



MEETING OF COUNCIL

WEDNESDAY, 27 JULY 2022

9:00 AM

Held at the West Daly Regional Council Chambers
WINNELLIE NT

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

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

info@westdaly.nt.gov.au

or phone: 08 7922 6403

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AGENDA

West Daly Regional Council Council Meeting

WEDNESDAY, 27 JULY 2022

**WEST DALY REGIONAL COUNCIL CHAMBERS,
(WINNELLIE) NT**

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

PRESENT APOLOGY AND LEAVE OF ABSENCE

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

Staff:

Name	Title	Present	Apology	Absent
Matthew Eastham	CEO			
Andrew Everingham	COO			
James Cartwright	CFO			
Renaë McGarvie	CPSO			
Sharon Binns	Minute taker			
Migari Wijayasekara	Senior Accountant			

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DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF

Are there any disclosure of interest to declare on matters in this agenda?

GENERAL BUSINESS

Are there any matters of general business not listed on agenda?

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CONFIDENTIAL

20 Confidential Meeting Minutes 19 May 2022

The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(d) of the Local Government (General) Regulations 2021. It contains information subject to an obligation of confidentiality at law, or in equity. (Confidential minutes).

21 Audit and Risk Management Committee Confidential Minutes

The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(s99(4) of the Local Government (General) Regulations 2021. It contains information of auditing nature and is to be conducted in private. (Private meeting).

22 CEO - Key Result Areas (KRA)

The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(a) of the Local Government (General) Regulations 2021. 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 (Employment in confidence).

23 Mutchirr Local Decision Making Agreement

The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(d) of the Local Government (General) Regulations 2021. It contains information subject to an obligation of confidentiality at law, or in equity. (Confidential matter).

24 Local Roads and Community Infrastructure Program 2022-23 Grant Agreement

The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(i) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person. (Grant Agreement).

25 Community Night Patrol 2022-23 Extension

The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(i) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person. (Contains legal agreement).

26 Conflict of Interest Disclosure - Peppimenarti Conference Facility

The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(i) (c)(iv) (a) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.; AND information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.; AND information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual (CEO and CFO Conflict of Interest).

27 CEO Annual Leave

The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(a) of the Local Government (General) Regulations 2021. 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 (Employment in confidence).

28 CEO Personal Leave

The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(a) of the Local Government (General) Regulations 2021. 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 (Employment in confidence).

29 Finance Committee minutes - Confidential

The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(iii) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to prejudice the security of the council, its members or staff. (Confidential).



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 1

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

Confirmation of previous minutes

Purpose

To ensure Council members have read and understood the minutes of previous meetings when making decisions for Council.

Background

Minutes of the 19 May 2022 Ordinary Council meeting and 27 May and 23 June 2022 Special Ordinary Council Meeting are submitted to Council for confirmation that those minutes are a true and correct record of the meeting.

Statutory Environment

Sections 101 and 102 *Local Government Act 2019*.

Impact for Council

To accept the minutes as a true record and future actions approved.

Strategic Alignment

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

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

Recommendation

- 1. That Council approve the Minutes of 19 May 2022 as a true record of the meeting.**
- 2. That Council approve the Special Ordinary Council Minutes of 27 May 2022 as a true record of the meeting.**
- 3. That Council approve the Minutes of 23 June 2022 as a true record of the meeting.**

Attachments

- 1** OCM 19 May 2022
- 2** Special Meeting 27 May 2022
- 3** Special Meeting 23 June 2022



MINUTES OF THE COUNCIL MEETING
HELD IN THE WEST DALY REGIONAL COUNCIL
1/4 ALBATROSS STREET WINNELLIE NT 0820
ON THURSDAY, 19 MAY 2022
AT 10:00 AM

Mayor Ralph Narburup opened the meeting at 9:54am

PRESENT, APOLOGY AND LEAVE OF ABSENCE

Elected members:

Name	Title	Present	Apology	Absent
Ralph Narburup	Mayor	X		
Wilfred Harris	Deputy Mayor	X		
Mark Tunmuck-Smith	Councillor	X		
John Wilson	Councillor	X		
Terry Sams	Councillor	X		
Jake Clark	Councillor	11:02am	X Late	

Staff:

Name	Title	Present	Apology	Absent
Matthew Eastham	CEO	X		
Andrew Everingham	COO		X	
James Cartwright	CFO	X		
Renae McGarvie	CPSO		X	
Rebecca Fauntleroy	EA to CEO and Mayor	X		
Sharon Binns	Minute taker	X		
Migari Wijayasekara	Senior Accountant	X		

GUESTS

Sean Holden	CEO LGANT
Jocelyn Cull	Senior Governance Advisor LGANT
Peter McLinden	Director Member Services and Infrastructure LGANT

DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF

There were no declarations of interest at this Council Meeting.

CONFIRMATION OF PREVIOUS MINUTES**1) Confirmation of previous Ordinary Council meeting minutes**

039/2022

Motion:

1. That Council approve the Minutes of 17 March 2022 as a true record of the meeting.
2. That Council approve the Special Ordinary Council Minutes of 10 May 2022 as a true record of the meeting.

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

Confirmation of Finance Committee meeting minutes

040/2022

Motion:

1. That Council note and accept the Finance Committee meeting minutes for 28 April 2022.

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

BUSINESS ARISING FROM PREVIOUS MINUTES**2) Action items of Council**

041/2022

The Local Authorities vaccination certificates is still outstanding with Elected Members to speak to members.

CPSO will speak to school about work experience opportunities for students.

Of note, the normal service delivery business is under increasing stress due to community unrest, therefore actions may be delayed.

Motion:

1. That Council notes and accepts the Action report.

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

AGENDA ACCEPTANCE**3) Acceptance of Agenda**

042/2022

Sharon spoke to her report.

Motion:

1. **That the agenda papers for the Ordinary Council meeting held on 19 May 2022 as circulated prior to the meeting in accordance with the *Local Government Act 2019* be received for consideration at the meeting.**

Moved: Cr. Wilson

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

REPORTS**4) Financial Report - April 2022**

043/2022

Migari spoke to the report.

Discussion around cost of insurance, workers compensation, mental health and wellbeing of our people with issues in community.

Motion:

1. **That Council receives and notes the Financial Report for April 2022.**

Moved: Cr. Tunmuck-Smith

Seconded: Cr. Wilson

Resolution: Unanimously

5) Reforecast Budget - 2021-22

044/2022

James spoke to the report.

Discussion occurred around the figures with Council being in a good financial position.

Motion:

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

Cr Mark Tunmuck-Smith left the meeting, the time being 10:35 AM

Cr Mark Tunmuck-Smith returned to the meeting, the time being 10:40 AM

Moved: Cr. Sams

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

6) Council Fees & Charges 2022-23

045/2022

James spoke to the report.

Amendment on page 54 Commercial Waste - **change** from hour to load or unit.

Community stakeholders who wish to use the waste management facility will have to complete a form and notified in the new financial year of charges for using the facility.

Motion:

1. **That Council approves the draft Schedule of Fees and Charges for the 2022-23 financial year subject to amendment.**
2. **That Council approves the inclusion of the Schedule of Fees and Charges in the Draft 2022-23 Regional Plan.**

Moved: Cr. Sams

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

7) CEO Rates Certification 2022

046/2022

James spoke to his report.

Motion:

1. **That Council receives and accepts the attached signed CEO Certification.**

Moved: Cr. Wilson

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

Cr Jake Clark arrived and joined the meeting 11:02am

8) Australian Local Government Association National General Assembly 2022

047/2022

The CEO spoke to his report.

The Mayor informed Council that he nominates Councillor John Wilson to attend along with the Deputy Mayor due to illness.

Discussion occurred and Council agreed.

Motion:

- 1. That Council approves Mayor Councillor John Wilson, Deputy Mayor, CEO and members of the Executive (CEO discretion) to attend the Australian Local Government Association National General Assembly to be held in Canberra on 19-22 June 2022**

Moved: Cr. Sams

Seconded: Cr. Tunmuck-Smith

Resolution: Unanimously

9) LGANT Constitution

048/2022

Rebecca spoke to the report.

The CEO Sean Holden spoke about the Constitution changes.

Motion:

- 1. That Council note the constitutional briefing from the LGANT CEO.**

Moved: Cr. Sams

Seconded: Cr. Wilson

Resolution: Unanimously

10) Local Authority Minutes and Recommendations

049/2022 Sharon spoke to the report.

Motion:

1. That Council receives and notes the minutes from the Wadeye Local Authority Meeting held on 21 April 2022.
2. That Council approves the amount of \$40,000 to assist with the purchase of an All-Terrain Vehicle as requested in the Wadeye Local Authority meeting.
3. That Council approves the amount of \$15,000 to assist with the purchase and planting of mature trees as requested in the Wadeye Local Authority meeting.
4. That Council approves the amount of \$30,000 to assist with the purchase and installation of a 'Big Ass Fan' and flood lighting for the recreation hall as requested in the Wadeye Local Authority meeting.
5. That Council receives and notes the minutes from the Palumpa Local Authority Provisional Meeting held on 22 April 2022.

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

11) Local Authority membership numbers and meetings decline

050/2022 Sharon spoke to the report.

Motion:

1. That Council notes the report on Local Authority membership.
2. That Council approve the Wadeye Local Authority having 14 Members.
3. That Council approve the Peppimenarti Local Authority having 14 Members.
4. That Council approve the Palumpa Local Authority having 14 Members.
5. That Council notes the Local Authority meetings report identifying meetings that are cancelled, provisional or had a quorum due to COVID or community unrest.

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

12) Audit and Risk Management Committee membership

051/2022 Sharon spoke to the report.

Motion:

- 1. That Council appoints Terry Sams as an Elected Member to the Audit and Risk Management Committee.**

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

13) Peppimenarti and Palumpa-Wadeye Splash Pads - ABA Funding

052/2022 James spoke to the report.

Change title from **Peppimenarti and Wadeye Splash pads** not Palumpa.

It is not feasible to continue due to the increased costs.

Swimming pool was discussed and recreation for kids in community.

Cr Mark Tunmuck-Smith left the meeting, the time being 11:25 AM

Cr Mark Tunmuck-Smith returned to the meeting, the time being 11:26 AM

Motion:

- 1. That Council approves the CEO to write to NIAA declining the funding for the Peppimenarti and Wadeye Water Park.**
- 2. That Council approves the CEO to negotiate with NIAA to renegotiate the funding.**

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

14) Service Delivery

053/2022

The CEO spoke to the report on behalf of the COO.

Cr. Wilson asked about the Causeways built by Roads to Recovery fund. The CEO advised we got emergency relief with Council being asked to fund a portion; to be negotiated.

To clarify for Council the Airport is checked twice a day, being morning and evening.

Cr Jake Clark left the meeting, the time being 11:41 AM

Cr Jake Clark returned to the meeting, the time being 11:43 AM

Cr John Wilson left the meeting, the time being 11:43 AM

Cr John Wilson returned to the meeting, the time being 11:46 AM

Motion:

- 1. That Council receives and notes the Chief Operations Officer report.**

Moved: Cr. Harris

Seconded: Cr. Sams

Resolution: Unanimously

15) Chief Executive Officer Report

054/2022

The CEO spoke to his report and stated that he appreciates the work done outside of normal hours to help with the transitional matters and end of financial year tasks. Well done team.

Motion:

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

Moved: Cr. Sams

Seconded: Cr. Clark

Resolution: Unanimously

GENERAL BUSINESS

CEO recommend that the Mayor puts forward to Council to pass the Draft Regional Plan.

15) Chief Executive Officer Regional Plan

055/2022

The CEO spoke to his report and stated that he appreciates the work done outside of normal hours to help with the transitional matters and end of financial year tasks. Well done team.

Motion:

- 1. That Council requests a Special Ordinary Council meeting next Friday 27 June 2022 to pass the Draft Regional Plan.**

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

Mayor Narburup closed the meeting for lunch at 12:03pm where Council will move to Confidential matters.

DECISION TO MOVE TO CLOSED SESSION**RECOMMENDATION:**

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

- 16 Confirmation of previous minutes** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(d) of the Local Government (General) Regulations 2021. It contains information subject to an obligation of confidentiality at law, or in equity. (Confidential minutes).*
- 17 Unincorporated regions of the Cox-Daly and Marrakai-Douglas Daly** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(iv) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person. (Confidential matter).*
- 18 Peppimenarti and Palumpa Solar Street Light Project** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(i) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person. (Commercial in confidence).*
- 19 Community Night Patrol Vehicle Upgrade** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(i) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person. (Commercial in confidence).*

- 20 **CEO - Key Result Areas (KRA) / CEO Remuneration Review / Contract of Employment** - The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(a) of the Local Government (General) Regulations 2021. 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 (Employment in confidence).
- 21 **Papangala Outstation - Community Planning & Development Project** - The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(i) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person. (Commercial In Confidence.).
- 22 **Outgoing Correspondence - Reply to Local Authority Review / Letter to Chief Minister** - The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(e) of the Local Government (General) Regulations 2021. It contains information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest. (Confidential Correspondence).
- 23 **Sunday Territorian media article - Local Government Association of NT (LGANT)** - The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(d) of the Local Government (General) Regulations 2021. It contains information subject to an obligation of confidentiality at law, or in equity. (Confidential matter).



MINUTES OF THE SPECIAL COUNCIL MEETING
HELD IN THE WEST DALY REGIONAL COUNCIL CHAMBERS
WADEYE NT
ON FRIDAY, 27 MAY 2022
AT 9:00 AM

Meeting opened by Mayor Narburup at 9:17am.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

PRESENT APOLOGY AND LEAVE OF ABSENCE

Elected members:

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

Staff members:

Name	Title	Present	Apology	Absent
Matthew Eastham via Zoom	CEO	X		
Andrew Everingham	COO	X		
James Cartwright via Zoom	CFO	X		
Renae McGarvie via Zoom	CPSO	X		
Rebecca Fauntleroy	EA to CEO and Mayor	X		
Sharon Binns	Minute taker	X		

Absence without notice

056/2022 .

It was noted by Council that Deputy Mayor Wilfred Harris was absent from the meeting after assurances of his attendance.

Council stated if the absence is due to an unforeseen circumstances then Council may revoke the resolution made if the member provides a reason to the council for the absence to the satisfaction of council subject to *Local Government (General) Regulations 2021* regulation 101(6).

Deputy Mayor Harris contacted after the meeting and informed his absence was beyond his control and apologised. Mayor Narburup accepted the notice as an apology and not an absence.

Motion:

- 1. Council notes the absence of Deputy Mayor Wilfred Harris at the Special Ordinary Council meeting held on 27 May 2022.**
- 2. In compliance with the *Local Government Act s47(1)(o)* and *Regulation 101* Absence without permission, it was noted that Deputy Mayor Harris was absent without permission**
- 3. Council instructs the CEO to notify the member in writing of the resolution within 7 days of this decision.**

Moved: Mayor Narburup
Seconded: Cr. Sams
Resolution: Unanimously

DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF

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

REPORTS**1) Draft Regional Plan 2022-23**

057/2022

Andrew spoke to the report.

The CEO informed there are minor edits to be done and by Monday we will have an updated plan on website.

Motion:

1. That Council authorises the release of the draft 2022-23 Regional Plan and Budget for public consultation.
2. That Council approves the draft 2022-23 Regional Plan pending ongoing minor edits.
3. That Council authorises the publishing of a notice on its website and in the NT News inviting written submissions on the draft Regional Plan and Budget 2022-23 for a period of 21 days.

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

2) Local Authority Allowance 2022-23

058/2022

Andrew spoke to the report.

Motion:

1. That Council set the allowance to Local Authority members for the 2022-23 financial year.
2. Council approves the inclusion of the Local Authority allowances in the 2022-23 regional plan.

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

The meeting closed at 9:37 am.

This page and the preceding pages are the unconfirmed minutes
of the Special Meeting of Council
held on
Friday, 27 May 2022
and are to be confirmed on the
Wednesday, 27 July 2022.



MINUTES OF THE SPECIAL COUNCIL MEETING
HELD IN THE WEST DALY REGIONAL COUNCIL CHAMBERS
WINNELLIE NT
ON THURSDAY, 23 JUNE 2022
AT 10:00 AM

MEETING OPENED by Mayor Narburup at 10:17am

PERSONS PRESENT , APOLOGIES AND LEAVE OF ABSENCE

Elected members:

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

Staff members:

Name	Title	Present	Apology	Absent
Matthew Eastham	CEO	X		
Andrew Everingham	COO	X		
James Cartwright	CFO	X		
Renae McGarvie	CPSO	X		
Sharon Binns	Minute taker	X		

DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF

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

REPORTS**1) Regional Plan 2022-23 approval**

056/2022

Renaë spoke to her report.

Motion:

1. That Council notes that no submissions were received from the public regarding the contents of the West Daly Regional Council – Regional Plan 2022-23.
2. That Council note a late submission was received by the Northern Territory Government regarding the contents of the West Daly Regional Council – Regional Plan 2022-23.
3. That Council approves and adopts the West Daly Regional Council – Regional Plan 2022-23 and all contents contained therein in accordance with section 35(1) of the *Local Government Act 2019* (the Act) and its statutory instruments including:
 - a. Elected Member Allowances in accordance with clause 7 of Ministerial Guideline 2A;
 - b. Declared Rates in accordance with sections 237 and 238 of the Act;
 - c. Budget for Financial Year 2022-2023 in accordance with section 203 of the Act.
4. That Council authorises the Chief Executive Officer to submit the approved and adopted version of the West Daly regional Council - Regional Plan 2022-23 to the Minister for Local Government.
5. That Council approve the Chief Executive Officer to develop KPI's that will be used for judging Councils performance against each Focus Area of the approved West Daly Regional Council - Regional Plan 2022-23 and that these be considered for approval by Council at the next OCM.
6. That Council approves the Chief Executive Officer to develop a statement of major initiatives that Council proposes to undertake during the period for which the Long Term Financial Plan as approved in the West Daly Regional Council - Regional Plan 2022-23 relates, for the Council's consideration for approval during the budget review between July and December 2022.

Moved: Mayor Narburup
Seconded: Cr. Sams
Resolution: Unanimously

2) Policy Approval

057/2022 Renae spoke to her report.

Motion:

1. That Council approves the follow policies as a bulk resolution:
 - a) GOV10 – Procurement policy
 - b) GOV12 – Filling Casual vacancies policy
 - c) GOV13 – Shared Services and Collective Procurement policy
 - d) GOV15 – Information Privacy policy
 - e) GOV16 – Human Resource Management policy
 - f) GOV17 – Confidential Information and Business policy
 - g) GOV18 – Rate Concessions policy
 - h) GOV19 – Accountable Forms policy
 - i) GOV21 – Recruitment Remuneration and Performance Review (CEO)
 - j) GOV22 – Asset Management policy

Moved: Cr. Sams
Seconded: Mayor Narburup
Resolution: Unanimously

3) Local Government Transitional arrangements

058/2022 **Motion:**

1. That Council note and accept the transitional matters that have been completed as part of the new legislative framework.

