,675 | 3,341,994 | (31,319) | Decreased |
| PO Commitment (tied fund) | 465,708 | 467,687 | (1,979) | Decreased |

Bank Balance - total \$7.6M, \$5.0M is in short-term deposit and \$2.6M in operating account, an increase of \$680K during the month.

The cash ratio is 2.01 for January 2021.

Accounts Payable: Employee - \$273K, Supplier's Payable - -\$21K, Unspent Grants - \$117K and Others - \$103K (retention liability -\$82k, rental bond – \$16K, Others - \$5K), Total Accounts Payable (Current) - \$425K

Non-Current Lease Liability - \$4.0M (Section 19 lease and leave value recognition due to AASB 16).

Accounts Receivable: Trade - \$162K, Rates - \$164K, Accrued Income - \$5K, Inventory - \$173K, Prepayments - \$37K, Others - \$43K and Provision for Doubtful Debts - (\$34K); Total Accounts Receivable - \$550K, balances are regularly monitored for timely collection.

Current year unspent tied fund is \$3.3M.

| Financial Snapshot | Jan-21 | Monthly Average | Dec-20 | Monthly Average | Variance | |
|--------------------------------------|------------|-----------------|------------|-----------------|-----------|-----------|
| Income | 12,021,705 | 1,717,386 | 10,849,345 | 1,808,224 | 1,172,360 | Increased |
| Expenses (excluding Internal) | | | | | | |
| Expenses - Staff | 2,119,703 | 302,815 | 1,834,370 | 305,728 | 285,332 | Increased |
| Expenses - Councillors | 159,415 | 22,774 | 136,010 | 22,668 | 23,405 | Increased |
| Expenses - Others | 4,393,367 | 627,624 | 4,048,276 | 674,713 | 345,091 | Increased |

Total income is \$11.7M, Tied Income is \$6.4M and Untied Income is \$5.3M.

| Non Current Assets | Fair Value | Acc. Dep | Net Value |
|----------------------|-------------------|------------------|------------------|
| Road Infrastructures | 3,377,270 | 2,015,159 | 1,362,111 |
| Plant & Equipment | 2,451,447 | 1,427,386 | 1,024,061 |
| Structures | 96,151 | 82,002 | 14,149 |
| Furniture & Fittings | 85,213 | 85,213 | 0 |
| Motor Vehicle | 1,232,684 | 802,630 | 430,054 |
| Site Improvements | 116,891 | 23,946 | 92,945 |
| Right-of-Use Asset** | 4,029,161 | 292,083 | 3,737,078 |
| Total | 11,388,817 | 4,728,419 | 6,660,398 |

Total expenses is \$6.7M, includes employee expense of \$2.1M and Councillor's expense of \$159K, operating expense is \$4.0M and depreciation (unfunded) is \$360K for month of January 2021.

Cash and Short Term Deposits

Cash at bank in operating account at the end of January 2021 was \$2.6M.

\$5.0M deposited in short term deposit for higher interest rate.

| Product | Actual Balance | Available Balance | Interest Rate | Maturity |
|--------------------|----------------|-------------------|---------------|------------|
| Fixed Term Deposit | \$1,000,000.00 | \$0.00 | 0.24% | 11/06/2021 |
| Fixed Term Deposit | \$1,000,000.00 | \$0.00 | 0.28% | 25/05/2021 |
| Fixed Term Deposit | \$1,000,000.00 | \$0.00 | 0.37% | 3/02/2021 |
| Fixed Term Deposit | \$1,000,000.00 | \$0.00 | 0.46% | 19/04/2021 |
| Fixed Term Deposit | \$1,000,000.00 | \$0.00 | 0.50% | 29/03/2021 |

Current Ratio

The current ratio identifies the Council's ability to meet short-term financial obligation.

Current Ratio - January 2021

2.01

| Current Assets | | Current Liabilities | |
|-----------------------------|------------------|----------------------------|------------------|
| Cash in Bank | 7,601,466 | Payables - Trades | (20,716) |
| Less: Grants to be refunded | 117,211 | Payables - Others | 103,366 |
| | 7,484,255 | Grants in advance | 0 |
| Receivable | 513,330 | Commitments | 465,708 |
| Prepayments | 36,957 | | |
| Less: | | Unspent Tied Grants | 3,310,675 |
| Staff Liability | 272,893 | (Agency & Core) | |
| | 7,761,649 | | 3,859,033 |

Current Ratio - continued

Current Ratio - December 2020

1.84

| Current Assets | | Current Liabilities | |
|-----------------------------|------------------|----------------------------|------------------|
| Cash in Bank | 6,920,910 | Payables - Trades | (2,188) |
| Less: Grants to be refunded | 117,211 | Payables - Others | 101,881 |
| | 6,803,699 | Grants in advance | 0 |
| Receivable | 641,492 | Commitments | 467,687 |
| Prepayments | 39,510 | | |
| Less: | | Unspent Tied Grants | 3,341,994 |
| Staff Liability | 280,555 | (Agency & Core) | |
| | 7,204,146 | | 3,909,374 |

Receivables

Total receivable amount at the month end of January 2021 is \$550K.

| Receivable | Jan-21 | Dec-20 |
|------------------------------|----------------|----------------|
| Receivables - P & R Rates | 164,013 | 165,966 |
| Receivables - Trade | 161,920 | 274,332 |
| Provision for Doubtful Debts | (33,791) | (33,791) |
| Accrued Income | 5,168 | 5,092 |
| Inventory | 173,022 | 176,570 |
| Receivables - Others | 42,998 | 53,323 |
| Prepayments | 36,957 | 39,510 |
| Total | 550,287 | 681,002 |

Trade Receivables Age Analysis

The table below compares aged analysis of current, 30 days, 60 days and 90 days for the month of January 2021.

| Trade Debtor's Account - Age Analysis | Jan-21 | Dec-20 |
|--|----------------|----------------|
| Unapplied (yet to reconcile) | 0 | (12,015) |
| Current | 6,344 | 53,150 |
| Over 30 days | 21,481 | 22,111 |
| Over 60 days | 10,963 | 118,081 |
| Over 90 days | 123,132 | 93,005 |
| Total | 161,920 | 274,332 |

Rates

| Rate Payer | FY 18/19 | FY 19/20 | FY 20/21 | Total |
|--|-----------------|-----------------|-----------------|----------------|
| Kardu Diminin Corporation Ltd | 0 | 107 | 3,049 | 3,156 |
| Mutchirr Corporation Limited | 0 | 52 | 1,959 | 2,011 |
| Palngun Wurnangat Aboriginal Corporation | 0 | 939 | 35,309 | 36,248 |
| Palumpa Station | 37,583 | 30,537 | 30,422 | 98,542 |
| Peppimenarti Club Association | 1,460 | 10,419 | 12,177 | 24,056 |
| Total | 39,043 | 42,055 | 82,915 | 164,013 |

Note 1

(1) Debt Collection Suspended for prior year balances.

Payables

As at end of January 2021, total payable amount outstanding is \$4.5M, the detailed breakdown listed below:

| Payables | Jan-21 | Dec-20 |
|--|------------------|------------------|
| Payables - Employees (Leave Provision) | 272,893 | 280,555 |
| Payables - Trade | (20,716) | (2,188) |
| Lease Liability* | 4,017,092 | 4,018,276 |
| Payables - Unspent Grants | 117,211 | 117,211 |
| Payables - Others | 103,366 | 101,881 |
| Total | 4,489,846 | 4,515,735 |

**New liability category in relation to AASB16*

Trade Payables Age Analysis

The table below compares aged analysis of current, over 30 days, 60 days and 90 days for the month of January 2021.

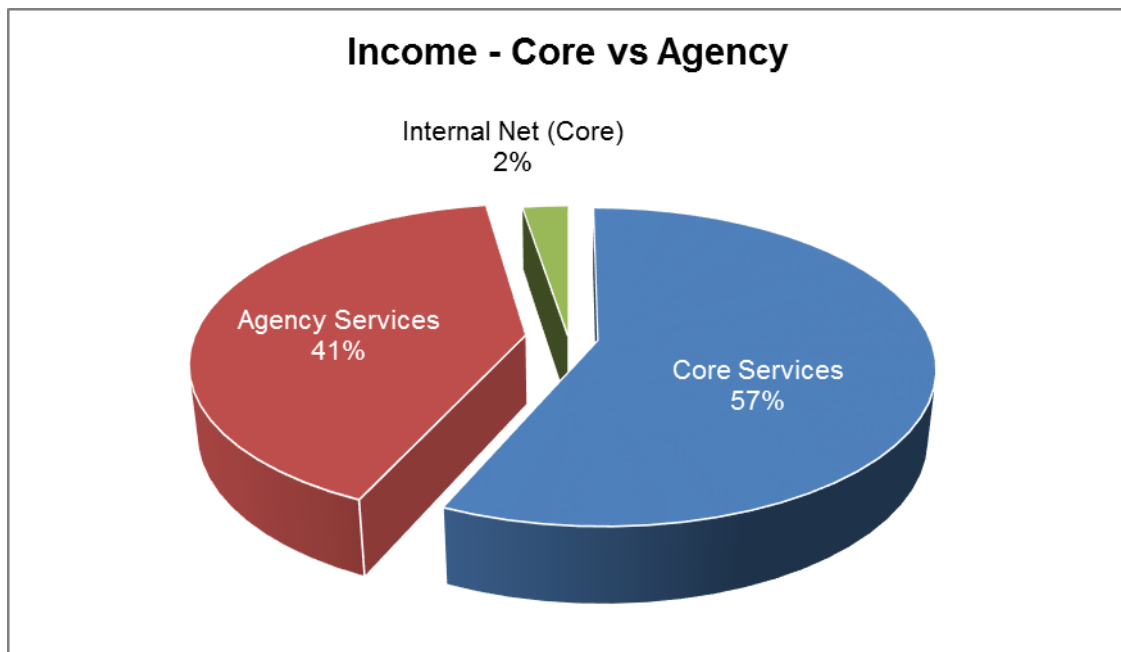
| Creditor's Account - Age Analysis | Jan-21 | Dec-20 |
|--|-----------------|----------------|
| Unapplied (yet to reconcile)** | (24,496) | (33,391) |
| Current | 2,081 | 20,439 |
| Over 30 days | 1,699 | - |
| Over 60 days | - | 1,095 |
| Over 90 days | - | 9,669 |
| Total | (20,716) | (2,188) |

***Unapplied credit mainly pertains to PowerWater credit for Lot 460 Wadeye.*

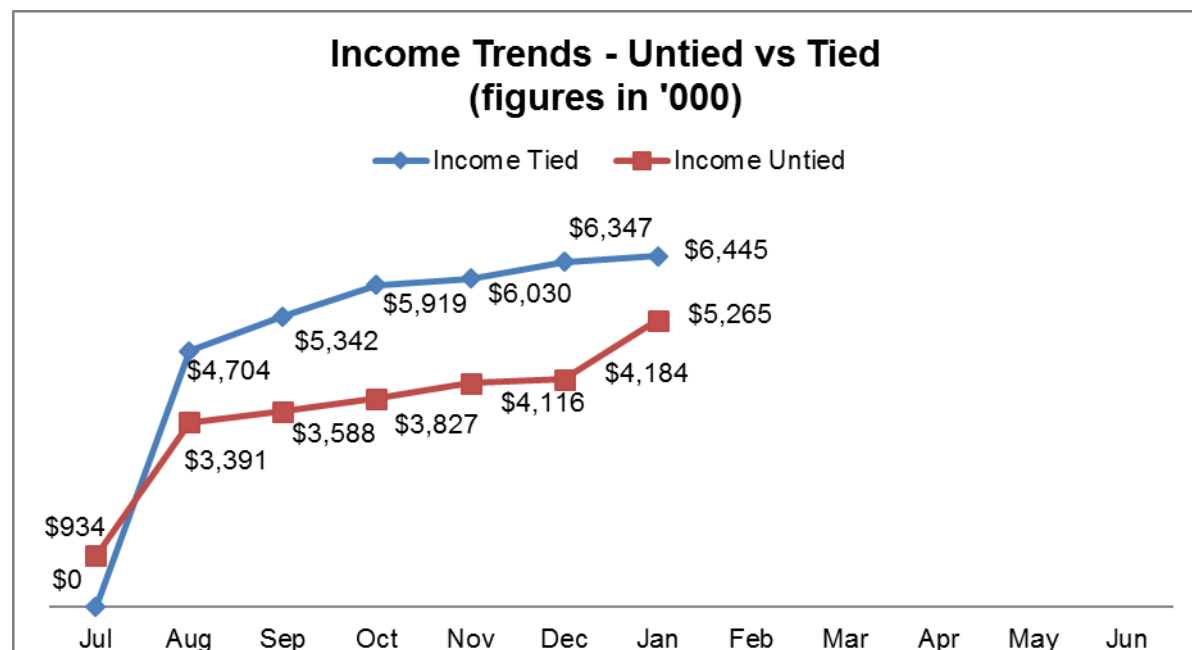
Summary of Revenue & Expenditure

Revenue

In total, Council received \$12.0M in revenue. For Core services, Council received \$6.8M and for Agency services, Council received \$4.9M and Council generate internally allocated income of \$312K.

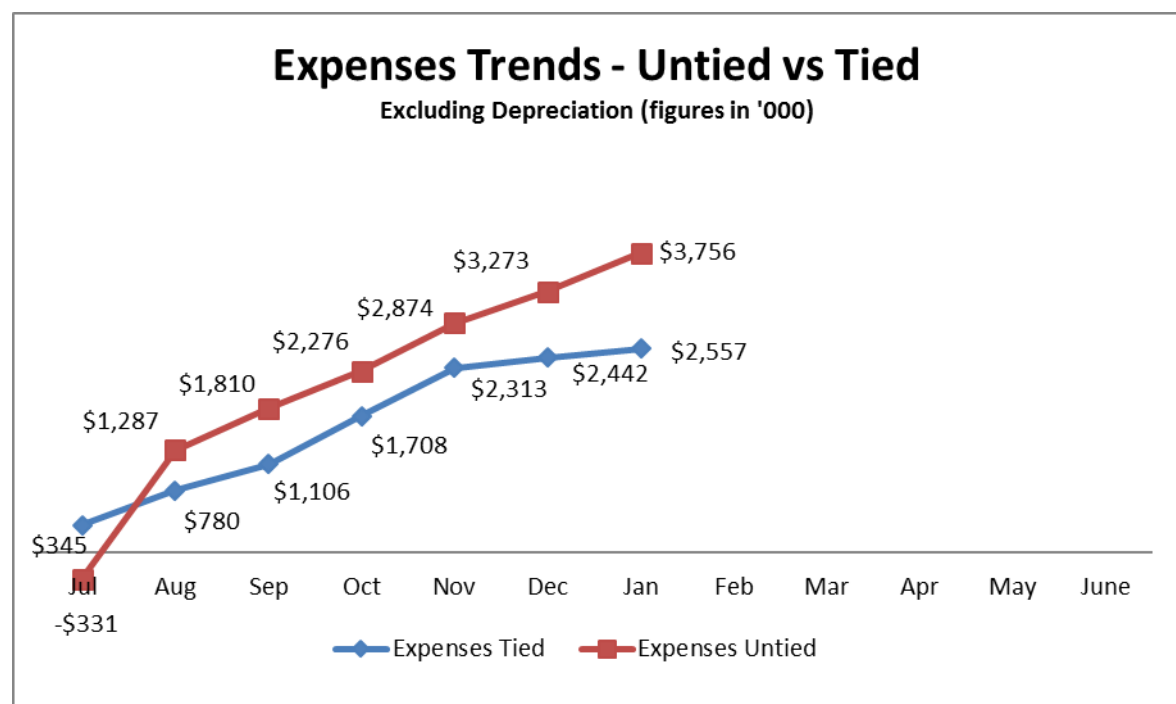


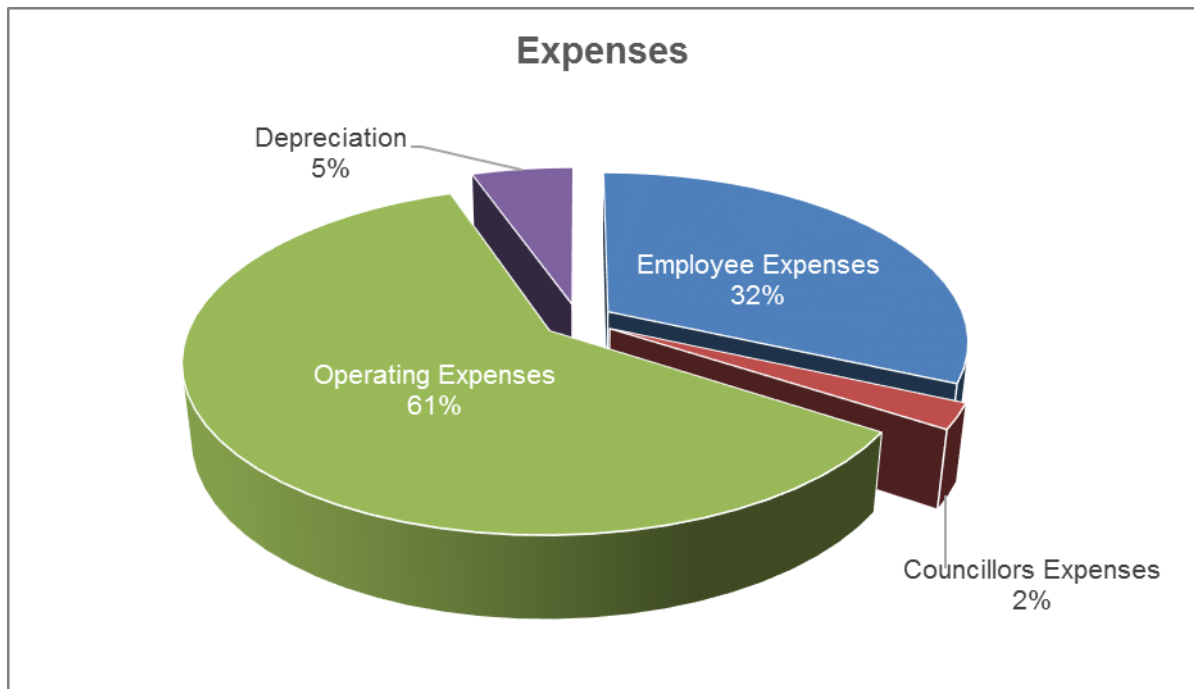
Income - Tied/Untied



Expenses

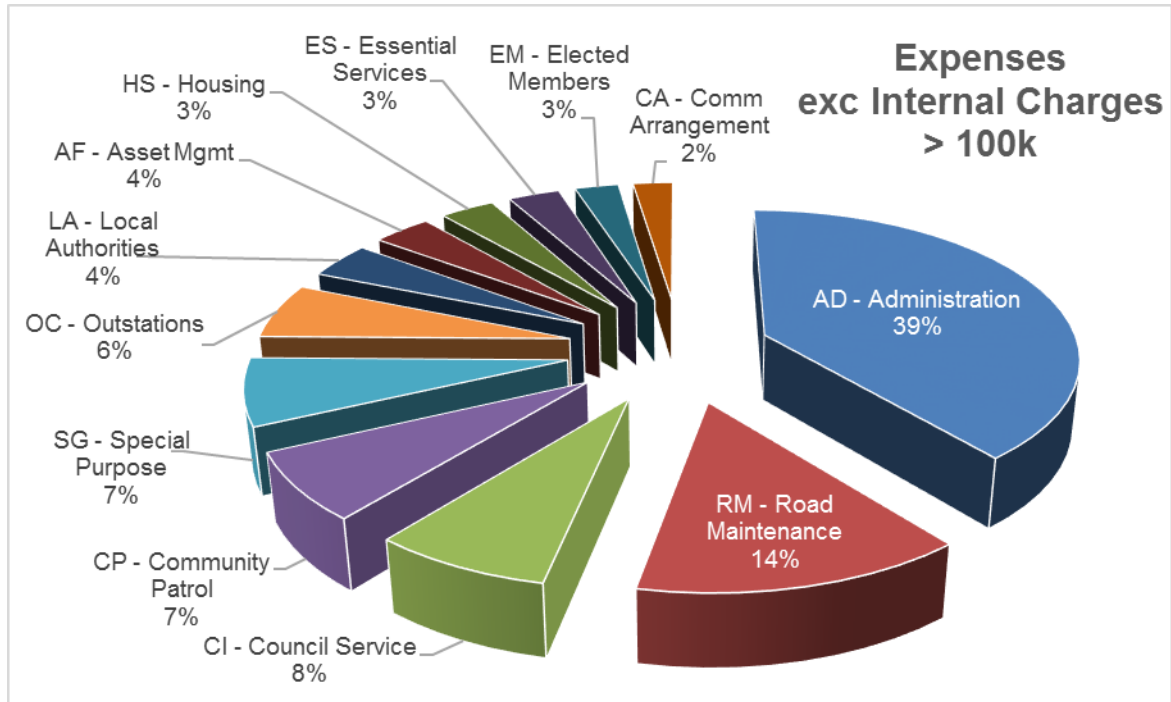
Council spent \$6.7M as at end of January 2021. Council spent \$2.1M for employees, \$159K for Councillors expenses, \$4.0M for operations and \$360K for unfunded depreciation expenses.





Expenses by Program (excluding depreciation)

| Program | Amount |
|-------------------------|------------------|
| AD - Administration | 2,364,374 |
| RM - Road Maintenance | 853,237 |
| CI - Council Service | 464,192 |
| CP - Community Patrol | 434,613 |
| SG - Special Purpose | 434,166 |
| OC - Outstations | 359,492 |
| LA - Local Authorities | 236,198 |
| AF - Asset Mgmt | 213,111 |
| HS - Housing | 197,997 |
| ES - Essential Services | 187,232 |
| EM - Elected Members | 159,415 |
| CA - Comm Arrangement | 145,102 |
| PG - Parks & Gardens | 73,452 |
| PL - Pools | 70,340 |
| LI - Libraries | 59,623 |
| CZ - Capital Purchase | 37,646 |
| WM - Waste Mgmt | 16,704 |
| WS - WH&S | 5,769 |
| Total | 6,312,661 |



Internal Reallocation

| Program | Actual | Commitments | Total Actual | Annual Budget | Funds Available |
|--------------------------------------|-----------|-------------|--------------|---------------|-----------------|
| AD - Administration | 20,312 | 0 | 20,312 | 333,866 | 313,554 |
| AF - Asset Managemen | (347,436) | 0 | (347,436) | (786,850) | (439,414) |
| CA - Commercial Arra | 103,783 | 10,211 | 113,993 | 407,400 | 293,407 |
| CI - Council Service | 188,370 | 0 | 188,370 | 279,000 | 90,630 |
| CP - Community Patro | 75,810 | 0 | 75,810 | 95,700 | 19,890 |
| EM - Elected Members | 20,160 | 0 | 20,160 | 22,950 | 2,790 |
| ES - Essential Servi | 5,950 | 0 | 5,950 | 0 | (5,950) |
| HS - Housing - Staff | (515,480) | 0 | (515,480) | (987,950) | (472,470) |
| LI - Libraries | 10,500 | 0 | 10,500 | 32,000 | 21,500 |
| PL - Pools | 5,600 | 0 | 5,600 | 750 | (4,850) |
| SG - Special Purpose | 19,390 | 0 | 19,390 | 0 | (19,390) |
| WM - Waste Managemen | 101,220 | 0 | 101,220 | 187,000 | 85,780 |
| | (311,822) | 10,211 | (301,611) | (416,134) | (114,523) |

Local Authority

| Location | Income relates 18/19 | Income relates 19/20 | Income 20/21 | Expenses | Commitment | Balance from 18/19 | Total Balance |
|----------------------|----------------------|----------------------|----------------|------------------|-----------------|--------------------|----------------|
| 300 - Nganmarriyanga | 62,270 | 46,976 | 56,700 | (15,234) | (38,798) | 8,238 | 111,914 |
| 400 - Peppimenarti | 0 | 7,824 | 25,800 | (2,217) | 0 | 0 | 31,407 |
| 700 - Wadeye | 360,221 | 374,089 | 383,200 | (232,129) | (39,106) | 88,986 | 846,275 |
| Total | 422,491 | 428,889 | 465,700 | (249,580) | (77,904) | 97,224 | 989,596 |

Outstations

| Remediated Fund | Actual | Commitments | Total Actual | Annual Budget | Funds Available |
|---------------------------------------|-----------|-------------|--------------|---------------|-----------------|
| 767 - Solar Power Upg | (290,467) | 0 | (290,467) | 0 | 290,467 |
| 398 - Solar Upgrade | (88,500) | 0 | (88,500) | 0 | 88,500 |
| 222 - Homelands Assis | (56,167) | 52,082 | (4,085) | 0 | 4,085 |
| 746 - Ablution Block | (44,219) | 0 | (44,219) | 0 | 44,219 |
| 379 - Water Dosing St | (20,192) | 0 | (20,192) | 0 | 20,192 |
| 743 - Fossil Head Pow | (18,666) | 0 | (18,666) | 0 | 18,666 |
| 763 - Deleye New Ablu | (8,500) | 0 | (8,500) | 0 | 8,500 |
| 745 - Uminyuluk Sewer | (1,500) | 0 | (1,500) | 0 | 1,500 |
| 762 - Mob Booster Sys | (1,232) | 0 | (1,232) | 0 | 1,232 |
| 747 - Grading of inte | (776) | 0 | (776) | 0 | 776 |
| 764 - Mulingi New Abl | (525) | 0 | (525) | 0 | 525 |
| 380 - Drill New Bore | 2,950 | 0 | 2,950 | 0 | (2,950) |
| 720 - NT Jobs Package | 22,366 | 0 | 22,366 | 0 | (22,366) |
| | (505,428) | 52,082 | (453,346) | 0 | 453,346 |

704 - NTG - Municipal Essential Services Funding (MES)

| Code | Debit | Credit | Commitments | Balance | Location Name |
|--------------------|------------------|------------------|--------------|------------------|---------------|
| 310 | 454,248 | 546,837 | 65 | - 92,524 | Nama |
| 320 | 543,342 | 616,644 | 65 | - 73,237 | Wudapuli |
| 330 | 363,009 | 430,073 | 65 | - 66,999 | Nemarluk |
| 340 | 326,833 | 379,517 | 65 | - 52,619 | Merrepen |
| 410 | 178,778 | 205,642 | 5,093 | - 21,771 | Deleye |
| 420 | 122,929 | 148,251 | - | - 25,322 | Uminyuluk |
| 430 | 128,921 | 147,318 | 776 | - 17,621 | Mulingi |
| 450 | 110,156 | 110,724 | - | - 568 | Perrederr |
| 460 | 9,016 | 9,016 | - | - | Sabina |
| 470 | 56,849 | 54,974 | - | 1,875 | Wudaduk |
| 710 | 227,463 | 239,091 | - | - 11,628 | Fossil Head |
| 720 | 174,364 | 187,247 | - | - 12,883 | Kuy |
| 730 | 236,666 | 280,547 | 823 | - 43,058 | Old Mission |
| 740 | 27,267 | 27,267 | - | - | Redcliffe |
| Grand Total | 2,959,841 | 3,383,148 | 6,952 | - 416,355 | |

705 - NTG - Housing Maintenance Services (HMS)

| Code | Debit | Credit | Commitments | Balance | Location Name |
|--------------------|----------------|----------------|-------------|-----------------|----------------|
| 310 | 11,639.0 | 10,465.0 | - | 1,174.0 | Nama |
| 320 | 65,105.0 | 69,989.0 | - | 4,884.0 | Wudapuli |
| 330 | 139,136.0 | 160,153.0 | - | 21,017.0 | Nemarluk |
| 340 | 139,361 | 156,011 | - | 16,650 | Merrepen |
| 410 | 75,218 | 87,064 | - | 11,846 | Deleye |
| 415 | 28,175 | 28,175 | - | - | House 5 Deleye |
| 420 | 56,980 | 63,157 | - | 6,177 | Uminyuluk |
| 430 | 52,084 | 59,212 | - | 7,128 | Mulingi |
| 450 | 38,327 | 45,684 | - | 7,357 | Perrederr |
| 460 | 3,648 | 3,715 | - | 67 | Sabina |
| 470 | 20,251 | 20,251 | - | - | Wudaduk |
| 710 | 90,273 | 96,417 | - | 6,144 | Fossil Head |
| 720 | 71,085 | 77,026 | - | 5,941 | Kuy |
| 730 | 80,899 | 89,798 | - | 8,899 | Old Mission |
| 740 | 18,898 | 11,398 | - | 7,500 | Redcliffe |
| Grand Total | 891,079 | 978,515 | - | - 87,436 | |

725 - NTG - Homelands Extra Allowance (HEA)

| Code | Debit | Credit | Commitments | Balance | Location Name |
|--------------------|----------------|----------------|--------------|-----------------|---------------------|
| 324 | 8,000 | 8,000 | - | - | House 4 Wudapuli |
| 330 | 3,358 | 3,358 | - | - | Nemarluk |
| 331 | 39,600 | 39,600 | - | - | House 1 Nemarluk |
| 332 | 23,300 | 23,600 | - | - 300 | House 2 Nemarluk |
| 333 | 15,600 | 15,600 | - | - | House 3 Nemarluk |
| 334 | 29,200 | 29,200 | - | - | House 4 Nemarluk |
| 335 | 29,200 | 29,200 | - | - | House 5 Nemarluk |
| 336 | 39,600 | 39,600 | - | - | House 6 Nemarluk |
| 340 | 1,295 | 3,358 | 2,000 | - 63 | Merrepen |
| 341 | 15,600 | 15,600 | - | - | House 1 Merrepen |
| 342 | 30,665 | 31,600 | - | - 935 | House 2 Merrepen |
| 343 | 23,289 | 23,600 | - | - 311 | House 3 Merrepen |
| 344 | 30,576 | 33,600 | - | - 3,024 | House 4 Merrepen |
| 345 | 18,000 | 18,000 | - | - | House 5 Merrepen |
| 346 | 33,308 | 33,600 | - | - 292 | House 6 Merrepen |
| 347 | 33,247 | 33,600 | - | - 353 | House 7 Merrepen |
| 410 | 560 | 560 | - | - | Deleye |
| 412 | 18,000 | 18,000 | - | - | House 2 Deleye |
| 413 | 11,950 | 14,000 | - | - 2,050 | House 3 Deleye |
| 414 | 39,600 | 39,600 | - | - | House 4 Deleye |
| 415 | 24,000 | 24,000 | - | - | House 5 Deleye |
| 420 | 1,119 | 1,119 | - | - | Uminyuluk |
| 421 | 39,332 | 39,600 | - | - 268 | House 1 Uminyuluk |
| 422 | 39,600 | 39,600 | - | - | House 2 Uminyuluk |
| 430 | 1,120 | 1,120 | - | - | Mulingi |
| 431 | 39,600 | 39,600 | - | - | House 1 Mulingi |
| 432 | 39,600 | 39,600 | - | - | House 2 Mulingi |
| 451 | 8,000 | 8,000 | - | - | House 1 Perrederr |
| 454 | 11,700 | 14,000 | 2,000 | - 300 | House 4 Perrederr |
| 456 | 13,700 | 14,000 | - | - 300 | House 6 Perrederr |
| 458 | 8,000 | 8,000 | - | - | House 8 Perrederr |
| 471 | 8,000 | 8,000 | - | - | House 1 Wudakuk |
| 710 | 2,162 | 2,239 | - | - 77 | Fossil Head |
| 711 | 15,600 | 15,600 | - | - | House 1 Fossil Head |
| 712 | 22,945 | 23,600 | - | - 655 | House 2 Fossil Head |
| 713 | 27,567 | 29,600 | - | - 2,033 | House 3 Fossil Head |
| 714 | 15,600 | 15,600 | - | - | House 4 Fossil Head |
| 720 | 1,119 | 1,119 | - | - | Kuy |
| 721 | 15,600 | 15,600 | - | - | House 1 Kuy |
| 725 | 8,000 | 8,000 | - | - | House 5 Kuy |
| 727 | 23,400 | 23,600 | - | - 200 | House 7 Kuy |
| 730 | 224 | 1,119 | - | - 895 | Old Mission |
| 731 | 24,000 | 24,000 | - | - | House 1 Old Mission |
| 732 | 31,771 | 31,600 | - | 171 | House 2 Old Mission |
| 734 | 39,557 | 39,600 | - | - 43 | House 4 Old Mission |
| 741 | 13,149 | 14,000 | - | - 851 | House 1 Redcliffe |
| Grand Total | 918,413 | 935,192 | 4,000 | - 12,779 | |