Moved: Mayor Narburup
Seconded: Cr. Sams
Resolution: Unanimously

4) Rates Declaration 2022/23

059/2022 James spoke to his report.

Motion:

1. That Council notes that no submissions were received from the public on rates, special rates and charges.
2. That Council note a late submission was received by the Northern Territory Government regarding the rates, special rates and charges.
3. That Council declares it's attached Rates and Charges for 2022-2023 financial year in accordance with sections 237 and 238 of the *Local Government Act 2019* having been certified by the Chief Executive Officer in accordance with Regulation 29 of the *Local Government (General) Regulations 2021*.

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

5) 2022-23 Draft Budget

060/2022 James spoke to his report.

Motion:

1. That Council resolves to approve the Draft 2022-23 Budget
2. Council approves the transfer of \$513,481 from reserves to balance the budget (excluding depreciation).

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

Mayor Narburup closed the meeting at 10:40am



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 2

Prepared by Sharon Binns, Governance & Quality Assurance Officer

Action items of Council

Purpose

To provide Council with an update on Action items that have been discussed in meetings where Councillors wanted further information or actions to commence.

Background

Action items are projects, priorities or feedback required from Executive on the activities of Council.

Impact for Council

To ensure Council notes outstanding actions.

Strategic Alignment

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

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

Recommendation

1. That Council notes and accepts the Action report.

Agenda Item No	Description	Res no	Action Assigned to	Action to complete	Action taken	Status
Reports to Council – 23 November 2021						
16	Chief Performance and Capability report	127/2021	Elected members	CEO asked elected members to speak to LA chair's regarding vaccination certificates and confirmations of such by LA members before they can attend meetings	Elected members to confirm with LA members re vaccination certificates. Due to CHO no longer required.	CLOSED
Reports to Council – 20 January 2022						
6	Chief Performance and Capability report	008/2022	CPSO	CPSO to approach School regarding work experience students seeking employment in community.	CPSO met with the School Principal and will engage with students in August 2022	OPEN
Reports to Council – 19 May 2022						
13	Peppimenarti and Wadeye Splash Pads – ABA Funding	052/2022	CEO /CFO	<p>Motion:</p> <p>1. That Council approves the CEO to write to NIAA declining the funding for the Peppimenarti and Wadeye Water Park.</p> <p>2. That Council approves the CEO to negotiate with NIAA to renegotiate the funding.</p>	CFO sent email correspondence to NIAA 20 July 2022.	CLOSED

Agenda Item No	Description	Res no	Action Assigned to	Action to complete	Action taken	Status
Reports to Council – 23 June 2022 Special OCM						
1	Regional Plan 2022-2023 approval	056/2022	CEO	<p>Motion:</p> <p>1. That Council approve the Chief Executive Officer to develop KPI's that will be used for judging Councils performance against each Focus Area of the approved West Daly Regional Council - Regional Plan 2022-23 and that these be considered for approval by Council at the next OCM.</p> <p>2. That Council approves the Chief Executive Officer to develop a statement of major initiatives that Council proposes to undertake during the period for which the Long Term Financial Plan as approved in the West Daly Regional Council - Regional Plan 2022-23 relates, for the Council's consideration for approval during the budget review between July and December 2022.</p>		PAPER FOR OCM 27 JULY 2022

END OF ACTION LIST



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 3

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

Acceptance of Agenda

Purpose

Agenda papers are presented for acceptance at the Ordinary Council meeting held on 27 July 2022.

Background

The agenda assists elected members to get the most out of their meetings, enabling them to make informed decisions that come from analysis of sound advice and constructive debate.

Statutory Environment

Section 92(1) *Local Government Act 2019* is relevant to this matter.

Impact for Council

The Council meetings record the decision making process and the actual decisions made.

Strategic Alignment

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

Recommendation

1. That the agenda papers for the Ordinary Council meeting held on 19 May 2022 as circulated prior to the meeting in accordance with the *Local Government Act 2019* be received for consideration at the meeting.

Attachments



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 4

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

Local Authority Minutes and Recommendations

Purpose

To provide the Ordinary Council Meeting members with Local Authority minutes with information and recommendations for consideration if required.

Background

The Ministerial Guideline for Local Authorities states the Local Authority minutes whether a quorum or provisional must be included in the agenda of the next Ordinary Council Meeting. The Councils response to the Local Authority minutes must be recorded in the Ordinary Council Meeting minutes and reported back to the Local Authority.

The West Daly Regional Council Local Authority meetings were scheduled on the following dates:

Local Authority	Date	Chairperson	Quorum or Provisional
Wadeye	28 June 2022	Vacancy	Cancelled no quorum
Palumpa	29 June 2022	Amy Narburup	Quorum
Peppimenarti	30 June 2022	Karl Lukonavic	Quorum

Wadeye Local Authority meeting

This meeting for 28 June 2022 was cancelled due to Local Authority members not attending.

Due to an administrative oversight, in the Local Authority meeting held on 8 December 2021, the group asked for approval of \$10,000 to pay Orange Sky for the use of washing machines in the community. This is presented to Council for resolution.

Palumpa Local Authority requests to Council

LA Resolution	Request to Council
001/2022	That the Local Authority recommends to Council that an amount up to \$20,000 be approved towards the purchase of a Kubota zero turn mower.

Peppimenarti Local Authority meeting

There were no requests from Peppimenarti Local Authority to Council.

Statutory Environment

Local Government Act 2019 - Section 101(5) - Minutes

Impact for Council

Compliance with legislation and guidelines.

Strategic Alignment

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

Focus 1 - Strengthen our Organisation	
1.2 Governance	
Journey 1.2.3	Continue to strengthen the governance framework and encourage active contribution at all meetings
1.5 Local Decision Making	
Journey 1.5.1	Support Local Authority
Focus 5 - Building our Region	
5.3 Local Authority projects	
Journey 5.3.4	Identify through Local Authority future community improvement projects

Recommendation

- 1. That Council receives and notes the minutes of the Palumpa Local Authority meeting held on 29 June 2022.**
- 2. That Council notes the request from Palumpa Local Authority and approves the amount of \$20,000 towards the purchase of a Kubota zero turn mower.**
- 3. That Council receives and notes the minutes of the Peppimenarti Local Authority meeting held on 30 June 2022.**
- 4. That Council notes the minutes of the Wadeye Local Authority that was cancelled due to lack of attendance.**
- 5. That Council notes the minutes of the Wadeye Local Authority dated 8 December 2021 General Business and approve the amount of \$10,000 towards Orange Sky.**

Attachments

- 1** Palumpa LA Minutes 29 June 2022
- 2** Peppimenarti LA Minutes 30 June 2022
- 3** Wadeye LA Minutes
- 4** Wadeye Local Authority 8 December 2021



MINUTES OF THE MEETING
HELD IN THE WEST DALY REGIONAL COUNCIL
LOT 108 PALUMPA NT 0822
ON WEDNESDAY, 29 JUNE 2022
AT 11:00 AM

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

PRESENT, APOLOGIES AND ABSENCE

Local authority members:

	Name	Present	Apology	Absent
1	Mayor Ralph Narburup	X		
2	Cr Terry Sams	X		
3	Amy Narburup Chairperson	X		
4	Jack Wodidj		X	
5	Lorraine Keringbo	X		
6	Jimmy Murielle	X		
7	Moses Wodidj	X		
8	Jeff Wodidj		X	
9	Roger Wodidj		X	
10	John Paul Wodidj		X	
11	Warren Wodidj	X		
12	Alex Jacky		X	
13	Sandra Jacky		X	
14	Mary Wodidj	X		
	Quorum requires 8 to attend	8	6	0

Staff members:

Name	Title	Present	Apology	Absent
Matthew Eastham	CEO	X		
Andrew Everingham	COO	X		
James Cartwright	CFO	X		
Renae McGarvie	CPSO	X		
Sharon Binns	Minute taker	X		
Scott Page	CSM	X		

CONFIRMATION OF PREVIOUS MINUTES

- 1) Local Authority Meeting minutes for 14 October 2021, 9 December 2021 and 22 April 2022.

011/2022

Sharon spoke to the report.

Motion:

1. That Palumpa Local Authority members note and confirm the minutes from the meeting held on 14 October 2021 as true and correct.
2. That Palumpa Local Authority members note and confirm the minutes from the meeting held on 9 December 2021 as true and correct.
3. That Palumpa Local Authority members note and confirm the minutes from the meeting held on 22 April 2022 as true and correct.

Moved: Jimmy Murielle
 Seconded: Mary Wodidj
 Resolution: Unanimously

BUSINESS ARISING FROM PREVIOUS MINUTES**2) Business arising from previous meetings**

Sharon spoke to the report.

The following are outstanding matters and updates provided:

Cemetery Shade Structure - Shade structure purchased tomorrow. Next week in place.

Gravesites – CSM stated ground still too wet to get backhoe and next week will go up and don't want to destroy grounds with machinery.

CNP Carport concrete – done and completed.

There are no other outstanding matters for Local Authority.

Motion:

- 1. That the Local Authority members note the Action items and the status.**

Moved: Lorraine Keringbo
Seconded: Jimmy Murielle
Resolution: Unanimously

CONFLICT OF INTEREST ON ANY MATTERS ON AGENDA

No conflicts to declare.

GENERAL BUSINESS

No matters for General Business to raise.

REPORTS**3) Local Authority Members Attendance Records**

012/2022

Sharon spoke to the report.

Motion:

- 1. That the Local Authority receives and notes the attendance report.**

Moved: Lorraine Keringbo
Seconded: Moses Wodidj
Resolution: Unanimously

- 4) **Ordinary Council Meeting Minutes held on:**
9 November 2021, 23 November 2021, 20 January 2022, 17 March 2022, 10 May 2022, 19 May 2022 and 27 May 2022

013/2022

Sharon spoke to her report. Due to issues such as community unrest or provisional meetings, minutes were unable to be shared with Local Authority members so there are a few to inform about.

Motion:

1. The Local Authority note minutes by the Special Ordinary Council meeting held on 9 November 2021.
2. The Local Authority note minutes by the Council meeting held on 23 November 2021.
3. The Local Authority note minutes by the Council meeting held on 20 January 2022.
4. The Local Authority note minutes by the Council meeting held on 17 March 2022.
5. The Local Authority note minutes by the Special Council meeting held on 10 May 2022.
6. The Local Authority note minutes by the Council meeting held on 19 May 2022.
7. The Local Authority note minutes by the Special Council meeting held on 27 May 2022.

Moved: Jimmy Murielle
Seconded: Mary Wodidj
Resolution: Unanimously

- 5) **Letter of Offer 2021-22 Local Authority Project Funding**

014/2022 James spoke to his report.

Motion:

1. That the Local Authority notes the attached letter of offer.

Moved: Jimmy Murielle
Seconded: Mary Wodidj
Resolution: Unanimously

6) Certification of 2020-21 Local Authority Project Funding

015/2022

James spoke to his report.

Motion:

- 1. That the Local Authority approves the attached certification.**

Moved: Moses Wodidj
Seconded: Moses Wodidj
Resolution: Unanimously

7) Finance report - May 2022

016/2022

James spoke to the report.

Motion:

That the Local Authority receives and notes the financial information provided by Council for period ending 31 May 2022.

Moved: Lorraine Keringbo
Seconded: Moses Wodidj
Resolution: Unanimously

8) Community Service Manager report - Nganmarriyanga

017/2022

CSM spoke to his report.

Moses stated a Community bus will be handy to have to transport people for cultural, ceremonial and other business.

Actions: James to look at money for community bus by talking to government.

Motion:

- 1. That the Nganmarriyanga Local Authority note and accept the Community Service Manager report.**

Moved: Moses Wodidj
Seconded: Moses Wodidj
Resolution: Unanimously

9) Chief Operating Officer

018/2022

The COO spoke to his report.

Action: Andrew - Wudapuli and Nama road to be looked at as was graded but rain hit and washed out.

Motion:

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

Moved: Moses Wodidj
Seconded: Jimmy Murielle
Resolution: Unanimously

10) Kubota Zero Turn Mower

019/2022

Andrew spoke to his report.

Discussion occurred on the amount the LA commits and it was decided \$20k was the benchmark.

Motion:

1. That the Local Authority recommends to Council that an amount up to \$20,000 be approved towards the purchase of a Kubota zero turn mower.

Moved: Jimmy Murielle
Seconded: Moses Wodidj
Resolution: Unanimously

11) CEO Report - Palumpa Local Authority

020/2022

Matt spoke to his report and asked the LA membership if they had questions.

Motion:

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

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

The meeting closed at 12:46 pm.

THIS PAGE AND THE PRECEEDING PAGES ARE THE
UNCONFIRMED MINUTES OF THE
Meeting of Palumpa Local Authority
HELD ON Wednesday, 29 June 2022
AND TO BE CONFIRMED
Thursday, 18 August 2022.

Unconfirmed



MINUTES OF THE PEPPIMENARTI LOCAL AUTHORITY
HELD IN THE WEST DALY REGIONAL COUNCIL
LOT 16 PEPPIMENARTI NT 0822
ON THURSDAY, 30 JUNE 2022
AT 11:00 AM

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

PRESENT, APOLOGIES AND ABSENCE

Local Authority members

	Name	Present	Apology	Absent
1	Mayor Ralph Narburup		X	
2	Deputy Mayor Wilfred Harris		X	
3	Cr. John Wilson		X	
4	Karl Lukonavic	X		
5	Henry Wilson		X	
6	Annunciata Wilson	X		
7	Joanne Kerr	Community Nurse – Resigned as relocated		
8	Leaya Smith	X		
9	Nathan Wilson	X		
10	Anastasia Wilson	X		
11	Kim Phipat	Community Nurse – Resigned as relocated		
	Quorum requires 5	5	4	0

Staff members:

Name	Title	Present	Apology	Absent
Matthew Eastham via ZOOM	CEO	X		
Andrew Everingham	COO	X		
James Cartwright	CFO	X		
Renae McGarvie	CPSO	X		
Sharon Binns	Minute taker	X		
Chris Kassman	CSM	X		

Meeting opened 11am.

CONFIRMATION OF MINUTES**1) Local Authority Meeting minutes for 3 September and 9 December 2021**

001/2022 **Motion:**

1. That Peppimenarti Local Authority members note and confirm the minutes from the meeting held on 3 September 2021 as true and correct.
2. That Palumpa Local Authority members note and confirm the minutes from the meeting held on 9 December 2021 as true and correct.

Moved: Anastasia Wilson
 Seconded: Nathan Wilson-Ahwon
 Resolution: Unanimously

BUSINESS ARISING FROM PREVIOUS MINUTES**2) Business arising from previous meetings**

002/2022

Access road around airport. Pending.

Road on cemetery still to be done. Pending.

Motion:

1. That the Local Authority members note the action items and the status.

Moved: Anastasia Wilson
 Seconded: Nathan Wilson-Ahwon
 Resolution: Unanimously

CONFLICTS OF INTEREST TO DECLARE?

No conflict of interest to declare.

ITEMS OF GENERAL BUSINESS NOT ON AGENDA

No matters of general business.

REPORTS**3) Local Authority Members Attendance Records**

003/2022

Motion:

1. That the Local Authority receives and notes the member attendance report.

Moved: Nathan Wilson-Ahwon

Seconded: Anastasia Wilson

Resolution: Unanimously

4) Ordinary Council Meeting Minutes 29 September 2021, 9 November 2021, 23 November 2021, 20 January 2022, 17 March 2022, 10 May 2022, 19 May 2022 and 27 May 2022.

004/2022

Motion:

1. The Local Authority notes the decisions made by the Council in the meeting held on 29 September 2021.
2. The Local Authority notes the decisions made by the Special Ordinary Council in the meeting held on 9 November 2021.
3. The Local Authority notes the decisions made by the Council in the meeting held on 23 November 2021.
4. The Local Authority notes the decisions made by the Council in the meeting held on 20 January 2022.
5. The Local Authority notes the decisions made by the Council in the meeting held on 17 March 2022.
6. The Local Authority notes the decisions made by the Special Ordinary Council in the meeting held on 10 May 2022.
7. The Local Authority notes the decisions made by the Council in the meeting held on 19 May 2022.
8. The Local Authority notes the decisions made by the Special Ordinary Council in the meeting held on 27 May 2022.

Moved: Nathan Wilson-Ahwon

Seconded: Anastasia Wilson

Resolution: Unanimously

5) Finance Report - May 2022

005/2022 James spoke to his report.

The LA members discussed spending money and thought about barbeques in community that are not gas but firewood.

10 Solar lights in community with protection around to prevent damage. It was suggested that the turn off at entrance to community will be a good place for one.

Action:

1. Look at quotes for barbeques in community. Purchase and fabrication of barbeque not besser block but more traditional.

2. Look at shelters in community.

3. Ablution blocks not working - Culturally significant site with water issues to deal with. Cultural toilets.

Motion:

1. That the Local Authority receives and notes the financial information provided by Council for period ending 31 May 2022.

Moved: Nathan Wilson-Ahwon

Seconded: Anastasia Wilson

Resolution: Unanimously

6) Certification of 2020-21 Local Authority Project Funding

006/2022 James spoke to his report.

Karl suggested that LA shouldn't be spend money on Council machinery but on the beautification of community.

Action = PAWA representative to come to next LA meeting to discuss water issues in community.

Motion:

1. That the Local Authority approves the attached certification.

Moved: Nathan Wilson-Ahwon

Seconded: Anastasia Wilson

Resolution: Unanimously

7) Letter of Offer 2021-22 Local Authority Project Funding

007/2022 James spoke to his report.

Motion:

- 1. That the Local Authority notes the attached letter of offer.**

Moved: Anastasia Wilson

Seconded: Nathan Wilson-Ahwon

Resolution: Unanimously

8) Council Service Manager report - Peppimenarti

008/2022 Chris spoke to his report.

Parks and Gardens teams instead of the Civil team to do work.

Action: Grader around safe house - fire clearance.

Leaya Smith left the meeting, the time being 11:49 AM

Leaya Smith returned to the meeting, the time being 11:51 AM

Leaya Smith left the meeting, the time being 11:55 AM

Anastasia Wilson left the meeting, the time being 12:00 PM

Leaya Smith returned to the meeting, the time being 12:01 PM

Anastasia Wilson returned to the meeting, the time being 12:07 PM

Motion:

- 1. That Peppimenarti Local Authority note and accept the Community Service Manager report.**

Moved: Anastasia Wilson

Seconded: Nathan Wilson-Ahwon

Resolution: Unanimously

9) Chief Operating Officer

009/2022 Andrew spoke to his report.

Leaya Smith left the meeting, the time being 12:37 PM

Leaya Smith returned to the meeting, the time being 12:58 PM

Action: Get an IPAD for Night Patrol

Motion:

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

Moved: Nathan Wilson-Ahwon

Seconded: Anastasia Wilson

Resolution: Unanimously

10) CEO report - Peppimenarti Local Authority

Due to the CEO apology this report was not discussed.

Motion:

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

MEETING CLOSED 1:07PM

THIS PAGE AND THE PRECEEDING PAGES ARE THE
UNCONFIRMED MINUTES OF THE
Peppimenarti Local Authority
HELD ON
Thursday, 30 June 2022
AND TO BE CONFIRMED
Friday, 19 August 2022.



MINUTES OF THE MEETING
HELD IN THE WEST DALY REGIONAL COUNCIL
LOT 463 PERDJERT STREET, WADEYE NT 0822
ON TUESDAY, 28 JUNE 2022
AT 11:00 AM

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

PRESENT, APOLOGIES AND ABSENCE

Local Authority members:

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

Staff members:

Name	Title	Present	Apology	Absent
Matthew Eastham	CEO	X		
Andrew Everingham	COO	X		
James Cartwright	CFO	X		
Renae McGarvie	CPSO	X		
Sharon Binns	Minute taker	X		
Robert Campbell	CSM	X		
Merinda Merritt	Admin support	X		

At 11:40am Mayor Narburup considered attendance and the potential for more arrivals and declared the meeting postponed in compliance with the *Local Government Act s100*.

It is impracticable for the meeting to be held on the same day and within 21 days as per s100(3). Mayor Narburup and CEO discussed the next meeting day being 17 August 2022 and decided that matters can be held over until then.

CONFIRMATION OF PREVIOUS MINUTES**1) Local Authority Meeting minutes for 21 April 2022****Motion:**

1. That Wadeye Local Authority members note and confirm the minutes from the meeting held on 21 April 2022 as true and correct.

BUSINESS ARISING FROM PREVIOUS MINUTES**2) Business arising from previous meetings****Motion:**

1. That the Local Authority members note the action items and the status.

CONFLICT OF INTEREST ON ANY MATTERS ON AGENDA?**ITEMS OF GENERAL BUSINESS****GUEST SPEAKERS**

There were no guest speakers for today's meeting.

REPORTS**3) Member attendance and nomination for Chairperson****Motion:**

1. That the Local Authority receives and notes the member attendance report.
2. That the Local Authority understands if the member does not submit an apology that they are absent from the meeting.
3. That the Local Authority inform Council that the following people have been absent for 2 consecutive meetings:

Name

Name

Name

4. The Local Authority accept the nomination of as Chairperson effective immediately.

4) Ordinary Council Meeting Minutes 10 May, 19 May and 27 May 2022**Motion:**

1. The Local Authority note the minutes of Council in a meeting held on 10 May 2022.
2. The Local Authority accept the decisions made by the Council in the meeting held 19 May 2022.
3. The Local Authority note the minutes of the Special Council meeting held on 27 May 2022.

5) Council Services Manager - Wadeye**Motion:**

1. That the Wadeye Local Authority note and accept the Council Services Manager report.

6) Finance Report period ending 31 May 2022**Motion:**

1. That the Local Authority receives and notes the financial information provided by Council for period ending 31 May 2022.

7) Chief Operating Officer report**Motion:**

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

8) CEO Report - Wadeye Local Authority**Motion:**

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

MEETING CLOSE

The meeting closed at pm.

THIS PAGE AND THE PRECEEDING ** PAGES ARE THE UNCONFIRMED MINUTES OF THE Meeting of Wadeye Local Authority HELD ON Tuesday, 28 June 2022 AND TO BE CONFIRMED Wednesday, 17 August 2022.



**MINUTES
OF THE WADEYE LOCAL AUTHORITY MEETING
HELD IN
THE WEST DALY REGIONAL COUNCIL - WADEYE
ON WEDNESDAY, 8 DECEMBER 2021
AT 10:00 AM**

WELCOME

Chairperson Melpi opened the meeting at 10:02 AM

Chairperson Melpi noted the following Local Authority members present, apologies and absents as follows:

	Local Authority Member Name	Present	Apology	Absent
1	Chairperson Leon Melpi	X		
2	Cyril Ninnal		X	
3	Damien Tunmuck	X		
4	Ken James		X	
5	Mark Ninnal	X		
6	Timothy Dumoo		X	
7	Basil Parmbuk		X	
8	Margaret Perdjert	X		
9	Anne Marie Nudjulu	X		
10	Gregory Munar		X	
11	Steven Pulchen	X		
12	Mark Tunmuck-Smith (Councillor)	X		
13	Ralph Narburup (Councillor)	X		
14	Jake Clark (Councillor)	X		
Quorum needs 8		9	5	
Quorum confirmed				

STAFF PRESENT

Matthew Eastham
Andrew Everingham
James Cartwright
Troy Pollard
Sharon Binns

Chief Executive Officer
Chief Operations Officer
Chief Financial Officer via ZOOM
Community Service Manager
Secretariat

CONFIRMATION OF MINUTES

**Minutes of the Wadeye Local Authority Meeting held on
11 November 2021**

035/2021 .

Motion:

The minutes of the Local Authority meeting that was held on 11 November 2021 are taken as read and accepted as a true record of the Meeting.

Moved: Cr. Jake Clark
Seconded: Mark Ninnal
Resolution: Unanimously

REPORTS

- 1) **Sharon Binns –
Local Authority Member Attendance Records**

036/2021

Sharon spoke to her report and presented the attendance records for the local authority information.

Motion:

- 1. That the Local Authority receives and notes the attendance records update.**

Moved: Cr. Jake Clark
Seconded: Cr. Ralph Narburup
Resolution: Unanimously

- 2) **James Cartwright -
Certification of 2020-21 Local Authority Project Funding**
- 037/2021
- James spoke to his report.
- Motion:**
1. That the Local Authority approves the attached certification.
- Moved: Cr. Jake Clark
Seconded: A/Mayor Wilfred Harris
Resolution: Unanimously
- 3) **James Cartwright –
Letter of Offer 2021-22 Local Authority Project Funding**
- 038/2021
- James spoke to his report.
- Motion:**
1. That the Local Authority notes the attached letter of offer.
- Moved: Cr. Ralph Narburup
Seconded: A/Mayor Wilfred Harris
Resolution: Unanimously
- 4) **Andrew Everingham –
Service Delivery update for Wadeye community**
- 039/2021
- Andrew spoke to his report.
- Motion:**
1. That Wadeye Local Authority receives and notes the Chief Operations Officer report.
- Moved: A/Mayor Wilfred Harris
Seconded: Damien Tunmuck
Resolution: Unanimously

5) **Troy Pollard –
Community Service Managers Report, Wadeye**

040/2021 Troy Pollard spoke to his report.

Motion:

1. **That Local Authority receives the Community Services Manager's report for Wadeye.**

Moved: A/Mayor Wilfred Harris
Seconded: Damien Tunmuck
Resolution: Unanimously

6) **Matthew Eastham CEO
Report - Wadeye Local Authority**

041/2021 CEO spoke to his report.

Planning a community Christmas Barbeque – Tuesday or Wednesday night before Christmas starting about 3:30 or 4pm. Community event planned for 17 December 2021.

Motion:

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

Moved: Cr. Narburup
Seconded: Mark Ninnal
Resolution: Unanimously

Late Agenda item - Supplementary

7) **Finance report - Wadeye Local Authority**

042/2021 James spoke to the Finance report.

Motion:

1. **That the Wadeye Local Authority accept and adopt the Finance Report – November 2021.**

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

8) **Sharon Binns –
Ordinary Council meeting minutes**

043/2021

Motion:

1. **The Wadeye Local Authority have noted the minutes from the Ordinary Council meeting held on 23 November 2021.**

Moved: Cr. Narburup
Seconded: Damien Tunmuck
Resolution: Unanimously

GENERAL BUSINESS

CSM to look at funding to spend to go to Ordinary Council meeting for approval asking LA members for their ideas as follows:

- Fencing at Manthape – contribute \$5,000 to fence to go around cemetery.
- Large mature trees for oval and asked LA for comment. Quotes. Discussion.
- Funds with orange sky with washing machines. LA funds \$10,000
- Local Authority agreed for CSM to action and report back.
- AFL Competition – funds junior program not senior. Tiwi run their own and run one of the best competitions. Dry season competition in June 2022. Football important in community and worth funding and supporting.
- Basketball court – Large fan – electrician spoken to in Hall to get big ceiling fan. Could cost \$20k and installation additional. LA towards fan – see grant funding \$25,000k.
- Phone boosters – Small amount of money for housing repairs and maintenance. NLC and Commonwealth for special projects in Homelands e.g. solar panels washing machines.
- Playground – Whitehorse – playground upgrade. Playground going in at top of round. Trial to see how goes. Quotes = \$65k. Kids kicking ball on streets and dangerous. Need Park area with shade and seating including Barbeque areas.

- Barge area – DIPL spending money this year.
- When are they going to build bridge – Study done last year – to be looked at for scope.

Local Authority agreed for CSM to action and report back.

Action item:

Troy to look at quotes and prepare for Local Authority.

- Community event – LA committee may need about \$10k to plan something for community. Ngukurr Band would like to come to community. Get a quote for cost and report back to LA. Will organise and provide information.

Wilfred Harris was nominated by LA Committee to look in to and organise.

Chairperson declared meeting closed 11:26am.

NEXT MEETING

9 February 2022

MERRY CHRISTMAS AND A HAPPY NEW YEAR FROM WADEYE LOCAL
AUTHORITY



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 5

Prepared by **James Cartwright, Chief Financial Officer**

Finance Report - June 2022

Purpose

To provide the Finance Committee the Financial Management Reports for the period ended 30 June 2022.

Background

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

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

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

Statutory Environment

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

Impact for Council

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

Strategic Alignment

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

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

Recommendation

1. That Council receives and notes the Financial report for June 2022.

Attachments

- 1 Finance Report - June 2022



FINANCIAL MANAGEMENT REPORT

For the period ended 30 June 2022

Certification by the Council CEO

Council Name: **WEST DALY REGIONAL COUNCIL**
Reporting Period Ended: **30 June 2022**



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

Matthew Eastham ASM
CEO

Date: 19/7

Snapshot - Financial Report

Revenue	Current Ratio	Cash at Bank
\$ 14.74M	1.49	\$ 9.4M
		
Expenditures	Unspent Tied Funds	Net Current Assets
\$ 14.22M	\$ 2.7M <small>(including commitments of \$521K)</small>	\$ 3.25M
		
Operating Result	Local Authority - Uncommitted	Capital Expenditures
\$ 512K <small>(including tied grants)</small>	\$ 479K	\$ 275K
		

WDRC Financial Management Report June 2022

Income and Expense Statement - Actual v Budget

INCOME AND EXPENSE STATEMENT FOR THE PERIOD ENDING AT 30 JUNE 2021		YTD Actuals	YTD Budget	YTD Variance	YTD Variance	Approved Annual Budget	Progress	Note Reference
		\$	\$	\$	%	\$		
OPERATING INCOME								
Rates		1,750,642	1,750,642	(0)	0%	1,750,642	100%	
User Fees and Charges		3,353,512	3,001,766	351,746	12%	3,001,766	112%	
Operating Grants and Subsidies		9,208,504	9,310,506	(102,002)	-1%	9,310,506	98%	
Interest/Investment Income		27,146	19,220	7,926	41%	19,220	141%	
Other Income		397,294	607,978	(210,684)	-35%	607,978	65%	(1)
TOTAL INCOME		14,737,097	14,690,112	46,985	0%	14,690,112	100%	
OPERATING EXPENSES								
Employee Expenses		4,858,028	4,873,980	(15,952)	0%	4,873,980	100%	
Materials and Contracts		2,388,585	2,568,271	(179,686)	-7%	2,568,271	93%	
Elected Member Allowances		181,147	167,672	13,475	8%	167,672	108%	
Elected Member Expenses		52,210	46,573	5,637	12%	46,573	112%	
Council Committee & LA Allowances		8,029	7,855	174	2%	7,855	102%	
Depreciation, Amortisation and Impairment		941,632	921,866	19,766	2%	921,866	102%	
Operational Expenses		5,576,214	6,143,891	(567,677)	-9%	6,143,891	91%	(2)
Interest Expenses		218,759	218,024	735	0%	218,024	100%	
TOTAL EXPENSES		14,224,604	14,948,132	(723,528)	-5%	14,948,132	95%	
OPERATING SURPLUS / DEFICIT		512,493	(258,020)	770,513	-299%	(258,020)		

WDRC Financial Management Report June 2022

Income and Expense Statement - Variance Analysis

	Note Reference	Comments
Other Income	(1)	Other income is behind budget due to a delay in receiving administrative fees for tied capital grants (peppinemat conference centre) and lower than budgeted income from our trades services, visitor accommodation and airport revenue.
Operational Expenses	(2)	Delays to budgeted projects such as the Marthape walkway, however this has been offset by much higher than budgeted expenditure in the Homelands.

Monthly Balance Sheet Report

BALANCESHEET AS AT 30 JUNE 2021		YTD Actuals	Note Reference
		\$	
ASSETS			
Cash at Bank			(1)
Tied Funds		3,272,209	
Unlied Funds		6,128,637	
Accounts Receivable			
T trade Debtors		241,528	(2)
Rates & Charges Debtors		153,059	(3)
Other Current Assets		454,004	
TOTAL CURRENT ASSETS		10,249,437	
Property, Plant and Equipment		2,978,570	
Right-of-Use Assets		5,186,854	
Non-Current Financial Assets		-	
TOTAL NON-CURRENT ASSETS		8,165,423	
TOTAL ASSETS		18,414,861	

BALANCESHEET AS AT 30 JUNE 2021		YTD Actuals	Note Reference
		\$	
LIABILITIES			
Accounts Payable		71,346	(4)
ATO & Payroll Liabilities		30,694	(5)
Current Provisions		375,630	
Accruals		-	
Other Current Liabilities		3,210,641	
TOTAL CURRENT LIABILITIES		3,688,311	
Non-Current Provisions		35,583	
Other Non-Current Liabilities		5,535,937	
TOTAL NON-CURRENT LIABILITIES		5,571,520	
TOTAL LIABILITIES		9,259,831	
NET ASSETS		9,155,030	
EQUITY			
Asset Revaluation Reserve		-	
Cash Reserves		-	
Accumulated Surplus		9,155,030	
TOTAL EQUITY		9,155,030	

Monthly Balance Sheet Report

Note 1. Details of Cash and Investments Held

	June	May-22		Amount
Cash at Bank Operational	176,305	307,181		
Cash at Bank Trust	4,223,629	5,211,738	Tied Funds	3,272,209
Cash Investment - Fixed Term	5,000,000	5,000,000	United Funds	6,128,637
Cash on Hand Petty Cash	912	858		
	9,400,846	10,519,777		9,400,846

Details of Cash Investment - Fixed Term

Product	Actual Balance	Available Balance	Interest Rate	Maturity
Fixed Term Deposit	\$1,000,000.00	\$0.00	3.36%	4/01/2023
Fixed Term Deposit	\$1,000,000.00	\$0.00	3.32%	6/01/2023
Fixed Term Deposit	\$1,000,000.00	\$0.00	2.17%	21/11/2022
Fixed Term Deposit	\$1,000,000.00	\$0.00	2.24%	9/11/2022
Fixed Term Deposit	\$1,000,000.00	\$0.00	0.70%	27/09/2022

Current Ratio

"How many dollars do we have for every dollar we owe?"

Current Assets		Current Liabilities	
Cash in Bank	9,400,846	Accounts Payable	71,346
Less: Grants to be refunded	0	Other Current Liabilities	3,241,335
	9,400,846	Grants in advance	
Trade and Notes Debtors	394,587	Commitments	521,224
Other Current Assets	454,004	Unspent Grants	2,750,985
Less:		(Agency & Core)	
Staff Liability	411,213		
	9,838,225		6,584,890

1.49

Current Ratio for FY2021/22

Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22
1.36	1.63	1.91	1.78	1.74	1.69	1.83	1.63	1.87	1.65	1.57	1.49

Monthly Balance Sheet Report

Note 2. Statement on Debts Owed to Council (Accounts Receivable)

Trade Debtor's Account - Age Analysis		
	June	May-22
Current	223,035	9,476
Unapplied (yet to reconcile)	(4,400)	(4,450)
Over 30 days	1,668	4,074
Over 60 days	-	2,176
Over 90 days	21,225	21,578
Total	241,528	32,853

Note 3. Rates

WDRC has raised \$1.75M in rates for FY2021/22, which includes \$1.12M in Rates and \$632K in Refuse/Garbage. As at 30 November 2021, 96% of total rates have been collected. WDRC also raised an additional \$123K for garbage fee for service for any extra bins and collection days made for the ratepayers for the year.

Monthly Balance Sheet Report

Note 4. Statement on Debts Owed by Council (Accounts Payable)

Creditor's Account - Age Analysis		June	May-22
Current		74,895	107,358
Unapplied (yet to reconcile)		(3,576)	(18,895)
Over 30 days		26	9,667
Over 60 days		-	-
Over 90 days		-	913
Total		71,346	99,043

Note 5. Statement on Australian Tax Office (ATO) and Payroll Obligations

As of 30 June 2022, Council has net PAYG and GST refundable amount of \$59,928.00

All FBT and superannuation obligations have been paid to date.

All insurance premiums including Workers Compensation, Directors and Office Holders cover have been paid to date.

Monthly Balance Sheet Report

Highest 10 Contractor Payments/ Items paid in the month

	Supplier Name	Territory enterprise or industry supplier \$	Interstate / overseas enterprise or industry supplier \$
12765	NLC	276,514	
12911	PLUMBING POWER	196,350	
10034	AIRPOWER	130,737	
12839	NORTHERN TRANSP	105,998	
10081	BRIDGE TOYOTA	79,269	
12172	DJ AIR & ELECTR	65,157	
10376	COUNCILBIZ	60,142	
13405	RED EARTH AUTOM	57,299	
13415	CRAIG R FERGUSO		19,500
13409	TURNER & TOWNSE	17,864	
TOTAL		712,816	19,500



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 6

Prepared by James Cartwright, Chief Financial Officer

Statement of Major Initiatives

Purpose

To present the Council the statement of major initiatives that Council proposes to undertake during the period for which the Long Term Financial Plan relates.

Background

Under the *Local Government Act*, Council is required to present a statement of the major initiatives proposed to be undertaken during the period to which the Long-Term Financial Plan (the Plan) relates (2023-2026).

On 23 June 2022, Council passed a resolution (056/2022) which states:

That Council approves the Chief Executive Officer to develop a statement of major initiatives that Council proposes to undertake during the period for which the Long Term Financial Plan as approved in the West Daly Regional Council – Regional Plan 2022-2023 relates, for the Councils consideration for approval during the budget review between July and December 2022.

Statement of Major Initiatives

Council's Major Initiatives over the period of our Long-Term Financial Plan have been developed to continue progressing Council's strategic infrastructure, operational, governance and sustainability objectives.

Council understands that long-term sustainability is dependent on diversifying our income streams away from dependency on Territory and Commonwealth operational grant funding; as such, Council is committed to continue to develop our growing trade's services, including our mechanical and building services.