Council Variance Analysis – Income

| Fund Source/ Program | Program Description | Total Actual Income | Total Budgeted Income | Income Variance | % Variance | Explanation |
|--|---------------------------------------|------------------------|-----------------------------|--------------------|---------------|--|
| Council Funds - Tied | | | | | | |
| CA | Commercial Arrangement | 12,662 | 0 | 12,662 | 100.0% | New grant for R&M Papangala project from NLC. 85% of grant received during the period. |
| HS | Housing | 402 | 0 | 402 | 100.0% | Income rollforward from FY2019/20 |
| RM | Road Maintenance | 802,000 | 902,007 | (100,007) | -11.1% | Timing difference in receipt of R2R grant; New grant received for Safer Communities fund. Expected grant for LRCI not yet received. |
| SG | Special Purpose | 733,556 | 209,184 | 524,372 | 250.7% | New grants received not previously expected: • Australia Day (24K); NAIDOC week (3K), • Softball Pitch & Oval Irrigation (178K), • Remote Community Sports Infra (150K), • Wadeye Community Bus Project (84K), • Community BBQ Trailer (9K), Rest of grant as at period end were rolled forward from prior year. |
| | <i>Council funds tied sub-total</i> | <i>1,548,619</i> | <i>1,111,191</i> | <i>437,428</i> | | |
| Council Funds - Untied | | | | | | |
| AD | Administration | 2,525,586 | 2,236,191 | 289,395 | 12.9% | Income received as expected; Variance pertain to rollforward fund from prior year. |
| AF | Asset Management | (10,391) | 0 | (10,391) | -100.0% | Loss on disposal of garbage truck via auction |
| CA | Commercial Arrangement | 513,549 | 462,667 | 50,883 | 11.0% | Landing fee income is higher than anticipated; New grant received for Papangala Project. |
| CF | Council Fund | 908,335 | 871,735 | 36,600 | 4.2% | Income received as expected |
| CI | Council Service | 1,964 | 0 | 1,964 | 100.0% | Income from hire of council asset |
| HS | Housing | 10,581 | 9,333 | 1,247 | 13.4% | New employees hired during the year |
| PG | Parks and Gardens | 727 | 0 | 727 | 100.0% | One off services provided by parks and gardens staff. |
| PL | Pools | 0 | 10,000 | (10,000) | -100.0% | Pool maintenance agreement ongoing negotiation |
| | <i>Council funds untied sub-total</i> | <i>5,265,053</i> | <i>4,641,926</i> | <i>623,127</i> | | |
| | Council funds sub-total | 6,813,672 | 5,753,117 | 1,060,555 | | |
| Agency Funds - Tied | | | | | | |
| CP | Community Patrol | 911,681 | 1,079,139 | (167,458) | -15.5% | Timing difference in receipt of current year grants. |
| CZ | Capital Purchase | 1,050,893 | 1,000,000 | 50,893 | 5.1% | Income pertains to grant rolled forward from prior year. |
| ES | Essential Services | 142,211 | 74,401 | 67,810 | 91.1% | Only 30% of expected income received as at period end. Remaining current year income pertain to grant rolled forward from prior year - however, on hold pending advice from Department. |
| LA | Local Authorities | 1,317,080 | 468,340 | 848,740 | 181.2% | Variance pertain to grant rolled forward from prior year. |
| LI | Libraries | 119,924 | 100,020 | 19,904 | 19.9% | Current year income received as expected. |
| OC | Outstations | 1,354,423 | 641,000 | 713,423 | 111.3% | New grants received not previously expected: • Homeland Assistance Project (\$171K); • Outstation Solar Power Upgrade (\$342K) • Merrepen Solar Upgrade (88K) MES, HMS & HEA current year income is lower by \$75K Rest of grant as at period end were rolled forward from prior year. |
| VC | Vacation Care | 0 | 54,782 | (54,782) | -100.0% | Grants not yet received as of the period |
| | <i>Agency funds sub-total</i> | <i>4,896,212</i> | <i>3,417,682</i> | <i>1,478,530</i> | | |
| Total before Internals and Depreciation | | 11,709,884 | 9,170,799 | 2,539,085 | | |

Council Variance Analysis – Expenses

| Fund Source/ Program | Program Description | Total Actual Expenses | Total Budgeted Expenses | Expenses Variance | % Variance | Explanation |
|--|---------------------------------------|--------------------------|-------------------------------|----------------------|---------------|--|
| Council Funds - Tied | | | | | | |
| HS | Housing | 402 | 0 | 402 | 100.0% | Minor over budget from prior year committed expenses. |
| RM | Road Maintenance | 812,270 | 693,674 | 118,596 | 17.1% | <ul style="list-style-type: none"> • Roads to Recovery (RM811) - Roadworks in relation to R2R is nearing completion, had a variation which is over budget; • LRIC (RM220) - committed expenses yet to be invoiced from supplier and lower than budgeted; • Wadeye Solar Lighting & Bollards (RM391) - new grant received but not yet spent. |
| SG | Special Purpose | 434,166 | 209,184 | 224,982 | 107.6% | Increase is due to receipt of new grants received not previously expected |
| | Council funds tied sub-total | 1,246,838 | 902,858 | 343,981 | | |
| Council Funds - Untied | | | | | | |
| AD | Administration | 2,364,374 | 2,333,549 | 30,825 | 1.3% | Expense incurred as expected |
| AF | Asset Management | 572,935 | 1,154,901 | (581,966) | -50.4% | Decrease is mainly due to prior year write off of all Council buildings and majority of its structure and site improvements in relation to the adoption of new accounting standard, AASB16, not currently reflected in budget. |
| CA | Commercial Arrangement | 145,102 | 205,742 | (60,640) | -29.5% | Savings from payroll and timing difference on receipt of supplier invoices |
| CI | Council Service | 464,192 | 594,303 | (130,110) | -21.9% | Savings from having lesser number of extra meetings and professional development activities. |
| EM | Elected Members | 159,415 | 186,618 | (27,203) | -14.6% | Excess paid in relation to insurance claim for Lot 391 and 392 Wadeye (\$50K). Increased repairs and maintenance done in housing units in Wadeye. |
| HS | Housing | 197,595 | 78,167 | 119,428 | 152.8% | Expense incurred as expected |
| PG | Parks and Gardens | 73,452 | 70,088 | 3,364 | 4.8% | Expense incurred as expected |
| Fund Source/ Program | | | | | | |
| PG | Parks and Gardens | 73,452 | 70,088 | 3,364 | 4.8% | Expense incurred as expected |
| PL | Pools | 70,340 | 94,331 | (23,992) | -25.4% | Savings from having no payroll expenses. |
| RM | Road Maintenance | 40,966 | 100,583 | (59,617) | -59.3% | Delay in some projects |
| WM | Waste Management | 16,704 | 27,568 | (10,864) | -39.4% | Timing difference on receipt of supplier invoices. |
| WS | Work Health and Safety | 5,769 | 17,646 | (11,877) | -67.3% | Delay in some projects |
| | Council funds untied sub-total | 4,110,843 | 4,863,495 | (752,652) | | |
| | Council funds sub-total | 5,357,681 | 5,766,353 | (408,672) | | |
| Agency Funds - Tied | | | | | | |
| CP | Community Patrol | 434,613 | 717,879 | (283,266) | -39.5% | Reduction in Community Patrol staff and activities |
| CZ | Capital Purchases | 37,646 | 500,000 | (462,354) | -92.5% | Consulting services with Tonkin Consulting still ongoing and timing difference in receipt of supplier invoices |
| ES | Essential Services | 187,232 | 85,847 | 101,385 | 118.1% | FY2019/20 closing balance not approved for rollforward to current year, awaiting advise from Department (\$117K). |
| LA | Local Authorities | 231,354 | 273,198 | (41,844) | -15.3% | Committed expenses not yet invoiced by supplier. |
| LI | Libraries | 59,623 | 39,311 | 20,313 | 51.7% | Purchases to upgrade library furnishing. |
| OC | Outstations | 359,492 | 373,917 | (14,425) | -3.9% | Expense incurred as expected |
| VC | Vacation Care | 0 | 31,956 | (31,956) | -100.0% | Project not yet started |
| | Agency funds tied sub-total | 1,309,960 | 2,022,107 | (712,147) | | |
| Agency Funds - Untied | | | | | | |
| LA | Local Authorities | 4,844 | 5,683 | (839) | -14.8% | Expenses incurred as expected |
| | Agency funds untied sub-total | 4,844 | 5,683 | (839) | | |
| | Agency funds sub-total | 1,314,804 | 2,027,790 | (712,987) | | |
| Total before Internals and Depreciation | | 6,672,485 | 7,794,143 | (1,121,658) | -14.4% | |

Income by Location

| Location | Actual | Commitments | Total Actual | Annual Budget | Funds Available |
|---------------------------------------|--------------|-------------|--------------|---------------|-----------------|
| 200 - Darwin Office | (684,027) | 0 | (684,027) | (579,262) | 104,765 |
| 300 - Nganmaniyanga | (1,617,271) | (4,784) | (1,622,055) | (1,478,026) | 144,029 |
| 400 - Peppimenarti | (1,575,612) | (1,818) | (1,577,430) | (1,497,098) | 80,332 |
| 700 - Wadeye | (7,832,974) | (73,044) | (7,906,017) | (7,272,483) | 633,534 |
| 999 - Suspense Locati | 0 | 0 | 0 | 0 | |
| | (11,709,884) | (79,646) | (11,789,530) | (10,826,869) | 962,661 |

Expenses by Location

| Location | Actual | Commitments | Total Actual | Annual Budget | Funds Available |
|---------------------------------------|-----------|-------------|--------------|---------------|-----------------|
| 200 - Darwin Office | 469,559 | 32,864 | 502,423 | 579,262 | 76,840 |
| 300 - Nganmaniyanga | 894,454 | 51,800 | 946,255 | 1,493,027 | 546,772 |
| 400 - Peppimenarti | 658,516 | 126,947 | 785,463 | 1,512,098 | 726,636 |
| 700 - Wadeye | 4,649,956 | 584,385 | 5,234,341 | 9,205,608 | 3,971,267 |
| 999 - Suspense Locati | 0 | 0 | 0 | 0 | |
| | 6,672,485 | 795,996 | 7,468,481 | 12,789,996 | 5,321,515 |

Tied Program – Financial Position

| Program | Actual | Commitments | Total Actual | Annual Budget | Funds Available |
|--------------------------------------|-------------|-------------|--------------|---------------|-----------------|
| AG - Aged Care Serv | (5,300) | 0 | (5,300) | 0 | 5,300 |
| CA - Commercial Arra | (12,662) | 0 | (12,662) | 0 | 12,662 |
| CP - Community Patro | (346,363) | 3,457 | (342,905) | 1 | 342,906 |
| CZ - Capital P/P | (1,013,247) | 38,910 | (974,337) | 0 | 974,337 |
| ES - Essential Servi | 50,971 | 0 | 50,971 | 0 | (50,970) |
| HS - Housing - Staff | 0 | 0 | 0 | 0 | |
| LA - Local Authoriti | (1,067,500) | 77,904 | (989,596) | 0 | 989,596 |
| LI - Libraries | (49,801) | 0 | (49,801) | 0 | 49,801 |
| OC - Outstations and | (994,931) | 0 | (994,931) | 0 | 994,931 |
| RM - Road Maintenanc | 10,271 | 699,980 | 710,250 | 0 | (710,250) |
| SG - Special Purpose | (294,354) | 123,940 | (170,415) | 0 | 170,415 |
| VC - Vacation Care | 0 | 0 | 0 | 0 | |
| | (3,722,916) | 944,191 | (2,778,725) | 1 | 2,778,727 |

ES – Funding agency is still deciding on c/f figures of \$117,000

RM – Budget yet to update

Untied Program – Financial Position with Depreciation

| Program | Actual | Commitments | Total Actual | Annual Budget | Funds Available |
|---------------------------------------|-----------|-------------|--------------|---------------|-----------------|
| AD - Administration | (78,444) | 277,191 | 198,747 | 895,594 | 696,847 |
| AF - Asset Management | 362,422 | 6,425 | 368,847 | 1,357,980 | 989,133 |
| BS - Balance Sheet | 1,386,379 | 105,000 | 1,491,380 | (1,771,993) | (3,263,372) |
| CA - Commercial Area | (237,578) | (64,446) | (302,024) | (59,890) | 242,134 |
| CF - Council Fund | (908,335) | 0 | (908,335) | (871,735) | 36,600 |
| CI - Council Service | 650,598 | 0 | 650,598 | 1,308,828 | 658,229 |
| EM - Elected Members | 179,575 | 3,710 | 183,286 | 342,867 | 159,582 |
| HS - Housing - Staff | (306,141) | 0 | (306,141) | (869,950) | (563,809) |
| LA - Local Authority | 4,844 | 372 | 5,216 | 9,950 | 4,734 |
| PG - Parks and Garde | 75,882 | 15,343 | 91,225 | 120,150 | 28,925 |
| PL - Pools | 75,940 | 6,060 | 81,999 | 153,260 | 71,261 |
| RM - Road Maintenance | (717,196) | 11,329 | (705,867) | (335,572) | 370,295 |
| WM - Waste Management | (438,616) | 2,038 | (436,578) | (309,741) | 126,837 |
| WS - Work Health and | 5,769 | 8,576 | 14,345 | 30,250 | 15,905 |
| | 55,099 | 371,599 | 426,698 | (1) | (426,700) |

Untied Program – Financial Position without Depreciation

| Program | Actual | Commitments | Total Actual | Annual Budget | Funds Available |
|---------------------------------------|-----------|-------------|--------------|---------------|-----------------|
| AD - Administration | (208,286) | 277,191 | 68,906 | 895,594 | 826,688 |
| AF - Asset Management | 2,598 | 6,425 | 9,022 | 639,947 | 630,925 |
| BS - Balance Sheet | 1,386,379 | 105,000 | 1,491,380 | (1,771,993) | (3,263,372) |
| CA - Commercial Area | (237,578) | (64,446) | (302,024) | (59,890) | 242,134 |
| CF - Council Fund | (908,335) | 0 | (908,335) | (871,735) | 36,600 |
| CI - Council Service | 650,598 | 0 | 650,598 | 1,308,828 | 658,229 |
| EM - Elected Members | 179,575 | 3,710 | 183,286 | 342,867 | 159,582 |
| HS - Housing - Staff | (306,141) | 0 | (306,141) | (869,950) | (563,809) |
| LA - Local Authority | 4,844 | 372 | 5,216 | 9,950 | 4,734 |
| PG - Parks and Garde | 75,882 | 15,343 | 91,225 | 120,150 | 28,925 |
| PL - Pools | 75,940 | 6,060 | 81,999 | 153,260 | 71,261 |
| RM - Road Maintenance | (717,196) | 11,329 | (705,867) | (335,572) | 370,295 |
| WM - Waste Management | (438,616) | 2,038 | (436,578) | (309,741) | 126,837 |
| WS - Work Health and | 5,769 | 8,576 | 14,345 | 30,250 | 15,905 |
| | (434,566) | 371,599 | (62,967) | (718,034) | (655,067) |

Tied Fund – Financial Position

| Fund | Actual / | Commitments | Total Actual | Annual Budget | Funds Available |
|--|-------------|-------------|--------------|---------------|-----------------|
| 398 - Solar Upgrade | (88,500) | 0 | (88,500) | 0 | 88,500 |
| 705 - NTG HMS | (87,436) | 0 | (87,436) | 0 | 87,436 |
| 221 - CNP Booster | (64,926) | 1,364 | (63,563) | 0 | 63,563 |
| 765 - Ablution x3 | (57,290) | 0 | (57,290) | 0 | 57,290 |
| 222 - Homelands Assis | (56,167) | 0 | (56,167) | 0 | 56,167 |
| 709 - NTG Libraries | (49,801) | 0 | (49,801) | 0 | 49,801 |
| 219 - SCALE 19-20 | (29,953) | 29,850 | (103) | 0 | 103 |
| 736 - Township Bus Se | (21,659) | 0 | (21,659) | 0 | 21,659 |
| 379 - Water Dosing St | (20,192) | 0 | (20,192) | 0 | 20,192 |
| 725 - Homelands Extra | (16,780) | 0 | (16,780) | 0 | 16,780 |
| 827 - Australia Day C | (13,347) | 0 | (13,347) | 0 | 13,347 |
| 202 - Papangala Proje | (12,662) | 0 | (12,662) | 0 | 12,662 |
| 217 - Alcohol Drugs Y | (9,691) | 9,691 | 0 | 0 | |
| 224 - BBQ Trailer FRRR | (9,068) | 9,907 | 839 | 0 | (839) |
| 746 - Ablution Block | (8,160) | 0 | (8,160) | 0 | 8,160 |
| 405 - Softball-Nqanma | (7,407) | 0 | (7,407) | 0 | 7,407 |
| 804 - AuGov Flexi Age | (5,300) | 0 | (5,300) | 0 | 5,300 |
| 745 - Uminyuluk Sewer | (1,500) | 0 | (1,500) | 0 | 1,500 |
| 762 - Mob Booster Sys | (1,232) | 0 | (1,232) | 0 | 1,232 |
| 755 - Merrepen Solar | (893) | 0 | (893) | 0 | 893 |
| 743 - Fossil Head Pow | (666) | 0 | (666) | 0 | 666 |
| 764 - Mulingi New Abl | (525) | 0 | (525) | 0 | 525 |
| 820 - NAIDOC | 105 | 0 | 105 | 0 | (105) |
| 220 - LRCI | 1,117 | 230,780 | 231,897 | 0 | (231,897) |
| 385 - Animal Manageme | 1,745 | 0 | 1,745 | 0 | (1,745) |
| 811 - AG Roads to Rec | 2,873 | 469,200 | 472,073 | 0 | (472,073) |
| 391 - Solar L n Bolla | 6,280 | 0 | 6,280 | 0 | (6,280) |
| 720 - NT Jobs Package | 50,971 | 0 | 50,971 | 0 | (50,970) |
| | (3,722,916) | 944,191 | (2,778,725) | 1 | 2,778,727 |

Untied Fund – Financial Position

| Fund | Actual | Commitments | Total Actual | Annual Budget | Funds Available |
|---------------------------------------|-------------|-------------|--------------|---------------|-----------------|
| 000 - Balance Sheet | 1,386,379 | 105,000 | 1,491,380 | (1,771,993) | (3,263,372) |
| 101 - Gen Operating | (115,482) | 331,044 | 215,563 | 2,763,848 | 2,548,286 |
| 201 - Airport Maint | (85,795) | 14,831 | (70,964) | (179,900) | (108,936) |
| 203 - Aust Post | (9,256) | 0 | (9,256) | (16,500) | (7,244) |
| 204 - Centrelink | (38,956) | 0 | (38,956) | 0 | 38,957 |
| 205 - Mech Workshops | 64,183 | 207 | 64,390 | 258,400 | 194,010 |
| 206 - Accomodation | 2,399 | 162 | 2,561 | 65,859 | 63,298 |
| 207 - Comm Buildings | (170,153) | (79,646) | (249,799) | (187,750) | 62,049 |
| 703 - NTG Ind Dev Job | (296,000) | 0 | (296,000) | (592,000) | (296,000) |
| 719 - NTG - FAA Gen P | (1,171,886) | 0 | (1,171,886) | (1,058,000) | 113,886 |
| | (434,566) | 371,599 | (62,967) | (718,034) | (655,067) |

Recommendation

1. That Council receives and notes the Financial Report for January 2021.

Attachments

- 1 Trial Balance - January 2021.pdf



West Daly Regional Council

Trial Balance

As at 31st January 2021

| Description | Closing Balances 31st January 2021 |
|--|---------------------------------------|
| BALANCE SHEET | |
| Current Assets | |
| 11110 - Cash at Bank Operational | 182,252 |
| 11130 - Cash at Bank High Interest Savings | 2,418,214 |
| 11210 - Petty Cash - Cash on Hand | 1,000 |
| 12110 - Cash & BankTerm Deposit | 5,000,000 |
| 13110 - Receivables P&R Rates General | 124,533 |
| 13140 - Receivables P&R Waste Collection General | 39,480 |
| 13210 - Receivables CONTROL ACCOUNT | 161,920 |
| 13220 - Receivables (Contra) Doubtful Debts Provision | (33,791) |
| 13230 - Receivables Accrued Income | 5,168 |
| 13240 - Receivables GST PAID | 31,512 |
| 13280 - Receivables Others | 4,000 |
| 14120 - Inventory - Fuel and Oil General | 54,970 |
| 14125 - Inventory - Workshop | 118,052 |
| 15100 - Prepayments - Workers Compensation | 26,707 |
| 15180 - Prepayments - Fringe Benefits Tax | 10,250 |
| 19100 - PowerWater Oncharge | 7,485 |
| Total Current Assets | 8,151,755 |
| Non Current Assets | |
| 36310 - Acquisition of Road Infrastructure | 3,377,270 |
| 36320 - Accumulated Depreciation of Road Infrastructure | (2,015,159) |
| 36410 - Acquisition of Plant & Equipment | 2,451,447 |
| 36420 - Accumulated Depreciation of Plant & Equipment | (1,427,386) |
| 36510 - Acquisition of Structures | 96,151 |
| 36520 - Accumulated Depreciation of Structures | (82,002) |
| 36610 - Acquisition of Furniture, Fittings & Office Equip | 85,213 |
| 36620 - Accum Depreciation of Furniture, Fittings & Office Equip | (85,213) |
| 36710 - Acquisition of Motor Vehicles | 1,232,684 |
| 36720 - Accumulated Depreciation of Motor Vehicles | (802,630) |
| 36810 - Acquisition of Site Improvements | 116,891 |
| 36820 - Accumulated Depreciation of Site Improvements | (23,946) |
| 36900 - Right-of-Use Asset | 4,029,161 |
| 36910 - Accumulated Depreciation of Righ-Of-Use Assets | (292,083) |
| Total Non Current Assets | 6,660,397 |
| TOTAL ASSETS | 14,812,151 |
| Current Liabilities | |
| 22210 - Payables CONTROL ACCOUNT | 20,716 |
| 22240 - Payables GST COLLECTED | (4,918) |
| 22270 - Payables Rental Bonds | (15,800) |
| 22280 - Payables Others | (5,599) |
| 22285 - Credit Card Clearing Account | (1,226) |
| 22310 - Retention Liability | (81,883) |
| 23120 - Current Provisions Employees Annual Leave | (158,433) |
| 23130 - Current Provisions Employees Long Service Leave | (66,964) |



West Daly Regional Council

Trial Balance

As at 31st January 2021

| Description | Closing Balances 31st January 2021 |
|---|---------------------------------------|
| 23910 - Unexpended Grants to be Repaid | (117,211) |
| 27110 - Purchase Card Sub Ledger | 5,469 |
| 27140 - Workers Compensation Clearing | 590 |
| Total Current Liabilities | (425,258) |
| Non Current Liabilities | |
| 43130 - Non-Current Provision Employee Long Service Leave | (47,496) |
| 44900 - Lease Liability | (4,017,092) |
| Total Non Current Liabilities | (4,064,588) |
| TOTAL LIABILITIES | (4,489,846) |
| NET ASSETS | 10,322,305 |
| Equity | |
| 51110 - Accumulated Surplus Deficit | (8,640,902) |
| Grants yet to spend | (5,349,220) |
| Retain earning adjustment | 3,667,817 |
| Total Equity | (10,322,305) |
| TOTAL EQUITY | (10,322,305) |
| CHECK | 0 |

REVENUE AND EXPENDITURE

Revenue

| | |
|---|-------------|
| 61110 - Garbage General | (554,494) |
| 61130 - Agency Income | (9,256) |
| 61140 - Council Rates | (908,335) |
| 61160 - Rent Employee Housing | (10,581) |
| 61170 - Rent and Leases Property | (169,790) |
| 61180 - Fuel Rebate Income | (7,865) |
| 61200 - Hire of Council Assets | (16,733) |
| 61210 - Interest Received | (20,385) |
| 62100 - NTG - Operational Grants | (2,738,279) |
| 62110 - NTG - Special Purpose Grants (Operational) | (1,004,172) |
| 62200 - Aust Gov - Operational Grants | (1,556,668) |
| 62210 - Aust Gov - Capital Grants | (505,097) |
| 62400 - Grant Income Other | (193,164) |
| 63100 - Period Contracts - Airports | (61,098) |
| 63110 - Period Contracts - Other | (93,117) |
| 63130 - Landing Fee Income | (107,589) |
| 63200 - Commercial Services Income | (75,432) |
| 63500 - Other Current Income | (20,401) |
| 67140 - Profit / Loss on Disposal of Plant & Equipment | 10,391 |
| 68940 - Grant Income Opening Balance Brought Forward (Cr) | (3,667,817) |



West Daly Regional Council

Trial Balance

As at 31st January 2021

| Description | Closing Balances 31st January 2021 |
|----------------------|---------------------------------------|
| TOTAL REVENUE | (11,709,884) |

Expenditure

| | |
|--|-----------|
| 71110 - Salary Normal | 1,287,935 |
| 71120 - Salary Overtime | 17,653 |
| 71130 - Salary Allowances | 79,145 |
| 71140 - Sick Leave | 34,625 |
| 71150 - Other Leave | 6,288 |
| 71170 - Workers Compensation | 42,086 |
| 71210 - Travel Allowance - Meals and Incidentals | 13,835 |
| 71220 - Travel Allowance - Mileage | 467 |
| 71230 - Accommodation | 13,886 |
| 71240 - Fares - Air/Road | 8,051 |
| 71250 - Taxi/Hire Car/Fares | 297 |
| 71410 - Superannuation | 139,787 |
| 71510 - Annual Leave | 154,495 |
| 71520 - Long Service Leave | 17,536 |
| 71531 - TOIL | 506 |
| 71540 - Office Uniforms | 1,154 |
| 71550 - Personal Protective Equipment | 9,650 |
| 71560 - Recruitment & Relocation | 30,070 |
| 71570 - Training | 5,564 |
| 71575 - Screening and License Checks | 655 |
| 71585 - Counselling and Rehabilitation | 1,832 |
| 71600 - Office Amenities | 6,143 |
| 71601 - Outsourced Services | 248,042 |
| 72100 - Councillors Electoral Allowances | 114,649 |
| 72110 - Councillors Extra Meeting Allowances | 7,801 |
| 72210 - Councillors Travel Allowance - Meals and Incidentals | 13,848 |
| 72230 - Councillors Accommodation | 11,698 |
| 72240 - Councillors Fares Air / Road | 9,191 |
| 73115 - Administration Fees | 265,121 |
| 73120 - Advertising | 5,886 |
| 73125 - Calling of tenders & quotes, analysis, evaln & award | 1,713 |
| 73130 - Audit Expenses (external) | 23,461 |
| 73140 - Levy, Fees and Charges | 12,454 |
| 73150 - Cleaning Products and Contractors | 18,322 |
| 73160 - Conferences, Seminars and Ceremonies | 545 |
| 73180 - Audit and Risk Management Committee | 719 |
| 73200 - Consulting Fees | 85,813 |
| 73220 - Council Contributions | 578 |
| 73230 - Utilities - Electricity | 28,503 |
| 73240 - Utilities - Water & Sewerage | 76,588 |
| 73260 - Hire of Plant, Equipment and Motor Vehicles | 62,817 |
| 73290 - Licenses and Registrations - MV & PE | 25,610 |
| 73300 - General Expenses | 2,391 |
| 73321 - Health and Safety Expenses | 6,878 |
| 73330 - Catering - Council, Committees, Seminars | 2,696 |



West Daly Regional Council

Trial Balance

As at 31st January 2021

| Description | Closing Balances 31st January 2021 |
|---|---------------------------------------|
| 73332 - Consumable Items | 31,404 |
| 73340 - Operating Leases MV, Plant & Equipment | 2,496 |
| 73343 - Operating Leases Office Equipment | 4,162 |
| 73344 - Operating Leases Property | (11,283) |
| 73350 - Printing, Postage (stamps) & Stationery | 9,515 |
| 73400 - Subscriptions and Memberships | 21,508 |
| 73420 - Accommodation (not employees or councillors) | 0 |
| 73450 - Street Light Maintenance | 2,019 |
| 73460 - Street Light Electricity Payments | 10,182 |
| 73511 - Freight Expenses | 32,819 |
| 73531 - Fuel Diesel /ULP | 71,025 |
| 73540 - Insurance Premiums | 488,629 |
| 73541 - Insurance Excess/Payout Expense - Others | 50,000 |
| 73542 - Insurance Excess/Payout Expense - MV/ P&E | 909 |
| 73800 - Contractors Materials and Labour | 1,351,544 |
| 73830 - Repairs & Maintenance Plant (Small Plant Items) | 31,715 |
| 73831 - Repairs & Maint MV & PE - Tyres | 14,347 |
| 73832 - Repairs & Maint MV & PE - Servicing | 24,201 |
| 73833 - Repairs & Maint MV & PE - Others | 101,979 |
| 73834 - Repairs & Maintenance Roads | 29,825 |
| 73836 - Repairs & Maintenance Buildings | 251,598 |
| 73841 - Contractors Electrical | 25,223 |
| 73842 - Contractors Plumbing/Gas | 18,773 |
| 74110 - Depreciation - Building | 0 |
| 74120 - Depreciation - Road Infrastructure | 73,149 |
| 74130 - Depreciation - Plant & Equipment | 189,699 |
| 74140 - Depreciation - Structures | 6,623 |
| 74150 - Depreciation - Furniture, Fittings & Office Equip | 325 |
| 74160 - Depreciation - Motor Vehicles | 81,107 |
| 74170 - Depreciation - Site Improvements | 8,922 |
| 74200 - Depreciation - ROU Assets | 129,842 |
| 74330 - Asset Write Off - Plant & Equipment | 17,900 |
| 74340 - Asset Write Off - Structures | 0 |
| 74370 - Asset Write Off - Site Improvements | 0 |
| 74600 - ICT Phone/Fax/Internet | 122,358 |
| 74610 - ICT Satellite Telephone | 14,861 |
| 74620 - ICT Mobile/ Modem Telephone | 9,256 |
| 74630 - ICT Consultants / Service Providers | 149,571 |
| 74650 - ICT Hardware < \$5,000 | 11,795 |
| 74740 - Materials Roadbase/Gravel | 7,741 |
| 74760 - Materials Furniture & Office Equipment | 12,456 |
| 74770 - Materials Tools | 11,961 |
| 74780 - Materials Minor Assets < \$5,000 | 14,748 |
| 74781 - Outstation Assets - P&E | 13,859 |
| 74782 - Minor Assets Replacement < \$5,000 | 3,090 |
| 79000 - Small Balances Written Off | (1) |
| 79020 - Committee Sitting Fees | 4,779 |
| 79050 - Grants Returned - Unexpended | 117,211 |
| 79070 - Doubtful Debts | 16,503 |



West Daly Regional Council

Trial Balance

As at 31st January 2021

| Description | Closing Balances 31st January 2021 |
|--|---------------------------------------|
| 79080 - Write Off Expenses (Other than Assets) | 1,033 |
| 79090 - Interest on Lease Liability | 194,121 |
| TOTAL EXPENDITURE | 6,672,485 |
| ReAllocations | |
| 91140 - Materials & Services Recovery | (49,065) |
| 91210 - Plant and Vehicle Cost Alloc | 347,550 |
| 91220 - Property Lease Cost Allocation | 515,480 |
| 91500 - Cost Recovery | 2,364 |
| 91510 - Plant and Vehicle Cost Recovery | (347,550) |
| 91520 - Property Lease Cost Recovery | (515,480) |
| 91910 - Administration Fees Cost Allocation | (265,121) |
| TOTAL REALLOCATIONS | (311,822) |
| NET (SURPLUS)/DEFICIT | (5,349,220) |

WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 24 FEBRUARY 2021

Report for Agenda Item No 3

Prepared by **Rebecca Purser, Manager Corporate**

HR/WH&S Update

Purpose

To provide Council with an update as to Human Resources and Work Health and Safety.

Human Resources

Below is a snap shot of staff levels for 2019, 2020 and 2021.

| Run for period 01-Jan-2019 to 31-Jan-2019 | | | | | | | | | | | | | | | | | |
|---|-------|---------|----------|--------|-----------|-------|--------|--------|------|---------|----------|--------|------|--------|--------|--------|------------|
| | Count | % | Fulltime | % | Part Time | % | Casual | % | Atsl | Atsl % | Non-Atsl | % | Male | % | Female | % | Terminated |
| Wadeye | 57 | 53.27% | 26 | 24.30% | 3 | 2.80% | 28 | 26.17% | 45 | 78.95% | 12 | 11.21% | 35 | 32.71% | 22 | 20.56% | 0 |
| Nganmarriyanga | 18 | 16.82% | 6 | 5.61% | 0 | 0.00% | 12 | 11.21% | 16 | 88.89% | 2 | 1.87% | 11 | 10.28% | 7 | 6.54% | 0 |
| Peppimenarti | 27 | 25.23% | 10 | 9.35% | 1 | 0.93% | 16 | 14.95% | 25 | 92.59% | 2 | 1.87% | 15 | 14.02% | 12 | 11.21% | 0 |
| Darwin | 5 | 4.67% | 5 | 4.67% | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% | 5 | 4.67% | 2 | 1.87% | 3 | 2.80% | 0 |
| Count (ex. Councillo | 107 | 100.00% | 47 | 43.93% | 4 | 3.74% | 56 | 52.34% | 86 | 80.37% | 21 | 19.63% | 63 | 58.88% | 44 | 41.12% | 0 |
| Councillors | 6 | 5.61% | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% | 6 | 100.00% | 0 | 0.00% | 6 | 5.61% | 0 | 0.00% | 0 |

| Run for period 01-Jan-2020 to 31-Jan-2020 | | | | | | | | | | | | | | | | | |
|---|-------|---------|----------|--------|-----------|-------|--------|--------|------|---------|----------|--------|------|--------|--------|--------|------------|
| | Count | % | Fulltime | % | Part Time | % | Casual | % | Atsl | Atsl % | Non-Atsl | % | Male | % | Female | % | Terminated |
| Wadeye | 38 | 45.24% | 23 | 27.38% | 2 | 2.38% | 13 | 15.48% | 29 | 76.32% | 9 | 10.71% | 31 | 36.90% | 7 | 8.33% | 0 |
| Nganmarriyanga | 19 | 22.62% | 4 | 4.76% | 0 | 0.00% | 15 | 17.86% | 16 | 84.21% | 3 | 3.57% | 14 | 16.67% | 5 | 5.95% | 0 |
| Peppimenarti | 22 | 26.19% | 8 | 9.52% | 0 | 0.00% | 14 | 16.67% | 20 | 90.91% | 2 | 2.38% | 12 | 14.29% | 10 | 11.90% | 0 |
| Darwin | 5 | 5.95% | 5 | 5.95% | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% | 5 | 5.95% | 2 | 2.38% | 3 | 3.57% | 0 |
| Count (ex. Councillo | 84 | 100.00% | 40 | 47.62% | 2 | 2.38% | 42 | 50.00% | 65 | 77.38% | 19 | 22.62% | 59 | 70.24% | 25 | 29.76% | 0 |
| Councillors | 6 | 7.14% | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% | 6 | 100.00% | 0 | 0.00% | 6 | 7.14% | 0 | 0.00% | 0 |

| Run for period 01-Jan-2021 to 31-Jan-2021 | | | | | | | | | | | | | | | | | |
|---|-------|---------|----------|--------|-----------|-------|--------|--------|------|---------|----------|--------|------|--------|--------|--------|------------|
| | Count | % | Fulltime | % | Part Time | % | Casual | % | Atsl | Atsl % | Non-Atsl | % | Male | % | Female | % | Terminated |
| Wadeye | 32 | 52.46% | 16 | 26.23% | 1 | 1.64% | 15 | 24.59% | 23 | 71.88% | 9 | 14.75% | 23 | 37.70% | 9 | 14.75% | 0 |
| Nganmarriyanga | 12 | 19.67% | 5 | 8.20% | 0 | 0.00% | 7 | 11.48% | 9 | 75.00% | 3 | 4.92% | 9 | 14.75% | 3 | 4.92% | 0 |
| Peppimenarti | 11 | 18.03% | 5 | 8.20% | 0 | 0.00% | 6 | 9.84% | 9 | 81.82% | 2 | 3.28% | 6 | 9.84% | 5 | 8.20% | 0 |
| Darwin | 6 | 9.84% | 6 | 9.84% | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% | 6 | 9.84% | 3 | 4.92% | 3 | 4.92% | 0 |
| Count (ex. Councillo | 61 | 100.00% | 32 | 52.46% | 1 | 1.64% | 28 | 45.90% | 41 | 67.21% | 20 | 32.79% | 41 | 67.21% | 20 | 32.79% | 0 |
| Councillors | 6 | 9.84% | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% | 6 | 100.00% | 0 | 0.00% | 6 | 9.84% | 0 | 0.00% | 0 |

Council's staffing levels have significantly reduced from 2019 where the total was 101 staff to a total of 61 as at 31 January 2021.