Council recognises that our Visitor Accommodation services represent an important source of independent revenue, particularly during periods of construction or community engagement (such as the 2021 census). To support this income stream, Council will be developing additional visitor accommodation capacity across all three of our regional centres.

Council is committed to building and operating the Wadeye pool, with construction planned to commence in the 2023 financial year. Council will work with our community partners to support the ongoing sustainable operation of the pool.

Our major capital initiative over the period of the Plan will be the development and construction of the Peppimenarti Community Hub. Council is progressing the development of a fully-realised business plan and supporting economic assessment in the 2023 financial year and will be seeking funding partners when this work is complete.

There are no other major capital initiatives currently planned over the next four years. This is due to major capital initiatives being wholly dependent on additional capital grant funding or the use of Council's existing reserves.

Statutory Environment

Section 200(3)(a) of the *Local Government Act 2019* requires Council to develop a statement of the major initiatives council proposes to undertake during the period to which the Long-Term Financial Plan relates.

Impact for Council

Compliance with the Local Government Act.

Strategic Alignment

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

Focus 1 - Strengthen our Organisation	
1.4 Sustainability	
Journey 1.4.1	Continue to investigate commercial opportunities as part of business and competitive organisational strategies
Journey 1.4.4	Seek commercial opportunities as part of growing a sustainable trades division
Journey 1.4.3	Secure increased opportunities through grants that improve community life

Recommendation

- 1. That Council approves the statement of the major initiatives over the period of the current Long-Term Financial Plan.**

Attachments

There are no attachments for this report.



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 7

Prepared by James Cartwright, Chief Financial Officer

CEO Discretionary Capital Fund

Purpose

To request Council authorise the creation of a CEO Discretionary Capital Fund, funded by our existing reserves.

Background

Council has approximately \$4 million in cash reserves for which it is able to draw upon when authorised by resolution. This usually occurs when Council is required to fund a budgeted deficit.

Throughout the course of a financial year, Council budgets for various purchases by Council, however it is not always possible to know in advance what purchases will be required

When Council makes unbudgeted capital expenditure, Council is required to authorise the expenditure under our Delegations Policy when the asset is not a replacement of an 'essential item' (for essential items, the CEO has an unbudgeted delegation of up to \$100,000). An example of an essential item would be a motor vehicle that has broken down and is not able to be covered by insurance.

Not all of Council's required capital purchases are replacement items however and there are times when purchases are required to meet our operational needs. An example of a non-replacement capital purchase would be purchasing all-terrain vehicles (such as John Deer Gators) for our Civil workforce. As it is time consuming to take these purchases to a Council meeting for approval, it is requested that Council authorise the creation of a 'CEO Discretionary Capital Fund' account of \$200,000 be created to give the CEO the ability to quickly react to operational needs.

This account would give the CEO discretion on how to spend the \$200,000 each financial year, without having to go to Council for approval.

Statutory Environment

Local Government (General) Regulations 2021 Part 2 Division 6 requires any transfer from reserves to be approved by a Council resolution.

Impact for Council

\$200,000 will be transferred from reserves to the CEO Discretionary Capital Fund.

Strategic Alignment

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

Focus 1 - Strengthen our Organisation	
1.1 Strategy	
Journey 1.1.2	Develop and implement a long-term Financial Plan

Recommendation

1. That Council authorises the creation of a CEO Discretionary Capital Fund of \$200,000, by a transfer from our existing cash reserves.

Attachments

There are no attachments for this report.



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 8

Prepared by **James Cartwright, Chief Financial Officer**

Victoria Daly Regional Council - Resignation from CouncilBIZ

Purpose

To inform Council of the operational and financial consequences of Victoria Daly Regional Council's (VDRC) resignation from CouncilBIZ.

Background

CouncilBIZ was created when the current Regional Councils were brought into existence. Its function is a centralised information technology and business operations support provider to its member councils (who act as owners).

Beginning in 2021 and continuing into 2022 VDRC have indicated that they wished to resign from membership and withdraw from this arrangement. In June 2022 the Northern Territory Government approved VDRC's resignation from CouncilBIZ.

Currently, the costs of running CouncilBIZ and providing these services are shared amongst the 9 member Councils. These shared costs will now be spread across the 8 remaining Councils. The below chart shows the difference:

Council	FY 2022/23									
	ORIGINAL				VDRC Exit				Change	
	%	Fixed	Variable	Total	%	Fixed	Variable	Total	%	Amount
Barkly	10.9%	160,272	156,830	317,102	12.1%	180,306	173,996	354,302	1.2%	37,200
Central Desert	17.1%	160,272	246,862	407,134	19.0%	180,306	273,884	454,190	1.9%	47,056
East Arnhem	12.2%	160,272	176,192	336,464	13.6%	180,306	195,476	375,782	1.3%	39,318
MacDonnell	13.1%	160,272	188,778	349,050	14.5%	180,306	209,440	389,746	1.4%	40,696
Roper Gulf	13.4%	160,272	193,616	353,888	14.9%	180,306	214,810	395,116	1.5%	41,228
Tiwi Islands	8.5%	160,272	122,948	283,220	9.5%	180,306	136,404	316,710	0.9%	33,490
Victoria Daly	9.9%	160,272	142,308	302,580						
West Arnhem	10.5%	160,272	151,020	311,292	11.6%	180,306	167,552	347,858	1.1%	36,566
West Daly	4.4%	160,272	63,894	224,166	4.9%	180,306	70,886	251,192	0.5%	27,026
Total	100.0%	1,442,448	1,442,448	2,884,896	100.0%	1,442,448	1,442,448	2,884,896	9.9%	302,580

Councils pay a fixed fee (for hosting our IT environment) and a variable fee based on our number of users. There has been a \$27,000 increase in our FY23 costs across these two areas.

Management was aware of these potential costs and budgeted \$250,000 for our CouncilBiz services so there is a very small unbudgeted impact of \$1,192 on our expected costs.

Statutory Environment

None noted.

Impact for Council

An increased costs to access CouncilBIZ services.

Strategic Alignment

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

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

Recommendation

- 1. That Council note VDRC's resignation from CouncilBIZ and the increased costs to Council.**

Attachments

- 1** CBIZ letter to WDRC
- 2** Resignation confirmation letter



ABN: 58 556 215 599
 T27/60 Winnellie Road, Winnellie, NT 0820
 GPO Box 4246, Darwin, NT 0801
 Phone: 08 8944 4444
 Fax: 08 8944 4400

Dear Nominated Representative,

I refer to my earlier email to you of 6 July 2022 that included a copy of correspondence relating to the Minister permitting VDRC's resignation from CouncilBIZ, in accordance with the Constitution from membership of CouncilBIZ effective 1 July 2022. I attach that correspondence for your convenience.

As mentioned in that previous email, I advised that I would formally write to each Member of CouncilBIZ via the Nominated Representative in order to advise each Member of the budgetary impact that flows as a result of this resignation. Further, you will recall the various discussions about this contingency potentially occurring being included in the various drafts of the CouncilBIZ Annual Plan for 22/23 year, as part of the required consultation processes with Member Councils.

I provide your Member Council's (and others) revised fees for 2022/23 as shown below.

FY 2022/23										
Council	ORIGINAL				VDRC Exit				Change	
	%	Fixed	Variable	Total	%	Fixed	Variable	Total	%	Amount
Barkly	10.9%	160,272	156,830	317,102	12.1%	180,306	173,996	354,302	1.2%	37,200
Central Desert	17.1%	160,272	246,862	407,134	19.0%	180,306	273,884	454,190	1.9%	47,056
East Arnhem	12.2%	160,272	176,192	336,464	13.6%	180,306	195,476	375,782	1.3%	39,318
MacDonnell	13.1%	160,272	188,778	349,050	14.5%	180,306	209,440	389,746	1.4%	40,696
Roper Gulf	13.4%	160,272	193,616	353,888	14.9%	180,306	214,810	395,116	1.5%	41,228
Twini Islands	8.5%	160,272	122,948	283,220	9.5%	180,306	136,404	316,710	0.9%	33,490
Victoria Daly	9.9%	160,272	142,308	302,580						
West Arnhem	10.5%	160,272	151,020	311,292	11.6%	180,306	167,562	347,868	1.1%	36,566
West Daly	4.4%	160,272	63,894	224,166	4.9%	180,306	70,886	251,192	0.5%	27,026
Total	100.0%	1,442,448	1,442,448	2,884,896	100.0%	1,442,448	1,442,448	2,884,896	9.9%	302,580

Further, as a consequence, the required changes to the Annual Plan will be reflected accordingly and provided to the Board at the next Board Meeting for formal adoption (including the re-allocated costs for each remaining Member Council and the ensuing three year projection). I am also advised by the Department that the CouncilBIZ Constitution which currently includes VDRC as a Member, will be updated (and re-gazetted) to reflect its resignation in due course.

Please do not hesitate to call if you have any questions. Whilst this resignation does not come as a surprise, in my view, it simply increases CouncilBIZ' drive to achieve the "cloud ready infrastructure, rollout o365 and ERP choice" strategic direction that has been set and being implemented.

Greg Troughton
Chief Executive



MINISTER FOR LOCAL GOVERNMENT

Parliament House
State Square
Darwin NT 0800
minister.paech@nt.gov.au

GPO Box 3146
Darwin NT 0801
Telephone: 08 8936 5688

Mr Brian Pedwell
Mayor
Victoria Daly Regional Council
PO Box 19
KATHERINE NT 0851

Dear Mayor Pedwell

BP

Thank you for your letter of 9 May 2022, in which you requested formal approval for the Victoria Daly Regional Council (the Council) to resign as member of CouncilBIZ by 30 June 2022.

You advise the Council has successfully run its new cloud based software packages in parallel to CouncilBIZ's site based software system from 1 April 2022, and that the Council considers it is now ready to cease operating all CouncilBIZ supported systems. This is supported by a formal Council motion.

Officers from the Department of the Chief Minister and Cabinet (CM&C) have attended presentations delivered by the Council's staff who have confirmed the new software system is fully operational; that it is sufficient for Council's operational and reporting requirements; and is capable and robust enough to stand alone.

I am advised that the Council accepts responsibility for the management of any risks associated with resigning.

I am now satisfied the Council has met the requirements set out in clause 12 of the CouncilBIZ constitution and has demonstrated the new system is meeting Council's needs.

I am therefore pleased to advise that, in accordance with clause 12.1(d) of the CouncilBIZ constitution, I permit the Victoria Daly Regional Council to resign from CouncilBIZ, effective 1 July 2022.

Thank you for the work undertaken by the Council to successfully implement a new software system, transfer data and continue to run parallel systems without disruption to services to your communities.

Yours sincerely

CHANSEY PAECH

29 JUN 2022





WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 9

Prepared by **Sam Adams, Grants**

Community Suicide Intervention Skills Workshop Grant

Purpose

To present Council's successful grant application to host community suicide intervention skills workshops in Wadeye, Peppimenarti and Palumpa.

Background

In June 2022, Council made a successful grant application towards the *Northern Territory Suicide Prevention Community Grants 2022/23 Program* which supported suicide intervention skills workshops to be hosted in Wadeye, Peppimenarti and Palumpa. The proposed funds will be used to partner with Anglicare, a local workforce training and development provider, to deliver safeTALK workshops.

SafeTALK is a half-day alertness workshop that prepares participants, regardless of prior experience or training, to become a suicide-alert helper. The workshop is designed to provide practical knowledge on how to identify someone at risk of suicide and link them to life-saving resources.

The workshop features:

- Presentations and guidance from a LlivingWorks registered trainer
- Access to support from a local community resource person
- Powerful audio-visual learning aids
- The simple yet effective TALK steps: Tell, Ask, Listen and KeepSafe
- Hands-on skills practice and development

The attendees for the workshop will include:

- Community Service Managers - responsible for coordinating and supervising projects and organisations that support public well-being.
- Community Night Patrol Officers – whom are often the first-responders to accidents, injuries, fights and deaths within the community.
- Other Council employees that carry out the day-to-day activities of the organisation.

Statutory Environment

N/A

Impact for Council

Increased capacity to prevent suicidal behaviour

Strategic Alignment

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

Focus 2 - Supporting our People	
2.3 Mental health and wellbeing	
Journey 2.3.5	Deliver applied suicide intervention skills training

Recommendation

1. **That Council notes the successful grant application towards the Northern Territory Suicide Prevention Community Grants 2022/23 Program**

Attachments



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 10

Prepared by **Renae McGarvie, Chief Performance and Strategy Officer**

Chief People and Strategy Report

Purpose

To update the Council on matters relating to the People and Strategy portfolio.

Background

Human Resources

- Council currently employ seventy five (75) staff and six (6) Elected Members.
- There are six (6) current vacancies across council including administration, cleaner, night patrol operations officer and trades. Recruitment is underway for all positions.
- A tailored leadership program is being delivered to emerging and existing leaders within Council from 25 to 29 July 2022 with twenty five (25) participants.
- Professional development training is ongoing with staff attending online and in person at conferences. This has been delivered to employees as an ongoing commitment to supporting our people.
- Recruitment and retention continues to be a strategic priority for Council to achieve our vision to deliver quality services to communities.
- Covid vaccination compliance in accordance with the current NT CHO Directions are at 100%. Register is accurate.

Strategic focus

- The 2022/223 Regional Plan has been approved and in circulation.
- The 2021 Annual Report planning has commenced.
- The development of Councils Strategic Plan has commenced.

- Transitional policies required by the Local Government Act by 30 June have been completed. Further review of all Council policies are underway to strengthen our organisation and achieve our vision.

Health, Safety and Risk

- Councils Covid-19 Operational Safety Plan has been reviewed and distributed to all staff. Covid-19 safety supervisors are Ian Wallis, Health, Safety and Risk Officer (HS&RO) in Darwin and Community Service Managers in respective communities.
- The HS&RO has conducted risk audits at each community with development of policy and procedures underway to ensure our people are safe in their workplace.
- Occupational violence and safety training was delivered to our people in Wadeye in June with further training scheduled for later in the year for those that were unable to attend.
- The next scheduled Work Health & Safety Committee meeting is set for August to allow for new employees to attend and contribute.

Statutory Environment

- *Local Government Act 2019*

Impact for Council

Reporting purposes only.

Strategic Alignment

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

Focus 2 - Supporting our People	
2.1 Leadership	
Journey 2.1.3	Identify emerging leaders across West Daly Regional Council and support their development
Journey 2.1.4	Enhance leadership and management capability across West Daly Regional Council
Journey 2.1.5	Deliver leadership workshops and provide mentorship to our people

Focus 1 - Strengthen our Organisation	
1.1 Strategy	
Journey 1.1.1	Develop and implement a Strategic Plan
2.2 Safety	
Journey 2.2.1	Continue to protect our peoples health and safety in community
Journey 2.2.2	Continue to develop and implement the occupational violence mitigation program
Journey 2.2.3	Deliver prevention of occupational violence training to our people
Journey 2.2.4	Continue implementation of the work health and safety continuous improvement plan
2.4 Professional Development	
Journey 2.4.1	Encourage and support internal career progression within West Daly Regional Council
Journey 2.4.2	Encourage and support access to professional development
Journey 2.4.3	Encourage and support employees to collaborate with other local government colleagues

Recommendation 1. That Council notes the information contained in the report titled Chief People and Strategy Report.
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Attachments

There are no attachments for this report.



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 11

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

Service Delivery Report

Purpose

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

Background

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

Planning

With the implementation of the Technical Services Manager position, the focus of the service delivery area is to develop forward works plans assigned to an available budget that meets the strategic and operational goals of the Council.

Workforce

Our new Technical Services Manager and Homelands Program Manager have commenced with Council. Both new employees recently travelled throughout the region, visiting all communities and the majority of the Homelands. As part of the onboarding process, this trip provided a good understanding and appreciation of the region's challenges and opportunities for development.

Recruitment is continuing for several positions.

Council has also welcomed two new carpenters and mechanics into the team.

Work Health & Safety

Council is currently reviewing our process and procedures around vehicle recovery and towing post a fatal incident that occurred within a workplace in Maningrida earlier this year.

First Aid training for staff is currently being scheduled for August, along with an audit and update of first aid kits.

A recent increase in COVID-19 cases within the Territory and the Community has prompted a reminder and renewed focus on appropriate hygiene practices within the workplace.

Waste Management

Work continues on our landfill remedial and upgrades project across Wadeye and Peppimenarti. This project is scheduled to be completed before October and represents a significant works program across the two landfill sites. One element of the upgrades is controlling access and ensuring Council collects the appropriate fees for landfill use. The focus will be on commercial contractors and local businesses that generate large volumes of waste and have historically not paid the required fees associated with dumping material.

Internal & Access Road Management

Maintenance grading of all Homeland access roads is nearing completion across the region. Planning for additional resheeting, causeway and drainage works for the Emu Point, Woodycupildiya and Deleye Homeland access roads are underway.

The Disaster Recovery Funding Arrangements (DRFA) applications for the Peppimenarti, Emu Point and Meerepen/Nemarluk Homeland access road culverts have been approved, and the specifications for the works are being finalised.

A works program is currently being scoped for Wadeye's internal road network. This work will include road shoulder rehabilitation, bitumen seal, kerb & channel and line marking at multiple locations within Wadeye.

Homelands Program

With the commencement of our new Homelands Program Manager, work focuses on finalising Service Delivery Plans (SDP) and completing works within the dry season window. Capital grant applications are being finalised for submission.

The large population of displaced persons from Wadeye occupying the surrounding Homelands, including Kudantiga and Fossil Head, continue to require significant attention from the Homeland and Civil teams.

The Emergency Infrastructure Program is continuing with the installation of water upgrades, ablution facilities, power and undergrounds. Additional works are currently subject to funding applications.

Fleet and Assets

Council has recently recruited two additional mechanics, with one based in Wadeye and Peppimenarti. This increased capacity will allow additional focus on the preventative maintenance and repair program for the Council fleet and machinery.

Council is also rolling out the use of the fleet management program Fleetio. Fleetio is a cloud-based comprehensive fleet management solution that will significantly improve the management of our fleet and machinery.

Council trades continue to complete renovations on several Council buildings and infrastructure with a current focus on VOQs and staff accommodation.

Training and Development

This week several Community Service Managers, Supervisors, and Team Leaders are completing leadership development training in Darwin. The training aims to develop current and future leaders with a strong focus on organisational culture.

Staff across the communities recently attended personal safety and occupational violence prevention training in Wadeye. The training received positive feedback, and Council will review options for additional training sessions.

Major Projects and Capital Works

The Peppimenarti Library project has been confirmed with the successful contractor awarded. Construction is scheduled to commence in early to mid-August.

The Homeland Hybrid Solar Project has been successfully completed.

Council is still negotiating a project commencement date with the contractor for the Manthathpe Walkway. The unrest has contributed to the delays of this project.

General

While settled due to bush holidays and recent arrests, the ongoing unrest continues to affect our people and staffing numbers, particularly in Wadeye. Council is seeking to increase civil hours within Wadeye and bolster our capacity across our service areas, focusing on waste management, parks and open spaces.

Our ability to obtain contractors to complete works at both a competitive price and to meet deadlines is also challenging, with many reluctant to travel to the region due to the negative media coverage and concerns about the safety and security of equipment. The focus of the service delivery area remains the development of local employment opportunities supported by our skilled workforce.

Statutory Environment

Nil

Impact for Council

For reporting purposes only.

Strategic Alignment

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

Focus 4 - Growing our Services	
4.1 Commercial Services	
Journey 4.1.1	Commercialise the Wadeye rubbish tip
Journey 4.1.2	Continue to investigate new commercial opportunities
4.3 Infrastructure Services	
Journey 4.3.1	Employ a Technical Services Manager
Journey 4.3.2	Employ a Regional Services Manager
4.4 Environmental Health Services	
Journey 4.4.2	Deliver Wadeye and Peppimenarti landfill upgrade works plan
Focus 5 - Building our Region	
5.3 Local Authority projects	
Journey 5.3.1	Complete Local Authority funded projects
Journey 5.3.2	Provide milestone achievements for Local Authority

Recommendation

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

Attachments

There are no attachments for this report.



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 12

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

Call for Council members nominations

Purpose

The *Local Government Act 2019* (Act) provides that under certain circumstances complaints of alleged council member contraventions of the Code of Conduct can be referred to the Code of Conduct Panel Pool (CCP) for deliberation and determination.

Background

If a person (the complainant) believes that an Elected Member has contravened the Code of Conduct, the first step is for that person to contact the Councils CEO and lodge a complaint using the Breach of Code of Conduct complaint form that is available on our website. The complaint must be made 3 months after the date of the alleged contravention.

In dealing with complaints concerning Elected Members, LGANT are creating a Panel Pool by requesting Local Government Councils to nominate at least one suitable Elected Member to service a minimum 2 year term on the CCP. The CCP is administratively supported by a Panel Secretariat provided by LGANT.

Any Council member nominated to the Panel Pool must have at least 2 years' experience as a Local Government elected council member in the NT.

Sitting Panel Pool members are eligible for remuneration of \$360 per day (or part thereof) as a service contribution payment for time spent considering complaints. Reimbursement of travel and subsistence costs to members of a sitting panel may also be made in accordance with section 109 of the Act.

The LGANT Code of Conduct Panel Charter is attached for further information.

Statutory Environment

Local Government Act 2019 s119(1) and Schedule 1.

Impact for Council

There is no impact for Council

Strategic Alignment

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

Focus 1 - Strengthen our Organisation	
1.2 Governance	
Journey 1.2.2	Continued development of the compliance framework

Recommendation

1. That Council note the LGANT Administered Disciplinary Panel Charter.
2. That Council nominates who has agreed to be nominated as a member of the Prescribed Corporation Panel to be called the Code of Conduct Panel Pool (CCP).

Attachments

- 1 LGANT Administered Disciplinary Panel
- 2 PCP Nomination form

Prescribed Corporation

LGANT Administered Code of Conduct Panel Charter

Last updated: 24 May 2022(V4)

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1. Role and responsibilities

The NT *Local Government Act 2019* (LG Act 2019) provides that under certain circumstances complaints of alleged council member contraventions of the Code of Conduct can be referred to a prescribed corporation panel.

In this charter, the name given to the prescribed corporation panel is the Code of Conduct Panel (CCP).

The CCP is administratively supported by a Panel Secretariat provided by the Local Government Association of the Northern Territory (LGANT).

The Code of Conduct Panel (CCP) is a pool-based peer review panel. For each complaint referred to the CCP, a three person sitting panel would be established to consider and rule on the complaint.

The Code of Conduct for council members is set out in Schedule 1 of the *LG Act 2019* (LG Act)

Although all council "members" covered are subject to the Code of Conduct (including elected council members, audit committee members, council committee members and local authority members (see section 119(1) LG Act)) Code of Conduct complaints can only be made against elected members.

2. Complaint made to Council CEO

If a person (i.e., the complainant) believes that a council member has contravened the Code of Conduct, the first step is for that person to contact the Council CEO and lodge a complaint using the D's approved form¹ [section 120(1) LG Act].

The complaint must include:

- The name of the council member alleged to have committed the contravention (i.e., the respondent).
- A statutory declaration of the particulars of the alleged contravention.

The complaint must be made within 3 months after the date of the alleged contravention.

The Council CEO must, within 5 days of receiving the complaint, give the respondent written notice of the complaint and a copy of the complaint [regulation 73(2) LG (General) Regulations 2021].

They must also notify the respondent that they may, as an option, refer the complaint to the CCP rather than proceed through the Council's code of conduct process.

The respondent may provide a written response in a statutory declaration to the CEO in relation to the complaint within 14 days of the respondent receiving the notice.

3. Referral process

A complaint can be referred to the Code of Conduct Panel (CCP) via two pathways:

¹ The approved form for a complaint that a council member has contravened the council's code of conduct must be published on the council's website [regulation 72 LG (General) Regulations 2021]

- Pathway A: Before the Council has considered the complaint (referred by the respondent or a complainant who is a council member of the relevant council).
- Pathway B: After the Council has made a decision on the complaint or the 90 days for making a decision have expired.

The pathways are illustrated in Figure 1.

3.1 Pathway A – Referral before the council has considered the complaint

As soon as practicable after receiving a complaint, the Council CEO sends the complaint to the Council's code of conduct process [section 122(1) LG Act] unless, before the Council has taken up the complaint,:

- A. The complainant is a council member and asks at the time of making the complaint that the complaint be referred to the Code of Conduct Panel; OR
- B. The respondent asks that the complaint be referred to the Code of Conduct Panel.

In either A or B above, the Council CEO must accept the referral request.

3.1.1 Complainant initiated referral

If the complainant refers the complaint to the CCP, the CEO must, within 5 days of receiving the complaint, give the respondent:

- (a) written notice of the complaint; and
- (b) a copy of the complaint; and
- (c) written notice specifying:
 - (i) that the complainant has referred the complaint to the CCP under section 124(3)(a) of the Act; and
 - (ii) that the respondent may provide a written response in a statutory declaration to the CEO in relation to the complaint within 14 days of the respondent receiving the notice.

3.1.2 Respondent initiated referral

If the referral request came from the respondent, the Council CEO must as soon as practicable give the complainant written notice of the referral and provide any written response by the respondent [regulation 75(2) LG General Regulations 2021].

3.1.3 Council CEO contacts LGANT

If either the complainant (who is a council member) or respondent asks that the complaint be referred to the CCP, as soon as practicable, the Council CEO must contact LGANT as the Panel Secretariat and refer the complaint. The CEO must also provide documentation in relation to the complaint, including:

- (a) written notice that the complainant / respondent has referred the complaint to the CCP.
- (b) a copy of the complaint.
- (c) the respondent's written response in a statutory declaration.

3.2 Pathway B – Referral after the council has made a decision on the complaint or the 90 days for making a decision have expired

The complainant (if they are a council or a council member) or respondent can have the matter sent to the Code of Conduct Panel under the following two scenarios:

Scenario A: The Council fails to issue a decision notice within 90 days of the CEO receiving the complaint [section 131(1) LG Act]; OR

Scenario B: Within 28 days of receiving the council's (or council panel's) decision notice, the complainant or respondent applies to the CCP for consideration of the complaint [section 126(3) LG Act].

In either scenario A or B, the complainant or respondent would contact LGANT via email to refer the complaint to the Code of Conduct Panel.

3.2.1 Council CEO's role

LGANT would contact the relevant Council CEO informing them that the complaint had been referred. The Council CEO would provide all associated information such as a copy of the complaint, the response from the respondent, witness statements, recommendations by a third party (if any) and the Council's decision notice.

The Council CEO is not to provide Council Minutes or any other documents which shows or indicates the deliberations on the complaint by the Council or Council panel. This is because section 128(4) provides that the Panel must decide the complaint as if the Council or the Council panel had not made a decision in relation to the complaint.

3.3 Withdrawal of a complaint

A complainant may, in writing to the Panel Secretariat, withdraw a complaint at any time before the sitting panel has given a decision notice to the complainant and the respondent in relation to the complaint [regulation 77 LG General Regulations 2021].

Having received the complaint withdrawal, the Secretariat will inform the sitting panel, the respondent, and the council CEO where the complaint originated.

When a complaint has been withdrawn, the sitting panel will cease deliberations and no decision notice will be issued. The Panel Secretariat will advise the relevant Council CEO of the withdrawal of the complaint and that no decision will be issued.

4. The Sitting Panel

4.1 Composition

Upon receipt of a referred complaint, LGANT must in a timely fashion establish a sitting Panel to hear the complaint.

The sitting Panel must consist of two persons nominated by LGANT and one person nominated by the Department of Chief Minister and Cabinet (i.e., the Agency) [section 127(2) LG Act].

The two persons nominated to a sitting panel by LGANT will be elected council members drawn from the Code of Conduct Panel pool.

4.2 Why have a panel pool?

A pool approach was chosen rather than establishing a single three person panel that would hear all complaints referred to the CCP.

The pool approach offers the following advantages:

- It distributes the burden and responsibility of serving on the CCP;
- It is easier to avoid conflicts of interest on a sitting Panel when there is a greater choice of members; and
- It provides greater flexibility to consider the contextual factors associated with a complaint (e.g., cultural sensitivities, gender, geography).

4.3 Creation of the panel pool

LGANT will create the panel pool by requesting that each NT local government council nominate at least one suitable elected council member to serve a 2 year term² on the CCP pool³.

LGANT will from time to time call for additional council nominations to maintain adequate numbers of pool members and to refresh the pool membership.

4.4 Pool member eligibility

Given LGANT's role as the Panel Secretariat, a LGANT Executive member cannot serve as a member of the Code of Conduct Panel pool.

Any council member nominated to the Panel pool must have at least 2 years of experience as a Local Government elected council member in the Northern Territory.

4.5 Desirable attributes

When nominating elected council members to serve on the Panel pool, councils should consider the following desirable attributes of a Panel pool member:

- Ability to judge an issue on its merits;
- Ability to analyse situations; and
- Effective communication skills.

4.6 Service contribution

Council members who are members of a sitting Panel may receive modest reimbursement of their direct costs and effort on the Panel.

5. Selection of Sitting Panel Members

When a complaint is referred to LGANT, the Panel Secretariat will in a timely manner, establish the sitting panel using the process described below.

5.1 Council member nominees

The Panel Secretariat Chair (i.e. LGANT CEO or delegate) will select two members from the Panel pool to serve on the sitting panel and decide the complaint. In selecting members, the Secretariat

² A Council may nominate the same elected council member multiple times (i.e., to multiple 2-year terms).

³ At the discretion of the Panel Secretariat Chair, an individual pool member may serve on zero, one or multiple sitting panels.

will consider the nature of the matter, the potential for conflicts of interest, and the expertise and experience of the available pool members.

5.1.1 Conflicts of interest

Having chosen two council members from the Panel pool as prospective sitting panel members, the Panel Secretariat would seek confirmation that the members are available and do not have a conflict of interest. This would be done by informing the prospective sitting panel members via an email of the identities of the respondent and complainant but not the substance of the complaint and asking if they (the pool members) have a real or perceived conflict of interest. An example of such an email is provided as Attachment A.

If a prospective sitting panel member indicated they could have a conflict of interest, then the Panel Secretariat would not consider that member further for their participation on that sitting panel. They would however remain a member of the Panel pool. Another member from the Panel pool would be selected and the conflict of interest process would be repeated. The process would be repeated until two available and unconflicted members are identified to be members of the sitting panel for the complaint.

5.1.2 Ineligible pool members

To avoid potential conflicts of interest, a Panel pool member would not be eligible to serve on the sitting panel for a complaint if they belonged to the same council as either the respondent or the complainant (if a council member).

5.2 Department nominee

A sitting panel must include one member that is nominated by the Department of the Chief Minister and Cabinet (i.e., the Agency) [section 127(2) LG Act].

The Panel Secretariat would send an email to the Department (LGRDexecutive.CMC@nt.gov.au) requesting that it identify a suitable available person without a conflict of interest to join the sitting panel.

It is preferred that the person nominated by the Department to a sitting panel have a legal background.

5.3 Related issues

5.3.1 Sitting panel chair

The Panel Secretariat Chair (LGANT CEO) would determine which sitting panel member is to be chairperson.

5.3.2 Legal background

In establishing the membership of a sitting panel, the Panel Secretariat will, to the extent reasonable, seek to include at least one person with a legal background.

5.3.3 Subsequent conflict of interest

If a sitting panel member during deliberations on a complaint determines that they have a conflict of interest, they must immediately disclose the conflict of interest. They would be replaced on the sitting panel using the process described above.

5.3.4 Sitting member availability

If after accepting a position on a sitting panel, the member becomes unable to continue as a member (e.g., illness) they must notify the chair and the Panel Secretariat which will replace them on the sitting panel through the process identified above.

6. Decision Choices

6.1 The options

When a sitting panel considers a referred complaint, it can make one of three decisions [section 127(3) LG Act]:

- a) summarily reject the complaint or
- b) that no action is to be taken; or
- c) that the respondent did not contravene the code of conduct; or
- d) that the respondent contravened the code of conduct.

Regardless of the decision (a, b c or d) made by the sitting panel, a decision notice must be issued to the complainant and the respondent as soon as practicable.

6.2 Summarily reject the complaint

Under section 128(1) of the LG Act, the sitting panel may summarily reject a complaint or an application to consider a complaint if the Panel is satisfied that:

- (a) the complaint would more appropriately form the subject matter of a criminal charge; or
- (b) the complaint is frivolous, vexatious or lacking in substance.

6.3 No action to be taken

The sitting panel can decide that no action is to be taken with regards to the complaint.

In this instance, the sitting panel is not required to decide whether the respondent contravened the Code of Conduct [section 127(4) LG Act].

6.4 Panel considers the complaint

If the sitting panel decides to consider the complaint (i.e., does not summarily reject), under section 128(2) LG Act, it can decide either:

- (a) that the respondent did not contravene the code of conduct; or
- (b) that the respondent contravened the code of conduct.

6.4.1 Options if a contravention determined

If the sitting panel determines that a contravention occurred, under section 127 (5) LG Act, it must decide the following:

- (a) to take no action;
- (b) any or a combination of the following:
 - (i) to issue a reprimand to the respondent;

(ii) to recommend that the complainant, respondent or any other person attend training, mediation or counselling by a specified date;

(iii) any other recommendation the Panel considers appropriate.

The intention of category (iii) 'any other recommendation' is to provide a sitting panel with the opportunity to address issues not captured under (i) or (ii). An example would be a recommendation that a council modify a policy or procedure to address an issue identified during consideration of the complaint by the sitting panel.

6.5 NTCAT and ICAC

A sitting panel does not have the power to issue fines. It also cannot determine if a person is unfit for office. Those are powers of the Northern Territory Civil and Administrative Tribunal (NTCAT).

If the complaint pertains to a matter that the sitting panel believes could potentially satisfy the definition of 'improper conduct' under the *Independent Commissioner Against Corruption Act 2017* (ICAC Act), the sitting panel should continue to deliberate the complaint but also inform the Independent Commissioner Against Corruption NT (ICAC) of the complaint <https://icac.nt.gov.au>.

7.0 Meeting Procedures

7.1 Notice of sitting panel deliberations

Once the sitting panel has been established, the Panel Secretariat will send out, via email, a notice to the complainant and respondent of the sitting panel's establishment. The notice will set out:

- The date of the sitting panel's first meeting;
- The names and affiliations of the sitting panel members.

7.2 Quorum

The quorum for a sitting panel meeting is the attendance of all three panel members.

7.3 Meeting technology and place

Meetings of a sitting panel may be held face-to-face or through video technological (e.g. zoom).

Under section 128(6), proceedings of the prescribed corporation panel are to be held in a place open to the public unless the sitting panel considers it desirable, in the public interest, to hold the proceedings in private.

If meetings are to be held in private, the sitting panel is to record the public interest reasons why the meeting is held in private.

7.4 Opportunity to make representations

If the sitting panel decides to proceed to consider the complaint (i.e., it has not summarily rejected the complaint), it must give the complainant and the respondent an opportunity to make representations to the sitting panel [section 128(3) LG Act].

7.4.1 Oral or written representations

Representations can be made in writing or orally depending on the circumstances. The representations are not limited to information already raised in relation to the complaint and can include additional information pertinent to the complaint.

A sitting panel must consider any oral or written response by the respondent before making a decision in relation to the complaint.

7.5 Council decision notice

If the complaint was referred to LGANT after a decision notice was issued by the Council, the sitting panel must consider the complaint as if the council (or the council panel) had not made a decision in relation to the complaint [section 128(4) LG Act].

7.6 Obtaining information

Section 128(5) of the LG Act gives a sitting panel the power to obtain information in any way it considers appropriate. It is not bound by the rules of evidence (such as, the rule against hearsay evidence or establishing the competency of the witness). However, the rules of natural justice apply.

7.7 Natural justice

Natural justice is the right to be made aware of and information which will be used in the course of a decision that will negatively affect a person and being given the opportunity to respond to that information. The opportunity to respond must be sufficient and the response must be taken into account before the decision is made.

7.8 Protection for panel members

A Panel must deliberate and make decisions about a complaint in a way that is fair, reasonable and in the public interest. There are legal protections, such as under the *Defamation Act 2006*, for Panel members when providing a fair report of proceedings of public concern.

7.9 Confidentiality

Information in relation to a complaint of a contravention of the code of conduct is prescribed as confidential information and must be suppressed from publicly available material by the Council CEO during the complaint process [regulation 51 LG General Regulations 2021].

However, after the complaint has been decided, the following information is no longer confidential:

- (a) a decision notice in relation to the complaint;
- (b) a report of proceedings or findings of the complaint including a summary of decision provided to the Council CEO.

8.0 Decision making

In the first instance, sitting panel members should make a concerted effort to agree on decisions through consensus. Only if consensus decision making efforts fail should the sitting panel use voting to make decisions.

8.1 Consensus decision making

Consensus does not mean that everyone agrees at the same level. The goal is to come to an agreement which considers all individual viewpoints and achieves a mutually-acceptable level of agreement necessary to move forward.

Sitting panel members arrive at decisions through deliberate discussion in which:

- All member viewpoints are considered.
- Each member must honestly state their opinion in a complete manner.
- Members must listen carefully and respectfully to the viewpoints of other members.
- Each opinion must be clearly understood by the other member.
- Members should not support an agreement to which they have an objection.
- Individual members should not be pressured to agree with a proposed decision simply to speed up the process or to avoid conflict.
- Each member explains why they agree or disagree with a proposed decision.
- Those with the greatest concern or disagreement are asked how the proposed decision could be modified to better meet their concerns.
- The final decision is agreeable to all involved: the decision is unanimous even though the actual level of agreement may not be the same for all.

8.2 Voting

In most instances, a sitting panel will be able to reach a consensus decision. However, if this fails, decisions are to be made through majority voting. Each sitting panel member, including the chair, shall have one vote.