This year, budget permitting, we aim to increase our staffing and retention levels to ensure that council is able to meet expectations in the delivery of its core services as well as its agency funded programs.

The CEO is undertaking a full review of Councils current organisational structure and this will be presented to council as part of the Regional Plan and Budget for 2021/2022 in the coming months.

In conjunction with the organisational structure review, a comprehensive audit of position descriptions will also be conducted in consultation with Community Services Managers and staff.

Council's Enterprise Agreement expires on 30 June 2021 and we have engaged the services a consultant to undertake the consultation/bargaining processes. The first meeting with the consultant is scheduled for 4 March 2021.

Training and professional development for all employees will be a major focus this year to ensure that council staff are adequately trained to perform their duties as well as ensuring continuing growth and learning experiences.

Work Health and Safety

There has been an extensive amount of work done with regards to improving work health and safety within WDRC.

The WH&S officer is currently reviewing all the forms and policies to ensure that they updated and current and not in a draft format.

A WH&S Committee will also be introduced. While a Committee is not necessary under legislation, it is best practice to have one in place. It is anticipated that once the Committee is formed, they will meet every 3 months to discuss health and safety issues to allow management to receive accurate feedback from employees on the ground. The Committee will be made up of 50% 'workers' and 50% 'management' and will include employees from each department of council.

Emergency response plans for each community have been drafted and are awaiting review and approval from the executives.

The Licensing/Training/Qualifications register has also been updated and training (post wet season) for staff will commence. Training will include First Aid/CPR, Fire Warden, Cert 111 in Community Services, White Card and a number of other professional development courses.

Staff tool box meetings are being held now on a regular basis and documentation for same is being recorded and documented. This will continually be monitored to ensure that this process does not cease.

All council offices have undertaken an audit and signage has been ordered and will be installed when received.

Whilst there is still a lot of work to be done, it is pleasing to see that council is progressing and improving its standards to ensure a safe work place for all its staff.

Impact for Council

Information purposes only.

Recommendation

- 1. That Council receives and notes the HR/WH&S update.**

Attachments

There are no attachments for this report.

WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 24 FEBRUARY 2021

Report for Agenda Item No 4

Prepared by **Peter Holt, Deputy Chief Executive Officer**

Disaster Recovery Funding Arrangements (DRFA)

Purpose

To present to Council standardised approach for the provision of funding to local government Councils for eligible expenditure on disaster related events.

Background

On December 18, 2020 Acting Executive Director Lee Williams from Local Government and Community Development Division of the Department of the Chief Minister and Cabinet advised the establishment of a formal policy position recently approved by the Northern Territory Government and now effective, that requires Councils to make financial contribution towards the costs associated with local government activities that are eligible under the Disaster Recovery Funding Arrangements (DRFA).

As part of the shared responsibility principles under DRFA, a co-contribution component has been established which requires Councils to make a contribution of 25% towards their eligible DRFA expenditure.

Impact for Council

Council's co-contributions are capped up to a cumulative value in any financial year of: \$25,000 for shire Councils, \$100,000 for regional Councils and \$400,000 for municipal Councils.

Where a Council can demonstrate severe financial hardship with may limit its ability to make the co-contribution up to the approved cap, officers from Local Government and Community Development Division of the Department of the Chief Minister and Cabinet will work with the Council to negotiate an adjusted level of co-contribution. The final decision on what level of funding will be offered by the NT Government will then be at the discretion of the Treasurer.

At the January OCM Council agreed to seek further information on the approach of LGANT and other regional councils. The advice received is that other regional council have accepted the guidelines but that LGANT has raised queries with the Minister for Local Government with regard to:

- Appropriateness, timeliness and rigour around the engagement process
- Short implementation process

- Potentially burdensome reporting, funds distribution and acquittal process

While LGANT will continue to raise these issues with the NTG it is likely that any change to the arrangements or deferral of the implementation will apply to all councils. The concern at how WDRC will inform DRFA about infrastructure status prior to disaster events has been clarified in that road and infrastructure contracts will be sufficient evidence.

Council will need to follow the guidelines and complete the required templates when preparing or submitting claims under DRFA.

Recommendation

That Council accepts and approves the standardised approach for the provision of funding to local government Councils for eligible expenditure on disaster related events from Local Government and Community Development Division of the Department of The Chief Minister and Cabinet.

Attachments

- 1 Standardised approach
- 2 Guidelines Dec 2020



Department of
**THE CHIEF MINISTER AND
CABINET**

Level 1 RCG Centre
47 Mitchell Street
Darwin NT 0800

Postal address
GPO Box 4621
Darwin NT 0801

18 December 2020

E lg.grants@nt.gov.au

T 08 8999 8573

Mr Peter Holt
A/Chief Executive Officer
West Daly Regional Council
GPO Box 3775
DARWIN NT 0801

File reference
HCD2020/00023-1~263

Dear Mr Holt

Peter

RE: Standardised approach for the provision of funding to local government councils for eligible expenditure on disaster related events

I am writing to advise of the establishment of a formal policy position recently approved by the Northern Territory Government and now effective, that requires councils to make a financial contribution towards the costs associated with local government activities that are eligible under the Disaster Recovery Funding Arrangements (DRFA).

As part of the shared responsibility principles under the DRFA, a co-contribution component has been established which requires councils to make a contribution of 25 per cent towards their eligible DRFA expenditure.

Council's co-contributions are capped up to a cumulative value in any financial year of:

- \$25 000 for shire councils;
- \$100 000 for regional councils; and
- \$400 000 for municipal councils.

Where a council can demonstrate severe financial hardship which may limit its ability to make the co-contribution up to the approved amount, officers from the Local Government and Community Development Division of the Department of the Chief Minister and Cabinet will work with the council to negotiate an adjusted level of co-contribution. The final decision on what level of funding will be offered by the NT Government will then be at the discretion of the Treasurer.

The "Disaster recovery funding – Guidelines" and associated templates are available on the Department's website at: <https://cmc.nt.gov.au/supporting-government/local-government/local-government-funding/disaster-recovery-funding-arrangement>.

Please note your council will need to follow these guidelines and complete the required templates when preparing or submitting claims under the DRFA.

Please do not hesitate to contact the local government grants units by email at lg.grants@nt.gov.au if you have any queries or concerns regarding the DRFA.

I wish you and your council all the best for the holiday season and New Year.

Yours sincerely



LEE WILLIAMS
Acting Executive Director
Local Government and Community Development

Disaster recovery funding arrangements: Guidelines for local government councils

December 2020



| | |
|------------------------|--|
| Document title | Disaster recovery funding arrangements: Guidelines for local government councils |
| Contact details | lg.grants@nt.gov.au |
| Approved by | Chief Executive Officer, Department of Local Government, Housing and Community Development |
| Date approved | |
| Document review | Annually |
| TRIM number | HCD2020/10523 |

| Version | Date | Author | Changes made |
|---------|------------------|-------------|---|
| 1.0 | 31 January 2019 | Grants Unit | Provisional version for consultation |
| 2.0 | 2 May 2019 | Grants Unit | Final Version |
| 3.0 | 31 August 2020 | Grants Unit | Update to Department's template |
| 4.0 | 03 November 2020 | Grants Unit | Update to reflect MoG changes |
| 5.0 | 03 December 2020 | Grants Unit | Update to claiming councils wages |
| 6.0 | 09 December 2020 | Grants Unit | To include co-contribution from councils as approved by Cabinet 18 Nov 2020 |

| Acronyms | Full form |
|------------|--|
| Department | Department of the Chief Minister and Cabinet |
| DIPL | Department of Infrastructure, Planning and Logistics |
| DRFA | Disaster Recovery Funding Arrangements |
| DTF | Department of Treasury and Finance |
| EMA | Emergency Management Australia |
| MOG | Machinery of Government |
| NDRRA | Natural Disaster Relief and Recovery Arrangements |
| NT | Northern Territory |
| NTG | Northern Territory Government |

Disaster recovery funding arrangements: Guidelines for local government councils

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Disaster recovery funding arrangements: Guidelines for local government councils

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Disaster recovery funding arrangements: Guidelines for local government councils

1. Overview

- The Disaster Recovery Funding Arrangements (DRFA) is an Australian Government initiative that provides partial reimbursement for state and territory disaster-related expenditure incurred on eligible activities. The DRFA is available at www.disasterassist.gov.au
- The underlying principle of eligibility, as expressed in the DRFA, is that disaster recovery is a shared responsibility of all levels of government and federal assistance should not replace the core responsibility of the Northern Territory Government (NTG) and Northern Territory Local Government Councils (Councils) to safeguard their communities and infrastructure.
- When a natural disaster occurs, the NTG and Councils are required to undertake certain disaster recovery measures to protect the public, restore service delivery and repair essential public assets as soon as practical.
- Disaster preparedness, mitigation and efforts to safeguard assets (including obtaining insurance) is a responsibility of the NTG and Councils. However, the following disaster recovery activities may be eligible for funding under the DRFA:
 - the restoration of essential public assets to their pre-disaster function; and
 - immediate works for the protection of the public or individuals.

1.1. Disaster Recovery Funding Arrangements

- There are three separate funding arrangements that may be triggered as a result of an eligible event:
 - Funding from the Australian Government to the NTG under the DRFA
 - Funding to Councils from the Department of the Chief Minister and Cabinet (Department) under a grant funding agreement
 - Cost-sharing arrangements between the NTG and Councils

1.1.1. Funding from the Australian Government to the NTG under the DRFA

- The Department of Treasury and Finance (DTF) coordinates and submits NTG-wide expenditure claims for funding consideration to the Australian Government.
- The information submitted by DTF on behalf of the NTG includes eligible expenditure collected by this Department from Councils (this information is required from Councils regardless of funding arrangements).
- The NTG is not fully reimbursed by the Australian Government for expenditure claims as the amount of reimbursement is determined by thresholds outlined in the DRFA determination.

1.1.2. Funding to Councils from the Department under a grant agreement

- The Department may consider funding Councils for expenditure that meets the DRFA's eligibility criteria. This may either be in the form of an upfront payment based on cost estimates, or on a reimbursement basis. All payments are made under a grant funding agreement between the Department and Council.

Disaster recovery funding arrangements: Guidelines for local government councils

- The Department's capacity to fund Councils for disaster related events is subject to the NTG's budget processes and constraints. Councils may therefore need to incur costs upfront without certainty of funding from the NTG.
- Whilst eligibility for funding is primarily determined by the terms of the DRFA, eligibility for Councils is also determined by any further requirements as specified in these Guidelines, in addition to the terms and conditions included in funding agreements.

1.1.3. Cost sharing arrangements between the NTG and Councils

- From 18 November 2020 cost sharing arrangements exist between the NTG and Councils for the costs associated with restoration of damaged essential public assets that are eligible under DRFA.
- The formal policy position for the provision of funding by the NTG to Councils for disaster related events is, Council first make a 25 per cent financial contribution of their eligible DRFA expenditure up to a capped cumulative value in any financial year of:
 - \$25 000 for shire councils;
 - \$100 000 for regional council; and
 - \$400 000 for municipal councils.

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2. Eligible activities for Councils in the NT

The table below outlines the eligible measures for Councils in the NT. Information on the eligibility of each measure is outlined in greater detail in these Guidelines.

NOTE: Although the DRFA may include other eligible measures, only those listed in this table are eligible activities for Councils.

| Eligible Measure | DRFA Reference | Timeframe for Works to be Done | Summary | Basis of Claim |
|---|-------------------------|---|--|-----------------|
| RESTORATION OF ESSENTIAL PUBLIC ASSETS | | | | |
| Emergency works for essential public assets | 4.3.2 (b) Category B | Within 3 months of gaining access to the asset. | Expenses incurred for eligible work to an essential public asset to make it safe or enable other essential activity relating to the wellbeing of the community (i.e. clearing roads to allow public access). | Actual expenses |
| Immediate reconstruction works for essential public assets | 4.3.2 (c) Category B | Within 3 months of gaining access to the asset. | Eligible work to fully restore an essential public asset in the required timeframe. | Actual expenses |
| Essential public asset reconstruction costs | 4.3.2 (d) Category B | Typically two years from payment of approved funding or as otherwise stated in funding agreement* | The estimated costs of reconstruction of damaged eligible essential public assets. | Cost estimates |
| IMMEDIATE WORKS FOR THE PROTECTION OF THE PUBLIC OR INDIVIDUALS | | | | |
| Counter-disaster operations for the protection of the general public | 4.3.2 (a) Category B | Within days of the event. | Expenses incurred to protect communities and ensure public health and the safety of the general public immediately before, during and after an eligible event. | Actual expenses |
| Removal of debris from residential properties to make them safe and habitable | 4.2.2 (e) Category A | Within days of the event. | Debris removal required to make individual residential premises habitable and to prevent displacement of residents immediately after an eligible event. | Actual expenses |

*NB: Under the DRFA, the NTG must approve and lodge cost estimates with the Australian Government within 12 months of the end of the financial year in which the event occurred. Councils should see the claims submission timeframes for more details of when cost estimates need to be provided to the Department. Once eligibility is determined, and if a funding offer is made, the Department requires funding to be expended within two years of the date of payment.

3. What cannot be claimed?

Funding is **NOT** available for the restoration of any public asset that is reasonably capable of being insured to an appropriate value, or for any improvements to existing essential public assets (betterment). Councils may contact lg.grants@nt.gov.au for more information on funding programs for asset upgrades.

4. How funding availability is determined for Councils

- Disaster recovery funding is different from other local government grant programs because there is no set annual funding pool. Disasters are by their very nature unpredictable and financial assistance to Councils is always subject to the NTG's budget capacity and funding availability.
- Councils submit claims to the Department for eligible expenditure (including actual and/or estimated costs) based on the DRFA and these Guidelines.
- Once the Department has verified the eligibility of all expenses or cost estimates under a claim and determined if there are funds available, Councils are advised if all or part of their claim will receive financial assistance.
- The Department may impose funding terms and conditions in addition to the DRFA determination on any grant offered to Councils.
- Funding for Councils will not be considered unless all reported expenditure or cost estimates meet all the eligibility requirements of the DRFA and these Guidelines.

5. New requirements for Councils in DRFA determination

There are some key changes in the DRFA when compared with the previous NDRRA. For eligible events from 1 November 2018, Councils are responsible for providing:

- **a damage assessment**, conducted or verified by a 'suitably qualified professional', for every essential public asset that was directly damaged by the event.
Damage assessments will not be accepted unless all areas of damage to the asset are supported by evidence of the pre-disaster and post-disaster condition of the asset and evidence that the damage was directly caused by the event. Any evidence older than four years will not be accepted.
- **an outline of the pre-disaster function of every essential public asset within a claim**, according to the Essential Public Asset Function Framework described in the DRFA determination.
The framework requires a Council to determine both the primary asset pre-disaster function and the asset classification as a prerequisite to undertaking works. This also requires a Council to confirm that each asset within a claim is an essential public asset within the meaning of the DRFA determination.
- **cost estimates for all reconstruction work**, verified by an engineer or appropriately qualified quantity surveyor.

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The verifying engineer or quantity surveyor is not necessarily responsible for preparing the cost estimates, but they must provide written assurance that the information provided in the cost estimates is accurate and meets all the requirements of the DRFA determination.

To capture these new funding requirements, Councils must submit their claims in the required Funding Application Templates as requested by the Department.

6. Department responsibilities

The Department, as the agency responsible for managing local government funding claims, has additional responsibilities under the DRFA determination, as it must comply with an internal assurance framework that ensures that claims from Councils only include eligible expenditure. Part of this assurance is ensuring that Council's claims meet all the requirements of these Guidelines.

The Australian Government has set 14 'control objectives' that the Department has to provide assurance for. This means the Department must have and must follow detailed procedures for reviewing all claims to verify that all damage assessments and cost estimates prepared by Councils meet the 14 control objectives.

For damage assessments, the Department must have clear procedures showing how it verifies:

- the exact location of every essential public asset that is recorded in a claim (D1);
- all assets meet the DRFA definition of an 'essential public asset' (D2);
- for every essential public asset included in a claim, the presence and quality of the supporting evidence clearly shows:
 - pre-disaster condition (D4);
 - post-disaster condition (D5);
 - the connection between the damage and the event has been assessed and recorded (D3); and
 - that all damage assessments are conducted or verified by a 'suitably qualified professional' (D6).

For cost estimates, the Department must have procedures showing how it verifies that:

- every essential public asset included in a claim has details on its:
 - function, which requires information confirming the category (transport or other public infrastructure) and sub-category (i.e. road, bridge, causeway, etc.) (C1); and
 - classification (for example, being specific if a road is an arterial, sealed or formed road; its capacity; layout and materials) (C2).
- a qualified engineer or quantity surveyor has verified that all the cost estimates are developed in accordance with the DRFA determination (C3);
- all procurement under a claim follows the *Local Government Act 2008* and Regulations (C4);
- actual costs are recorded against every project under a claim (see Item 9.4 below) (C5);
- Councils are aware that any cost overruns and efficiencies greater than 15 percent are notified to the Department because this may require the engagement of an Independent Technical Review; (C6);

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- Councils are aware of the Department policy that no variations will be tolerated except in exceptional circumstances (i.e. re-damage by a subsequent eligible event) (C7); and
- total estimated costs claimed reconcile with the totals claimed for each project (C8).

The Department must ensure that the guidelines for Councils, application templates and internal processing procedures and checklists adequately assure that all these control objectives are monitored for every Council claim. Councils will also need to have their own internal systems set up to meet these requirements. The Department relies on its internal systems and processes, as well as those within the Councils submitting the claims, to provide the necessary assurance to the Australian Government. If it cannot give this assurance, no claims can be accepted.

7. Who is involved in disaster recovery funding?

The Department manages all local government grants for disaster-related claims. The process for assessing disaster recovery funding assistance includes the Department:

- receiving and processing funding requests from Councils;
- reviewing Council claims for completeness and eligibility;
- determining the availability of funding; and
- advising Councils whether their funding requests will be supported in whole or in part.

The **Department of Treasury and Finance (DTF)** is responsible for the overall administration of the DRFA on behalf of the Northern Territory. If a disaster occurs and it appears to be an 'eligible event', the DTF is responsible for seeking approval from the Australian Government to declare the event as eligible.

Emergency Management Australia (EMA) is the agency responsible for administering DRFA on behalf of the Australian Government.

The **Department of Infrastructure, Planning and Logistics (DIPL)** is responsible for the Northern Territory Government's roads network. Their suitably qualified technical expertise is engaged by the Department to review all asset reconstruction claims from Councils to confirm:

- the strength of the evidence basis of the damage;
- whether the proposed reconstruction approach is appropriate for restoring an asset to its pre-disaster function;
- that any cost estimates are appropriate to the works proposed; and
- that the proposed repairs are only what is required to reinstate the asset to its previous function.

8. What are eligible events?

There is no requirement for a State of Emergency or Disaster to be declared. However, eligible events must be approved by the EMA, which then issues each event with an Australian Government Reference Number (AGRN).

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A natural disaster event is considered to be a serious disruption to a community or region caused by the impact of a naturally occurring event that threatens or causes death, injury or damage to property or the environment.

Eligible expenditure by the Northern Territory (territory and local governments together) must:

- exceed the small disaster criterion of \$240 000; and
- require a multi-agency response.

When an eligible event is declared, specific DRFA assistance measures are activated within affected Council areas, based on advice collected by the Department regarding areas that have incurred damage.

(See the explanation for the event declaration and claim process in Item 14 below.) If an eligible event has been declared, and a Council located outside the affected area believes it has incurred damage from the same event, it should advise the Department immediately.

9. What essential public asset restoration works are eligible?

9.1. What are emergency works?

Emergency works are urgent activities following an eligible disaster, to temporarily restore an **essential public asset**, in order for it to be acceptably used to support the immediate recovery of the community.

9.1.1. Timeframes

These works must be completed within three months of when the asset becomes accessible. For example, if a road asset is damaged in a weather event in February, but only becomes accessible at the end of the wet season in April, then a Council has three months from April to undertake emergency works.

The date of accessibility of every eligible asset **MUST** be appropriately documented and evidenced.

9.1.2. Examples of emergency works

For all roads, this would involve the clearing of flood or cyclone debris.

On sealed roads, this might involve:

- urgent pot-hole repair (where this is required to open a road to traffic);
- identifying, marking and signposting hazards such as shoulder scours;
- installation of any temporary road safety signage or flood markers; and
- installation of temporary traffic management.

On unsealed roads, this might involve any immediate works to enable a road to be opened with traffic restrictions, including:

- scour or drainage repairs;
- road sheeting/grading; and
- replacement of rock at floodways.

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The costs for emergency works are claimed on an actual expenditure basis. Councils incur these costs because they are required for restoring service delivery. Councils will then submit a claim to the Department and, subject to budget capacity, Councils may be fully, partially or not reimbursed.

No actual costs for works undertaken after the expiry of the three-month timeframe are claimable under this category. The Department would only consider applying for an exemption on a Council's behalf for emergency works outside this timeframe in exceptional circumstances.

9.2. What are immediate reconstruction works?

If an essential public asset can be **fully** restored within the three months after it becomes accessible, after an eligible event, and **no further reconstruction is required**, the expenditure is eligible to be claimed under immediate reconstruction works.

These works can be undertaken at the same time as or after emergency works, but must be completed within the three-month timeframe. As with emergency costs, these costs are claimed on an actual expenditure basis.

9.2.1. Examples of immediate reconstruction

In relation to Council roads, immediate reconstruction might involve:

- patching, grading, drainage and pot-hole repair where it fully restores a road; and
- permanent replacement of guideposts, floodway markers, and advisory signage.

Any road furniture damaged as a direct result of an eligible disaster event can only be reconstructed to the same quantity, form and type as prior to the event, unless any current and relevant design standard stipulates differently.

9.3. Significance of the three-month time limit

The three-month time limit is intended to guide Councils on how they determine their scope of works for restoration activities.

If the damage to a road is extensive, it may not be possible or appropriate to fully restore the asset within three months. In this case, the works should be classified as 'essential public asset reconstruction', which has a longer timeframe to complete. This is a different category because it must be claimed on a cost estimation and not an actual expenditure basis.

Councils must be aware of the different categories of claim and make decisions about which works will fall under each category. If a Council commences works that are intended to fully restore an asset in the three-month timeframe but, at a later point, determine that these works will not be completed in that timeframe, they should contact the Department for advice.

9.4. Definition of a project in emergency and immediate works

For all works to essential public assets claimed, a damage assessment must be prepared per asset. However, it is often the case that a Council will engage a contractor to do work on a group of related assets at the same time. For example, a number of roads in a particular Council area could require tree removal for public safety or the immediate filling of potholes.

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Where it is not practical to obtain a cost breakdown for each of the assets involved, the assets can be grouped together as a project. However, all evidence associated with expenses (invoices, work orders, etc.) must still clearly identify the group of assets to which they relate.

For example, an invoice must clearly state “tree removal from W, X, Y and Z Roads in Alawa to allow for restoration of local traffic” or “pothole repair on Flinders, Leichhardt and Thorne Streets in Jabiru”.

Particular care should be taken to distinguish where an activity by a contractor includes both eligible and ineligible expenditure. For example, where trees are removed from roads and verges, these costs may be eligible for inclusion in a claim. However, if the contractor is also removing green waste from an adjacent park, these costs are not eligible and should be differentiated on the invoice.

Where eligible and ineligible costs cannot be differentiated on invoices, the Department may consider accepting invoices where there is a robust methodology for distinguishing the eligible portion. For example, large volumes of green waste from a number of sources may be chipped and stored at the same depot. If, in this example, the Council had a robust methodology for calculating the costs associated with green waste removed under an eligible measure, a claim for costs would be considered on the strength of the supporting evidence.

9.5. What is essential public asset reconstruction?

If an **essential public asset** has been damaged by an eligible event and it has not been restored by ‘immediate reconstruction works’ (see Item 9.2 above), it is claimable as essential public asset reconstruction. This category of claim relates to larger essential public asset restoration activities.

These costs are claimed on a cost estimation basis and relate to the costs to restore an asset to its **pre-disaster function**.

The information below covers the major DRFA rules that relate to essential public asset reconstruction claims.

9.5.1. What is an essential public asset?

Essential public assets are those which the NTG considers and the Australian Government agrees are ‘**an integral part of a state’s infrastructure and normal functioning of the community**’.

They include **transport infrastructure**: roads and road infrastructure (paths, bike lanes, and pedestrian bridges), bridges, tunnels, and culverts.

They also include **public infrastructure** such as hospitals, community health centres, schools, prisons, levees, Council offices, storm water infrastructure (noting that any public assets that should, reasonably, be insured by a Council are not claimable).

The following are examples of items that are **NOT** considered essential public assets:

- sporting, recreational or community facilities (for example playgrounds, ovals, showgrounds, skate parks, swimming pools and associated facilities);
- religious establishments (for example churches, temples and mosques); and
- memorials.

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9.5.2. Remote roads

The NTG does not automatically consider all Council roads reported in the Northern Territory Grants Commission roads return as essential public assets.

An essential public asset must be listed on the asset register of the Council and have the function of connecting members of the community with services.

Very remote roads or flat bladed tracks may not be eligible and will require consideration of:

- whether the function of the road is to connect residents with services; and
- the proposed reconstruction approach. This is because most proposed reconstruction works to flat bladed tracks are likely to constitute betterment.

If a Council is not clear on whether a damaged remote road asset is an essential public asset, they should contact the Department as soon as possible after the disaster event. This may necessitate a formal 'eligibility enquiry' to the EMA.

For more information, see the Disaster Recovery Funding Arrangements 2018 Guideline 1 – Essential Public Assets at <https://www.disasterassist.gov.au/Documents/Natural-Disaster-Relief-and-Recovery-Arrangements/drfa-2018-guideline-1-an-essential-public-asset.pdf>

9.6. What is required in a damage assessment?

A damage assessment must be completed for every essential public asset included in a Council's claim. The purpose of a damage assessment is to prove that the asset was damaged by the eligible event. A damage assessment **MUST** be completed or verified by a **suitably qualified professional with the appropriate level of expertise**.

9.6.1. What does 'suitably qualified' mean?

Suitably qualified is not defined in the DRFA. The Department deems 'suitably qualified' Council employees to include civil works, asset and infrastructure managers with a combination of:

- appropriate qualifications (for example: Degree in Engineering (all types), Diploma in Engineering, Engineering Surveying or Drafting, Certificate in Engineering and Certificate in Materials Engineering); and
- significant experience in road construction or road maintenance.

Where a manager has no formal qualifications but possesses more than fifteen years' experience in road construction or road maintenance, this would be deemed appropriate.

The Damage Assessment Template requires the person completing the damage assessment to outline their qualifications and expertise. This person does not necessarily need to be an employee of the Council.

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9.6.2. What evidence of damage is required?

Sufficient evidence is required to **prove** that an essential public asset was directly damaged by the eligible event. The evidence must demonstrate the following:

- location;
- pre-disaster condition;
- nature of the damage or post-disaster condition; and
- that it was the disaster/event that caused the damage.

The evidence can be from one or more of the following:

- geospatial data including satellite images;
- visual data including photos and video;
- maintenance records;
- asset registers; and
- inspection reports or certifications undertaken at the time of the damage assessment (as soon as practicable after the event), by a suitably qualified person, that confirms the damage was caused by the event.

The evidence of pre-disaster condition must be no more than four years old.

A combination of different types of evidence may be required for each damage assessment, depending on the asset and the circumstances. For Councils, this evidence cannot be older than four years.

9.7. What is pre-disaster function?

Eligible expenditure is only what is required to restore an asset to its pre-disaster function. The framework below is required to be completed to show the pre-disaster function of an essential public asset being claimed.

| | |
|-----------------------------|---|
| Category | <i>Transport or other public infrastructure</i> |
| Sub-category | For example: road, bridge, drain, public school, etc. |
| Type | For example, if the asset is a road, the type of road could be: <ul style="list-style-type: none"> • arterial/major • sub-arterial • sealed local road • unsealed road linking remote communities to service centres • outstation road |
| Capacity | For example, "one lane in each direction"; or "two lanes of traffic in each direction with pedestrian traffic along pathway". |
| Layout and Materials | This should include: <ul style="list-style-type: none"> • dimensions, layout and materials used (for example: gravel, granular with seal, concrete, asphalt, etc.); • the presence of any other infrastructure (for example: barriers, signage, lighting, paths, etc.); and • the presence of road markings. |

A Pre-disaster Function Template is required to be filled out for every essential public asset claimed.

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Asset surfaces, road widths (surface and shoulder) and associated road furniture can only be reconstructed to their pre-disaster capacity, layout and materials, as evidenced in the Pre-disaster Function Template. For example, where gravel from pavements has been displaced, only sufficient material, when combined with the remaining material, can be used to achieve the appropriate pre-disaster depth.

If different engineering standards are applicable to the reconstruction design approach than were applicable to the pre-disaster design approach, then the approach required by those standards may be appropriate. Councils should consult with the Department if they believe a different design approach is required by relevant standards.

9.8. Establishing and verifying cost estimates

Estimated reconstruction costs are required in order to identify the total project cost to reconstruct an asset to pre-disaster function.

Cost estimates can either be determined by:

- requesting pricing from the market ('market response') – following all relevant procurement processes under the *Local Government Act 2008*, Regulations, and any relevant Guidelines and Ministerial Directions; or
- using either an internal engineer or quantity surveyor, or engaging an external engineer or quantity surveyor 'with the appropriate level of expertise and experience' to prepare cost estimates ('cost estimation').

9.8.1. What should cost estimates include?

Councils should ensure cost estimates cover total direct costs including:

- design;
- construction;
- project management; and
- contingency and cost escalation – The Department will accept a contingency/cost escalation provision of up to five percent of total project costs.

9.8.2. Use of in-house day labour

See 'claiming wages for Council employees' on Item 13.3 below.

9.8.3. What overheads can be included?

When applying the cost estimation approach, only legislatively required employee on-costs can be included in the cost estimate. They are:

- base wage or salary;
- allowances;
- superannuation;
- overtime;
- shift loading; and
- workers compensation. - Any indirect costs, which could be defined as 'administrative expenditure', are specifically excluded. This includes finance management and office or human resources costs.

10. Immediate works for the protection of the public/individuals

10.1. Counter disaster operations for the protection of the public

Counter disaster operations are urgently required works aimed at protecting the general public and ensuring public safety and public health. These works must occur **immediately prior to, during and/or immediately after** an eligible event.

Eligible expenditure on counter disaster operations must be for **extraordinary costs**. The eligibility of the expenditure should not be a consideration when a Council determines whether to incur these costs, because of the urgency and the immediacy of the works.

These costs are claimed on an actual expenditure basis. Councils incur these costs because they are immediately required to protect the public. Councils will then submit a claim to Department, which will be considered for reimbursement.

10.1.1. What are extraordinary costs?

Costs that can be claimed under this category are only those costs incurred that are **over and above** the costs that a Council would 'reasonably have been expected to incur' for counter disaster operations. Therefore, extraordinary costs are those where a Council is required to engage additional personnel or to undertake additional activities.

Extraordinary costs may include expenses for activities such as search and rescue, accommodating volunteers (but not including any food or drink costs), and contractor expenses for eligible activities.

10.1.2. What are eligible activities?

The eligibility of counter disaster operations are typically dependent on the circumstances. They might include sand bagging to protect a central business district, bracing trees where necessary for public safety, firebreaks and any immediate debris removal activities where they are urgent and necessary to protect public health and public safety.

Councils should be aware that:

- removal of debris such as trees from essential public assets such as roads should generally be claimed under '**emergency works**' (see Item 9.1 above) and not under counter disaster operations, except for costs associated with urgent and immediate works to provide, for example, an access route for emergency services immediately after a disaster.
- removal of tree debris from public spaces is only claimable under this category where there is a clear, serious and direct threat to public safety, necessitating an urgent and immediate response. Removal of debris from public spaces is not, as a general rule, eligible under this category.