9. Decision Notices

9.1 Requirement

A decision notice is a written document setting out a sitting panel's decision and the reasons for the decision.

As soon as practicable after the sitting panel makes its decision, a decision notice should be prepared.

All three members of the sitting panel must sign the final version of the decision notice.

The decision notice is issued to the complainant and respondent by the CCP Secretariat.

The Panel Secretariat is to provide a summary decision of the Panel's decision to the CEO of the relevant council to be tabled at the next ordinary meeting of the council.

9.1.1 90-day rule

The parties to a complaint must receive the decision notice within 90 days of the date when LGANT received the complaint [section 129 LG Act].

If this does not occur within the 90 days, the complainant or respondent may refer the complaint to NTCAT [section 132(1) LG Act].

9.2 Decision notice contents

A decision notice provides the following information:

- a) the names of the complainant and respondent;
- b) the names of the panel members, including the chairperson;
- c) a description of the alleged contravention;
- d) identification of the clauses of the code of conduct that were alleged to have been contravened;

- e) how the complaint was referred to LGANT (e.g., complainant or respondent; before or after Council decision);
- f) discussion of the key points of the investigation and deliberations;
- g) the decision made including any action taken and/or recommendations and any associated timelines for the actions and/or recommendations;
- h) the date of the decision; and
- i) the conditions under which the complainant or respondent could refer the complaint to NTCAT (i.e., any appeal mechanism).

9.3 The summary decision

Regulation 81 of the Local Government (General) Regulations 2021 requires that the summary decision provided to the council CEO include the following information:

- a. the names of the complainant and respondent;
- b. the names of the panel members, including the chairperson;
- c. a description of the alleged contravention;
- d. identification of the clauses of the code of conduct that were alleged to have been contravened;
- e. the decision made (including any action taken and/or recommendations and any associated timelines for the actions and/or recommendations); and
- f. the date of the decision.

An example of a summary decision is provided as Attachment B.

10. Referral or application of complaint to NTCAT

10.1 Circumstances

There are two circumstances under which a complaint can be referred or an application made (appealed) to NTCAT.

1. If the sitting panel does not provide the complainant or respondent with a Decision Notice within 90 days of LGANT having received the complaint, the complainant or respondent may refer the complaint to NTCAT [section 132(1) LG Act].
2. If a person is subject to a recommendation of the Panel and does not comply with the recommendation (see 8.2), the complainant or the respondent may apply to NTCAT to deal with the failure [section 130(1) LG Act].

10.2 Monitoring of panel recommendations

The Panel Secretariat provides a summary decision of the sitting panel's decision to the CEO of the relevant council. The CEO is to table the summary decision at the next ordinary meeting of the council. The summary decision includes any recommendations for action and any dates by which the actions should be completed.

If the Panel has made recommendations to a person and the person does not comply with those recommendations, the complainant or the respondent may apply to the NT Civil and Administrative Tribunal (NTCAT) to deal with the failure. The CEO of the council where the complaint was made will monitor if recommendations in a decision notice have been fulfilled.

11. Panel Secretariat

LGANT will fulfil the role of Secretary to the Code of Conduct Panel and its sitting panels.

11.1 Duties

For each code of conduct complaint referred to the CCP, the Panel Secretariat would provide the following support:

- i. organise the establishment of a sitting panel, including the selection of 2 council members from the panel pool;
- ii. obtain the complaint and any supporting documentation (e.g., respondent statement) from the relevant Council CEO if not provided;
- iii. issue a sitting panel notice to the complainant and respondent;
- iv. receive and forward any correspondence between the parties and the sitting panel including on making representations to the sitting panel;
- v. organise meetings for the sitting panel to deliberate on the complaint;
- vi. keep minutes on the deliberations of the sitting panel;
- vii. give the decision notice for the complaint to the complainant and the respondent;
- viii. provide a summary decision of the sitting panel to the CEO of the relevant council; and
- ix. maintain a CCP outcomes register (see 11.2).

The Panel Secretariat encourages all written material to be provided to it electronically.

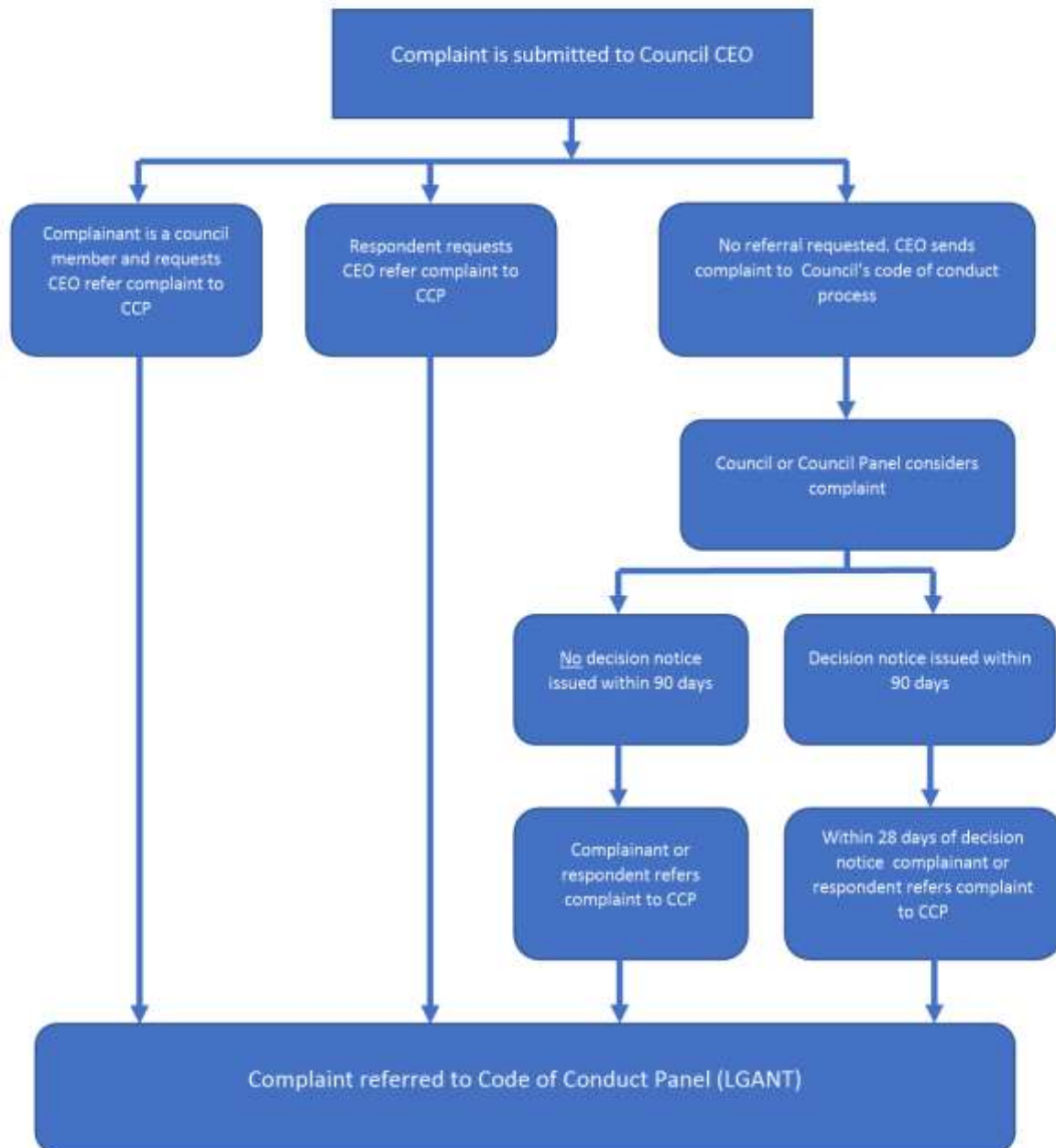
11.2 Register of panel decisions

The Panel Secretariat will report annually to the LGANT Executive a summary of all complaints and outcomes from the preceding 12 months.

The register will not publish decision notices in full but will provide a table of the summary decisions. The table will be published on LGANT's website.

Records, data, evidence and manuscripts relating to complaints that are referred to the CCP will be held for seven years from the date of the decision notice and then destroyed.

Figure 1. Pathways for referral of a complaint to the Code of Conduct Panel





Attachment A

Example of email to potential Panel members

Dear Jane,

A complaint has been referred to the Code of Conduct Panel via LGANT. Flossy Smith has alleged that Councillor Joe Bloggs of XYZ Council has contravened the Council's Code of Code.

LGANT intends to form a sitting panel soon to deliberate on the complaint. As a member of the Code of Conduct Panel pool, we would like you to be a member of that sitting panel. The sitting panel has 90 days from today to make a decision on the matter.

Could you advise whether:

- (1) you are willing and available to be a member of the sitting panel that deliberates on the complaint by Flossy Smith against Councillor Joe Bloggs; and
- (2) you do not have a conflict of interest to deliberate on the complaint.

It would be greatly appreciated if you could respond by COB this **[add date]**.

Yours kindly,

LGANT CEO

Attachment B

Sample of a Summary Decision

SUMMARY DECISION CODE OF CONDUCT PANEL

Details

Date of decision:	22 September 2021
Complainant:	Flossy Smith
Respondent:	Councillor Joe Bloggs
Local Government Council:	XYZ Council
Code of Conduct:	Schedule 1 of the <i>Local Government Act 2019</i>
Sitting Panel Members:	Susan Boyle – Chair Mark Wahlberg – Member Jane Jones – Member

Panel Determinations

	Summary of Complaint	Breaches established	Action taken
1	Standing in a threatening manner		Summarily rejected
2	Using disrespectful language	Clause 3	1. Administer a reprimand; 2. Recommend that training in anger management be completed by 22 December 2021.



PREScribed CORPORATION PANEL NOMINATION FORM

COUNCIL NAME:

Click or tap here to enter text.

1. Agreement to be Nominated

I, Click or tap here to enter text. agree to be nominated as a member of the ***Prescribed Corporation Panel***.

Signature: _____ Date: Click or tap to enter a date.

2. Council Confirmation of Nomination

I, Click or tap here to enter text. the Chief Executive Officer hereby confirm that Click or tap here to enter text. was approved by resolution of Council to be nominated as a member of the ***Prescribed Corporation Panel at a meeting held on*** Click or tap to enter a date..

Signature: _____ Date: Click or tap to enter a date.

3. Nominee's Contact Details

Email address: Click or tap here to enter text.

Phone No: Click or tap here to enter text.

4. Code of Conduct Panel Charter

The application details below are to ensure observance to the Code of Conduct Panel Charter and to ensure nominees are making an informed decision regarding their nomination.

LGANT Executive members are not eligible to nominate for a position on the Panel.

Nominees must have served as a council elected member for at least two (2) years in the Northern Territory.

In nominating a representative, Councils should consider the desirable attributes of a panel pool member, including:

- Ability to judge an issue on its merits;
- Ability to analyse situations; and
- Effective communication skills.

Council members will not be paid by LGANT for their membership in the panel pool. Sitting panel members may receive modest reimbursement of their direct costs and effort on the Panel.

5. Nominee Information

The following information will enable the LGANT Executive to make an informed decision regarding the selection of panel pool members. If you want to submit further information, please attach it as a separate document to this form.

5.1 How many years have you served as an elected council member? [Click or tap here to enter text.](#) Years

5.2 Please indicate any educational and professional qualifications: (please tick all that apply)

Secondary Level ☐: [Click or tap here to enter text.](#)

Certificate I-IV ☐: [Click or tap here to enter text.](#)

Diploma, Advanced Diploma, Associate Degree ☐: [Click or tap here to enter text.](#)

Batchelor Degree and Honours ☐: [Click or tap here to enter text.](#)

Graduate Certificate and Graduate Diploma ☐: [Click or tap here to enter text.](#)

Masters Degree ☐: [Click or tap here to enter text.](#)

Doctorate Degree ☐: [Click or tap here to enter text.](#)

Professional Associations ☐: [Click or tap here to enter text.](#)

Other ☐: [Click or tap here to enter text.](#)

5.3 What other life experiences do you have that is relevant to this Panel?

[Click or tap here to enter text.](#)

6. Nominee Declaration	<u>Yes</u>	<u>No</u>
6.1 I have read and agree to the Code of Conduct Panel Charter.	<input type="checkbox"/>	<input type="checkbox"/>
6.2 I understand that serving on a panel may be time-consuming.	<input type="checkbox"/>	<input type="checkbox"/>
6.3 I agree to act in professional and respectful manner in carrying out these responsibilities and attend meetings when required.	<input type="checkbox"/>	<input type="checkbox"/>
6.4 I agree to maintain the confidentiality of panel deliberations and not disclose personal or sensitive information to third parties.	<input type="checkbox"/>	<input type="checkbox"/>
6.5 I confirm that the information in this form is true and correct and has been completed to the best of my ability.	<input type="checkbox"/>	<input type="checkbox"/>

Nominee Name: Click or tap here to enter text._

Signature: _____ Date: Click or tap to enter a date.



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 13

Prepared by Sharon Binns, Governance & Quality Assurance
Officer

Ministerial Guideline 7 - Procedural Fairness in deciding Code of Conduct Complaints

Purpose

To provide Council with the Draft Guideline 7 – Procedural Fairness in deciding Code of Conduct complaints.

Background

The Code of Conduct is intended to set standards and provide guidance to elected members, council staff and the public about how a council will carry out its responsibilities. It is principles based, rather than formulating hard rules, and provides encouragement for council members to work together, acting in the best interests of the community and in a cooperative way designed to achieve the best outcomes.

This Guideline provides guidance to help councils ensure that Code of Conduct complaints are handled in accordance with the principles of procedural fairness (natural justice).

Statutory Environment

Local Government Act 2019 Chapter 7 Part 7.4 Division 2 – Contravention of code of conduct by council members

Impact for Council

To ensure procedural fairness and natural justice principles are adhere to.

Strategic Alignment

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

Focus 1 - Strengthen our Organisation	
1.2 Governance	
Journey 1.2.3	Continue to strengthen the governance framework and encourage active contribution at all meetings
Focus 2 - Supporting our People	
2.1 Leadership	
Journey 2.1.2	Commit and uphold ethical, transparent and culturally sensitive leadership

Recommendation

1. That Council note the Draft Ministerial Guideline 7 Procedural Fairness in deciding Code of Conduct complaints.

Attachments

- 1 Guideline 7 - Procedural Fairness in deciding Code of Conduct complaints

Guideline 7: Procedural Fairness in Deciding Code of Conduct Complaints

Contents

1	Title.....	2
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3	Definitions.....	2
4	Purpose of the Code of Conduct.....	2
5	Objectives.....	2
6	General principles.....	2
7	Council or council panel decides complaint.....	3
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Guideline 7: Procedural Fairness in Deciding Code of Conduct Complaints

LOCAL GOVERNMENT GUIDELINE NO. 7

Local Government Act 2019

Making of Guideline

I, Chanston James Paech, Minister for Local Government, under section 342 of the *Local Government Act 2019*, hereby make this Guideline for the purposes of the Act.

.....
Minister for Local Government

/ / 2022

Guideline 7: Procedural Fairness in Deciding Code of Conduct Complaints

1 Title

- 1.1 This Guideline is titled *Guideline 7: Procedural Fairness in Deciding Code of Conduct Complaints*.

2 Commencement

- 2.1 This Guideline commences on the day on which it is made by the Minister.

3 Definitions

For the purposes of this Guideline:

Act means the *Local Government Act 2019*.

Complainant means the person who lodges a complaint believing a council member has contravened the Code of Conduct.

Respondent means the council member alleged to have committed the contravention of the Code of Conduct

4 Purpose of the Code of Conduct

- 4.1 The Code of Conduct is intended to set standards and provide guidance to elected members, council staff and the public about how a council will carry out its responsibilities. It is principles based, rather than formulating hard rules, and provides encouragement for council members to work together, acting in the best interests of the community and in a cooperative way designed to achieve the best outcomes.

5 Objectives

- 5.1 This Guideline provides guidance to help councils ensure that Code of Conduct complaints are handled in accordance with the principles of procedural fairness (natural justice).

6 General principles

- 6.1 Procedural fairness is a requirement for those exercising power to do so in a fair manner. It is concerned with the fairness of how a decision is made, rather than the outcome of the decision. To ensure that a decision-making process is fair, the council or council committee should:
- a) Ensure a person against whom a complaint has been lodged is made aware of the complaint and any substantiating details in order to be able to participate meaningfully in the decision-making process.
 - b) Ensure a person whose rights and interests are to be affected by a decision be given an opportunity to be heard before the decision is made. Rights and interests include status and reputation.
 - c) Observe the rule against bias. This can be actual bias or perceived bias. For example, if a member of a council considering a complaint is a close personal friend of the respondent to the complaint, that member should declare a conflict of interest, as they could be perceived as being biased in favour of the respondent.
 - d) Consider only relevant information before making the decision.
 - e) Provide reasons for the decision.

Guideline 7: Procedural Fairness in Deciding Code of Conduct Complaints

7 Council or council panel decides complaint

- 7.1 A council or council panel in deciding a complaint under section 123 of the Act must ensure that the principles of procedural fairness are observed in deciding the complaint. For example, the council or council panel should provide the complainant and respondent with opportunity to make representations to the council or council panel before deciding the complaint. This could involve the complainant or respondent presenting their side of the story in writing, in person or otherwise.
- 7.2 In deciding a complaint, the council or council panel are expected to observe the rule against bias.
- 7.3 A person with a conflict of interest should not be part of the decision making process as the decision could be perceived to be affected by bias.
- 7.4 In determining the process for considering a complaint, the council or the council panel should consider the accessibility of the process to the parties. For example, asking a party to the complaint to provide information in person may not be fair if the person lives a long distance away.

8 Information the council or council panel may consider

- 8.1 It is important to note that the council or council panel do not have information gathering powers. For example, a council cannot force a party to the complaint or another person to answer written questions or appear in person.
- 8.2 A council or council panel can however ask for information knowing that it is the choice of the person being asked as to what, if any, information the person will give to the council or council panel.
- 8.3 The council or council panel may seek relevant information to ensure issues raised in a complaint are sufficiently addressed. This could involve asking the respondent or the complainant questions, asking another person questions or finding out information by examining a document relevant to a complaint, e.g. council meeting agenda papers. When asking a person questions, the limitations mentioned in paragraphs 8.1 and 8.2 must be kept in mind – it is not compulsory for the person to answer the questions.

9 Reasons for decision

- 9.1 A council or council panel should set out the reasons for its decision in the decision notice, which is provided to the parties to the complaint.



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 14

Prepared by Sharon Binns, Governance & Quality Assurance Officer

Key Result Areas aligned with Regional Plan 2022-2023

Purpose

To provide Council with the measures to be used to ensure we meet the Key Result Areas of our Regional Plan 2022-2023.

Background

West Daly Regional Council KRA is a type of measure providing a tangible way to track measures that actually reflect performance, are structured effectively and are reviewed and reported on consistently.