These works must be completed within days of the event. The Department may consider an exception to this timing requirement in exceptional circumstances.

For more information on eligible counter disaster operations: see the Disaster Recovery Funding Arrangements 2018 Guideline 2 - Counter disaster operations, at <https://www.disasterassist.gov.au/Documents/Natural-Disaster-Relief-and-Recovery-Arrangements/drfa-2018-guideline-2-counter-disaster-operations.pdf>

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10.2. Eligible activities for the benefit of individuals

These are activities that directly benefit particular individuals, as opposed to the public as a whole. Again, eligible expenditure must be for **extraordinary, urgent and immediate** costs (see Item 10.1.1. above).

The Department will accept eligible expenditure for the removal of debris from the immediate vicinity of residential properties, if the following requirements are met:

- disaster-related debris must be an immediate threat to the safety of an individual or the habitability of a specific residence, or a threat to the safety of the general public. This measure allows a Council to claim the costs associated with the removal of that debris, if it is required to make a residential premises habitable and to prevent the displacement of residents;
- there must be a clearly evidenced threat to that particular resident's health and safety. For example, that particular resident's circumstances must make it urgent to complete works for the protection of their health and safety; and
- the activity must occur in the immediate aftermath of a disaster. If a Council believes an activity is eligible under this measure, but that activity does not occur within days of an eligible event, they must contact the Department to discuss eligibility.

The eligibility of this expenditure should never be a consideration when a Council determines whether or not to incur these costs, because of the urgency of the works.

11. Costs of temporary waste disposal facilities

The costs associated with operating a temporary waste facility that is established for the disposal of debris collected under any eligible activity, are deemed appropriate under these Guidelines.

However, if this facility receives other debris collected from activities that are not eligible, there needs to be a methodology developed by the Council, apportioning the costs which are eligible. If the ineligible proportion cannot be quantified, the total costs of the facility cannot be claimed.

12. Costs of emergency operation centres

The cost of emergency operation centres are claimable where a Council can demonstrate that the particular operational function of the centre was directly associated with the delivery of eligible activities, and that all wage costs are additional or extraordinary costs. If the centre also undertakes activities that are ineligible under these Guidelines, this proportion should be quantified.

Financial assistance for this measure is not intended to supplant a Council's own responsibilities and self-help measures. Therefore, Councils need to identify elements of the financial burden of the emergency operation centre that they will bear internally.

13. What else do Councils need to know?

13.1. Will variances be tolerated?

No variances are tolerated on claims approved by the Department, except under exceptional circumstances. Exceptional circumstances are largely confined to assets that are re-damaged by a subsequent eligible event.

If an asset has not been fully restored before being impacted by a subsequent eligible event, then the work records and costs incurred must be closed off for the first event. They cannot be used in any calculation of efficiencies. Estimated reconstruction costs will then need to be established following the second event.

Councils should notify the Department immediately if an asset has been re-damaged prior to its full reconstruction.

13.2. Notification to the Department of underspends and cost overruns

The NTG is required to report regularly to the Australian Government on updated estimates and actuals of eligible works. To meet these reporting requirements, once reconstruction of essential public asset funding is approved, it is critical that Councils provide updated estimates and actual expenditure data to the Department as requested.

Once a project is underway, if an approved project for an essential public asset is greater than \$1 million, then cost overruns or underspends greater than 15 percent must be notified to the Department as soon as possible. The Department will then liaise with the DTF and DIPL and may require an Independent Technical Review in order to provide increased oversight and assurance over a Council's claim.

The reporting requirements will be outlined as a condition of any grant funding agreement.

13.3. Claiming wages for Council employees

Although the DRFA has removed the restrictions that existed under the former NDRRA on the use of Council's own employees for eligible activities, the Department will only consider funding employee costs in certain circumstances, to ensure core local government service delivery in remote areas is maintained.

Under the DRFA council employee expenses can only be claimed on eligible activity under the **emergency works** and **immediate reconstruction works for essential public assets** measures.

Where a Council proposes to use their own employees for eligible activities, Councils should be aware of the following requirements:

- only the costs of additional temporary employees engaged specifically for the purposes of undertaking eligible activities are eligible for consideration for reimbursement;
- for existing Council employees who are diverted to eligible activities, only the employees' overtime costs and/or the wage costs of backfilling that employee are eligible for consideration for reimbursement under these arrangements so that ordinary service delivery is maintained;
- if employee costs are already funded under any other NTG or Australian Government funding arrangements (for example: NT Operational Subsidy, Indigenous Jobs Development Funding or FAA General Purpose Funding), any funded portion of employee costs are not eligible for consideration for reimbursement under these Guidelines.

Contact the Department if you have any queries about this aspect of your claim.

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13.4. Public acknowledgement of assistance

All public acknowledgement of funding assistance in relation to any works funded under these Guidelines must be developed with the prior agreement of the Northern Territory and Australian Governments. All measures must be described as 'jointly funded by the Australian Government and the Northern Territory Government under the Disaster Recovery Funding Arrangements'.

Councils must contact the Department about the nature and content of any events, media releases, announcements, promotional material, signage and/or publicity in relation to works funded under these Guidelines.

14. Claims submission and assessment process for Councils

14.1. Stage 1: Prior to the declaration of an event

- i. After a potentially eligible disaster event has occurred, the DTF will liaise with the Department to determine if potentially eligible damage to essential public assets has occurred within the Northern Territory with likely costs of greater than \$240 000.
- ii. The Department will contact potentially affected Councils for early feedback on damage. The DTF will then use this information (and information from other NTG agencies) to determine if an event should be declared eligible, and the areas over which the event should be declared. This early information gathering should not be taken to imply availability of funding.
- iii. The EMA is required to approve any declaration and will issue each declared event with an Australian Government Reference Number.

14.2. Stage 2: Declaration of an eligible event and preparation of claims

- i. Once an event is declared eligible, all potentially affected Councils will be advised by the Department that they may submit claims for eligible expenditure relating to that event.
- ii. Claims must be completed using the following templates:
 - Damage Assessment Form
 - Essential Public Asset Pre-disaster Function Framework Form
 - Restoration of Essential Public Assets (REPA) – Detailed Damage Assessment and Cost Estimate Form
 - Emergency and Immediate Works Form
 - Counter Disaster Operations Form
- iii. Claims should be submitted within **three months** of the eligible event for Counter Disaster Operations, Emergency and Immediate works.
- iv. Claims for the restoration of essential public assets must be provided to the Department within **ten months** from the End of the Financial Year (EoFY) of the event.
- v. Councils must contact the Department if they cannot meet these timeframes.

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14.3. Stage 3: Assessment of claims

- i. Once a claim is received, the Department will complete an initial formality check to ensure all the required templates are completed and signed, and all required evidence has been provided.
- ii. The Department will refer all asset reconstruction claims to DIPL where suitably qualified technical expertise will review:
 - the strength of the evidence based on the damage;
 - whether the proposed reconstruction approach is appropriate for restoring an asset to its pre-disaster function;
 - that any cost estimates are appropriate to the works proposed; and
 - that the proposed repairs are only what is required to reinstate the asset to its previous function.
- iii. The Department will review all other eligible components of a Council's claim according to its internal Control Objectives Assurance Procedures, to confirm the eligibility of a Council's claim has met the Australian Government's control objectives (see Item 6 above).
- iv. The Department will liaise with the DTF to determine the capacity to fund all or part of a Council's claim, subject to it meeting eligibility requirements.

14.4. Stage 4: Advice on successful claims and acquittal requirements

- i. The assessment process should take six weeks from receipt of the application; however, this may depend on the extent or complexity of the claim.
- ii. Funding advice will be provided in writing from the Department and will outline the outcome of the claim and the co-contribution amount Council is to provide and the quantum of funds to be granted.
- iii. Letters of offer will include an outline of the Department's acceptance and acquittal requirements. Once a signed acceptance form is received from the Council, payment will be made.
- iv. The Department will liaise with Councils to ensure all reports and any other information requested by DTF is provided as required. Councils must provide all information as requested in the required template and within the required timeframe.



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 24 FEBRUARY 2021

Report for Agenda Item No 5

Prepared by Kristine Matienzo, Grants Manager

Variation to Community Sport Infrastructure Grant Agreement – Project CSI021522018 – Peppimenarti Football Oval Irrigation and Softball Oval Improvements

Purpose

To present to Council variation to Community Sport Infrastructure Grant Agreement. Sport Australia is pleased to advise that Council's request to extend the project end date to 30 June 2021 has been approved.

The variation to the Agreement will take effect from 05 January 2021. All other provision of the agreement will continue unchanged.

Background

Project has been delayed due to COVID-19 pandemic as well as Licence to Maintain with Northern Land Council.

The project was originally for Peppimenarti Softball and Football oval irrigation. The approved change of project scope is now for Peppimenarti Football oval irrigation, installation of scoreboard and improvements as well as installation of scoreboard to Peppimenarti Softball oval.

Council has approval to change the scope of the project and the project end date has been approved to end by 30 June 2021.

Impact for Council

On December 21, 2020 Northern Land Council provided the Letter of no objection for Lot 88 to proceed with the grading on Lot 88 and installing irrigation for a new football oval.

Project is in-progress with Tender awarded to Delta Water (t/as Think Water Winnellie and Virginia) amounting to \$104,491 ex GST (\$114,940 w/ GST).

Council is expected to complete the project by 30 June 2021.

Project funding is \$191,550.

Expenditure as of 18 January 2021:

| General Ledger Balances (Enquire) | | | | | | |
|--|------------------|------------|------------|-------------|---------------|---|
| SG - 404 - Peppimenarti Football Oval Irrigation | | | | | | |
| 20GLACT | | | | | | |
| Account Number | Description | Debit | Credit | Commitments | Total Balance | Long Description |
| 400-SG-404-26430 | Unearned Revenue | 0.00 | 178,196.21 | 0.00 | -178,196.21 | Peppimenarti Special Purpose Peppi Softball |
| 400-SG-404-62210 | Aust Gov - CPG | 0.00 | 13,353.79 | 0.00 | -13,353.79 | Peppimenarti Special Purpose Peppi Softball |
| 400-SG-404-73120 | Advertising | 490.91 | 0.00 | 0.00 | 490.91 | Peppimenarti Special Purpose Peppi Softball |
| 400-SG-404-73125 | Tender N Quotes | 157.00 | 0.00 | 0.00 | 157.00 | Peppimenarti Special Purpose Peppi Softball |
| 400-SG-404-73511 | Freight Expense | 1,324.00 | 0.00 | 0.00 | 1,324.00 | Peppimenarti Special Purpose Peppi Softball |
| 400-SG-404-73800 | Contractor M&L | 11,381.88 | 0.00 | 0.00 | 11,381.88 | Peppimenarti Special Purpose Peppi Softball |
| | | 13,353.79 | 191,550.00 | 0.00 | -178,196.21 | |
| 21GLACT | | | | | | |
| Account Number | Description | Debit | Credit | Commitments | Total Balance | Long Description |
| 400-SG-404-62210 | Aust Gov - CPG | 0.00 | 178,196.21 | 0.00 | -178,196.21 | Peppimenarti Special Purpose Peppi Softball |
| 400-SG-404-73125 | Tender N Quotes | 406.09 | 0.00 | 0.00 | 406.09 | Peppimenarti Special Purpose Peppi Softball |
| 400-SG-404-73800 | Contractor M&L | 29,999.99 | 0.00 | 74,490.91 | 104,490.90 | Peppimenarti Special Purpose Peppi Softball |
| | | 30,406.08 | 178,196.21 | 74,490.91 | -73,299.22 | |
| | Expenses | | | | | |
| | Tender | 1,054.00 | | | | |
| | Scoreboards | 11,381.88 | | | | |
| | Freight | 1,324.00 | | | | |
| | Irrigation | 104,490.90 | | | | |
| | | 118,250.78 | | | | |
| | checks | 0.00 | | | | |
| | Remaining Funds | | 73,299.22 | | | |

Project Budget:

| Budget for Softball Irrigation and Improvements - Peppimenarti | | | |
|--|--------------|-----------|-------------|
| Irrigation expenses - Softball Oval | | | |
| Description | Amt excl GST | GST | Amt inc GST |
| Scoreboard | \$ 6,790 | \$ 679 | \$ 7,469 |
| Total | \$ 6,790 | \$ 679 | \$ 7,469 |
| Budget for Football Irrigation and Improvements - Peppimenarti | | | |
| Irrigation expenses | | | |
| Description | Amt excl GST | GST | Amt inc GST |
| Football oval (i25 Hunter S/S Series Sytem) | \$ 150,000 | \$ 15,000 | \$ 165,000 |
| Scoreboard | \$ 4,592 | \$ 459 | \$ 5,051 |
| Footballs, compressor, inflate needles, padding, markings | \$ 6,290 | \$ 629 | \$ 6,919 |
| Total | \$ 160,882 | \$ 15,459 | \$ 170,051 |
| Freight for Irrigators | \$ 878 | \$ 88 | \$ 966 |
| Total Peppimenarti | \$ 168,550 | \$ 16,226 | \$ 178,486 |

Should there be remaining funds for the project, Council should consider spending the remaining funds for the Football oval improvements such as seatings, drinking water facilities, etc.

Recommendation

1. That Council accepts and approves the variation to Community Sport Infrastructure Grant Agreement between the Department of Infrastructure, Transport, Regional Development and Communications and West Daly Regional Council.

Attachments

- 1 Variation to Grant Agreement

WDRC Grants

From: Sport Australia <noreply@smartygrants.com.au>
Sent: Tuesday, 5 January 2021 7:35 AM
To: West Daly CEO
Cc: WDRC Grants
Subject: Variation to Community Sport Infrastructure Grant Agreement

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Council meeting approval/affix seal

Dear WEST DALY REGIONAL COUNCIL,

Thank you for your recent written communication with Sport Australia, from which we understand that you are seeking to extend the end date for your project CSI021522018 Peppimenarti Softball Pitch and Football Oval Irrigation and Improvements ('Project').

I'm pleased to advise that Sport Australia will agree to this extension. Your revised Project end date will be recorded in our system as 30/06/2021.

The Grant Agreement between WEST DALY REGIONAL COUNCIL and the Australian Sports Commission (referred to as Sport Australia), for the conduct of your Project ('Agreement') will be varied, in accordance with that Agreement by: changing every reference to the previous Project end date of 30/06/2020 to reflect the new Project end date of 30/06/2021 .

The variation to the Agreement will take effect from the date of this email. All other provisions of the Agreement will continue unchanged. Please note, there may be additional reporting requirements associated with your organisations project.

Please retain a copy of this email together with your executed Agreement, for your records.

If you have concerns or questions regarding the variation to your Project end date please contact Sport Australia as soon as possible.

Best wishes for the completion of your project,

Sport Australia Community Sport Infrastructure team.

WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 24 FEBRUARY 2021

Report for Agenda Item No 6

Prepared by Kristine Matienzo, Grants Manager

Building Better Regions Fund (BBRF) - Round 5 - Infrastructure Projects Stream

Purpose

To provide updates on grant application and to seek Council's decision and approval on grant application requirements.

Background

Council will apply for a grant funding under BBRF Round 5 – Infrastructure Projects Stream that aims to create jobs, drive economic growth and build stronger regional and remote communities in to the future.

Impact for Council

Application requirements progress:

1. Quotations (provided to Rebecca from SMEC)

\$1.6M to refurbish the existing pool

\$2.5M to construct a new pool

Are we applying for the refurbishment of the existing pool or for the construction of a new pool?

If other organisations or stakeholders are willing to contribute for the new pool or refurbishment of the existing pool, we need their letter of commitment with the amount of contribution. (C/o CSM Wadeye – Troy P).

2. Council's cash contribution – 25% of eligible costs

\$1.6M to refurbish the existing pool – Council will have to pay \$400,000

\$2.5M to construct a new pool – Council will have to pay \$625,000

Is Council's funds enough for the 25% cash contribution?

If other organisations or stakeholders are willing to contribute for the new pool or refurbishment of the existing pool, we need their letter of commitment with the amount of contribution. (C/o CSM Wadeye – Troy P).

3. Operational Costs

| | | | | | | | Year to Date |
|-------------------------------|------------|------------|------------|------------|------------|------------|--------------|
| | 2014-15 FY | 2015-16 FY | 2016-17 FY | 2017-18 FY | 2018-19 FY | 2019-20 FY | 2020-21 FY |
| Staff costs, salaries & wages | 48,376.53 | 52,367.18 | 116,403.98 | 81,491.76 | 86,597.40 | 82,520.35 | 6,100.00 |
| Repairs and maintenance | 74,756.53 | 98,649.24 | 105,302.38 | 74,099.38 | 76,830.13 | 65,513.23 | 59,560.12 |
| Others | 5,766.12 | 8,402.04 | 1,715.15 | 5,072.69 | 29,509.26 | 13,316.44 | 5,600.00 |
| | 128,899.18 | 159,418.46 | 223,421.51 | 160,663.83 | 192,936.79 | 161,350.02 | 71,260.12 |

Please note that per grant funding guidelines, ongoing operating costs such as utilities, staff salaries, etc are not an eligible expenditure on the grant application.

We need a budget for the operational costs for the next 3-5 years. (C/o Ramesh – Financial Consultant)

Is Council willing to pay for the ongoing operational costs if funding is approved?

If other organisations or stakeholders are willing to contribute for the operational costs, we need their letter of commitment with the amount of contribution.

4. Cost Benefit Analysis (CBA)

Application requirement requested to Ramesh – Financial Consultant on the 15th of Feb, 2020

- Letters of support - Council (c/o CSM Wadeye Troy P.) has obtained letters of support from Traditional land owners – Kardu Diminin and Catholic Care NT

Application must be submitted on the 5th of March (Friday) by 5:00PM AEDT

Recommendation

- 1. That Council applies for funding under BBRF to construct a new pool or refurbish the existing pool.**
- 2. That Council commits to contribute 25% cash contribution on eligible costs as well as cash contributions from other organisations**
- 3. That Council commits to cover the operational costs for the pool as well as contributions from other organisations**
- 4. Ramesh P. as Financial Consultant will provide the Cost Benefit Analysis as part of the grant application requirements**
- 5. That Council seeks letters of support (c/o CSM Wadeye Troy P.) as part of the grant application requirements**

Attachments

- 1 Costing, Quotation**
- 2 Inspection Report**
- 3 Letter of Support 1**
- 4 Letter of Support 2**



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30080050
8 February 2021

Rebecca Purser
Manager Corporate
West Daly Regional Council
3/4 Albatross Street,
Winnellie NT 0820

Attention: Rebecca Purser

Dear Rebecca,

Thank you for your email 'Engineering Assessment – Wadeye Swimming Pool – West Daly Regional Council' regarding SMEC's Engineering Inspection of the Wadeye Community Pool. In this report SMEC advised that 'Based on the inspection results, it is expected that the costs of repairing the actual swimming pool will outweigh costs of a complete newly installed swimming pool'

In your email on the 19/01/2021, you enquire regarding the above recommendation made by SMEC and enquire if SMEC are able to provide indicative costs of the replacement of the swimming pool versus construction of a brand-new pool structure.

Following this request, SMEC engaged Myrtha Pools to enquire about any cost estimates or indications that they may be able to provide for the Wadeye Community Pool.

On the 21/01/2021, Greg Clarke (Technical Manager) for Myrtha Pools, and is aware of the Wadeye Community pool history, provided a response with high level cost estimates:

- Based on SMEC's report, pool can likely be renovated with a full 10-year warranty.
- These costings are only for the repair / replacement of the stainless-steel pool structure, and does not include associated infrastructure (Filtration tanks, Balance tank, pipeline repairs, ablution block, office, tanks) in order to maintain the pool.
- These costings are developed based on the SMEC Engineering Structural Assessment Report provided to Myrtha Pools.
- To develop more accurate estimates, it is recommended that Myrtha Pools is able to visit site to inspect the pool.

| Option | Comments | Indicative Cost: |
|--|--|-------------------|
| a) Construction of a New Myrtha Pool | <ul style="list-style-type: none"> • Existing concrete foundation structure is assumed to be retained • Cost at premium due to mobilisation and transport to location • Estimated time on site: ~2 months | \$0.6M - \$0.65M |
| b) Remediation of Existing Myrtha Pool | <ul style="list-style-type: none"> • Relamination of gutters • New Wall Fittings • New Floor/wall Membrane • New Wetdeck Grates • Wet Edge profiles • Estimated time on site: ~3-4 weeks | \$0.28M - \$0.32M |

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SMEC International Pty Ltd ABN 32 065 440 619



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The inspection has not found widespread defects to the stainless-steel structure and it would be reasonable to assume that the existing stainless-steel structure could be retained. However, more investigations (removal of the membrane and excavations behind the walls) are required to obtain certainty that this assumption is correct.

On the basis of the information provided by Myrtha and the results of the SMEC inspection, SMEC notes:

- For budgetary purposes, it is recommended to adopt the full cost of a new Myrtha Pool (option a) to eliminate the risk that the existing stainless-steel structure cannot be retained. The costs should be increased with 10% GST potential replacement / remediation of foundations, excavations and backfill and would be in the order of \$0.8M-\$1.0M.
- It is expected that, based on the unassessed sections of the pool structure, the costs involved with option b would likely be higher than Myrtha's estimate as a result of including GST, potential partial replacement of the stainless-steel frame and be in the order of \$0.4M - \$0.5M.
- Repair of the existing Wadeye Community Pool would be under warranty for 10 years, whilst a new pool would be warranted for over 20 years
- The Balance Tank has been assessed as functional from the structural inspection undertaken, however it is highly recommended that the condition below water level are assessed for any remediation required
- Infrastructure relating to and near the existing pool structure (with the exception of the stainless-steel pool frame) has been assessed for costs for full replacement, as it is highly likely the pump, tank and associated infrastructure would require replacement (Further inspection would reveal any cost-saving).

Based on the above, we provide the following high-level cost estimates:

| Wadeye Community Pool – Indicative Costing | |
|--|----------------------------------|
| Item: | Indicative Cost: |
| Remediation of Existing Myrtha Pool. Retain existing stainless Steel Frame and concrete foundation (option b) | \$0.4M - \$0.5M |
| Replacement of Myrtha Pool Stainless Steel Frame. Retain majority existing concrete Foundation (option a) | \$0.8M - \$1.0M |
| Complete replacement of Myrtha Pool stainless Steel Frame and concrete foundation. This is a very conservative scenario and worst-case estimate. | \$1.4M - \$1.9M |
| Complete Replacement / Remediation of Pool Infrastructure, including new pipes, filtration tanks, etc. | \$0.6M |
| Indicative Construction of a new Ablution Block, Repairs to existing office demontable, shade sail structure | \$0.15M |
| Total indicative cost of remediation cost if option a would be selected | $\$1+0.6+0.15=\1.75M |
| Total Indicative cost of installation of new pool: | $\$1.9+ 0.6+0.15=\2.65M |

Please note that additional site inspections and structural assessments are required to further refine these above costs, however these are indicative of the expected costs of remediation vs installation of a new pool, with the required updated infrastructure such as pumps and filtration tanks.



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Hopefully this addresses your query, SMEC recommend that a teleconference call is arranged between SMEC and West Daly Regional Council, once the Council has decided of the option they wish to cost for, in order to further understand and develop information required to appropriately cost and further consider the updates to the Wadeye Community Pool.

Please feel free to contact myself or Jerome Cook with any queries you may have regarding this project, and we look forward to hearing back from you!

Yours sincerely,

Pieter de Boer
Principal Engineer - Structures



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West Daly Regional Council

Wadeye Community – Pool Inspection

Report Ref: 30032087-DMS-RPT-001
Prepared for: West Daly Regional Council
21 October 2020

Document Control

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| | |
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| Document: | West Daly Regional Council |
| File Location: | \\autwfpv001\operations\$\Projects\30032087 - Tsv Transport - Minor Projects\Task 034 – Wadeye pool inspection\01_Rpt |
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| Project Number: | 30080050 |
| Revision Number: | 00 |

Revision History

| Revision No. | Date | Prepared by | Reviewed by | Approved for Issue by |
|--------------|-----------------|----------------|-------------|-----------------------|
| 0 - Original | 21 October 2020 | Pieter de Boer | Jerome Cook | Shaun McCollam |

Issue Register

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SMEC Company Details

| | | | |
|--------------|---|----------|--|
| Approved by: | Shaun McCollam | | |
| Address: | Unit 6, 90 Ross Smith Avenue, Fannie Bay, NT 0820 | | |
| Signature: |  | | |
| Tel: | +61 8 8930 8905 | Website: | www.smec.com |

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West Daly Regional Council

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Executive Summary

Executive Summary

Daley Regional Council has engaged SMEC to undertake an inspection on the Wadeye Swimming Pool, built in 2003, to assess the current condition of the pool, and whether it can be salvaged or if a replacement is required. An inspection was conducted on the 30/09/2020 by SMEC who assessed the above ground conditions of the pool and associated buildings.

The inspection results lead to the following conclusions:

- The actual stainless steel Myrtha Pool Structure could be retained if further inspections of the stainless-steel structure are undertaken and confirm that the structure is in a similar condition state as the exposed parts of the frame (during the inspection of 30/09/2020). Possible localised repairs to the frame and anchorage of the buttresses should be considered if cost efficient. In order to obtain this conformation, removal of the entire PVC membrane and the backfill around the perimeter of the pool would be required. During this further inspection, the pipework under the footpath should be replaced to remove any blockages and ensure another 15 years of reliable service.
- Associated pipe and plantroom equipment's work must be inspected, pressure tested, and checked on blockages if retained. It may be more cost efficient to replace the entire pipework.
- Minor localised repairs will be required on the external walls and roofing of the plant room.
- Minor localised paints repairs will be required on the frame of the shed structure and new roofing is required
- The walls and slab of the amenities block can be retained following localised repairs identified during this inspection and subsequent inspections. The roofing frame must be inspected on defects when replacing the roofing. The actual amenities (showers and toilets) and interior of the building should be completely replaced.
- Shade Sail and Office Building can be retained following localised repairs identified during this inspection and subsequent inspections

Based on the inspection results it is expected that the cost of repairing the actual swimming pool will outweigh the costs of a completely newly installed swimming pool.

Introduction

1 Introduction

1.1 Project Overview

In 2003, the Wadeye Community, also known as Port Keats, has been provided with a 25 m L shaped “Myrtha” swimming pool complete with water features, balance tank, water filtration plant, amenities block and office building. The pool has always been a central part of the community and provides social and health benefits to the users.

Currently the pool is decommissioned as a result of defects and damage. Despite the pool being decommissioned, the water level is constantly maintained to design levels and the pumps are running for several hours every day in order to control the water quality. As a result of the defects and damage to the pool, the water quality is not acceptable for swimming or recreational purposes and visibility is low.

After improving the existing fencing around the pool, West Daly Regional Council will hand the pool over to the Northern Land Council of the Northern Territory. With the hand-over, an inspection report identifying the condition state of the pool, is provided.

Apart from the visible defects addresses in this report, the council has observed that the pool is losing large amounts of water. A previous report, prepared in 2018, has identified a break in the return pipe from the plant room to the pool as the likely cause for loss of water. However, the condition state of the pool has been deteriorated since the inspection in 2018 and additional defects can also be considered contributing to a further loss of water.

1.2 Purpose of the report

The purpose of this report is to:

- Report the observed defects;
- Identify the condition state of the pool;
- Form an opinion if the pool can be restored to an operational public swimming pool;
- Provide recommendations for repair solutions that could aid in an increased expected residual service life.

1.3 Scope of this report

As per the Council’s request, the inspection was focused on the actual L-shaped swimming pool and balance tank. However, SMEC has also inspected the amenities block, plantroom, shade structure above the balance tank and sail shade post where accessible on foot, at a high level. The office was locked and not inspectable and the balance, backwash tank are confined spaces fully filled with water and not inspectable.

1.4 Exclusions and Limitations

- This report does not include a structural assessment or calculations to determine the structural capacity of the Myrtha structure;
- The actual structural components of the Myrtha swimming could not be assessed as these were covered by the PVC liner at the inside of the pool and a concrete slab on ground at the outside of the pool;
- Underground pipes and pipes in general were not inspected
- Pumps, filtration units, chemical dosing units, etc were not inspected.
- The inspection was visual only. No excavations or dewatering was undertaken;
- The inspection was carried out on foot;
- No underwater inspection was carried out;
- No testing or samples were taken of concrete other than a sample of the PVC liner

1.5 Abbreviations

| ABBREVIATION | DESCRIPTION |
|--------------|--|
| C1, C2 | Corner 1, Corner 2 (refer to Appendix B, drawings) |
| PVC | Polyvinyl Chloride |
| | |

[Introduction](#)

1.6 Standards & Design Codes

| CODE | TITLE |
|--------|---|
| AS3600 | Australian Standard - Concrete Structures |

Background - Swimming Pool

2 Background - Swimming Pool

2.1 Pool Location

The community of Wadeye is located 420 kilometres by road south-west of Darwin. Figure 2.1 shows the location of the swimming pool in Wadeye.

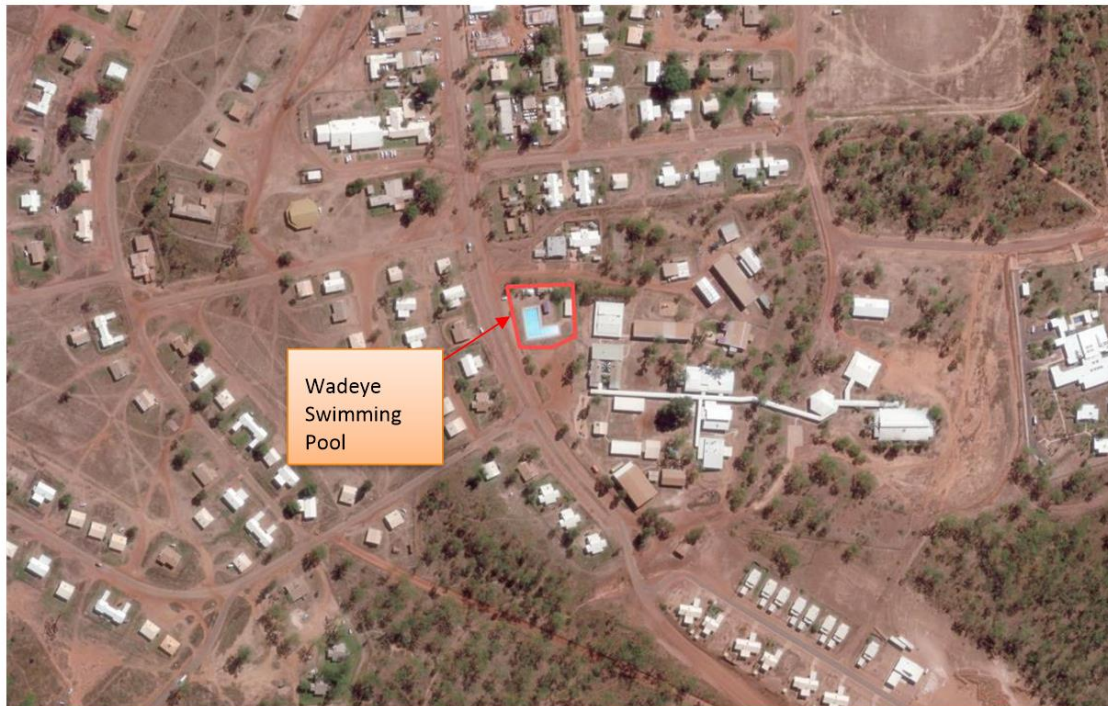


Figure 2.1: Wadeye – Location of Swimming Pool

2.2 Swimming Pool Particulars

2.2.1 Design

SMEC was provided with details and original drawings from West Daly Regional Council. The existing drawings are attached in Appendix A.

The saltwater swimming pool holds approximately 400 m³ of water including the balance tank and consist of an approximately 12x25 m, 5 lane swimming area and an approximately 15x7 m area with two water features. The water depth varies from 1500 mm at the deepest part of the swimming area to 900 mm at the shallowest part of the swimming area and from 0 m to 900 mm in the play area.

The foundation and floor of the pool is a 100 mm thick unreinforced slab under the functional swimming and play area. Directly under the walls and external buttresses (struts), the concrete slab is 200mm thick with some reinforcing. The actual structural system is a "Myrtha" proprietary product which consist of a stainless-steel wall system anchored on the concrete foundation slab. The inside of the walls and floor is provided with a PVC membrane installed in sections and glued together at the seams. The outside of the pool consists of compacted gravel backfill on which a reinforced concrete slab 180mm thick was poured. It is noted that the Myrtha system still exists.

Background - Swimming Pool

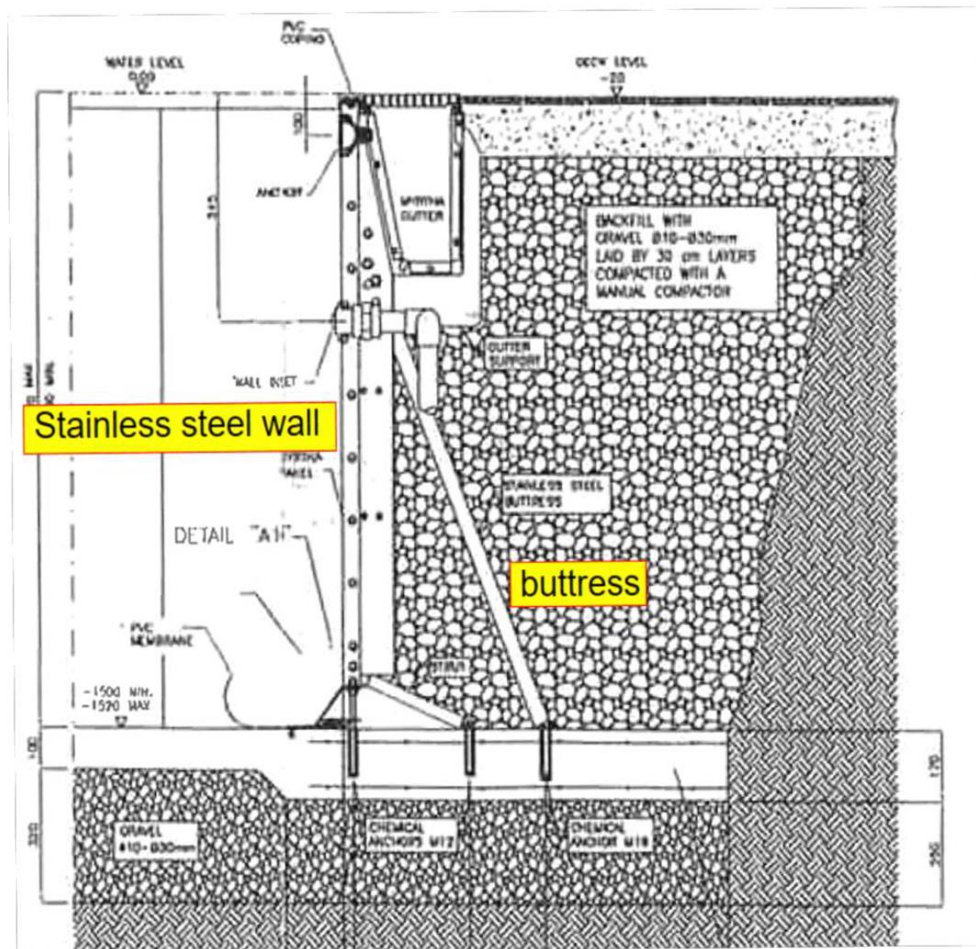


Figure 2.2: Wadey Community Pool – Typical Cross Section

2.2.2 Current Condition

Daly Regional Council has informed SMEC that:

- Pumps and filtration units are still operational and run daily in order to control the water quality as much as possible;
- Chlorinator system is believed to be defective;
- Water losses require a constant topping up;
- Residents have complained about water running over the pavement adjacent to the plant room and saturating their yards;
- Actual swimming pool, amenities block and shade structure have severe damage resulting in the pool to be not functional and not open to the public.

Background - Swimming Pool

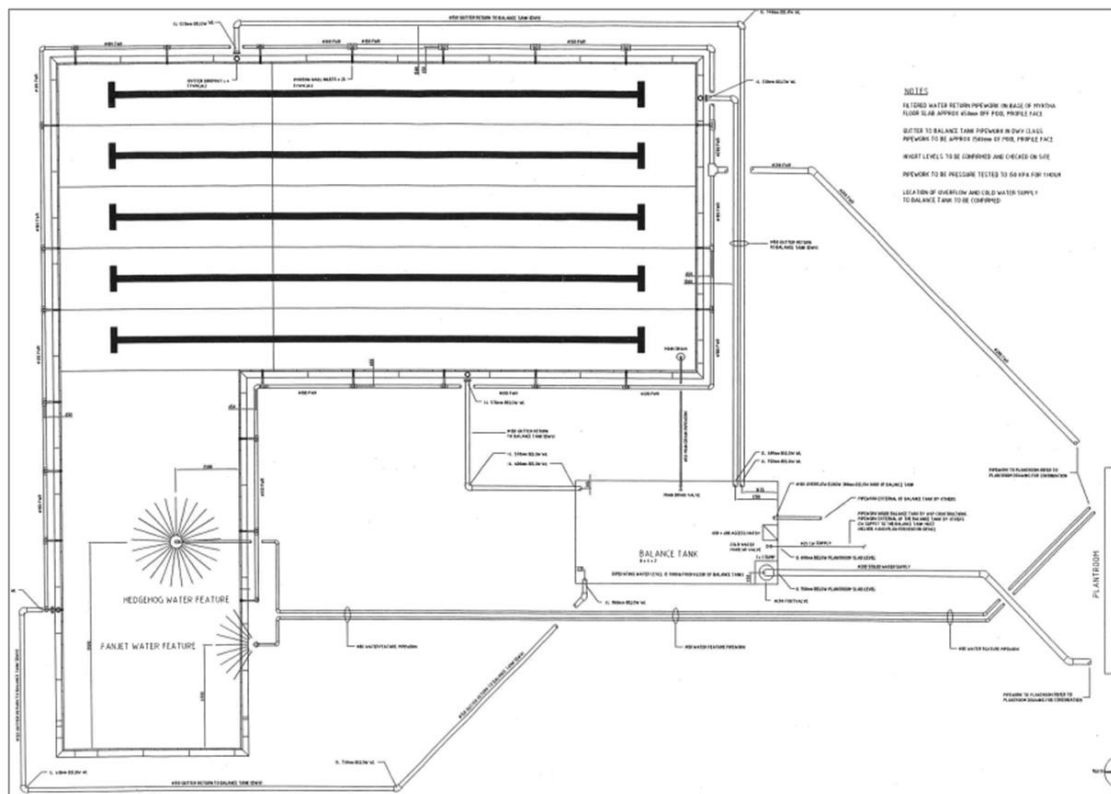


Figure 2.3: Wadey Swimming Pool – Plan View

3 Inspection Particulars

3.1 Inspection Date and Personnel

The inspection was undertaken by the following personnel:

- Pieter de Boer - SMEC – RPEQ Structural Engineer
- Jerome Cook - SMEC – Engineer

The inspection was undertaken on 30/09/2020, starting at ~9:30am and concluding at 12:30pm with no adverse weather during the time of the inspection.

3.2 Inspection Focus

The inspection was targeted on the following areas which was raised as the main concern (refer to Section 1.2 and Table 3.1: Component/Area of Concern and Relevant Defect Table 3.1)

Table 3.1: Component/Area of Concern and Relevant Defect

| COMPONENT/AREA OF CONCERN | RELEVANT DEFECT |
|---------------------------|--|
| Myrtha Swimming Pool | Water Loss, Structural Integrity of Pool |

Although the Myrtha swimming pool was the focus and scope of the inspection, a high-level inspection was also carried out on the plantroom, amenities block, shade structure above the balance tank, and shade sail posts to inform council of repairs required to these structural elements.

3.3 Inspection Qualification

The inspection was a visual, non-destructive inspection only. There was no testing, sampling, coring or physical tests performed.

Due to accessibility impediments, the inspection did not include:

- In-Depth Inspection of the Swimming Pool where areas were underwater;
- The Balance Tank;
- The Backwash Tank;
- The Office Building;
- Pipes to and from the pool

Defects observed were photographed and have been documented in this report but have not been compared to any prior measurements as detailed records do not exist.

Inspection Summary

4 Inspection Summary

See **Error! Reference source not found.** below for a summary of the inspection results. For further details on defects with images refer to Appendix C.

Table 4.1: Inspection Summary

| Component | Defect (Major) | Comment |
|----------------------|--|---|
| Myrtha Swimming Pool | <ul style="list-style-type: none"> PVC Liner has separated from stainless steel frame in identified areas Identified gap between gutter and slab Several wall outlets inside the pool are inoperative and suspected pipe blockages Gutters from C1 to C2 have been completely removed Gutters from C4 to C5 have been replaced with Aluminium gutters | <ul style="list-style-type: none"> In some areas, the PVC liner (Both Earth side and Pool side) have begun delaminating from the stainless-steel frame Gaps between the gutter and footpath slab have been identified, with overflow water from gutter splashing over Wall outlets from corner 1 to corner 2 are operative, however other wall outlets were not observed working |
| Balance Tank | <ul style="list-style-type: none"> No directly observable issues identified due to confined space and water | <ul style="list-style-type: none"> After beginning pump operations, Balance Tank water levels dropped and remained consistent for duration of inspection |
| Plant Room Building | <ul style="list-style-type: none"> Section of roof has corroded significantly faster than other sections Chlorinator inoperative Crack in concrete slab and wall near the back-right hand side of Plant Room near suction pump Sand filter manholes plate severely corroded | <ul style="list-style-type: none"> General condition of the plant room is fair Chlorinator machines were inactive and did not appear to function Crack in concrete elements surrounding suction pump are likely due to settlement Manhole plates used to keep sand filter lids in place (and subsequently pressure) are corroded |
| Amenities Block | <ul style="list-style-type: none"> Significant settlement and cracking observed at the back of Amenities Block Significant damage to showers | <ul style="list-style-type: none"> Significant settlement due to large bulk concrete slab (>750mm) Showers are inoperative due to significant damage |
| Shade Sail Posts | <ul style="list-style-type: none"> No shade sails present Select wires are slack | <ul style="list-style-type: none"> Overall condition of posts is fair with minor corrosion |
| Office Building | <ul style="list-style-type: none"> Not inspected | <ul style="list-style-type: none"> Building was locked and inaccessible |

5 Assessment of Identified Defects

5.1 Myrtha Swimming Pool and Balance tank

5.1.1 PVC membrane

Around the whole pool, there are noticeable sections where the PVC membrane has begun deteriorating and turning brittle, as well as peeling away from the stainless-steel frame, on both the pool side and earth side (gutter) (refer Photo 1 to 4). Significant holes and rips in the PVC membrane are present at scattered locations around the pool (Refer Photos 8,9,14 and 19 to 22). The PVC membrane has a warranty period of 15 years and it is expected that the design life of the PVC membrane would be in the order of 15-20 years in this part of the world under high UV intensities. Construction of the pool occurred in 2003 and the pool is currently 17 years old. Therefore, it is reasonable to assume that the PVC membrane has come to the end of its design and service life and has become sensitive to damage caused by natural deterioration (water movement, normal wear and tear) and vandalism. Patch repair of this type of PVC membrane is possible but not considered an economical solution as the aging membrane is sensitive to damage. If the structural system is considered adequate in resisting the soil and water pressure for a prolonged period (> 5 years), relining the pool with a new PVC membrane should be explored and is possibly a very cost-efficient remedial activity.

5.1.2 Myrtha metal structure

From all locations where the PVC liner has deteriorated from the stainless-steel frame, the steel frame itself has shown no signs of significant corrosion or deterioration (Refer Photo 24).

Some discoloration of the steel was observed but no signs of corrosion. It must be stated that less than approximately 1% of the stainless steel frame could be inspected hence the observed condition state of the exposed stainless steel cannot be considered as representative for the entire frame. As the saltwater pool has numerous locations where water can penetrate through the PVC membrane and come into contact with the steel and soil, constant (near) wet conditions may have resulted in corrosion in areas not visible at the time of the inspection. The steel frame is fixed to the concrete slab with 'chemical anchors' (refer to design drawings) and the steel quality of these anchors cannot be assumed to be Stainless 316. The same applies to the bolts, nuts and washers connecting the frames together. The risks that corrosion has occurred in these areas and in other parts of the frame, is therefore realistic and should be explored further if Council wishes to reinstate the pool. It is proposed that several test pits behind the frame wall and gutters are dug and the stainless-steel frame and the connections, anchors are inspected. If the test pits show uniform results and the results are deemed representative for the entire frame, an informed decision can be made to retain or replace the frame. Despite a stated warranty of 15 years for the metal frame, inspections may confirm a fair/good condition state of the metal frame and the connections, allowing for a significant extension of the service life. In order to dig the test pits, (parts of) the concrete slab must be removed and the water pressure on the inside of the pool has to be controlled in order to prevent the frame externally collapsing during the works.

A progressive and partial lowering of the water surface should be adopted but care must be taken that this is carried out in the dry season in order to prevent popping up of the frame or PVC membrane as a result of sudden rain events (which result in higher external pressures than the internal pool water pressure). If the backfill consists of gravel, as shown on the drawings, this risk may be small if the gravel can drain any rain water to lower areas in the case of an unexpected rain event.

5.1.3 Water Inlet and Outlets

From C1 to C2, there were 4 water outlets (jets) which were pumping water from the plant room into the pool, however these jets were operating with significant airflow present, which could indicate a leak in the pipe between either the balance tank and plant room, or plant room and pool (Refer Photo 23). It should be noted that on the other sides of the pool (C2 to C3, C3 to C4, C4 to C5, C5 to C6), no jets were observed pumping water or air into the pool, and this could indicate a blockage in the pipe, which may also cause the other observed jets to pump more intensely. As blockages in the pipes feeding the outlets are expected, it is recommended to expose the pipe system. According to the drawings, the outlets are positioned 530mm below the water levels which doesn't require deep excavations. Although no level is mentioned on the drawings for the inlets, the position of the inlet is also expected to be around 500mm under water level. As mentioned under 5.1.2, excavations can only take place if the concrete slab is (partially) removed and water levels inside the pool are controlled.

Assessment of Identified Defects

5.1.4 Gutters

The gutters from C1 to C2 have been completely removed, where it has been observed that the PVC membrane is peeling away from the stainless-steel frame. It should be noted that the condition state of the PVC membrane could not be explicitly confirmed at any other locations in the gutters where the gutter cover plates are still in place and held on with adhesive, (refer Photo 2 & 11). However, despite that these gutters have been removed for an unknown period of time, the PVC liner and steel frame itself does not show significant damage even with constantly flowing water through. At C2, there is damage to the protective cap and PVC membrane, which is causing water to continuously flow over the corner as this is now lower than the surrounding side gutters (refer Photo 5). From C4 to C5, the gutter cover plates have been removed and replaced with aluminium gutter plates, which have begun corroding (Refer Photo 15 & 16). If based on future investigations, Council decides to retain and rehabilitate the pool, the gutters will also have to be inspected and if found in a fair/good condition state, relined and new cover plates should be connected with vandalism resistant bolts or screws.

5.1.5 Concrete Footpath

A gap between the existing concrete footpath surrounding the pool and steel frame of the pool has been identified from C1 to C2, as well as from C4 and C5 (Refer Photo 2, 16, 17 & 18). This could be due to the soil surrounding the gutter frame being washed away over time, which would present with this gap between the gutter and concrete. The concrete in fair overall working conditions but has several poor areas with cracking and spalling. As further investigations into the condition state of the steel frame require excavations, the slab has to be partially removed. Repairing damaged sections of the concrete and reinstating a partially removed slab is doable and could be cost effective compared to casting a new slab but it will result in a different texture and colour and removing the entire slab may be desirable from an aesthetic point.

5.1.6 Balance Tank

No detailed drawings of the concrete balance were made available and it is assumed that the balance tank consists of reinforced concrete. Prior to turning on the pool pumps, the balance tank lid was opened to assess the conditions inside, and at this time, the water was observed at ground level, as water was splashing out when trying to open the manhole. Approximately 30 minutes after pumps were turned on, the water level of the tank was assessed from Natural Ground Level (NGL) as ~475 mm to 500 mm, and this was assessed shortly before leaving site (approximately 2.5 hours after operation), which found the water of the balance tank did not drop and remained consistent around ~475 mm to 500 mm. This is an interesting observation as the original design drawings show that the operating water level is supposed to be 900mm from the floor of the 2m deep balance tank. As the measured water level in the balance tank was approximately 500mm below the top surface, this indicated that the water level must be sitting at around 1500mm or higher from the floor. If the drawings and provided documentation is correct, this high-water level in the balance tank indicates a circulation issue which is consistent with the observations in section 5.1.3, that the outlets do not appear to be working correctly and are partially blocked. Blockages in the pipes could also result in high suction pressures in the pipe between the ballast tank and the plantroom and increases the 'false' air flow through defects in the pipe and joints. The inside of the balance tank could not be inspected because it was filled with water and considered a 'confined space'. If Council decides to reinstate the swimming pool, it is highly recommended that the balance tank be shut off from the pool, emptied and closely inspected in order to identify any issues.

5.2 Plant Room and Back Wash Tank

5.2.1 Plant Room building

The plant room building is in fair condition state with no visible cracking in the walls and slab other than at the corner where the suction pipe from the balance tank enters the building. It was observed that around this section has particularly soft and wet soils compared to its surroundings, and this was confirmed as the top soil was excavated down further (approx. 100 mm) (Refer Photos 32 to 34). Some differential settlement was observed in this location. A suspected leak in the suction pipe may near the building entrance may have led to soil loss and soil settlement, eventually resulting in the observed cracks at the corner. It is recommended to expose the pipe and entrance of the pipe in the building and repair any leaks. Compacting any fresh backfill material at this corner and under the slab is difficult and may not provide enough bearing capacity for the corner area of the wall and placing a, preferably slightly expanding, grout under the slab and wall may be more sustainable rectification. The actual cracking in the wall can be injected with a suitable epoxy.

The roof structure also appeared to be in a fair condition state with no damage, visible from the inside, other than corrosion in the roof sheeting above the chlorinator cells. This may have been caused by aggressive substances leaving

Assessment of Identified Defects

the relief valve. The outside of the roof structure could not be inspected. If the roof structure on the outside is not damaged through vandalism and has sufficient galvanising left, a localised repair of the roof sheeting above the chlorinator is the only visible defect which should be repaired. This can be considered as a minor repair.

After the relatively minor repairs of the plantroom near at the suction pipe entrance and roof, the plant room building is expected have a residual life of more than 10 years.

5.2.2 Plantroom filters, pumps and pipes

At the time of inspection of the plantroom, the filtration pumps were in operation, and it was observed that the chlorinator was not working and had been disconnected (Refer Photo 35), with visible corrosion on the framework supporting the chlorinator (Refer Photo 38 & 39). Both sand pressure filters were in operation, with the outsides in fair condition and operating pressure of approximately 27 kPa (gauge reading on filters). No cracks or observable defects were noted, except for the manhole plate covers (Refer Photo 37) which has severely corroded handles. The purpose of these handles is to prevent the manhole cover plate from 'falling' in the sand filter if the internal pressures drops to atmospheric pressure. If this is not detected and the filters regain operation and are fed with water from the suction pipe, the building with all electrical equipment may get flooded. As per the project specifications, the filters have a warranty of 5 years and it is reasonable to assume that after 17 years, they have reached the end of their service life. As pressures in sand filters can reach high values, it is recommended to have the filters inspected and possibly pressure tested on cracks and leaks by a qualified pool inspector in order to ensure safe future operation.

Two additional pumps which feed into the main water treatment line (prior to Chlorination) were observed in the plantroom. These pumps serve the water features; however, they were not in operation with notes on the power indicating these pumps should not be switched on.

All pumps, pipes and other products (chlorinator) have a warranty of one year. It is recommended that an inspection of these product by a qualified pool inspector confirm the safe operation of these products. If the inspection confirms the safe and sound operation of the pumps, chlorinators and other products, replacement may not be required.

5.2.3 Backwash tank

The backwash tank was located directly adjacent to the plant room, and the client had previously advised that the neighbours across the road of the pool had complained about the pool flooding their road in the past. However, no visible deterioration or issues were observed with the backwash tank and its associated pipework (Refer Photo 30 & 31). It must be noted that the backwash tank wasn't actually backwashing during the inspection and the past flooding complaints may have occurred during the actual back washing of the filters and not during normal operation of the pool. Exposing the underground pipe work and testing on leaks is recommended to find the source of the flooding.

5.3 Amenities Block

Inspection of the amenities block showed that the existing showers, taps tiles for both the males and females were significantly damaged and not operational (Refer Photo 46 & 48), with loose debris and items scattered over the ground inside the female toilet block. The men's toilet block was not able to be inspected due to the gate for the door being warped and unable to open. However, observation from the door indicated a similar condition to the ladies toilet. In general, the floor and wall of the block appear to have no cracking or damage that is visible from the inside, however it is known that rocks have been thrown on the roof, and there is likely paint damage on top as a result. Although the walls and floors appear to be free of major defects, the interior and roof sheeting will have to be completely refurbished.

The back of the amenities block was assessed, where it was found that the cantilever concrete side has separated from the concrete floor slab at the back, with a differential settlement of ~55mm observed on the ladies toilet block side, tapering to 35 mm on the men's side (refer Photos 49 & 50). An overflow located adjacent to the side wall at the men's block, discharges water onto the soil and this may have resulted in the loss of backfill material and soil settlement. Poor soil compaction under the slab and the weight of the 750mm thick concrete slab may have further contributed to the settlement and subsequent separation of the wall and slab. This separation is seen midway between the blocks (refer Photo 51), as well as at the end closest to the men's toilet block (refer Photo 52). It is recommended prevent further erosion under and near the concrete slab through placing suitable (compacted) backfill and rock and repair the cracking between the slab and the side/separation walls. If the cracking is not repaired, the sidewalls and separation wall may eventual crack as a result of the cantilever.

Assessment of Identified Defects

5.4 Shade Structure and Shade Sail Posts

A shade structure has been installed over the Balance tank and the structural frame is in fair condition. The roof sheeting has been damaged by vandalism and a hole in the roof has been observed (refer Photo 56) due to rocks thrown on the sheeting. The shade structure can be retained but replacement of the roof sheeting is highly recommended as the durability is severely compromised and the damage caused by vandalism may have affected the connections to the frame.

The 8(L)x4(W)m² ground slab, which is also the 'ceiling' of the balance tank, has visible cracking but appears to be in a good working condition with no corrosion of the reinforcing or spalling of the concrete noticed. As mentioned previously, the underside of the slab, as well as the beneath Balance Tank were not inspected. It is recommended to inspect the underside of the slab once the balance is dewatered and confirm that the cracking on the top surface has not affected the structural reinforcing in the slab. Due to the significant size of the simply supported slab, this inspection should be carried out before public is allowed on the slab.

Shade sails for the pool had been removed due to vandalism and have not been re-installed. However, inspection of the shade sail posts reveals very little corrosion and the visible parts are in a fair condition state, with some wires looking tauter than others. A further inspection of the higher parts of the posts should be undertaken and confirm the condition state of the post and connections to the cables.

5.5 Office Building

The office building was locked, and the inside was not inspected as part of this assessment. General inspection of the outside of the demountable indicated visible damage as a result of vandalism (refer Photo 59), and it had seemed no one had used the building for a significant period of time. It should be noted that during the inspection, the air conditioning unit for the office building was running.

6 Remediation Options

6.1 Myrtha Swimming Pool and Balance tank

Assessment of the existing Myrtha Swimming Pool system points towards a reasonable chance that the stainless pool and balance tank can be economically repaired and is in salvageable condition. In order to confirm this expectation, it is recommended to undertake further in-depth inspections of the structural components and buried components.

6.1.1 PVC membrane

Stripping all affected PVC membrane from the concrete floor, stainless-steel frame and gutters is recommended. The membrane is severely damaged, has become brittle and can be considered to be at the end of its design and service life. Stripping it from the frame and the swimming pool floor would also enable to assess the condition of the framework and concrete floor. If it is found that the concrete floor and the stainless steel is in a suitable condition, then treatment should be applied such as cleaning the affected areas of the stainless-steel framework, applying adhesive coating and relining with a new PVC membrane. Small defects in the floor such as cracking can be repaired with grout or epoxy injection.

6.1.2 Myrtha metal structure

As the Myrtha swimming pool product still exists and the expertise to reline and repair (if required) components is still available, it is recommended to investigate if the stainless frame, gutters connections, buttresses and anchors can be retained or locally repaired (if required). Representative sections of the soil under the concrete slab should be excavated and the structural system should be exposed, cleaned and inspected. If corrosion on the metal parts is limited and a residual life of approximately 10 -15 (after localised repairs) is a reasonable expectation, reusing the existing frame would be an economically viable solution. In order to excavate the soil behind the frame, the concrete footpath slab has to be (partially) removed. As (potentially blocked) pipes and inlets with an unknown condition state are positioned under the slab across the full perimeter of the pool it is recommended to remove the entire slab, expose the frame across the full perimeter of the pool and after inspection of the frame, replace the pipework under the slab. The excavation is in the order of 1-1.5m which is not a large operation and a full inspection and repair of weakened components would give certainty that the frame and the connecting pipework is fit for purpose for the next 15+ years.

6.1.3 Water inlet and outlets

Refer to 6.1.2. Inspection of all water outlets (jets) and repair/replacement of associated pipe infrastructure is recommended at the same time the steel frame is exposed at the soil side.

6.1.4 Gutters

All gutter cover plates (original and Aluminium) should be replaced (if reusing of the metal frame is the preferred option) and connected with a vandalism resisted bolt/screw.

6.1.5 Concrete footpath

For a thorough inspection of the stainless components and inspection/repair of the pipework's under the slab, the existing slab has to be removed as stated in 6.1.2. As the slab is already cracked and spalled in certain areas removing the slab and replacing the slab with new concrete will result in a safe, durable and aesthetically pleasing approach to the pool.

6.1.6 Balance Tank

As the Balance Tank could not be fully inspected, it is recommended to undertake a detailed structural assessment of the Balance Tank and the concrete roof of the balance tank (under the shade structure). The roof of the tank shows existing cracking and it is uncertain if the load carrying capacity has been compromised. During the inspection, the ballast tank must be empty, and the inspector should be accredited for inspecting confined spaces. It is recommended not to allow public or machines/heavy equipment on the roof of the ballast tank until the inspection confirms the condition state.

6.2 Plant Room and Back Wash Tank

6.2.1 Plant room building

Generally, the plant room structure itself is in a fair condition with only minor defects noted. The cracking in wall and slab is expected as a result of soil settlement/erosion and can be repaired with grout or epoxy injection. The cause of the soil settlement and erosion is likely a leak in the suction pipe, but this should be investigated. In order to restore the bearing capacity, an area under floor/walls could be injected with a slightly expanding grout. The roof panels should be assessed on top to check for paint damage, however if there is little to no paint damage, only the roof panel above the release valve will require replacement.

6.2.2 Backwash tank

There are no observable or noted defects regarding the backwash Tank, and no remediation is required at this time. However, this inspection did not observe the backwash tank in operation and there may be defects present that were not identified. It is recommended to undertake further inspection of the backwash tank and pipework whilst in operation.

6.2.3 Plantroom filters, pumps and pipes

The defective chlorinators, as well as associated framework and supports, need to be replaced.

Although out of warranty and having exceeded the service life expectations, the pumps and pipes can be retained if still functioning. However, a short residual life and future repairs/replacements resulting in pool closures should be expected. If the budget allows, a full replacement of the outdated pumps and possibly pipes, is recommended in order to ensure a more or less maintenance free medium term (5-10 years) period.

The sand filters should be assessed by qualified inspectors to determine the conditions state. Similar to the other components in the plantroom, a full replacement is recommended in order to ensure a more or less 'maintenance free' longer term period. However, if the budget is restraint and the sand filters are considered to be in a safe and operational state, replacement of these components can be postponed.

6.3 Amenities Block

Inspection of the Amenities Block indicate that the actual floor, walls and roof frame are in a fair condition state despite the visible surface damage as a result of vandalism. The inspection revealed significant issues with the slab supporting the side walls and separation wall at the back of building, as a result of soil erosion/settlement. As no drawings have been provided, it is unclear what the purpose of this slab is. It is recommended that the cracks are filled with grout/epoxy which would provide the sidewalls and separation wall with positive bearing capacity and prevents cracking of the side walls and separation wall. The behaviour of the repaired cracking is to be monitored and will have to be reinjected if settlements continue. If monitoring and possibly reinjection of the cracks is done frequently, the structural frame of the building can be retained. The roof panels should be inspected for any rock damage / paint damage. If no significant damage or defects are observed, then no remediation is required. Showers and Toilet Blocks should be restored to working order.

6.4 Shade Structure and Shade Sail Posts

The Shade Structure was observed in relatively fair condition, with only a hole observed in the roof and minor deterioration on the frame work, and remediation would be limited to patch repairs of corroded areas and reheating of the roof if a further inspection of the roof confirm widespread damage to the sheeting and/or connections.

During the inspection, the Shade Sail posts were observed to only have minor corrosion, and only some wires were slacker than others. An inspection of the higher parts of the posts (with cherry picker) is recommended. Remediation of the Shade Sail posts would involve patch repair of the corroded areas and replacing existing wires with new wires as the strength of the wires may have been compromised by the heat of the burning shade sails. New shade sails are recommended to be installed.

6.5 Office Building

Further inspection of the Office Building (inside and roof) is required; Although the outside of the office building is visibly damaged through vandalism, it is likely that the office can be retained. If aesthetics is not a huge concern to Council, the office could possibly be retained with minimal repairs.

Recommendations

7 Recommendations

Based on the site inspection results of the Wadeye Swimming Pool on the 30/09/2020, it is reasonable to **assume** at this moment in time that the main **structural** components of existing steel frame of the pool, the balance tank, shade structure, amenities block can be retained after localised repair. This assumption for the actual swimming pool must be verified by a further inspection of the steel frame after removing the PVC membrane and ground against the wall.

If the recommended follow-up inspections confirm the above assumption, the following main activities for the swimming pool, balance tank and plantroom should be undertaken:

- PVC Membrane for the entirety of the pool be replaced
- Localised defects in structural (and other) components of Myrtha pool and concrete floor to be rectified
- Replace pipework, water inlets and outlets under footpath and footpath to be reinstated with new slab after backfilling of excavated material.
- Full inspection of ballast tank and all non-replaced pipe work to ensure strength, watertightness and blockage free.
- Repair cracking in walls plant room and restore bearing capacity under walls near suction valve. Repair damaged roof sheeting.

In addition to this, the following recommendations for the associated Amenities Block, Shade Structure and Office Building are suggested:

- Repair cracking at the back of the amenities and prevent further erosion/scouring. Refurbish the inside of the block, compared to installation of a new Amenities Block
- Inspection of all roof structures for further damage such as UV Damage, chipped paint or rock damage. Replacement damaged of roof panels.
- Full inspection of shade sail posts and patch repair of corroded areas. Replacement of shade sail wires and subsequent installation of a new shade sail

Based on the inspection results it is expected that the cost of repairing the actual swimming pool will outweigh the costs of a completely newly installed swimming pool.

Recommendations

Appendix A Original Design Drawings – Provided by West Daly Regional Council

CONTRACT AGREEMENT

BETWEEN

AVP CONSTRUCTIONS

AND

KARDU NUMIDA INC. COMMUNITY COUNCIL

PROJECT:WADEYE
CONSTRUCTION PUBLIC SWIMMING POOL
MYRTHA CLASSIC 1 POOL - FULLY INSTALLED**CONTRACT NUMBER:**

M03-1045-01

Prepared by:

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AS 2127-1992

AUSTRALIAN STANDARD
FORM OF FORMAL INSTRUMENT OF AGREEMENT

AGREEMENT made day of 2003

BETWEEN..... AVP Constructions (ABN 53117642503)..... (the Contractor)

AND..... Kardu Numida Inc. Community Council..... (the Principal)

IT IS AGREED that this document complete herein:

TITLE: Contract Agreement between AVP Constructions and Kardu Numida Inc. Community

Council for Myrtha Classic 1 Pool – Fully installed

Including Annexure and all Appendices A to D inclusive

(Agreement Signed and all pages initialed by parties)

AS 2124-1992 General Conditions of Contract.

..... shall together comprise the contract between the parties AND if the Contractor or the Principal is
two or more persons then they shall be bound jointly and severally.

Signed by the Contractor.....

Signed by the Principal.....

| | |
|------------------|---|
| CONTRACT NUMBER: | MD3-1045-01 |
| PROJECT TITLE: | WADEYE CONSTRUCTION PUBLIC SWIMMING POOL |

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APPENDIX B: LETTER OF ACCEPTANCE PURCHASE ORDER 27036 DATED 15TH AUGUST, 2003

APPENDIX C: WARRANTIES AND CERTIFICATE OF GUARANTEE

APPENDIX D: DRAWINGS

PREPARED BY:

Matchplay Engineering Services Pty Ltd

SPECIAL CONDITIONS OF CONTRACT

1. CONDITIONS OF TENDERING**2. SPECIAL CONDITIONS OF CONTRACT****2.1 GENERALLY**

The General Conditions of Contract are AS 2124-1992. These Special Conditions of Contract are the omissions, additions and amendments to the General Conditions of Contract.

2.2 NATURE OF CONTRACT

See clause 3 of the General Conditions of Contract (AS 2124-1992) and the basis of payment shown in the Annexure to those conditions.

2.3 OMISSIONS FROM THE GENERAL CONDITIONS OF CONTRACT

The following clauses are omitted from General Condition of Contract (AS2124-1992) and do not form part of the contract:

Clause 19 – Public Liability Insurance.

Clause 20 – Insurance of Employees - to the extent that the Contractor is required to obtain insurance for the benefit of the of the Principal

Clause 21 – Inspection and Provisions of Insurance Policies.

The Contractor should note the requirements for provision of Public Liability Insurance and Workers Compensation Insurance are specified within these Special Conditions of Contract.

2.4 PUBLIC LIABILITY INSURANCE

Before commencing work under the Contract, the Contractor shall take out, and shall maintain during the currency of the Contract, a Public Liability policy of insurance to cover its liabilities to third parties, including the liabilities as set out in the first paragraph of clause titled 'Indemnities'.

The Policy shall:

- (a) note the Principal for its respective rights and interests;
- (b) include a cross-liability clause in which the insurer accepts the term 'insured' as applying to each of the persons covered by the insurance as if a separate policy of insurance had been issued to each of them; and
- (c) be for an amount of not less than the sum stated in the Annexure, for any one occurrence.

The effecting of insurance shall not limit the liabilities or obligations of the Contractor under other provisions of the Contract.

The Contractor shall ensure that all sub-contractors take out Public Liability Insurance that meets the requirements of this clause.

The Contractor shall, if so requested, provide the Principal with copies of Certificates of Currency and summaries of key provisions for all insurance policies required.

2.5 WORKERS COMPENSATION INSURANCE

For the purpose of this clause 'worker' shall have the definition it is given in the *Work Health Act (1986)* as amended.

The Contractor shall maintain for the duration of the Contract appropriate Workers Compensation Insurance cover for all workers employed by the Contractor. This cover shall comply with the *Work Health Act* of the Northern Territory and policies shall be purchased from Northern Territory approved insurers.