On 23 June 2022, Council passed resolution 056/2022 as follows:

That Council approve the Chief Executive Officer to develop KPI's that will be used for judging Councils performance against each Focus Area of the approved West Daly Regional Council – Regional Plan 2022-23 and that these be considered for approval by Council at the next OCM.

Statutory Environment

Local Government Act 2019 (NT)

Impact for Council

To have a better understanding on the measurable of Council in line with the Regional Plan 2022-2023.

Strategic Alignment

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

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

Recommendation

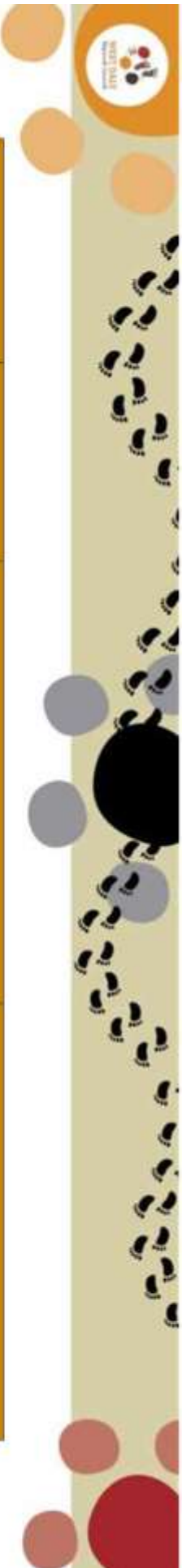
1. That Council note the Key Result Areas 2022-2023 aligned with the Regional Plan 2022-2023.

Attachments

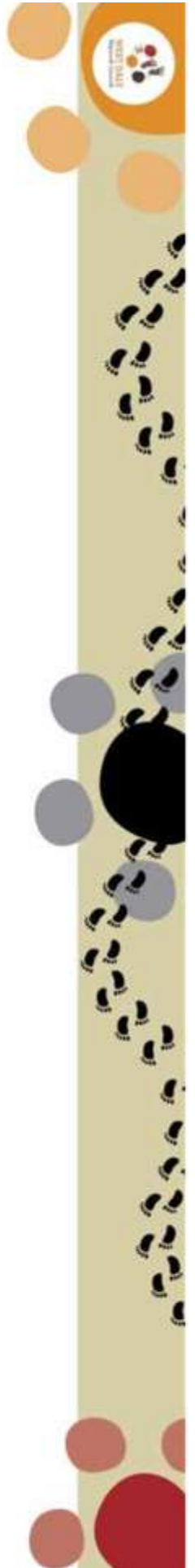
- 1 Key Focus Area - KPI targets

WEST DALY REGIONAL COUNCIL KEY RESULT AREAS Aligned to the 2022/23 Regional Plan

KEY FOCUS AREA (Key Result Area)	DESTINATION (Objective)	JOURNEY (Measure)	KEY PERFORMANCE INDICATORS (KPI)
1. Strengthen our Organisation	1. Strategy	1.1 Develop and implement a Strategic Plan.	• Strategic Plan implemented by end of financial year.
		1.2 Develop and implement a long-term Financial Plan.	• Long-term Financial plan implemented by end of financial year.
		1.3 Develop and implement a Digital Strategy.	• Digital strategy implemented by end of financial year.
		1.4 Develop and implement a Waste Management Strategy.	• Waste Management Strategy implemented by the end of the financial year.
	2. Governance	2.1 Develop and implement an organisational risk framework.	• Organisational risk framework implemented by end of financial year.
		2.2 Continued development of the compliance framework.	• Compliance framework development throughout financial year with all policies reviewed and updated as required.
		2.3 Continue to strengthen the governance framework and encourage active contribution at all meetings.	• Number of active contributions at meetings with a quorum.



KEY FOCUS AREA (Key Result Area)	DESTINATION (Objective)	JOURNEY (Measure)	KEY PERFORMANCE INDICATORS (KPI)
1. Strengthen our Organisation	3. Culture	3.1 Undertake an employee engagement and organisational culture benchmarking survey. 3.2 Review West Dailly Regional Council's vision and values as part of strengthening our corporate culture. 3.3 Provide access to appropriate cultural awareness training. 3.4 Create a Cultural Advisory Officer position.	<ul style="list-style-type: none"> Survey conducted within financial year. Numbers of employee's participating in the engagement and organisational culture benchmarking survey. West Dailly Regional Council vision and values reviewed by end of financial year as part of strategic planning. Cultural awareness program developed by end of financial year. Cultural Advisory Officer position created within 3 months.

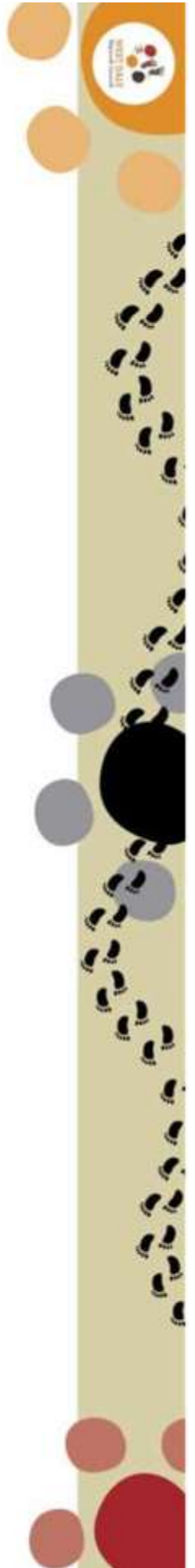


KEY FOCUS AREA (Key Result Area)	DESTINATION (Objective)	JOURNEY (Measure)	KEY PERFORMANCE INDICATORS (KPI)
1. Strengthen our Organisation	4. Sustainability	<p>4.1 Continue to investigate commercial opportunities as part of business and competitive organisational strategies.</p> <p>4.2 Seek collaborative partnerships that secure financial sustainability.</p> <p>4.3 Secure increased opportunities through grants that improve community life.</p> <p>4.4 Seek commercial opportunities as part of growing a sustainable trades division.</p>	<ul style="list-style-type: none"> • Ongoing investigation of commercial opportunities and the number of opportunities investigated. • Number of partnerships that secure financial sustainability. • Number of grants that improve community life. • Number of commercial opportunities for growing sustainable trades division.



KEY FOCUS AREA (Key Result Area)	DESTINATION (Objective)	JOURNEY (Measure)	KEY PERFORMANCE INDICATORS (KPI)
1. Strengthen our Organisation	5. Local Decision Making	5.1 Support Local Authority (LA). 5.2 Strengthen Local Authority through training, education and mentorship. 5.3 Actively participate in local decision-making agreements.	<ul style="list-style-type: none">• Governance Officer to provide administrative support to LA Chair and community members.• Provide LA training, education and mentorship by the end of the financial year.• Number of local decision making agreements participated in.

KEY FOCUS AREA (Key Result Area)	DESTINATION (Objective)	JOURNEY (Measure)	KEY PERFORMANCE INDICATORS (KPI)
2. Supporting our People	1. Leadership	<p>1.1 Develop and publish an Executive behaviour statement.</p> <p>1.2 Commit and uphold ethical, transparent and culturally sensitive leadership.</p> <p>1.3 Identify emerging leaders across West Daly Regional Council and support their development.</p> <p>1.4 Enhance leadership and management capability across West Daly Regional Council.</p> <p>1.5 Deliver leadership workshops and provide mentorship to our people.</p>	<ul style="list-style-type: none"> Executive behaviour statement published within 6 months. Number of complaints or accolades on leadership. Number of emerging leaders identified and supported across West Daly Regional Council. Number of leadership workshops. Leadership workshops programmed within 3 months.



KEY FOCUS AREA (Key Result Area)	DESTINATION (Objective)	JOURNEY (Measure)	KEY PERFORMANCE INDICATORS (KPI)
2. Supporting our People	2. Safety	2.1 Continue to protect our people's health and safety in community.	<ul style="list-style-type: none"> Metrics of employee's health and safety.
		2.2 Continue to develop and implement the occupational violence mitigation program.	<ul style="list-style-type: none"> Implement the occupational violence mitigation program and monitor success.
		2.3 Deliver prevention of occupational violence training to our people.	<ul style="list-style-type: none"> Deliver prevention of occupational violence training within 3 months.
		2.4 Continue implementation of the work health and safety continuous improvement plan.	<ul style="list-style-type: none"> Implementation of the health and safety continuous improvement plan.



KEY FOCUS AREA (Key Result Area)	DESTINATION (Objective)	JOURNEY (Measure)	KEY PERFORMANCE INDICATORS (KPI)
2. Supporting our People	3. Mental Health & Wellbeing	<p>3.1 Seek via research to understand the mental health and wellbeing needs of our people.</p> <p>3.2 Enter into collaborative partnerships to deliver mental health and wellbeing programs.</p> <p>3.3 Provide our people with the skills to positively influence the broader community in health and wellbeing.</p> <p>3.4 Continue to develop and implement policies supporting mental health and wellbeing.</p> <p>3.5 Deliver applied suicide intervention skills training.</p>	<ul style="list-style-type: none"> • Mental Health and Wellbeing metrics for region. • Mental health and wellbeing programs to be delivered by end of financial year in line with funding. • Number of opportunities to positively influence the broader community in health and wellbeing. • Implement policies supporting mental health and wellbeing by end of financial year. • Suicide intervention training delivered within 6 months.

KEY FOCUS AREA (Key Result Area)	DESTINATION (Objective)	JOURNEY (Measure)	KEY PERFORMANCE INDICATORS (KPI)
2. Supporting our People	4. Professional Development	<p>4.1 Encourage and support internal career progression within West Daly Regional Council.</p> <p>4.2 Encourage and support access to professional development.</p> <p>4.3 Encourage and support employees to collaborate with other local government colleagues.</p>	<ul style="list-style-type: none"> • Number of internal career progressions within West Daly Regional Council. • For staff a minimum 1 Professional Development training opportunity per year. • Number of collaborations with other local government colleagues.

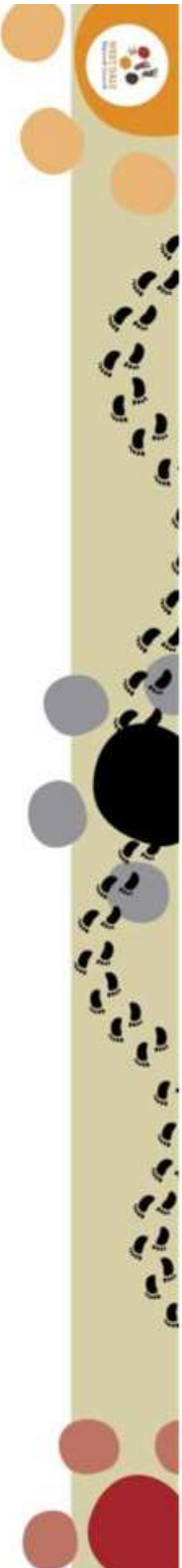


KEY FOCUS AREA (Key Result Area)	DESTINATION (Objective)	JOURNEY (Measure)	KEY PERFORMANCE INDICATORS (KPI)
3. Developing our Community	1. Indigenous Employment	1.1 Establish mechanical and carpentry apprenticeship positions.	<ul style="list-style-type: none"> Establish mechanical and carpentry apprenticeship positions within 3 months.
		1.2 Establish an administrative traineeship.	<ul style="list-style-type: none"> Establish an administrative traineeship within 3 months.
		1.3 Secure additional contracts that create employment opportunities.	<ul style="list-style-type: none"> Number of additional contracts that create employment opportunity.
		1.4 Uplift civil service hours to create increased employment opportunities.	<ul style="list-style-type: none"> Uplift civil service hours to create increased employment opportunity within 3 months and in line with funding.
		1.5 Uplift homelands support to create increased employment opportunities.	<ul style="list-style-type: none"> Uplift homelands support to increase employment opportunity by end of financial year and in line with funding.

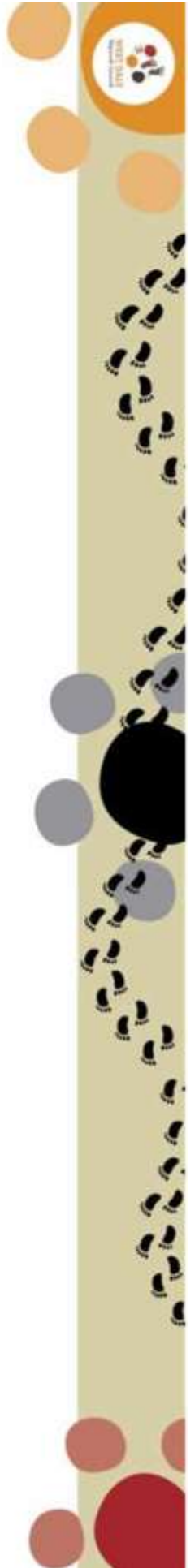
KEY FOCUS AREA (Key Result Area)	DESTINATION (Objective)	JOURNEY (Measure)	KEY PERFORMANCE INDICATORS (KPI)
3. Developing our Community	2. Improving Infrastructure	<p>2.1 Develop and implement a five-year regional road network plan.</p> <p>2.2 Develop West Daly Regional Council community infrastructure plans and identify priority works.</p> <p>2.3 Improve employee housing security.</p> <p>2.4 Improve employee housing standard.</p>	<ul style="list-style-type: none"> Develop and implement a five-year regional road network plan by end of financial year. Develop West Daly Regional Council community infrastructure plans and identify priority works by end of financial year. Number of employee housing security improvements. Number of employee housing standard improvements.



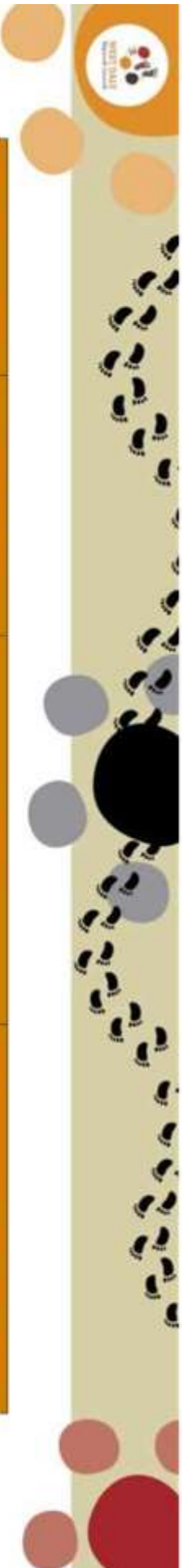
KEY FOCUS AREA (Key Result Area)	DESTINATION (Objective)	JOURNEY (Measure)	KEY PERFORMANCE INDICATORS (KPI)
3. Developing our Community	3. Homelands	<p>3.1 Consult with Homelands residents to identify priority infrastructure needs.</p> <p>3.2 Deliver Homeland service delivery plans.</p> <p>3.3 Collaborate with community and all levels of government on a long term and sustainable Homelands strategy.</p>	<ul style="list-style-type: none"> Number of consultations with Homelands residents. List of identified priority infrastructure needs for homelands. Evaluation of Homeland service delivery plans. Working with NTG and Stakeholders to develop Homelands Strategy by end of financial year.
	4. Community Cultural & Social Events	<p>4.1 Partner with community to run dry season movie nights.</p> <p>4.2 Partner with community to deliver a NAIDOC event.</p> <p>4.3 Support Local Authority to host a cultural event significant to their community.</p>	<ul style="list-style-type: none"> Number of dry season movie nights. NAIDOC event calendar. Local Authority cultural event held by end of financial year.



KEY FOCUS AREA (Key Result Area)	DESTINATION (Objective)	JOURNEY (Measure)	KEY PERFORMANCE INDICATORS (KPI)
4. Growing our Services	1. Commercial Services	1.1 Commercialise the Wadeye rubbish tip. 1.2 Continue to investigate new commercial opportunities.	<ul style="list-style-type: none"> Commercialise the Wadeye rubbish tip by end of financial year. Number of new commercial opportunities.
	2. Transport Services	2.1 Continue to develop the Wadeye bus service. 2.2 Provide safer signage that contributes to safer communities. 2.3 Seek funding for a four wheel drive community bus.	<ul style="list-style-type: none"> Develop the Wadeye bus service by end of financial year. Wadeye Bus route put into place with bus stops established. Security upgrades to Wadeye bus completed within 6 months. Provide safer signage that contributes to safer communities by end of financial year. Seek funding for a four wheel drive community bus by the end of the financial year.



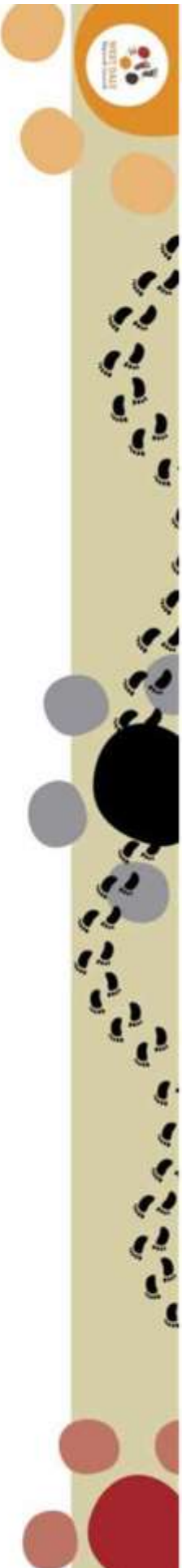
KEY FOCUS AREA (Key Result Area)	DESTINATION (Objective)	JOURNEY (Measure)	KEY PERFORMANCE INDICATORS (KPI)
4. Growing our Services	3. Infrastructure Services	<p>3.1 Employ a Technical Services Manager.</p> <p>3.2 Employ a Regional Services Manager.</p> <p>3.3 Secure long term land tenure for delivery of services.</p> <p>3.4 Collaborate with CouncilBIZ to upgrade ICT systems across the West Daly Regional Council.</p>	<ul style="list-style-type: none"> • Employ a Technical Services Manager within 3 months. • Employ a Regional Services Manager within 3 months. • Secure long term land tenure for delivery of services by end of financial year. • Collaborate with CouncilBIZ to upgrade ICT systems across the WDRC by end of financial year.



KEY FOCUS AREA (Key Result Area)	DESTINATION (Objective)	JOURNEY (Measure)	KEY PERFORMANCE INDICATORS (KPI)
4. Growing our Services	4. Environmental Health Services	<p>4.1 Promote sustainable communities through waste management awareness and education.</p> <p>4.2 Deliver Wadeye and Peppimenarti landfill upgrade works plan.</p> <p>4.3 Investigate waste management solutions to improve sustainable and economic options.</p>	<ul style="list-style-type: none"> Number and type of waste management awareness and education promotions. Deliver Wadeye and Peppimenarti landfill upgrade works plan by end of financial year. Number of waste management options investigated.
	5. Community Services	<p>4.4 Implement a car removal program in line with available funding.</p> <p>4.5 Work with service providers to establish an animal management plan.</p> <p>4.6 Work with service providers to improve the health and welfare of animals living in communities.</p>	<ul style="list-style-type: none"> Implement a car removal program in line with available funding by end of financial year. Work with service providers to establish an animal management plan by end of financial year. Run 2 x animal management programs. Metrics on improvement of animal health in community.