The following information shall be provided with all tenders and as requested during the currency of the Contract:

SPECIAL CONDITIONS OF CONTRACT

(a) for Contractors employing workers

(i) workers compensation policy number;

(ii) name of insurer, and

(iii) date of expiry.

(b) for Contractors not employing workers

(i) written advice that they are not employing nor intending to employ workers during the currency of the Contract.

The Contractor shall ensure that all sub-contractors who employ workers have Workers Compensation insurance cover in accordance with the *Work Health Act (1986)* as amended.

The Contractor shall ensure that all persons employed under labour hire agreements, whether by the Contractor or through a Labour Hire Firm, are appropriately covered by Workers Compensation insurance.

Self-employed Contractors should ensure that they have adequate insurance coverage in place.

The Contractor shall be responsible for ensuring that all sub-contractors have appropriate insurance policies, and, upon request, shall provide to the Principal copies of all Certificates of Currency, including those of any sub-contractors (including self-employed contractors and persons employed under Labour Hire Agreements).

2.7 AMOUNT OF SECURITY

See Clause 5 of the General Conditions of Contract (AS2124-1992).

The scales and level of security and retention applying in this Contract shall be:
5% of Contract Sum.

2.8 COMMENCEMENT OF WORK

Notwithstanding that possession of the site has been given to the Contractor, the Contractor shall not be permitted to commence work on the site until he has provided security as required by sub-clause 5.4 of the General Conditions of Contract (AS 2124-1992).

2.9 PAYMENT FOR MATERIALS, PLANT AND EQUIPMENT

Payment in advance for the provision by the Contractor of materials, plant and equipment for incorporation in the Works may be made by the Principal and in accordance with this Clause in respect of any item approved from time to time by the Superintendent.

A payment in advance made as aforesaid shall be accepted as having been made at the express request of the Contractor and the making of the payment shall not -

(a) import the implication that the materials, plant or equipment in respect of which the advance is made is satisfactory and will subsequently be accepted by the Superintendent as being in accordance with the Contract when built, fixed or installed into the Works;

(b) prejudice the right of the Superintendent to reject or direct the removal of any material, plant or equipment, whether fixed or not, that is not in accordance with the Contract.

2.10 OWNERSHIP OF MATERIALS

The Contractor acknowledges that it is a fundamental provision of this Agreement for the construction of the Works that the construction must be unhindered by suppliers claiming ownership of materials and accordingly the Contractor acknowledges that it is a condition of this Agreement that any materials brought on to the Site must be either-

(a) the unencumbered property of the Contractor, or otherwise

(b) not subject to any *Formal Clause or Retention of Title* clause (of whatever name or description and whether specific to that material or not)

SPECIAL CONDITIONS OF CONTRACT

AND before the principal makes any payment to the Contractor for any material the principal may require that the Contractor provide to the Principal a statutory declaration to the effect that the materials the subject of the payment are either the unencumbered property of the Contractor, or are not subject to any *Romana Clause* or *Retention* or *Title* clause (whether specific to that material or not);

AND PROVIDED FURTHER THAT if the Contractor does not supply the statutory declaration within 7 days of being requested, then the Principal shall be entitled to withhold payment (without penalty) until this condition is satisfied.

2.11 COMPLIANCE WITH STANDARDS AND CODES

Where the Contract requires the Contractor to comply with any standard or code, that standard or code shall, unless otherwise specified, be that which is current at time of award of contract.

2.12 PROPRIETARY ITEMS

A proprietary item shall be any item specified by naming one or more of the following: manufacturer, supplier, installer, trade name, brand name, catalogue or reference number and the like.

The specification of a proprietary item shall not necessarily imply exclusive preference for the item so identified, but shall be deemed to indicate the required properties of the item, such as type, quality, appearance, finish, method of construction, performance and the like.

A similar alternative item having the required properties may be offered for approval. The Superintendent may in his absolute discretion approve or reject the alternative. No claim shall arise from any rejection, not unless otherwise agreed, shall adoption of an alternative be ground for any claim for variation to cost or time.

When offering an alternative for approval, provide all available technical information and any other relevant information requested by the Superintendent. If so requested obtain and submit reports on, relevant tests by an independent testing authority.

The offer should also state whether the use of the alternative will require alteration to any other part of the Works. If the alternative is approved, the Contractor will be responsible for and carry out any such alteration without extra charge.

2.13 REGISTRATION OF BUILDERS - EXECUTION OF WORK BY SUB-CONTRACT

Where the Contractor makes application under the sub-clause 9.2 AS2124-1992 General Conditions of Contract for approval to sub-contract part of the work under the Contract and an act or ordinance of the state or territory in which that part of the works is to be carried out requires that a person be registered or licensed to carry out the part of the work the Contract shall produce evidence that the proposed sub-contractor is so registered or licensed.

2.14 INDEMNITY

The Contractor shall indemnify and keep indemnified the Principal against any claim, demand, action, suit or proceeding that may be brought or made against the Principal by any other person who has entered into a Contract with the Principal to execute work associated with the work to be executed by the Contractor under the Contract in respect of any loss, damage or expense incurred by that other person by reason of any act, default or neglect of the Contractor in the performance of his obligations under the Contract or arising out of or as a consequence of any delay by the Contractor in executing or failing to complete work under the Contract and also from any costs and expenses that may be incurred by that other person in connection with any such claim, demand, action, suit or proceeding.

2.15 PRECAUTIONS IN CARRYING OUT WORK UNDER THE CONTRACT

Unless otherwise specified in the Contract, the Contractor shall observe, in the absence of any statutory requirement to the contrary, the relevant current Australian Standard published by the Standards Association of Australia relating to storage, transport and use of materials, explosives, fire precautions in air or flame cutting, flame heating and arc or gas welding operations, plant and equipment, work processes and safety precautions.

SPECIAL CONDITIONS OF CONTRACT

The Contractor shall not at any time use or cause to be used any explosives or arc or flame cutting or flame heating or arc or gas welding equipment without the approval of the Superintendent and shall ensure that proper precautions and proper care are taken in respect of such explosives or equipment.

2.16 BY-LAWS FEES AND NOTICES

The Contractor is required to submit plans to local or other Authorities for approval.

Unless otherwise specified the Contractor is responsible for connection of all water, drainage, sewerage, gas and electricity services and he shall apply for all relevant permits and pay all associated fees and/or charges which are levied by the appropriate Authority.

2.17 SAFE WORK PRACTICES

Further to the General Conditions of Contract, the Contractor shall ensure that his employees, agents or sub-contractors or their employees or agents comply with the requirements of the *Work Health Act*, the *Dangerous Goods Act*, Australian Standards and the requirements of Power and Water and NT Gas Pty Ltd in so far as they are applicable to the execution of the work under the Contract.

The Contractor shall make himself aware of all potential hazards and of all safety requirements relating to the Works.

2.17.1 Work in the Vicinity of Power and Water Assets

Prior to commencing work in the vicinity of any sewerage system, high voltage cable or power line or other high voltage structure, the Contractor shall contact Power and Water and obtain and become cognisant with written guidelines or procedures setting out safe practices for working in or adjacent such hazardous areas.

Whilst working in the vicinity of sewerage systems, high voltage cables or power lines or other high voltage structures the Contractor shall follow all directions and instructions issued by Power and Water.

2.17.2 Fire Precautions

The Contractor shall take all necessary precautions to ensure that no fire hazard is created through the carrying out of the Works.

2.17.3 Scaffolding and Excavation

All scaffolding and excavation must conform to the *Work Health Act* and Regulations. The Contractor is to provide all ladders and scaffolding necessary to carry out the Works.

2.18 JOINING UP

Where the method of joining up of work is not otherwise specified, the joining of all old and new work and the cutting away in connection therewith shall be carried out in a manner approved by the Superintendent and made good in all trades to match existing adjacent work.

2.19 DAMAGE TO SERVICES

The Contractor shall contact the officer-in-charge of the area, or his representative, before work commences and in company with the Superintendent check with them the location of all services.

He shall immediately notify the Superintendent and the officer-in-charge of the area, in the event of damage to any water, gas, steam, compressed air, electric, drainage, sewerage, telephone, fire alarm, control cable or other services in the area.

He shall render any assistance required in connection with any such incident, but otherwise work in that vicinity shall be stopped immediately and not recommenced until instructions are received from the Superintendent.

Where the service is indicated on the drawing and/or in the Specification, or is evident on the site, or has been pointed out by the officer-in-charge of the area or by the Superintendent or by a representative of either, the Contractor shall be liable for the cost of any necessary repairs.

Where the Contractor encounters any services, details of which are not given in the drawings and/or specification and which are not evident on the site or which have not been pointed out to him, and has

SPECIAL CONDITIONS OF CONTRACT

carried out his operation with reasonable care, the cost of reinstatement, diversion or other associated work may be paid as an extra to the Contract.

2.20 PROTECTION AGAINST DUST, DEBRIS, WATER AND THE LIKE

Where work is carried out in occupied or partially occupied premises, the Contractor shall arrange the execution of the work to minimise nuisance to the occupants. The occupants are to be protected against dust, dirt, noise or other nuisance. Installed equipment is to be protected against damage by dust, dirt, shock or other cause. Appropriate measures are to be taken to afford such protection.

All equipment, whether supplied under the Contract or existing at the site and surroundings, likely to be damaged or affected by ingress or deposit of foreign matter resulting from the Contractor's operations or those of his sub-contractors or agents shall be properly protected by the Contractor. If necessary protected equipment shall be able to function.

2.21 STRONG WIND PRECAUTIONS

The Contractor shall ensure that unfinished work, equipment, sheds, hoardings, materials and any other movable items on the site, are protected, stored, or secured to the extent necessary to ensure that in strong wind conditions they will not be a danger to persons or property because of collapse, movement or any other cause.

2.22 GOODS AND SERVICES TAX

For the purposes of this Clause unless the context otherwise requires:

"GST"

means any tax imposed on Supply by or through the *New Tax System (Goods and Services Tax) Act 1999* ("the Act") and any related Tax Imposition Act and "New Tax System Changes" has the meaning it bears in the *New Tax System (Trade Practices Amendment) Act 1999* ("the TPA"). Where any other term is used in this clause which is defined in the Act or the TPA it shall have the meaning which it bears in the Act, or (if the term is not defined in the Act) then the meaning which it bears in the TPA.

"GST Rate"

means the percentage amount of GST payable determined under section 9-70 of the Act as amended from time to time;

"Input Tax Credit"

has the meaning it bears in the Act;

"Recipient"

have the meaning they bear in the Act, and, in addition for the purposes of this Contract shall also be read as follows:

"Supplier" and "Supply"

"Supplier" shall also mean Contractor;

"Recipient" shall also mean Principal;

"Supply" shall also mean the Works.

"Adjustment"

means each form of adjustment to consideration provided for in this clause.

The parties acknowledge that the consideration under this Contract is inclusive of GST, where GST is calculated using the GST rate at the time of forming this Contract.

The Supplier shall provide the Recipient with a tax invoice and/or adjustment notes in relation to the supply prior to an amount being paid by the Recipient under this Contract, and shall do all things, reasonably necessary to assist the Recipient to enable it to claim and obtain any Input Tax Credit available to it in respect of a Supply.

Where the GST rate is changed after the date of formation of this Contract the consideration under this Contract will be increased or decreased so that the consideration remains inclusive of GST, with GST calculated using the new GST Rate from the date of the change of the GST Rate that applies at the date of formation of this Contract.

PRELIMINARY CLAUSES

3. PRELIMINARY CLAUSES**3.1 DESCRIPTION OF THE WORKS**

The works comprise of design, construction, installation of a public swimming pool at the community township of Wadeye.

3.2 SITE OF WORKS

The Aboriginal community township of Wadeye, approximately 400 km by road south-west of Darwin in the Northern Territory of Australia.

The specific location of the works will be as agreed on site with the Superintendent.

The contact person shall be:

Contract Superintendent: Terry Burns -

Matchplay Engineering Services Pty Ltd

Ph: (08) 8981 0033

Mob. 0409 264 094

Fax: (08) 8981 1841

3.3 SITE INFORMATION

The Principal does not warrant or guarantee that information made available shows completely the existing site or sub-surface conditions. The Contractor shall make his own interpretations, deductions and conclusions from the information made available and shall accept full responsibility for such interpretations, deductions or conclusions.

3.4 WORKS NOT INCLUDED

The following work to be carried out on site is not included in the Contract and will be carried out during the currency of the Contract by the Principal or by other persons.

1. all earthworks i.e. excavation, trenching, backfilling, drainage
2. plant room (including concrete slab)
3. electrics supply and lighting
4. concourse
5. fencing and landscaping
6. backwash storage - 15KL
7. permanent amenities - ablutions, 1st aid (i.e. to meet Health Department Requirements)

Prior to commencing works and during the course of the project, the contractor shall monitor and assess the quality of the works completed by others and advise if these works will in any way affect the performance of their design, construction and installation works. Any such advice is to be made in writing.

3.5 WORK BY OTHERS AND OTHER WORK AT SITE

During the currency of the Contract, other work may be proceeding at or in the vicinity of the site. The Contractor shall act or cooperate at all times with any other contractors so as to ensure the expeditious completion of the project, and to ensure that no obstruction or interference with other contractors occurs.

3.6 SPECIFIC SITE CONDITIONS - ACCESS TO COMMUNITIES

Every person who requires to enter an Aboriginal community must obtain a permit to enter and obtain permission from the Community Council. The Contractor shall obtain all necessary permits and pay all costs. The Contractor shall comply with all rules of the relevant Community Council.

Accommodation of workers shall be arranged between the Contractor and the Community Council.

PRELIMINARY CLAUSES

Any person who wishes to consume alcoholic products on an Aboriginal community must obtain a permit to do so. Some Aboriginal communities ban the use and possession of alcoholic products.

3.6.1 Permits

Where work is to be carried out on Aboriginal Lands it shall be the responsibility of the Contractor to obtain all necessary permits required and pay all costs involved.

3.6.2 Alcoholic and/or Spirituous Liquors

Any person who wishes to convey alcoholic and/or spirituous liquors onto Aboriginal Lands must obtain a permit to do so.

Any person who wishes to consume alcoholic and/or spirituous liquors on Aboriginal Lands must obtain a permit to do so.

3.6.3 Out of Bounds

The Contractor's attention is drawn to the fact that entry permits are issued only to allow for the entry of personnel to the Community, and such movement about the reserve as is entailed in carrying out of the works required under the Contract.

During the off duty hours, all workmen will be required to observe the limits of the areas which they may use as laid down by the Council and they shall refrain from entering any areas laid down as "Out of Bounds" by the Council.

The Contractor shall at all times be responsible to the Council for the proper conduct and behaviour of all employees and the strict observance by them of any limitations imposed, and shall comply with instructions given by the Council or the Superintendent in respect of such limitations.

3.6.4 Interruptions to Services

Interruptions to Services shall be kept to a minimum. Ample warnings of all interruptions shall be given to the Council. Interruptions to services shall be confined to times suitable to the Council.

3.6.5 Aboriginal Labour

Should the Contractor wish to employ Aboriginal Labour, he must make application to do so to the Council.

Such Aboriginal labour shall be paid at Award rates and employed under Award conditions and shall be subject to the requirements of any relevant legislation which is in force during the course of their employment.

3.6.6 Accommodation and Transport

The Contractor shall be responsible for assessing the availability on site of accommodation and transport facilities.

Where these are not available by arrangement with the Community the Contractor shall be required to make his own arrangements for temporary camping facilities for workmen, including toilet and cooking facilities, and for all transport for men and materials throughout the project.

Camps shall be located in positions satisfactory to the local Council and shall be to a standard acceptable to Council and Superintendent. Such camps shall be kept clean and tidy at all times to the satisfaction of the Council and Superintendent.

3.6.7 Use of Existing Facilities

Coolroom or other facilities may be available to the Contractor for use by him for his workmen. The Contractor shall ascertain the extent of and conditions under which such facilities if any may be available.

PRELIMINARY CLAUSES

3.7 SCHEDULE OF DRAWINGS

The following drawings shall form part of the Contract.

| DRAWING NO. | SUBJECT |
|--------------|---|
| P01 A | Swimming Pool Schematic |
| P02 A | Swimming Pool Hydraulics |
| P03 A | Swimming Pool Plant Room |
| P04 A | Layout Plan (previously Untitled) |
| MP16-0571-T2 | AVP-Wadeye Pool-Concrete Curb Castings (by Others) Plan, Sections And Details For 25 M Pool |
| MP16-0571 | AVP-Wadeye Pool-Plan, Sections And Details For 25 M Pool |

3.8 INTERPRETATION OF DRAWINGS

The Contractor is responsible for the design, construction and installation works and is responsible for the shall check all relevant dimensions on the site before proceeding with the work under the Contract.

The layout of plant and equipment as shown on the drawings shall be taken as diagrammatic only and all measurements and other information required to carry out the work under the Contract shall be obtained by the Contractor on the site. The Contractor shall not be entitled to any extra cost resulting from his failure to obtain measurements and other information on the site.

3.9 NATURE OF EXCAVATIONS

The Contractor shall be deemed to have judged for himself the nature of the material to be excavated and to have made due allowance in his tender for excavation in material of whatever nature may be encountered.

No cost variation will be considered regardless of nature of material encountered.

3.10 SALVAGED MATERIALS

Unless otherwise specified in the Contract and subject to the provisions of sub-clause 27.5 (AS 2124-1992) General Conditions of Contract all materials, plant, equipment, fixtures and other things salvaged from the site or from the Works will remain the property of the Principal.

3.11 WORK IN THE VICINITY OF TELSTRA UNDERGROUND CABLES

Prior to commencing any excavation, boring of holes, blasting, rock breaking, soil compaction or similar activity in the vicinity of Telstra underground cables, whether fibre optic or copper, the Contractor shall obtain the location of the cables from Telstra's accredited plant locator, and pay all fees. The Contractor shall follow all directions and instructions issued by Telstra in relation to work in the vicinity of such cables.

3.12 LIGHT AND POWER

The Contractor shall arrange for the supply of all electric light and power required for construction works under this contract. These can possibly be provided by the Principal pending agreement of terms by the Principal and Contractor which do not form a part of this specification.

3.13 WATER

The Contractor shall arrange for the supply of all water required for construction works under the contract. This can possibly be provided by the Principal pending agreement of terms by the Principal and Contractor which do not form a part of this specification.

PRELIMINARY CLAUSES

3.14 SITE AMENITIES

Site Amenities are the responsibility of the Contractor, and can possibly be provided by the Principal pending agreement of terms by the Principal and Contractor which do not form a part of this specification.

3.15 MESSING AND TRANSPORT

The Contractor shall make all arrangements and pay all costs with regard to messing and transport for himself and his workmen for the duration of the Contract, unless otherwise agreed with the Kardu Numida Incorporated Community Council, in accordance with the quotation of AYP Constructors.

The Contractor shall be responsible for the transport of workmen and materials throughout the project.

3.16 SITE MEETINGS

The Contractor shall arrange for such conferences as are required by the Superintendent to be held between the Contractor and the Superintendent and any sub-contractors and consultants.

3.17 PUBLICITY

The Contractor shall not furnish any information or issue any document or other written or printed material concerning the work under the Contract for publication in any of the media without the prior written approval of the Principal.

3.18 ACCESS FOR VISITORS

The Principal may, after consultation with the Contractor and subject to any arrangements made between the Principal and the Contractor in that behalf, take any visitor on the site.

3.19 OBSERVANCE OF SAFETY CODES

The Contractor shall as soon as practicable notify the Superintendent and the Officer-in-Charge of the area of any incident which occurs on or about the site and which could have resulted from a breach of the relevant safety codes and statutes. Such notification shall be confirmed in writing to the Superintendent within 48 hours of the day and time of the occurrence.

This requirement does not relieve the Contractor of the responsibility of complying with his obligations in relation to safety matters and requirements under the provisions of Clauses 14, 15 and 34.1 of AS2124-1992 General Conditions of Contract.

3.20 ENVIRONMENTAL PROTECTION**3.20.1 Environmental Control**

The Contractor shall be responsible for ensuring that the provisions of this clause and any other environmental protection provision in the Contract are complied with and that the requirements of any statute by-law, standard and the like related to environmental protection are observed.

The Contractor shall submit to the Superintendent his proposal for traffic movement, temporary structures (including lamps) cleaning-up (including burning-off) erosion control, demolition and the like. After the proposals have been agreed to by the Superintendent, the Contractor shall be responsible for ensuring that the agreed proposals are observed.

Any changes in the agreed proposals shall be requested by the Contractor and be subject to the agreement of the Superintendent.

3.20.2 Site Control

The Contractor and all Sub-Contractors shall observe all rules and regulations in force on the site and shall comply with all notices and instructions issued by the Superintendent in relation to such rules and regulations.

Except as otherwise provided in the Contract, delivery of materials for the works, space for storage of same and for building sheds, office and workshops will be allowed only as arranged between the Contractor and the Superintendent.

PRELIMINARY CLAUSES

When flammable or combustible materials are to be stored or used, the Contractor shall adhere strictly to any instructions given by the Superintendent concerning their storage.

No new tracks shall be formed, existing tracks altered, camps erected, trees or shrubs removed, fences cut, water, sewerage or power lines cut or any other such thing done without the approval of the Superintendent.

Under no circumstances whatever shall fires be lit before permission is obtained from the Superintendent.

All materials and equipment on site shall be stored in such a manner as to prevent mechanical and climatic damage. Storage areas shall be kept in a neat and tidy manner to minimise hazards to persons, materials and equipment.

3.20.3 Disposal of Refuse

Refuse from construction operations (including foodscraps and the like) shall be removed from the site.

Refuse shall be handled in a manner so as to confine the material completely and prevent dust emission.

3.20.4 Solid, Liquid and Gaseous Contaminants

The Contractor shall be responsible for the proper disposal of all solid, liquid and gaseous contaminants in accordance with all statutory and contractual requirements including the provisions of this clause.

Gaseous contaminants shall be discharged in such a manner that they will be sufficiently diluted with fresh air that the toxicity will be reduced to an acceptable level.

Subject to statutory and local requirements, liquid contaminants may be diluted with water to a level of quality acceptable in the sewer system or shall be contained in approved vessels for disposal at approved sites.

3.20.5 Noise Control

The Contractor shall take all practicable precautions to minimise noise resulting from his activities. All construction equipment shall be fitted with noise suppressors and used so that noise is minimised. Loud hammers shall not be used.

3.20.6 Compressor Silencing

All compressor sets used in the performance of this work shall be fitted with effective acoustic canopies and special engine exhaust silencers of a type as recommended by the compressor manufacturer. Alternatively, compressor sets specially designed for quiet operation may be used. Compressor sets and canopies shall be kept in first class condition at all times. Any access panels in acoustic canopies shall be kept closed at all times while sets are running.

3.20.7 Jackhammer Silencing

All jackhammers used in the performance of this work shall be fitted with effective silencers of a type as recommended by the jackhammer manufacturer. All tools and silencers shall be kept in first class conditions at all times. Operators of jackhammers shall be closely supervised to ensure that the silencers are always in place while the tools are being used.

3.20.8 Dust and Water

Adjoining owners, residents and the public are to be protected against dust, dirt and water nuisance. Dust screens and watering shall be used to reduce dust nuisance.

3.20.9 Soil Conservation

All proper precautions shall be taken by the Contractor to prevent erosion of soil from any lands used or occupied by the Contractor in the execution of the work under the Contract.

3.20.10 Preservation of Flora

The Contractor shall refrain from destroying, removing or clearing trees and shrubs to an extent greater than is necessary for execution of the work under the Contract.

All areas to be cleared shall be inspected by the Contractor and the Superintendent's approval obtained before any trees or shrubs are removed, cleared or destroyed.

PRELIMINARY CLAUSES

3.20.11 Trucking

All trucks leaving the site with earth materials or loose debris shall be loaded in a manner that will prevent dropping of materials on streets and shall have suitable tarpaulins fastened over the load before leaving the site. Trucks bringing earth materials to the site shall be similarly loaded and covered.
The Contractor shall ensure that the wheels, tracks and body surface of all vehicles and plant leaving the site are free of mud and that mud is not carried on to adjacent paved streets or other areas.

3.20.12 Cleaning of Vehicles And Plant

To prevent the spread of noxious weeds, steam clean or high pressure water clean all vehicles and mechanical plant of earth and organic matter before entering Arnhem Land or any Park, Reserve or Protected Area.

Notice: Provide the Superintendent with a signed statement each time vehicles or mechanical plant are taken into Arnhem Land or any Park, Reserve or Protected Area certifying that cleaning took place and including the following information:

- (a) Vehicle or Plant Identification Number
- (b) Method of Cleaning
- (c) The time and date carried out
- (d) The location of cleaning operations
- (e) The name of the cleaning operator.

Collect and dispose of the removed earth and organic material by a method that will ensure that it does not infest any river, stream, wetland or property. Comply with the Northern Territory Weeds Management Act.

3.21 OPENING AND REINSTATEMENT OF ROADS

Before a road opening is made by the Contractor or by one of his Sub-Contractors the Contractor shall apply to the appropriate authority for permission to open the road, shall pay the necessary fee, and shall conform to the requirements of that authority.

ANNEXURE TO THE GENERAL CONDITIONS OF CONTRACT

4. ANNEXURE TO GENERAL CONDITIONS OF CONTRACT

| | | |
|----|--|--|
| 1 | The Contract shall be governed by and construed with reference to the laws for the time being in force in the State or Territory of (Clause 1) | The Northern Territory |
| 2 | All payments made under the Contract shall be made at (Clause 1) | Darwin Northern Territory |
| 3 | The Principal is (Clause 2) | Kardu Numda Inc. Community Council |
| 4 | The Superintendent shall be (Clause 2) | Nominated person from Matchplay Engineering Services Pty Ltd |
| 5 | The basis of payment shall be (Clause 3.1) | Lump Sum |
| 6 | Payment terms (Clause 42.1) | An initial payment of \$210,000 + GST shall be made before 20 th September, 2003 and monthly payment invoices to be lodged by the 20 th of each month. Payment to be made within 14 days of certification of invoice |
| 7 | The amount of security is (Clause 5.2) | Refer to Special Conditions of Contract |
| 8 | The Address of the Principal for service of documents is | Wadeye Point, Wadeye, NT, 0827 |
| 9 | The address of the Superintendent for service of documents is | PO Box 36162, Winnellie, NT, 0821 |
| 10 | The value of materials to be supplied by the Principal is | Not Applicable |
| 11 | The assessment for insurance purposes of architects, engineers, and surveyors fees is | Not Applicable |

ANNEXURE TO THE GENERAL CONDITIONS OF CONTRACT

| | | |
|----|---|--|
| 12 | The assessment for insurance purposes of the costs of demolition and removal of debris is | Not Applicable |
| 13 | The amount of Public Liability Insurance shall be not less than | \$10 Million |
| 14 | The amount of Common Law Liability Insurance shall be not less than | \$10 Million |
| 15 | The time for giving possession of the site is (Clause 27.1) | 23 rd September, 2003 |
| 16 | The time for Practical Completion of the works shall be (Clause 35.2) | 25 th December, 2003 |
| 17 | The time for Practical Completion of each separable part of the Works shall be the time specified for that separable part of the Works: (Clause 35.2) | Not Applicable |
| 18 | Liquidated Damages for the Works shall be (Clause 35.5) | To be determined on basis of damages Not Applicable |
| 19 | The Defects Liability Period for the Works shall be (Clause 37.1) | 52 weeks Refer to Appendix C Warranty |
| 20 | The Defects Liability Period for each separable part of the Works shall be the Defects Liability Period specified in respect of that separable part: (Clause 37.1) | Not Applicable |
| 21 | The amount of retention monies is (Clause 42.1) | 5% deducted from each progress payment Reduce to 2.5% on issue of Certificate of Practical Completion |
| 22 | Guarantee of Materials | Refer to Appendix C Warranty |
| 23 | Construction Warranty | 10 Years Refer to Appendix C Warranty |

SCOPE OF WORK

5. SCOPE OF WORK

Design, construct and install Myrtha Classic 1 swimming pool, of the dimensions and layout provided within the drawings, and to the scope and requirement in accordance with the quotation of AVP Constructions, dated 15 August 2003.

The pool is to be designed, constructed and installed so that it is:

- fit for purpose;
- of good quality workmanship;
- of good quality materials;
- is completed in a professional and workmanlike manner;
- complies with all relevant regulations and legislation; and
- is of an appropriate durability.

APPENDIX A

AVP CONSTRUCTIONS

QUOTATION DATED 15TH AUGUST, 2003

M03-1045-01 - WADEYE POOL
AS2124-1992

05-SEP-2003 09:45AM FROM-

T-022 P 004/006 F-052



CONSTRUCTIONS

The Specialists in Commercial Swimming Pools

Facsimile Communication

DATE: 15 August 2003

TO: Port Keats Community

ATTENTION: Terry Bullemor

PHONE NUMBER: 08 8978 2362

FACSIMILE NUMBER: 08 8978 2367

FROM: Mark Harper

TOTAL NUMBER OF PAGES INCLUDING THIS HEADER: 3

RE: WADEYE SWIMMING POOL

Terry

Please find the revised quotation

AVP Constructions to provide the following:

- Myrtha Classic 1 Pool - fully installed
- Pool plan attached (Rough) beach area now 7m wide & depth 0.0m to 1.5m
- Concrete floor to pool
- Concrete balance tank 9m x 4m x 2m
- 5 lanes
- Beach area
- Complete pool filtration works with 2.5 hour tower
- Internal electrics
- Complete water chemistry including salt chlorination and sodium hypochlorite back up (All above to meet Public Health requirements)
- 2 water features
- Lane ropes & reel
- Manual cleaning equipment
- Freight, travel and food
- Accommodation (2 x 4 berth dongas - individual rooms) ablution and crib room with amenities
- Complete hand over

.....\$870,600 + GST

If accommodation supplied to equal the above deduct \$20,000 + GST

If Balance Tank supplied (to specification) deduct \$45,000 + GST

PERTH OFFICE: PO Box 574, Balgatha WA 6914
 Telephone: (08) 9240 8832 Facsimile: (08) 9240 8833



AGENTS FOR SYDNEY OFFICE: PO Box 887, Rozelle NSW 2039
 Telephone: (02) 9510 0977 Facsimile: (02) 9510 0986

Unit 3, 6 Kike Street, Balgatha WA 6021

Website: www.avpc.com.au - Email: info@avpc.com.au
 Mark Harper Nominees Pty Ltd - A.B.N. 53 117 842 503 - T/As AVP Constructions

05-SEP-2003 08:45AM FROM-

T-022 P 005/008 F-052

- 2 -

2...

Community to provide:

- All earthworks ie: excavation, trenching, backfilling, drainage etc...
- Plant room (including concrete slab)
- Electrics supply and lighting
- Water supply
- Concourse
- Fencing and landscaping
- Backwash Storage - 15KL
- Permanent amenities - ablutions, 1st Aid (ie: Health Department Requirements)

Payment terms:

- \$210,000 - prior to Myrtha pool leaving Italy
- Monthly progress payments on work completed (Claim submitted 20th of each month) - Payment 14 Days

Regards



Mark Harper

PERTH OFFICE: PO Box 574, Balcatza WA 6014
 Telephone: (08) 9240 8622 Facsimile: (08) 9240 8633



SYDNEY OFFICE: PO Box 887, Rozelle NSW 2058
 Telephone: (02) 9510 0877 Facsimile: (02) 9510 0988

Unit 3, 8 Kite Street, Balcatza WA 6021

Mobile: 0418 933 789 - Website: www.avpc.com.au - Email: info@avpc.com.au
 Mark Harper Nominees Pty Ltd - A.B.N. 53 117 642 503 - T/As Aqua Vinyl Pool Constructions

APPENDIX B

KARDU NUMIDA INC. COMMUNITY COUNCIL
PURCHASE ORDER 27036 DATED 15TH AUGUST, 2003

M03-1045-01 - WADEYE POOL
AS2124-1992

T-022 P 003/006 F-052

WADEYE PO NT 0822

TELEPHONE: 08 8978 2355 FACSIMILE: 08 8978 2357

No. 27036

DEPARTMENT: AVP (Construction)

SUPPLIER'S NAME: TRPV / S m m s Ltd

ADDRESS: FAX: (08) 9240 8633

DATE: 15/8/03

DELIVER BY:

FUNCTION: # 8 f

(Note: Where more than one function applies write function number next to ledger number).

Please provide the following goods and services:

[illegible]

Quoter's Signature / Authorised Officer

Quoter's Full Name Luke Montano

Signature of Finance Committee Member

Darwin Printing 8981 3449

ORIGINAL (White) Mail to Supplier DUPLICATE (Yellow) Staple to Invoice from Supplier TRIPLICATE (Pink) Remains in Book

APPENDIX C**AVP CONSTRUCTIONS**

MYRTHA POOLS PRODUCTS CERTIFICATES OF GUARANTEE
AVP 10 YEAR CONSTRUCTION WARRANTY
AVP 12 MONTH DEFECTS LIABILITY PERIOD

MO3-1045-01 - WADEYE POOL
AS2124-1892

21-Aug-03 12:59P Mark Harper Nominees

08 9240 8633

P.08

A&T Europe S.p.A.
 C/O. Soc. Lit. 6.000.000 M.V.T.
 Via S. Maria Maddalena 303
 00187 Roma, Italia
 Codice fiscale 00187030000
 Codice identificativo I.V.A. 07014100000



New Tel. + 39 375 94261
 Commercial Division of
 A & T Europe S.p.A.
 Via S. Maria Maddalena 303
 00187 Roma, Italia
 Tel. + 39 06 47814444
 Fax + 39 06 21853182

CERTIFICATE of GUARANTEE STAINLESS STEEL MYRTHA

Myrtha Pools products are subject to guarantee as follows:

- The Myrtha metal structure: 15 years
- PVC lining and other surface finishing: 15 years
- Filters: 5 years
- All other products: 1 year

A&T Europe S.p.A. guarantees that the installed products will perform the functions for which they have been designed, and specifically:

- The Myrtha structure has to withstand the pressure of the water and of the backfilling.
 - The PVC lining has to be watertight both on the walls and on the bottom.
 - The filter vessels have to withstand pressure according to the design.
- Excluded from the guarantee are minor defects that will not alter the functions described above (slight change of colour, minor aesthetical defects, etc.)

A&T Europe S.p.A. will repair or substitute, at its expenses, the defective products covered by the guarantee.
 Construction works, if required, are at customer's charge.
 Water, energy, chemicals are at customer's charge.

Excluded from the guarantee are damages caused to the products by vandalism, misuse and improper use of chemicals.

A written notification must be sent to A&T Europe S.p.A. within 3 days upon discovery of any defect.



AVP**CONSTRUCTIONS***The Specialists in Commercial Swimming Pools***Wadeye Swimming Pool
Port Keats****MYRTHA POOL CONSTRUCTION****AVP Constructions Warranty**

AVP Constructions warrant the workmanship for the above project for a period of 10 YEARS from the date of practical completion.

The warranty shall not apply and AVP Constructions shall be under no liability should the alleged defect, fault or damage, arise from mechanical means or misuse of the product.

The operation of the Pools must be in accordance with the Operation and Maintenance Manuals issued.

PERTH OFFICE:

PO Box 574, Balcatta WA 6914
Unit 3, 6 Kirke Street, Balcatta WA 6021
Telephone: (08) 9240 8622 Facsimile: (08) 9240 8633

Website: www.avpc.com.au - Email: info@avpc.com.au
Mark Harper Nominees Pty Ltd - A.B.N. 53 117 642 503 - T/As Aqua Vinyl Pool Constructions

AVP

CONSTRUCTIONS

The Specialists in Commercial Swimming Pools

Wadeye Swimming Pool Port Keats

AVP Constructions 12 Months Defects Liability Period

AVP Constructions will be responsible to correct any defects that arise for the above project for a period of 12 Months from the date of practical completion.

The warranty shall not apply and AVP Constructions shall be under no liability should the alleged defect, fault or damage, arise from mechanical means or misuse of the product.

The operation of the Pools must be in accordance with the Operation and Maintenance Manuals issued.

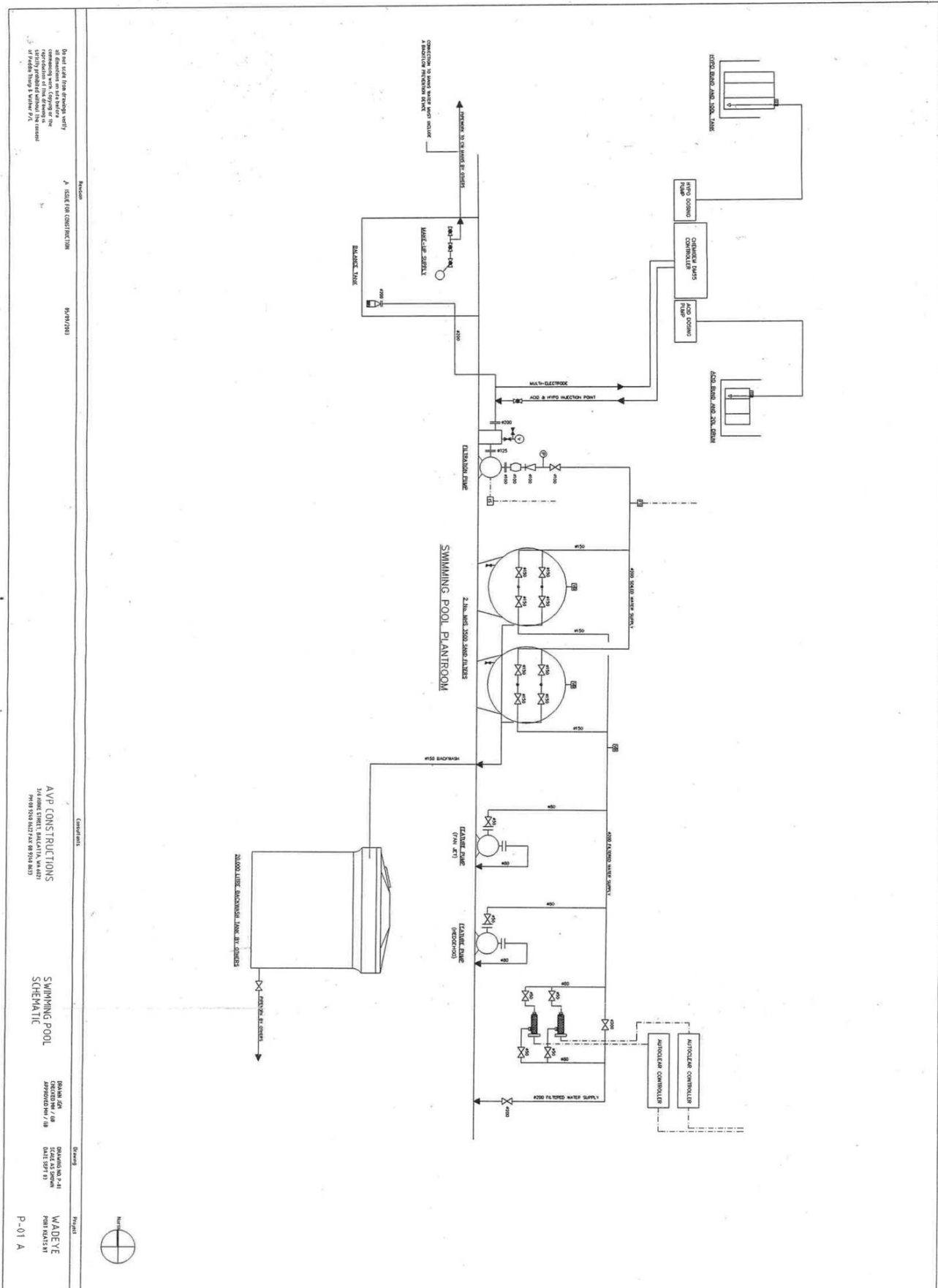
PERTH OFFICE:
PO Box 574, Balcatta WA 6914
Unit 3, 6 Kirke Street, Balcatta WA 6021
Telephone: (08) 9240 8622 Facsimile: (08) 9240 8633

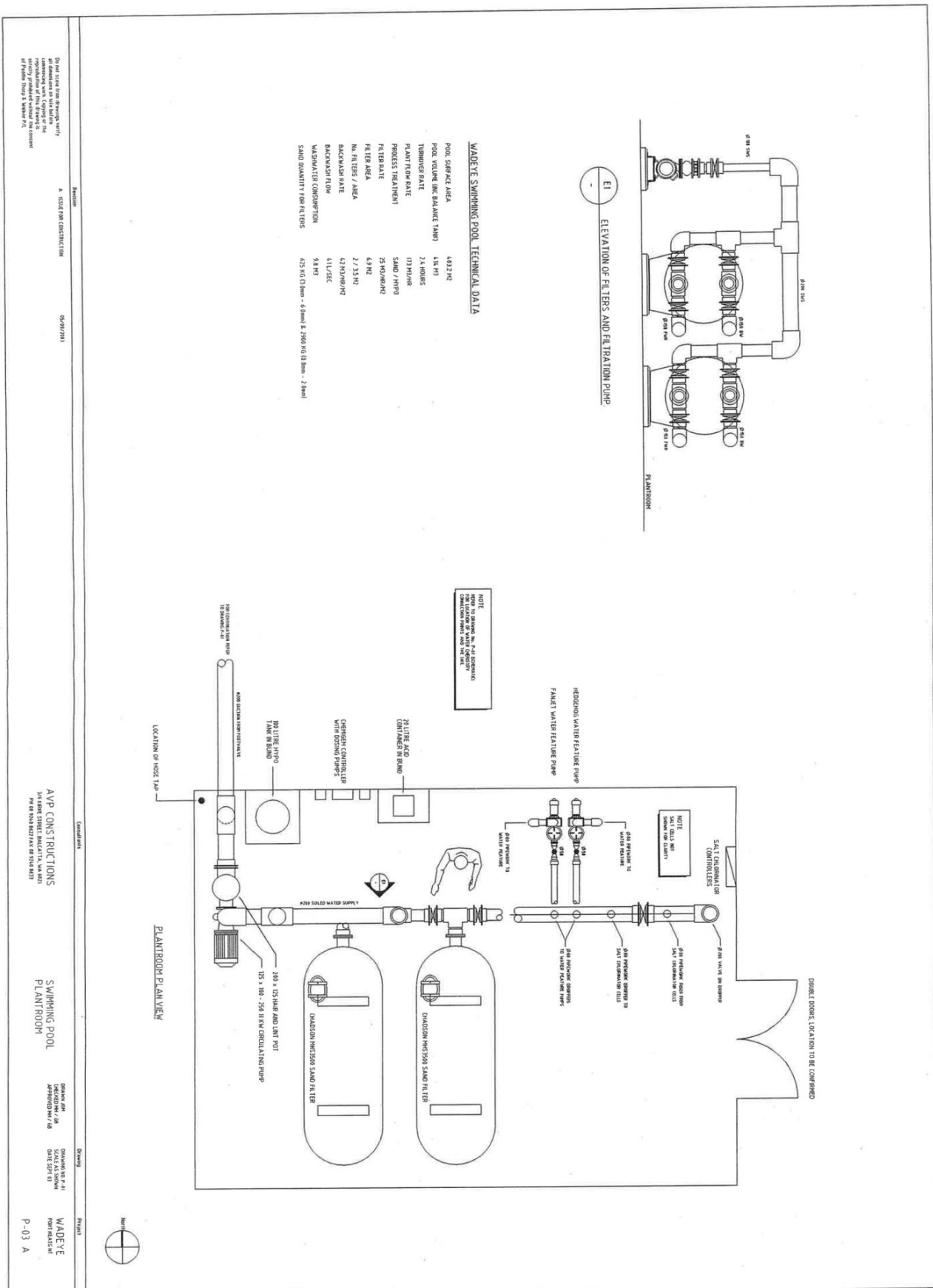
Website: www.avpc.com.au - Email: info@avpc.com.au
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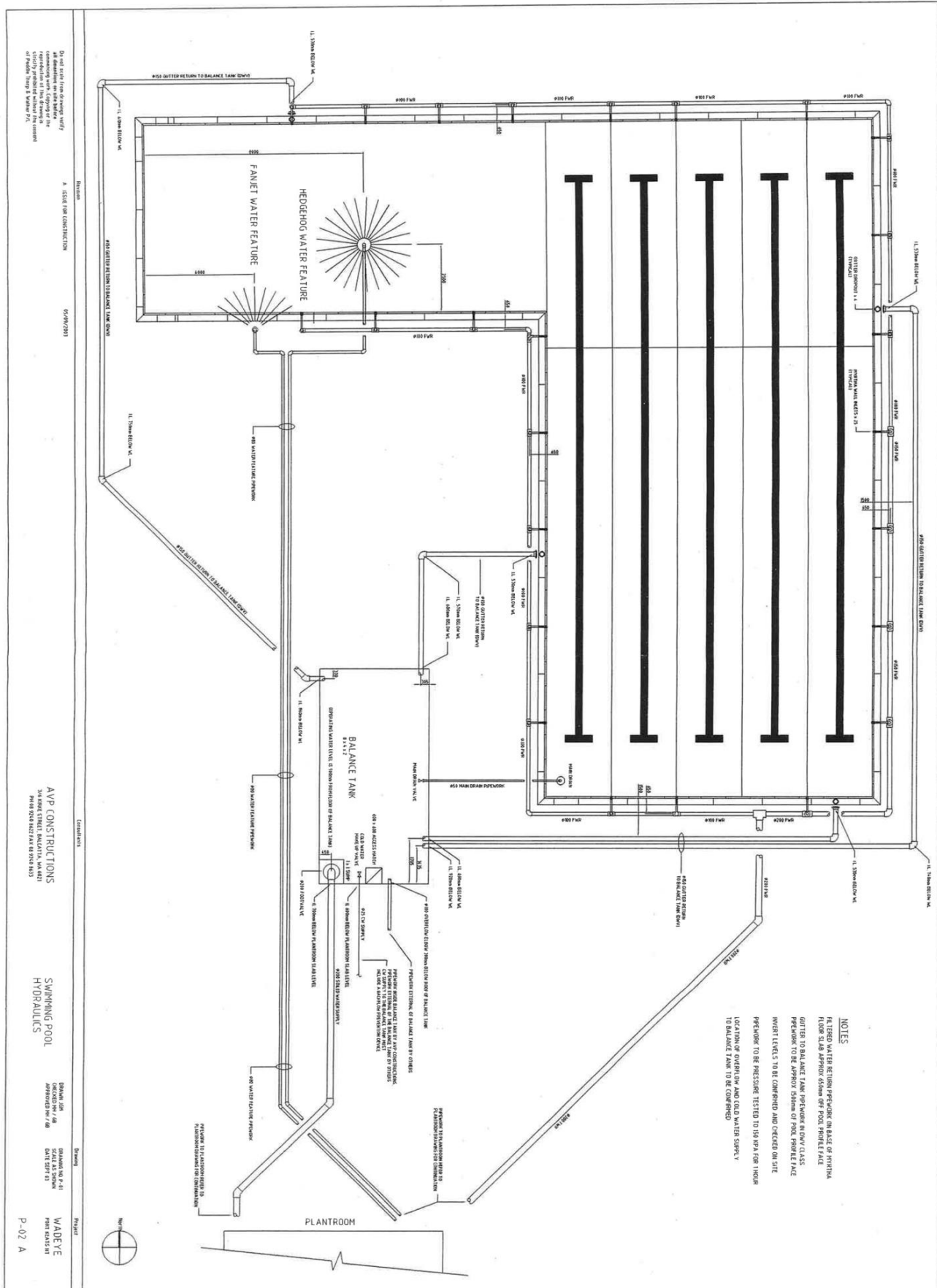
APPENDIX D**AVP CONSTRUCTIONS DRAWINGS**

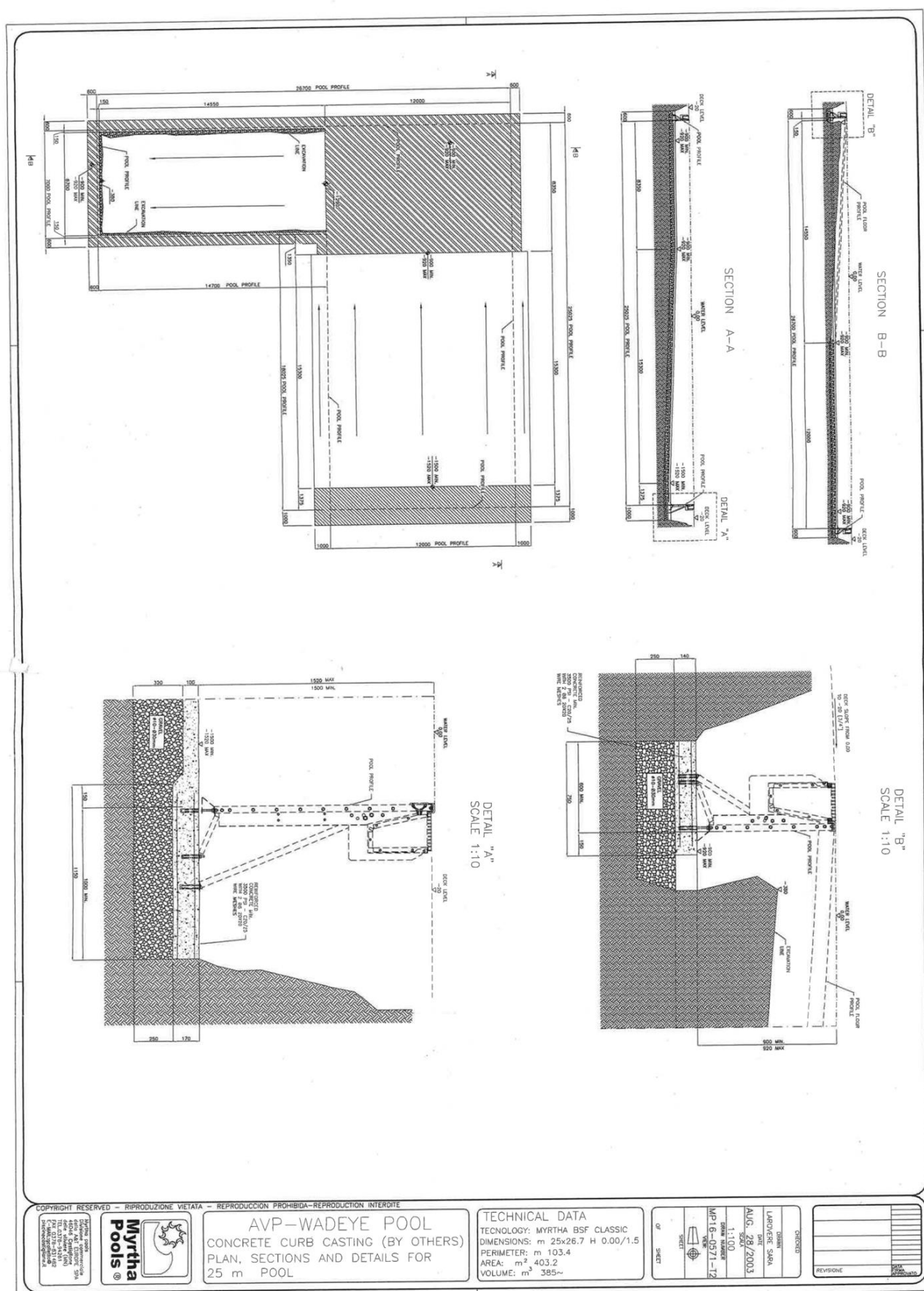
| DRAWING NO. | SUBJECT |
|--------------|---|
| P01 A | Swimming Pool Schematic |
| P02 A | Swimming Pool Hydraulics |
| P03 A | Swimming Pool Plant Room |
| P04 A | Layout Plan (previously Untitled) |
| MP16-0571-T2 | AVP-Wadeye Pool-Concrete Curb Castings (by Others) Plan, Sections And Details For 25 M Pool |
| MP16-0571 | AVP-Wadeye Pool-Plan, Sections And Details For 25 M Pool |

MO3-1045-01 - WADEYE POOL
AS2124-1992

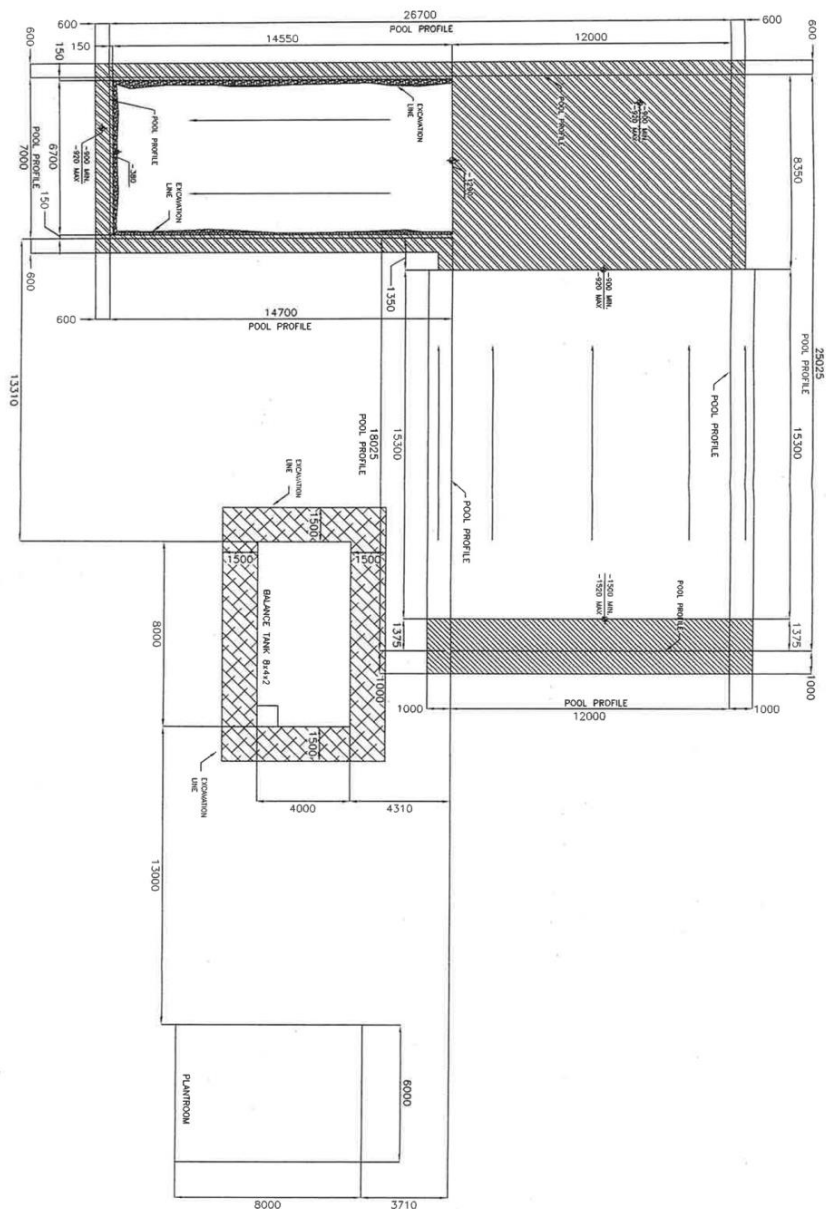






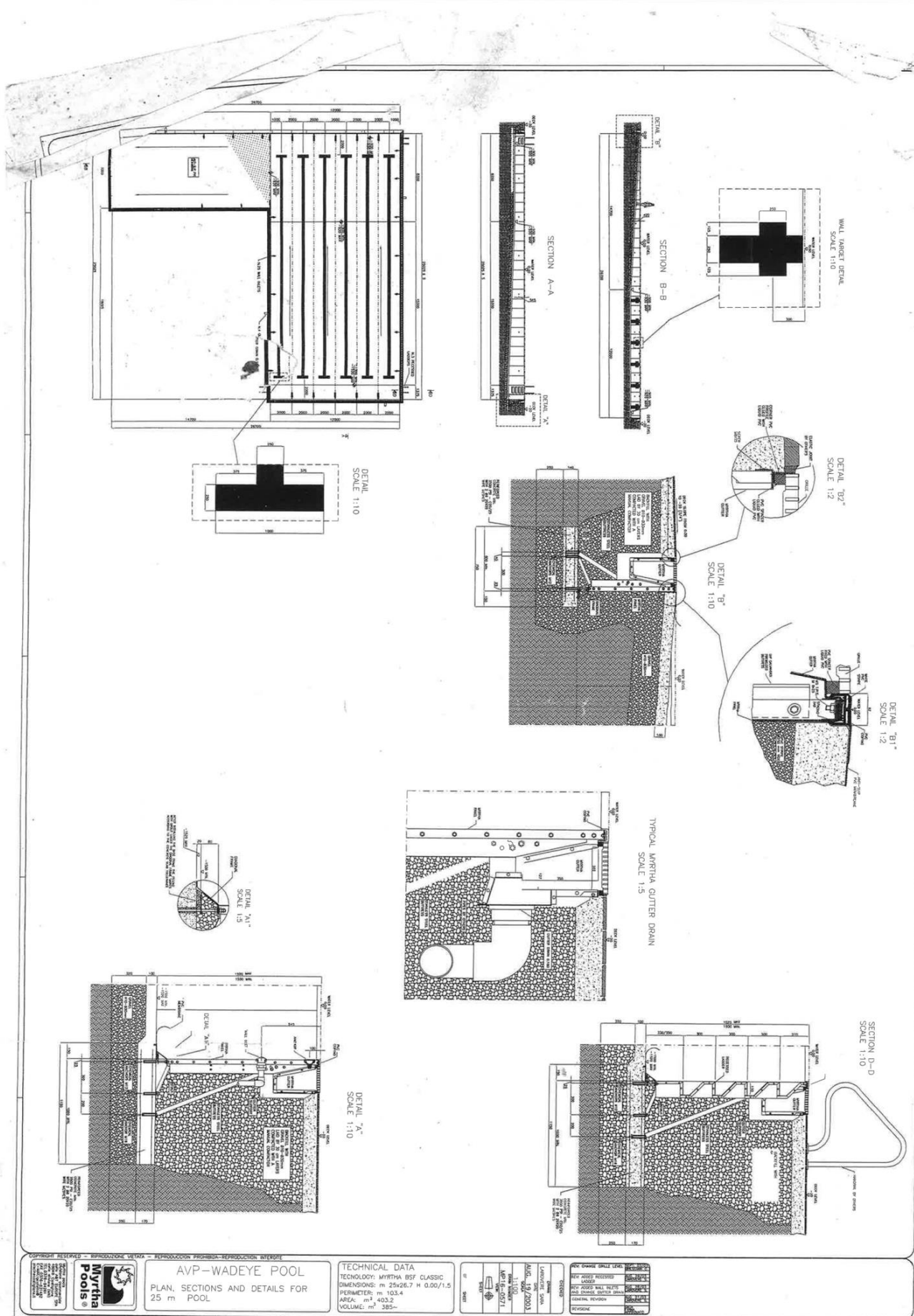


AVP CONSTRUCTIONS
 3/6 KIRKE STREET, BALCATTA, WA 6021
 PH 08 9240 8622 FAX 08 9240 8633



LAYOUT PLAN

Drawings by: D. J. A.



Wadeye Swimming Pool – Water Treatment Plant Operation and Maintenance Manual

Section 2

General Description of Installation and Operation Procedures

The Wadeye Community at Port Keats has been provided with a 25m L shaped Myrtha Pool complete with Water Features, Balance Tank and Water Treatment Filtration Plant.

The pool comprises of the following:

- Wet deck pool with balance tank
- Beach entry
- Suction line via a footvalve in the suction sump of the balance tank
- Circulation pump complete with hair and lint pots
- Sand filters
- Chemigem water chemistry controllers with dosing pumps
- Salt chlorinator system
- Return to pool nozzles and pipework
- Automatic top up located in the balance tank

POOL DATA

| | |
|---------------------------------|---|
| Pool surface area | 403.2 m ² |
| Pool volume (inc balance tank) | 414 m ³ |
| Turnover rate | 2.4 hours |
| Plant flow rate | 173 m ³ /hr |
| Process treatment | Sand / Hypo |
| Filter rate | 25 m ³ /hr/m ² |
| Filter area | 6.9 m ² |
| No. filters / area | 2 / 3.5 m ³ |
| Backwash rate | 42 m ³ /hr/m ² |
| Backwash flow | 41 l/sec |
| Wash water consumption | 9.8 m ³ |
| Total sand quantity for filters | 3525 kg |
| Sand quantity for filters | 625 kg (3.0mm – 6.0mm & 2900 kg (0.8mm – 2.0mm) |

Circulation is achieved by the main circulation pump which draws footvalve in the balance tank. The circulation pump has a hair and lint pot to avoid debris passing through the pump.

Filtration of the soiled water is achieved via the Sand filters allowing the soiled water to pass through the filter bed, with filtered water returning to the pool.

Disinfection of the pool is via the Chemigem water chemistry controller. It injects sodium hypochlorite and acid into the pipework prior to the filter. In addition a salt water chlorinator system has been also installed.

Filtered water is returned to the pool via wall returns.

Mark Harper Nominees Pty Ltd – A.B.N. 53 117 642 503 – T/A's Aqua Vinyl Pool Constructions
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AVP
CONSTRUCTIONS

Wadeye Swimming Pool – Water Treatment Plant Operation and Maintenance Manual

There are two water features located in the beach area which have their own boost pumps. The water supply to the features is from the filtered water return line.

Operation Procedures

Starting the Plant

Prior to starting the water treatment plant it is imperative that the following items are checked:

- Isolators to equipment are set in the "ON" position
- Water level in the balance tank is at the required level, i.e. ball float is switched off.
- The hair and lint pots are full of water (primed) and they are free of debris.
- The valves on the pump discharge line are in the open position.
- The filter vessel valves are in filtration mode.
- All water chemistry valves are in the open position
- Sufficient chemical storage

During Normal Operation

Once the water treatment plantroom is operational the following items shall be checked:

- There are no alarms
- No evidence of leaks
- Vacuum and pressure gauges reading correctly
- Filtration gauges reading correctly
- No faults are evident on the pool plant switch board
- Hair and lint pots free of debris
- Water flow through water chemistry sample lines
- Sufficient water flow back to the pool
- Log books up to date

BALANCE TANK & MAKE-UP WATER SUPPLY

Water from the wet deck gutter is transferred to the balance tank where the circulation pumps can draw from.

The balance tank is an underground concrete structure with an access hatch for access.

The water supply is located in the balance tank complete with an ball float valve and a quick fill valve.

BALANCE TANK DON'TS

- Ensure balance tank has sufficient water level for plant start up. (ball float not filling).
- Avoid shutting the plant when the balance tank is at extreme high level.

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Website: www.auvpc.com.au Email: info@auvpc.com.au
Telephone: (08) 9240 8622 Fax: (08) 9240 8633 Mobile: 0418 933 799

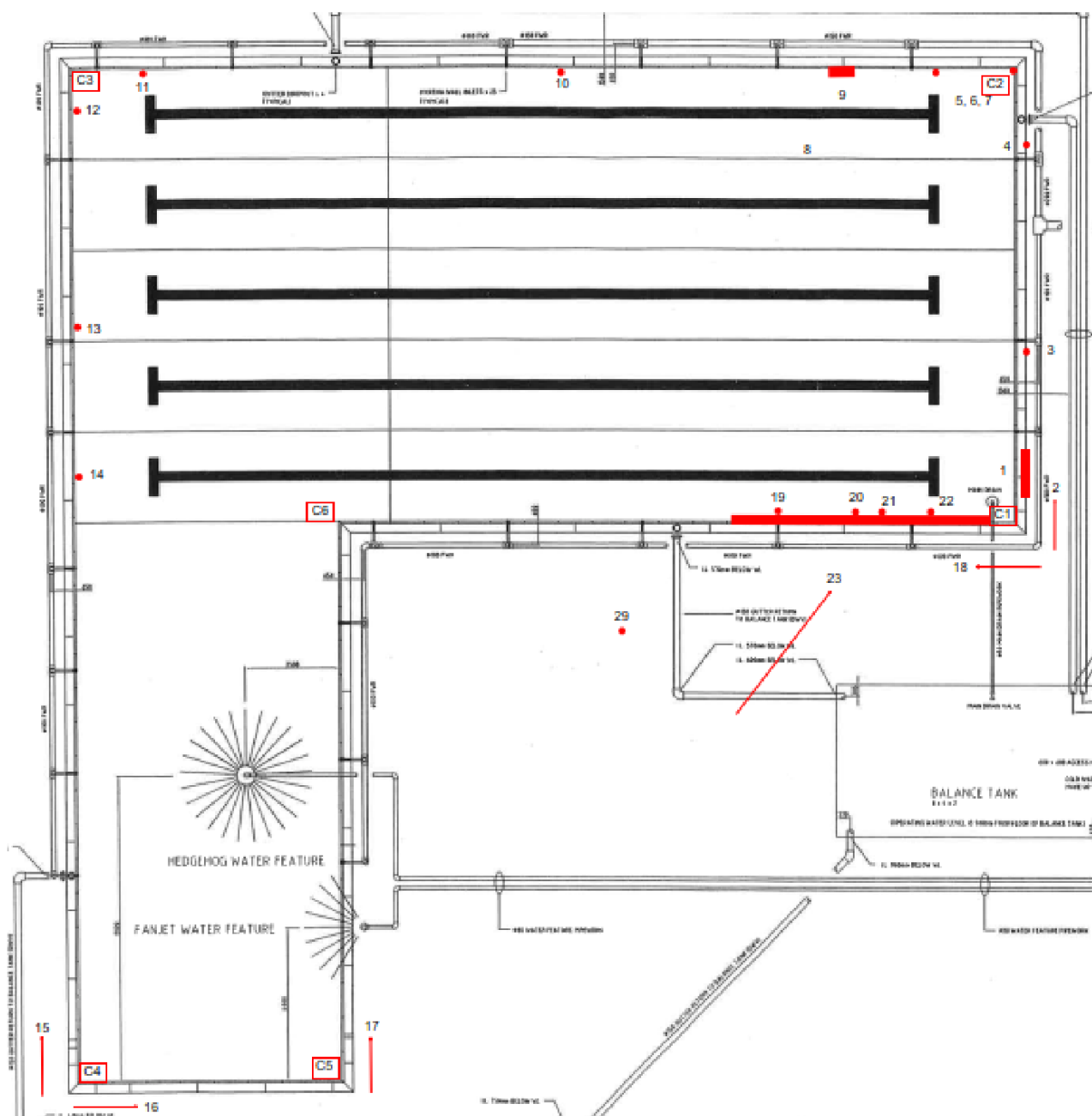
AVP
CONSTRUCTIONS



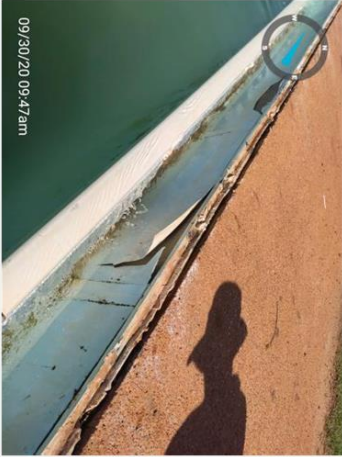



Recommendations



Appendix B Location of Defects - Wadeye Swimming pool




Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|--|----------|
| 1 |  09/30/20 09:47am | PVC membrane teared 700mm to 2000mm from Corner 1 (C1) | |
| 2 |  09/30/20 09:48am | Gap between gutter and concrete slab along entire side | |

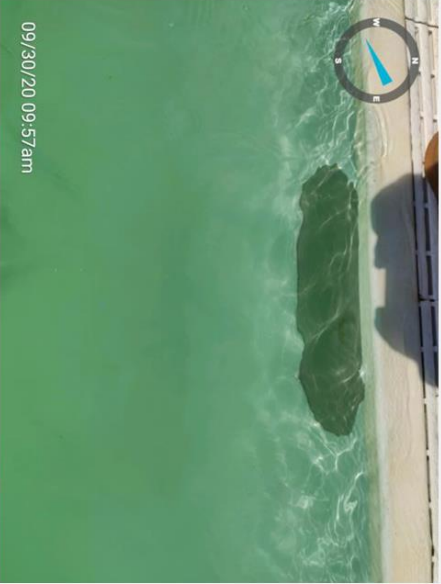
Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|--|----------|
| 3 |  | Defect in gutter 4.6m from C1 | |
| 4 |  | Membrane bulging away from gutter wall (Earth side) 2m from C2 | |



Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|---|----------|
| 5 |  | Damage to protective cap and PVC membrane C2 | |
| 6,7 |  | PVC membrane teared and separated from gutter at C2 | |


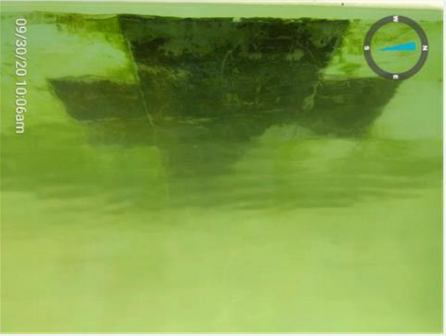
Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|---|----------|
| |  | | |
| 8 |  | Damage PVC membrane inside pool at 2.2m from C2 | |

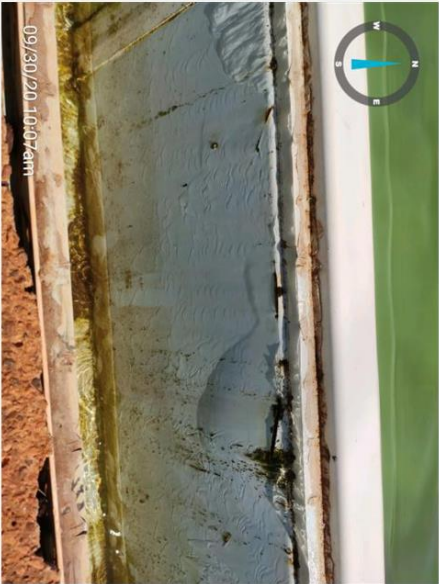
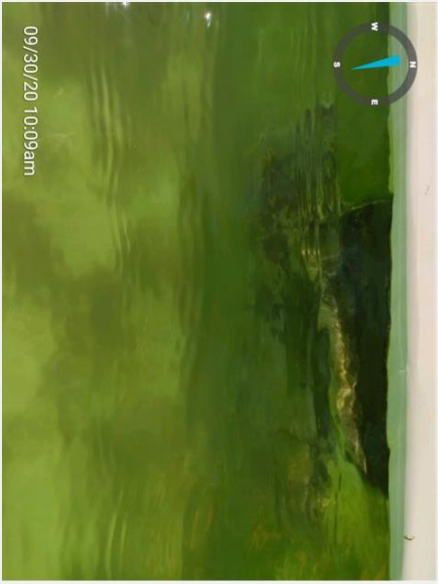
Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|--|----------|
| 9 |  | Damage (approximately 1500 x 500 mm) to PVC membrane inside pool at 4.6m from C2 | |
| 10 |  | Delamination of seams in PVC membrane (Typical) | |

Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|--|----------|
| 11 |  | Repaired gutter covers with Aluminium grate. Aluminium has started to corrode | |
| 12 |  | Wall target appears to have previous repairs and is bulging | |


Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|--|----------|
| 13 |  | Tear in PVC membrane in gutter at 6.7m from C3 | |
| 14 |  | Wall target bulging (typical) | |


Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|---|----------|
| 15 |  | Overview from C4 showing separation between concrete slab and gutter | |
| 16 |  | Overview from C4 showing separation between concrete slab and gutter and replaced gutter cover plates | |

Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|--|----------|
| 17 |  | Overview from C5 showing separation between concrete slab and gutter and replaced gutter cover plates | |
| 18 |  | Overview from C1 showing separation between concrete slab and gutter, damage to PVC membrane in gutter, missing gutter plates and replaced gutter cover plates | |



Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|---------------------------------|----------|
| 19 |  | Tears and rips within 7 m of C1 | |
| 20 |  | Tears and rips within 7 m of C1 | |

Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|---------------------------------|----------|
| 21 |  | Tears and rips within 7 m of C1 | |
| 22 |  | Tears and rips within 7 m of C1 | |

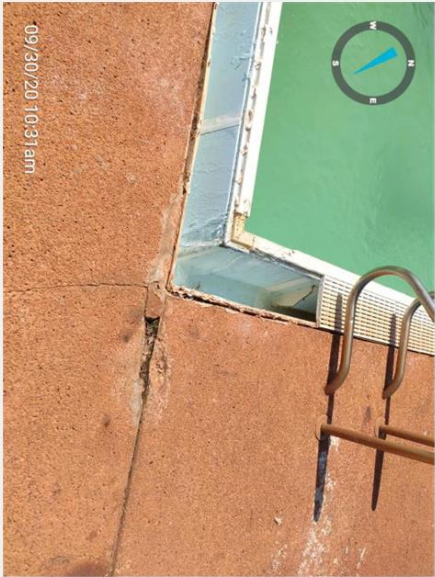

Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|--|--|
| 23 |  | Overview of wall swimming pool between C1 and C2 showing missing gutter cover plates | Note the large amount of air in waterflow of some outlets. This indicates leak in pipe filtration system Some wall outlets do not appear to function, indicating blockage in pipe system. |
| 24 |  | Ripped and teared PVC membrane. Note the good condition state of the Stainless-Steel Wall (gutter) | |


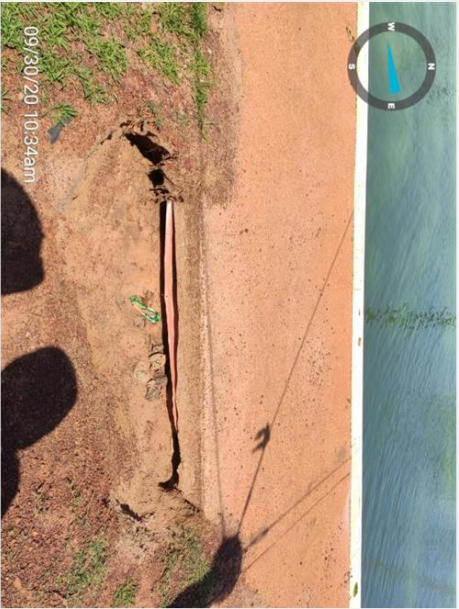
Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|------------------------|---|
| |  | | |
| 25 |  | Slab - Cracking at C1 | Slab does not show signs of differential settlement |



Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|---|----------|
| 26 |  | Slab – spalling and cracking at C2 | “ |
| 27 |  | Slab – cracking and previous repair at C3 | “ |



Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|-------------------------------------|--------------------------------|
| 28 |  | Slab – cracking at C4 | " |
| 29 |  | Slab – hole in ground adjacent slab | " Slab depth measured 180mm |



Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|---|---|
| 30 |  | Backwash tank – tank has no visible damage other than some scratches and minor dents. | No water running over street below tank was noticed |
| 31 |  | Pipe between planterbox and backwash tank – no visible damage | |

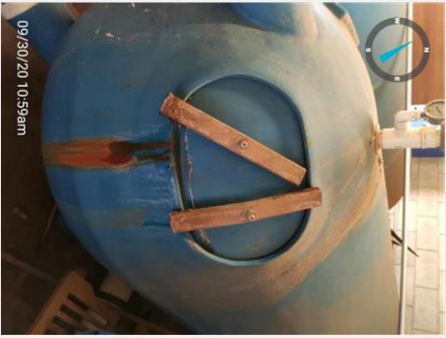

Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|--|----------|
| 32 |  | Suction pipe from balance tank to plant room- soft, wet soil indicating leak | |
| 33 |  | Depression in soil near suction pipe – indicating loss of material potentially as a result of leaking pipe | |


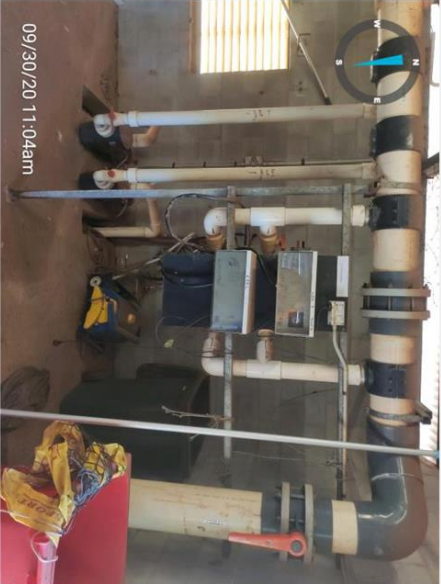
Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|--|---|
| 34 |  A photograph showing a concrete wall in a plant room. A vertical crack is visible in the wall near the entrance of a suction pipe. The wall is light-colored and shows signs of weathering. A green plant is visible in the foreground. | Cracking in wall near entrance of suction pipe in plant room indicating a loss of soil support and differential settlement | No other cracking in plantroom walls was detected. In slab some cracking near suction valve detected (no photo) |
| 35 |  A photograph showing a plantroom with a chlorinator. The chlorinator is a white cylindrical device with a red cap, mounted on a metal frame. It is connected to a network of pipes. The room has a concrete floor and walls. | Plantroom-chlorinator not working and disconnected. | |

Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|--|---|
| 36 |  | Plantroom – sand filter appears to be operational and working | 27 kPa operating pressure for both filters |
| 37 |  | Plantroom -sand filter manhole plate handle(s) severely corroded | if internal pressure in filter is nil (no operation), plate may dislodge causing safety issue when restarting operation and not detected. |


Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|---|----------|
| 38 |  09/30/20 11:04am | Plantroom – frame for Chlorinators has severe corrosion at bottom | |
| 39 |  09/30/20 11:04am | Same as 38, overview of Chlorinators | |



Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|--|---|
| 40 |  | Plantroom – sand filter specification. | Note that maximum operating pressure is 200 kPa |
| 41 |  | Plantroom – roof sheeting above chlorinators rusting. Possibly as a result of aggressive substances released through valve | |



Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|--|----------|
| 42 |  | Plantroom – roof structure from inside in fair condition state (except damage under item 41) | |
| 43 |  | Plant Room – Water features pumps not running | |

Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|---|--|
| 44 |  | Plantroom - overview | Piping appears to be in fair condition state with no visible leaks |
| 45 |  | Amenities block – overview from outside | |

Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|---|---|
| 46 |  | Amenities block – damaged showers and tiles (typical for all showers) | No visible settlements or cracking from inside. |
| 47 |  | Amenities block – overview from inside | Walls, floor and roof appear to have no cracking or damage, however, rocks on roofs will almost certainly have caused paint damaged |

Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|---|--|
| 48 |  | Amenities block – men's toilet, door locked/jammed no entrance | |
| 49 |  | Amenities block – back corner of Ladies- large differential soil settlement visible 55 mm at ladies and tapering to approximately 35mm halfway between ladies and men's | Note the concrete wall cantilever and support the roof |

Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|--|----------|
| 50 |  | Amenities block – overview of settlement described under Item 49. | |
| 51 |  | Amenities block – backside – settlement as per item 49 - slab has broken its back at separation wall | |



Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|---|--|
| 52 |  | Amenities block – back corner of men's- concrete damage | As per Item 49, the slab has undergone large settlement/rotation possibly causing the damage. |
| 53 |  | Amenities block - backside overview from men's to ladies – large soil settlements near ladies visible | |

Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|--|--|
| 54 |  | Amenities block – backside overview from ladies to men's | Note the separation wall between men's and ladies. |
| 55 |  | Shade structure – some holes in roof and roof damaged by rocks. Structural Frame in fair condition state with minor rust spots | |

Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|--|--|
| 56 |  | Shade structures – hole in roof. | Likely caused by rocks thrown on roof (rocks are visible on the roof). |
| 57 |  | Slab under shade structure and on balance tank. Some cracking but appears to be in fair working condition. | Balance tank is confined space and underside slab has not been inspected |

Appendix C Inspection Photo and Descriptions

| Photo ID | Photo: | Condition Description: | Comment: |
|----------|--|--|--|
| 58 |  | Shade sail posts- posts appear to be in fair condition and have only minor visible corrosion | Bottom side buried in ground and not inspected |
| 59 |  | Demountable office building – visible damage on outside as a result of vandalism. | Door locked and no inspection on inside |

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CatholicCare NT

Wednesday 17 February 2021

Troy Pollard
Community Service Manager
Westdaly Regional Council
Wadeye NT 0822
Email: troy.pollard@westdaly.nt.gov.au

Letter of Support – Wadeye Swimming Pool Funding Application

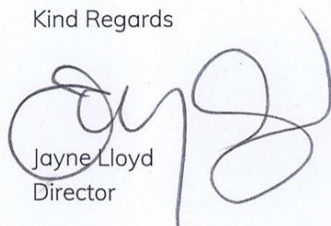
Dear Troy

CatholicCare NT is pleased to support the Westdaly Regional Council in their application seeking funding to reinstate the Wadeye Swimming Pool.

CatholicCare NT has been providing programs and services in the Wadeye community for the past 19 years and has a thorough understanding of the complexities and need for supports in the community. CatholicCare believes that reinstating the Wadeye Swimming Pool will be of great benefit in contributing to the health and wellbeing of the people of Wadeye.

CatholicCare NT wishes the Westdaly Regional Council success in its application for funding of the Wadeye Swimming Pool.

Kind Regards


Jayne Lloyd
Director

Darwin (Head Office)
17 Hidden Valley Road
PO Box 132
Berrimah NT 0820
phone 08 8944 2000
darwin@catholicarent.org.au

Malak
PO Box 132
Berrimah NT 0820
phone 08 8944 2000

Palmerston
PO Box 3081
Palmerston NT 0831
phone 08 8932 9977

Alice Springs
PO Box 1821
Alice Springs NT 0871
phone 08 8958 2400

Amata 08 8956 7217
Finke 08 8956 0475
Indulkana 08 8670 1069
Santa Teresa 08 8956 0437
Titjikala 08 8956 0640

Jabiru
PO Box 20
Jabiru NT 0886
phone 08 8979 2266

Katherine
PO Box 919
Katherine NT 0851
phone 08 8971 0777

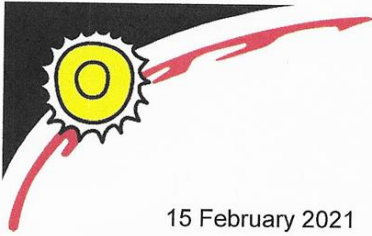
Naiyu/Daly River
PMB 28
Daly River NT 0822
phone 08 8978 2876

Tennant Creek
PO Box 1134
Tennant Creek NT 0861
phone 08 8962 3065

Wadeye
Port Keats
c/o PO Winnellie 0822
phone 08 8978 2515

Wurrumiyanga
Bathurst Island
c/o PO Winnellie 0822
phone 08 8978 3921

catholicarent.org.au



15 February 2021

[ADDRESS]

By email:



Dear West Daly Regional Council

Re: Wadeye Pool

With our capacity as traditional landowners of Wadeye, we would like to support West Daly Regional Council in their efforts to get the pool operational again.

The pool is a great asset that has many health benefits for members of our community. It also provides an important leisure alternative for all members of our community.

We know this is an important asset for our people and thank the WDRC for your efforts to further develop the pool and fully support these efforts moving forward.

Yours sincerely

[Ralph Narbururp]

[Chairman]

Kardu Diminin Corporation

Ralph Narbururp
~~STEPHEN BUNDUCK~~

STEPHEN BUNDUCK

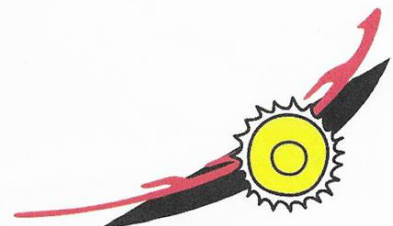
Paschal Kolumbop

Margaret Perdyert

Cornelius Mollingin

Lionel Dulla

*Kardu Diminin - ngarrampirnturt ngumpan, marra i da kurran kathu
 Kardu Diminin - lifting up all people, today and into the future*



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 24 FEBRUARY 2021

Report for Agenda Item No 7

Prepared by **Troy Pollard, Community Services Manager, Wadeye**

Wadeye Community Service Manager Report

Purpose

The purpose of this report is to inform Council of council projects and services within the Wadeye community.

Events and Activities

WDRC conducted Australia Day celebrations, unfortunately this was rained out. We did manage to cook up approximately 350 steak sandwiches for the community and operate a couple of kid's games on the day.

Community Issues.

We have seen some great rainfall over the past few month with this comes the problems of roads washing out, large bog holes in main roads, pot holes popping up everywhere and grass growing out of control.

I have been asked by many of the community members for council to mow and whipper snip their private house yard. This is a service WDRC use to provide for a fee. At the present time the civil crew cannot keep up with the general community areas we normally service such as parks, road sides and council business areas. If we go down this track of mowing private yards Wadeye civil crew will certainly not be able to keep on top of the work they have.

I have stopped the collection of cars to be taken to the dump simply due to the softness of people's yards. We have had several machines bogged in people's yards trying to collect vehicles to be taken to the dump.

Community Night Patrol

The Wadeye CNP team leader has resigned and we are in the process of filling this position. Wadeye CNP now have eleven staff members to perform the patrols.

The CNP Hiace mini bus is in need of repairs and will hopefully be fixed this week. Nightly patrols are still being carried out with the two remaining vehicles.

Core Services

The Wadeye civil crew have been working hard over the past few months.

They have been making there way around the community collecting large piles of rubbish that has been dumped along the sides of roads and in open spaces. At the same time whipper snipping and slashing their way through Wadeye, Manthathpe and Nilinh trying to keep on top of the fast growing grass.

Daily household and commercial rubbish collection is being performed.

Road Maintenance

Once we receive a break in weather enough to dry out all the potholes around the community the civil staff will start repairing them with bitumen.

We have a lot more bollards to install around the community, this will happen once the civil crew get on top of more important works.

Projects

The council's staff accommodation at lots 391 and 392 that were vandalised over the 2019 Christmas period have now been repaired.

The crank top for the new pool fence has arrived in community. We are now waiting for the contractor to install.

The refurbishment works to the pools ablution block has been now completed.

The contractors upgrading the road from the end of Perdjert Street to the airport entrance have stopped work due to the wet. Once all the rain stops they will be back to complete the works.

The Bucket Broom for the skid steer has arrived in community. We will be training the staff in how to operate this equipment.

Swimming Pool

The Wadeye swimming pool is still not up and running, we have received the overflow edge grates they will need to be installed and the pool cleaned before we can allow the school to use the facility.

Libraries and Culture

We have upgraded the look of the library with some new paint, desks, seating and book shelves to make it more inviting to the community and visitors.

Port Keats Aerodrome

Just before Christmas the Wadeye airstrip was hit with a lightning strike. This caused every light bulb to blow and damaged eighteen transformers along the airstrip. A purchase order has been raised for the repair works. We are now waiting for the materials to arrive into community.

In an emergency WDRC has lights that can be deployed to enable Careflight to land at night.

Recommendation

- 1. That Council receives and notes the Community Services Manager's report for Wadeye**

Attachments

There are no attachments for this report.

WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 24 FEBRUARY 2021

Report for Agenda Item No 8

Prepared by John Harpley, Community Services Manager

Community Services Manager Report For Nganmarriyanga & Peppimenarti

Purpose

To inform Council of council projects and services within the Nganmarriyanga & Peppimenarti community.

Events and Activities

WDRC Australia Day Celebration was impacted by the monsoon, this prevented us from holding our anticipated Colour Run, Traditional Dancers, BBQ and other events in both Nganmarriyanga and Peppimenarti. This was unfortunate however in the interest of community safety we felt it best to at first postpone and eventually cancel the events in both communities. We will look to hold the colour run and community BBQ at a later date as part of another event as the community defiantly looks forward to this.

Community Issues

Nganmarriyanga – Since Boxing Day 2020 the entire community of Nganmarriyanga has been dealing with ongoing and regular Telstra mobile outages. This has placed a large amount of extra pressure on the Libraries NT and DHS WIFI services as well as the public and WDRC phone services, these issues for the most part have seemed to be in the Darwin Exchange and due to hardware failure on the Telstra side of the infrastructure. A lack of mobile coverage has presented a number of challenges not only in communication but also for obtaining fuel from the store and obtaining Power cards at the store for the local houses. We do not yet have any real idea as to when these outages will stop or when we can expect a more reliable level of service. Vehicle access between Nganmarriyanga and Darwin is completely cut off due to water and access Between Wadeye and Peppimenarti is by 4x4 only and very dependent on weather conditions.

Peppimenarti – The WDRC in Peppimenarti has endure many varied challenges since December. It is a credit to the Team Leaders and the team in general that they have stuck together and managed to deliver most if not all of the council services at the very highest level. Vehicle and machinery breakdown or unavailability, roads heavily impacted by water, and exceptionally low staffing levels have created a perfect storm where a lot of other teams would have disintegrated. The team here have worked exceptionally hard to maintain Centrelink, Post and banking transfers services along with rubbish collection and when weather has permitted parks and gardens maintenance.

CNP has struggled, with the vehicle being unavailable due to parts availability, and low staff levels as has the civil team.

The newly installed flood way on the Peppimenarti access road suffered extreme water erosion requiring WDRC to close the access due to safety concerns however this closure has been largely ignored. WDRC has enlisted Murin to remediate this issue and make the flood way safe to cross again and they are due in community within the next few days.

Staffing

Nganmarriyanga – I am pleased to advise both our Civil and CNP team are now at full strength, with WDRC recently employing a new team member for each. It's been wonderful to see how well the new members have fit into the teams and lived up to our core values and expectations.

Peppimenarti – Early in the New Year a number of members of the WDRC Nganmarriyanga team commenced regular visits to Peppimenarti to assist with training, and council service delivery due to the huge challenge faced with low staff levels in community. During this time we recruited 2 x new members for the Civil team and will shortly finish the recruitment process for CNP team. The new members of the team in Civil are both long term local community members and have been instrumental in upholding WDRC core values and getting all works caught up and in some areas in front.

Projects

Nganmarriyanga:

- The Softball Field is all but completed, seeding will take place as we draw closer to the end of the wet as will the cutting of the access road.
- Football field fencing while ordered is yet to commence due to contractor access
- Both fixed and removable safety bollards have arrived in community and will commence installation once weather permits
- Wheelie Bin holders are due in community late February early March and installation will commence immediately.
- Shade and seating area for Cemetery 2 of 3 required quotes have been received and a decision on supplier is imminent.
- Installation of Ablution Blocks on Football Field. One contract has returned and requested further information, upon receiving this information it appears WDRC need to enlist the services of a Hydraulic Engineer, investigations into this are ongoing.

Peppimenarti:

- Repairs to the floodway on the access road due to commence between 18th and 25th February

Core/Infrastructure Services

Public and Street Lighting

Both Communities, No issues reported, all operational.

- **Local Emergency Management**

Nothing To Report, regular contact with Police from Wadeye and Peppimenarti regarding water levels should flooding of low lying areas be imminent. A huge thankyou to the team from TDC CDEP in Nganmarriyanga for their assistance in filling over 300 sand bags in readiness for flooding should they be needed.

- **Maintenance Buildings and Fixed Assets**

Nothing to Report

- **Cemetery Assistance**

Nothing to report

- **Swimming Pool**

Peppimenarti – Members from Deewin Kirim are currently maintain pool hygiene levels and providing supervised times to admit community members to make use of facility.

- **Animal Welfare and Control**

Crocodiles have been witnessed in the billabong in Nganmarriyanga and at the 2nd creek crossing, locals have been made aware of their presence and advise not to enter the water. Wild horses continue to roam both communities however present no real issues at this time.

- **Local Road Maintenance**

Nganmarriyanga – Local & Homeland sealed and unsealed road heavily impacted by rain and standing water it is not safe to attempt repairs as yet given the risk of bogging machinery on unsealed roads is too great. Once we start heading into the dry season WDRC will assess and repair based on severity of damage and regularity of access or use.

Peppimenarti - Local & Homeland sealed and unsealed road heavily impacted by rain and standing water it is not safe to attempt repairs as yet given the risk of bogging machinery on unsealed roads is too great. Once we start heading into the dry season WDRC will assess and repair based on severity of damage and regularity of access or use.

- **Traffic Management on Local Roads**

Peppimenarti access road currently closed at new flood way due to water damage and erosion, Murin contracted to perform repairs works due any day now.

- **Waste Management and Litter Control**

Nganmarriyanga - WDRC operates the rubbish collection for community Mondays and Fridays weekly for general rubbish, the civil team also

where possible perform clean-up of Community common areas such as parks and road sides.

Once the Dry season kicks in we will again need to perform old / derelict vehicle removal and disposal. Dates for this will be advertised.

Peppimenarti – WDRC operates rubbish collections for community Tuesdays and Thursdays, the team also perform clean-up of Community Common areas such as parks and roadsides as required.

Once the Dry season kicks in we will again need to perform old / derelict vehicle removal and disposal. Dates for this will be advertised.

- **Plant and Equipment**

Nganmarriyanga – The wet season has presented some real challenges to our fleet and fleet maintenance, from late December through to early February WDRC has faced having only 1 and at times no operating light vehicles making travel in and around community and between our communities very difficult. Plant wise we have been able to maintain serviceability of all essential mobile plant.

Peppimenarti - Similarly since mid-January WDRC has had to manage with one 1 serviceable light vehicle in operation, while also facing the challenge of its loader being in Darwin for major mechanical works and the backhoe breaking down. WDRC has however managed to ensure all waste management services and where possible moving / slashing services have been completed by where possible substituting machinery.

- **Airport Maintenance**

Nganmarriyanga - WDRC continues to maintain the airfield, with Slashing, and general repairs where required as identified through 2 weekly ARO checks.

Peppimenarti – ARO services for 2 x weekly checks performed by WDRC staff based in Nganmarriyanga visiting the airfield each Tuesday and Thursday (roads permitting)
There was a delay in getting slashing / mowing of the airfield done due to low staff and machinery access however early January WDRC staff from the Nganmarriyanga Civil team including their ARO and CSM attended and with the assistance of the Peppimenarti Civil team over the space of 5 days slashed, whipper snipped and mowed all areas accessible due to water.

Commendation – We need to commend the efforts of the teams on the ground in both Peppimenarti and Nganmarriyanga, for the manner they have conducted themselves in recent times. The team in Peppimenarti have had minimal staff and resources, yet have still managed to come together to service their community and the Nganmarriyanga team has stepped up both in Nganmarriyanga and when asked to in Peppimenarti to assist wherever possible. From the point of view of the CSM it has been rewarding to see both teams work so hard together to ensure the community is looked after and services are still running so well done to all involved.

Impact for Council

Information purposes.

Recommendation

1. That Council receives and notes the Community Services Managers report from Nganmarriyanga.

Attachments

There are no attachments for this report.

WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 24 FEBRUARY 2021

Report for Agenda Item No 9

Prepared by **Rebecca Purser, Manager Corporate**

LGANT - Call for Nominations - Place Names Committee

Purpose

This is a call for nominations to represent LGANT on the Place Names Committee.

Background

This position is by Ministerial appointment and is open to elected members.

Current membership and meetings information:

The Place Names Committee for the Northern Territory is established under section 5 of the [Place Names Act 1967](#).

Research and administrative support for the Committee is provided by the Department of Infrastructure, Planning and Logistics.

The Committee has four members that are appointed by the Minister for Infrastructure, Planning and Logistics.

Current members of the Committee are:

| Position | Name | Representation |
|-----------------|------------------|--|
| Chairperson | Samantha Wells | Community based member |
| Member | Katrina Fong Lim | Community based member |
| Member | Ronald Plummer | Selected from nominations made by the Local Government Association of the NT |
| Member | Robert Sarib | Surveyor-General - ex-officio Member |

Committee meeting dates

Meetings of the committee are scheduled four times a year. However, the committee also meets outside of the scheduled meetings to consider requests as needed.

The next meeting is on Tuesday 16 March 2021 - closing date for online submission of complete requests is on Friday 19 February 2021.

Why place names are important:

Place names are our primary way of identifying different places, be it in cities, towns or out in nature.

Ensuring consistency and accuracy is essential to effective communications, orderly development, and public safety.

Place names must also be enduring to avoid confusion.

Place naming provides a unique opportunity to record the history and stories of the Northern Territory and to commemorate people who have contributed to its development, and supported its communities.

One of the principle guidelines applied by the Committee when considering whether to recommend a name to the Minister is its association with the Northern Territory.

Place names are also a pivotal part of Aboriginal culture and history. The identification of geographic features using their original Aboriginal names is:

- a way of showing respect for Aboriginal culture, tradition and songlines
- an important part of the reconciliation process.

The use of Aboriginal language words in other types of place names (such as roads) also provides an excellent opportunity to elevate knowledge of the many first languages of the Northern Territory.

Nominations close on 7 March 2021.

Recommendation

- 1. That Council That Council chooses to nominate _____ to be on the Place Names Committee; OR**
- 2. That Council does not wish to nominate a representative at this time.**

Attachments - Nomination Form

LOCAL GOVERNMENT ASSOCIATION OF THE NORTHERN
TERRITORY

NOMINATION FORM



PLACE NAMES COMMITTEE

COUNCIL NAME:

1. Agreement to be nominated

I, _____ agree to be nominated as a
(name in full)

member of the ***PLACE NAMES COMMITTEE***.

Signature: _____ Date: _____

2. Council Confirmation of Nomination

I, _____ the Chief Executive Officer

hereby confirm that _____

was approved by resolution of Council to be nominated as a member of the
PLACE NAMES COMMITTEE at a meeting held on / /2021

Signature: _____ Date: _____

3. Nominee's Contact Details

Email address: _____

Phone No: _____

4. Nominee Information

The following information is required to enable the Executive to make an informed decision. If you want to submit further information, please attach it to this form.

4.1 What is your current council position? _____

4.2 How long have you held your current council position? _____

4.3 Please list your educational qualifications:

4.4 What experience do you have that is relevant to this committee?

4.6 Apart from your current position what other experience have you had in local government?

5. **You agree to supply the Executive with a report on the committee meetings you attend?**

I agree ☐ I Disagree ☐

6. **Have you read and agree to the Outside Committee procedures**

Yes ☐

WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 24 FEBRUARY 2021

Report for Agenda Item No 10

Prepared by **Rebecca Purser, Manager Corporate**

LGANT - Call for Nominations - Local Government Training and Learning Strategy Committee (TALSC)

Purpose

LGANT is calling for nominations for a Local Government Training and Learning Strategy Committee (TALSC) which is being organised by the Division of Local Government, Department of Chief Minister and Cabinet.

Background

The role of the Committee will be to advise on/develop the Training and Learning Strategy which will govern the Department's development of learning resources (including resources for mandatory training) into the future.

Membership of the Committee is intended to be:

| Training and Learning Strategy Committee | | |
|--|-----------|----------------------|
| Executive Director Local Government and Community Development (The Department of Chief Minister and Cabinet) | 1 Chair | Nominated by CM&C |
| Legislation representative (The Department of Chief Minister and Cabinet) | 1 Member | Nominated by CM&C |
| Senior Capability Development Officer (The Department of Chief Minister and Cabinet) | 1 Member | Nominated by CM&C |
| LGANT Representative | 1 Member | Nominated by LGANT |
| 4 Representatives Regional and Shire Councils | 4 Members | Nominated by LGANT |
| 2 representatives Municipal Councils | 2 Members | Nominated by LGANT |
| Representative Industry Skills Advisory Council NT | 1 member | Nominated by ISAC NT |
| ICAC | 1 member | Nominated by ICAC |

| | | |
|---------------|----|--|
| Total members | 11 | |
|---------------|----|--|

A Terms of Reference document will be sent to all committee members for discussion at the first meeting.

Recommendation

- 1. That Council chooses to nominate _____ to be on the committee for the Local Government Training and Learning Strategy Committee; OR**
- 2. That Council does not wish to nominate a representative at this time.**

Attachments

- 1** Template Form

LOCAL GOVERNMENT ASSOCIATION OF THE NORTHERN
TERRITORY

NOMINATION FORM



TRAINING AND LEARNING STRATEGY COMMITTEE

COUNCIL NAME:

1. Agreement to be nominated

I, _____ agree to be nominated as a
(name in full)

member of the ***Training and Learning Strategy Committee.***

Signature: _____ Date: _____

2. CEO Confirmation of Nomination

I, _____ the Chief Executive Officer

hereby approve _____

to be nominated as a member of the ***Training and Learning Strategy Committee.***

Signature: _____ Date: _____

3. Nominee's Contact Details

Email address: _____

Phone No: _____

4. Nominee Information

The following information is required to enable the Executive to make an informed decision. If you want to submit further information please attach it to this form.

4.1 What is your current council position? _____

4.2 How long have you held your current council position? _____

4.3 Please list your educational qualifications:

4.4 What experience do you have that is relevant to this committee?

4.6 Apart from your current position what other experience have you had in local government?