KEY FOCUS AREA (Key Result Area)	DESTINATION (Objective)	JOURNEY (Measure)	KEY PERFORMANCE INDICATORS (KPI)
5. Building our Region	1. Major Projects	1.1 Complete the Manthathpe walkway project. 1.2 Complete the Peppimenarti conference facility project. 1.3 Complete the Wadeye swimming pool replacement project. 1.4 Complete the solar street light safer community's initiative.	<ul style="list-style-type: none"> All Journeys completed by the end of the financial year.



KEY FOCUS AREA (Key Result Area)	DESTINATION (Objective)	JOURNEY (Measure)	KEY PERFORMANCE INDICATORS (KPI)
5. Building our Region	2. Future Projects	<p>2.1 Continue development of the Peppimenarti community hub proposal.</p> <p>2.2 Continue development of the Peppimenarti and Nganmarriyanga accommodation hub proposal.</p> <p>2.3 Continue development of the Wadeye accommodation hub proposal.</p> <p>2.4 Continue development of the food security proposal.</p> <p>2.5 Work with Council and Local Authority to identify future major projects.</p>	<ul style="list-style-type: none"> • Peppimenarti community hub proposal draft by end of financial year. • Peppimenarti and Nganmarriyanga accommodation hub proposal draft by end of financial year. • Wadeye accommodation hub proposal draft by end of financial year. • Food security proposal draft by end of financial year. • Number and list of future major projects.

KEY FOCUS AREA (Key Result Area)	DESTINATION (Objective)	JOURNEY (Measure)	KEY PERFORMANCE INDICATORS (KPI)
5. Building our Region	3. Local Authority Projects	<p>3.1 Complete Local Authority funded projects.</p> <p>3.2 Provide milestone achievements for Local Authority.</p> <p>3.3 Publish completed Local Authority projects and promote their success.</p> <p>3.4 Identify through Local Authority future community improvement projects.</p>	<ul style="list-style-type: none"> Complete Local Authority funded projects. Provide milestone achievements for Local Authority at each meeting. Publish completed Local Authority projects and promote their success on website and through community. Number and list of future community improvement projects.



KEY FOCUS AREA (Key Result Area)	DESTINATION (Objective)	JOURNEY (Measure)	KEY PERFORMANCE INDICATORS (KPI)
5. Building our Region	4. Regional Analysis	<p>4.1 Undertake a policy landscape review.</p> <p>4.2 Undertake a socio-economic investigation and analysis of West Daly region.</p> <p>4.3 Undertake an economic benefit analysis of future projects.</p> <p>4.4 Strengthen key relationships to maximise economic data for the benefit of communities.</p>	<ul style="list-style-type: none"> Undertake a policy landscape review by end of financial year. Undertake a socio-economic investigation and analysis of West Daly region within 6 months. Undertake an economic benefit analysis of future projects within 6 months.



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 15

Prepared by **Matthew Eastham, CEO**

CEO Appointments - CouncilBIZ Board and Executive Committee

Purpose

To advise Council of the appointment of the CEO as the Deputy Chair of the CouncilBIZ Board and as the Deputy Chair of the CouncilBIZ Executive Committee for a period of twelve months from 01 July 2022 to 30 June 2023.

Background

The West Daly Regional Council is a member council of CouncilBIZ.

In accordance with CouncilBIZ Policy No. B007 "Board and Committee Meetings", and Policy No. B004 "Executive Committee", CouncilBIZ must review Board appointed positions on the Board and Committees on an annual basis.

The CouncilBIZ Board and Executive meets on a monthly basis and regular dialog and meetings are conducted as required by the Chair of the Board and Executive in support of CouncilBIZ and its CEO.

Statutory Environment

Not applicable.

Impact for Council

For noting purposes.

Strategic Alignment

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

Focus 1 - Strengthen our Organisation

1.2 Governance

Journey 1.2.3	Continue to strengthen the governance framework and encourage active contribution at all meetings
1.4 Sustainability	
Journey 1.4.2	Seek collaborative partnerships that secure financial sustainability

Recommendation

- 1. That Council notes the appointment of the CEO as the Deputy Chair of the CouncilBIZ Board and the CouncilBIZ Executive Committee for a period of twelve months from 01 July 2022 to 30 June 2023.**

Attachments

There are no attachments for this report.



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 16

Prepared by **Matthew Eastham, CEO**

Chief Executive Officer Report

Purpose

To update Council on matters related to governance and management.

Background

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

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

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

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

Council continues its focus on maintaining service delivery across the West Daly region with complexities being experienced due to the dispersed population of Wadeye and the Homelands as well as social / cultural matters. Increased support across the business is required for the ongoing situation at Wadeye and its subsequent impacts across the region. The cost of providing services is increasing with the current complexities.

Exposure of our staff to occupational violence continues and whilst mitigation by Council is continuing where practicable there has been several incidents including a serious firearms incident.

Council has remained agile and responsive to requests from the Northern Territory Government completing many civil and infrastructure works. Further work requests from Council to support Homelands are with the Northern Territory Government for assessment.

There has been a high volume of legislative and business commitments leading up to the end of the Financial Year. All transitional matters relating to the Local Government Act 2019 for Council have been completed.

Staff pay and entitlement matters in relation to the West Daly Regional Council Enterprise Agreement 2021 have been actioned for the 2022/23 Financial Year.

Major project progression is a priority for Council – difficulties are being experienced with contractors not wanting to work at Wadeye or undertake projects in the region. Despite this, projects such as construction of shade and seating as well as parking at the sports hall in Wadeye is progressing.

Local Authority meetings have proven challenging to hold during COVID with all meetings being cancelled. Additionally some Local Authority meetings have been cancelled due to community unrest or the unavailability of members. Local Authority meetings were held in Nganmarriyanga and Peppimenarti in June with the Wadeye Local Authority meeting being cancelled due to a quorum being unable to be reached.

Work continues with the NTG/DIPL around the Wadeye Swimming Pool. The priority at this time is budget review and scoping of the project.

On behalf of Council the Deputy Mayor, Councillor Wilson, CEO, COO and CPSO attended the 2022 National General Assembly (NGA). This was a significant step forward for Council in having Elected Member representation at the NGA.

CEO continues to work with the Chief Ministers Department regarding Councils correspondence detailing the impact of unrest, crime, and violence including the most recent events on the people and assets of the West Daly Regional Council. Practical and achievable strategies whereby Council the Northern Territory Government can collaborate to uplift Council services to the community which will assist to minimise risk and provide improved opportunities and support to our community.

CEO has attended many meetings including CouncilBiz Executive, CouncilBiz Board, MLA Dheran Young, CMC, NLC, TDC, Murin Association, West Arnhem Regional Council, LGANT, and Consultancy (various).

Workplace culture, governance and transitional matters, policy, procurement and reporting are key focus areas for the Office of the CEO. Work on the Annual Report has commenced. Strategic planning is currently being reviewed to establish an efficient and effective way to undertake the consultation and planning. Digital Strategy is underway. Organisational risk framework is underway.

Statutory Environment

Nil

Impact for Council

Information purposes only.

Strategic Alignment

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

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

Recommendation

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

Attachments



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 17

Prepared by Sharon Binns, Governance & Quality Assurance Officer

LGANT Nomination of office bearers

Purpose

The Chief Executive Officer of LGANT has advised in accordance with their Constitution he must call for nominations on the LGANT Executive Board (one of which will include the appointed member nomination from City of Darwin).

Background

The LGANT Executive has nine members, of which eight are elected and one is appointed directly by the City of Darwin. The election for the remaining eight (8) positions on the LGANT Executive Board will be held on Friday 18 November 2022 at the LGANT Annual General Meeting in Darwin.

Only one candidate can be elected per council. Nominations must be supported by a short biography of no more than 300 words, to be included in the agenda papers for the AGM, and members may wish to speak in support of their nominations at the meeting.

Statutory Environment

N/A

Impact for Council

Collaboration with other members on Councils.

Strategic Alignment

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

Focus 1 - Strengthen our Organisation	
1.2 Governance	
Journey 1.2.2	Continued development of the compliance framework

Recommendation

1. That Council nominates for the LGANT Executive Board and directs them to complete the nomination form by Thursday 7 August 2022.

Or

2. That Councillors do not want to nominate for election to LGANT Executive board.

Attachments

- 1 LGANT Nomination
- 2 LGANT Nomation information



LOCAL GOVERNMENT ASSOCIATION OF THE NORTHERN TERRITORY

NOMINATION OF OFFICE BEARERS

In accordance with clause 14.9 of the LGANT Constitution, I hereby call for nominations to the nine (9) positions on the LGANT Executive Board (one of which will include the appointed member nomination from City of Darwin). Election for the remaining eight (8) positions on the LGANT Executive Board will be held on Friday 18 November 2022 at the LGANT Annual General Meeting in Darwin.

Sean G Holden
Chief Executive Officer
15 June 2022

Nominating Council:

The Council resolved at a meeting held on _____ 2022 to nominate the following elected member(s) to the LGANT Executive:

Name of Elected Member	Executive Member
	President
	Vice President Regional and Shire
	Vice President Municipal
	Board Member Municipal
	Board Member – Regional and Shire
	Appointed Member – City of Darwin

Signed _____ / / 2022
CEO

Please forward completed nomination form and a short biography on each nominee by Thursday 7 August 2022 to:

Acala Tucker
Executive Assistant to the CEO
Email: Acala.tucker@lgant.asn.au

P (08) 8944 9697 A 21 Parap Rd, Parap NT 0820
E info@lgant.asn.au PO Box 2017, Parap NT 0804
W lgant.asn.au ABN: 53 009 465 021

We are local. We connect.



15 June 2022

Dear Mayor/President,

LGANT EXECUTIVE NOMINATION AND ELECTIONS

I hereby advise that in accordance with the Constitution of the Local Government Association of the Northern Territory, as Chief Executive I must:

- call for nominations for the Executive positions 15 June 2022, closing on 7 August 2022;
- inform members of all nominations by 15 August 2022; and
- facilitate elections for the LGANT Executive on Friday 18 November 2022 at the LGANT Annual General Meeting (AGM) in Darwin.

The nomination form for the various positions is attached. It will be prudent for members to consider this matter at a prior council meeting and nominations must be endorsed by way of council resolution only.

Nominations must be supported by a short biography of no more than 300 words, to be included in the agenda papers for the AGM, and members may wish to speak in support of their nominations at the meeting.

The Northern Territory Electoral Commission will be on hand at the AGM to count votes for the election.

Please be aware of the following considerations:

- The LGANT Executive has nine members, of which eight are elected and one is appointed directly by the City of Darwin.
- If Councils submit more than one nomination for positions on the Executive, only one candidate can be elected per council and once a candidate is elected from a council, if there are other nominations submitted for further Executive positions, then those nominations will lapse and will be withdrawn by having the names of candidates crossed out on ballot papers for the remaining elections.
- The election of President has an impact on municipal and shire and regional council Board positions (rows 4 & 5 in Table 1) because the number of positions left to contest for either type of council will depend on the outcome of the election of the President (who can be from either a municipal, shire or regional council).
- The City of Darwin appointed position further reduces the number available for municipal councils to contest.

As the newly endorsed LGANT constitution will only come into effect when LGANT becomes a company limited by guarantee later this year, the 2022 elections will take place under the auspices of the current LGANT constitution as an association.

P (08) 8944 9697
E info@lgant.asn.au
W lgant.asn.au

A 21 Parap Rd, Parap NT 0820
PO Box 2017, Parap NT 0804

ABN: 53 069 465 021

We are local. We connect.



The LGANT Executive is a total of 8 members plus one City of Darwin member (a total of 9 positions). Four members are from municipal councils, five from regional and shire councils. The appointment of the President is open to all councils, but the origin of this position will determine the composition of appointments within the Executive Board, summarised in Table 1 below.

TABLE 1
LGANT Executive Positions and Elections to be held (in descending order)

Position and order of elections	Councils that can vote	Number of positions	Notes
President	All councils	1	Excluding the City of Darwin appointed member, the remaining eight (8) positions on the Executive are held equally between municipal and regional and shire Member Councils.
Vice President Regional/Shires	Shire and Regional councils	1	
Vice President Municipals	Municipal councils	1	
Executive Board Members Regionals/Shires	Shire and Regional councils	4 (or three if President is Shire/Regional)	
Executive Board Members Municipals	Municipal councils	3 (or two if President is Municipal)	

Under LGANT's governance charter (policy), the President and one of the Vice Presidents become LGANT's representatives on the Australian Local Government Association Board (ALGA). If the President is from a municipal council the Vice President Regional and Shires becomes the second LGANT member on the ALGA Board and vice versa.

Further information on this matter is available on the LGANT website. If you have any other queries, please contact me.

Yours sincerely,

Sean G Holden

Chief Executive Officer



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 18

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

Finance Committee minutes

Purpose

To ensure Council members have read and understood the minutes of the Finance Committee meeting minutes.

Background

Minutes for the Finance Committee meeting for the 15 June 2022 to be approved by Council.

Statutory Environment

Local Government Act s101 and 102.

Impact for Council

N/A

Strategic Alignment

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

Focus 1 - Strengthen our Organisation

1.2 Governance

Journey 1.2.3

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

Recommendation

1. That Council note and accept the Finance Committee meeting minutes for 15 June 2022.

Attachments

- 1 15 June 2022 Finance Committee Meeting



MINUTES OF THE FINANCE COMMITTEE MEETING
HELD IN THE WEST DALY REGIONAL COUNCIL
WINNELLIE NT 0802
ON WEDNESDAY, 15 JUNE 2022
AT 10:00 AM

Meeting opened by Mayor Narburup at 10:11am

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

PRESENT APOLOGIES AND LEAVE OF ABSENCE

Finance Committee

Title	Name	Present	Apology	Absent
Mayor	Ralph Narburup	X		
Deputy Mayor	Wilfred Harris	X		
Councillor	Jake Clark		X	

Staff

Title	Name	Present	Apology	Absent
CEO	Matthew Eastham	X		
CFO	James Cartwright	X		
COO	Andrew Everingham	X		
CPSO	Renae McGarvie		X	
Senior Accountant	Migari Wijayasekara	X		
Governance	Sharon Binns	X		

DISCLOSURES OF INTEREST – COUNCILLORS AND STAFF

There were no declarations of interest at this Finance Committee meeting.

CONFIRMATION OF MINUTES

Minutes of the Finance Committee Meeting held on 28 April 2022

005/2022

Motion:

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

Moved: Deputy Mayor Harris
Seconded: Mayor Narburup
Resolution: Unanimously

REPORTS

2) Community Night Patrol logo change

006/2022 Andrew spoke to his report.

Deputy Mayor discussed further lighting over the CNP logo might be a way to highlight.

Motion:

- 1. That the Finance Committee approve the newly proposed Community Safety Patrol program and the associated logo.**

Moved: Deputy Mayor Harris
Seconded: Mayor Narburup
Resolution: Unanimously

3) Financial Report - May 2022

007/2022 James spoke to the report.

Funding for next year not confirmed from Commonwealth or Territory governments as yet.

Motion:

- 1. That Council receives and notes the Financial Report for May 2022.**

Moved: Deputy Mayor Harris
Seconded: Mayor Narburup
Resolution: Unanimously

DECISION TO MOVE TO CLOSED SESSION

RECOMMENDATION:

Members of the press and public be excluded from the meeting of the Closed Session and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld. This action is taken in accordance with Section 99(2) of the Local Government Act 2019 as the items lists come within the following provisions:-

- 4 Confirmation of Finance Committee meeting minutes 28 April 2022** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(s99(2) of the Local Government (General) Regulations 2021. It contains the public may be excluded while business of a kind prescribed by regulation as confidential business is being considered. (Confidential matters).*
- 5 2022 NAIDOC Funding** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(c)(iii) of the Local Government (General) Regulations 2021. It contains information that would, if publicly disclosed, be likely to prejudice the security of the council, its members or staff. (Grant Agreement).*
- 6 CEO Leave** - *The report will be dealt with under Section 99(2) of the Local Government Act 2019 and Regulation 51(1)(a) of the Local Government (General) Regulations 2021. 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 (Employment in confidence).*

The meeting closed at 10:59 am.

This page and the preceding pages are the unconfirmed Minutes of the Meeting of the Finance Committee held on Wednesday, 15 June 2022 and are to be confirmed on the Wednesday, 24 August 2022.



WEST DALY REGIONAL COUNCIL

FOR THE COUNCIL MEETING OF 27 JULY 2022

Report for Agenda Item No 18

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

Incoming and outgoing correspondence report

Purpose

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

Background

Due to the volume of incoming and outgoing correspondence council receives, a list of correspondence received has been included in the agenda, rather than including copies of the correspondence. Hard copies are available on the day of the Ordinary Council Meeting for its perusal, with additional copies available on request to individual Elected Members.

Statutory Environment

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

Impact for Council

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

Strategic Alignment

This report is aligned to the West Daly Regional Plan 2021-2022

Focus 1 - Strengthen our Organisation

1.2 Governance

Journey 1.2.3

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

Recommendation

1. That Council notes and accepts the management of incoming and outgoing mail correspondence and the correspondence report for the period March through to June 2022.

Attachments

- 1 Correspondence register

Correspondence for March to June 2022

Incoming

Date	Addressed To	Correspondence From	Type	File Location	Title/Content	Date Received	Forwarded to
2/03/2022	Matthew Eastham	Louise McCormick Infrastructure Commissioner of the Northern Territory	Letter via email	File	NT Infrastructure Framework: Development of Refocused Infrastructure Strategy and Plan	2/03/2022	Matthew Eastham
1/03/2022	WDRC	Casuarina Lions Club	Letter	File	Certificate of Appreciation	2/03/2022	Matthew Eastham
3/03/2022	Matthew Eastham	Territory Families, Housing and Communities	Letter via email	File	Accepted 2020/2021 Audited Specific Purpose Financial Report	2/03/2022	Matthew Eastham
8/03/2022	Matthew Eastham	Brooke De Landre, General Manager Sports Australia	Email	File	Now Open - Regional Sports Events Fund	8/03/2021	Grants
11/03/2022	Matthew Eastham	Danyelle Jarvis, Executive Director Homeland Services Group	Letter via email	File	Accepted 2020/21 Audited Specific Purpose Financial Report Letter (Updated)	14/03/2022	CFO

Date	Addressed To	Correspondence From	Type	File Location	Title/Content	Date Received	Forwarded to
22/03/2022	Matthew Eastham	Peter Kay, A/g Regional Manager Top End, National Indigenous Australians Agency	Letter via email	File	Aboriginals Benefit Account - Project Schedule for Library Upgrade Infrastructure.	22/03/2022	Matthew Eastham
25/03/2022	N/A	Maree De Lacey	Email	File	Passage of the Local Government Legislation Amendment (Remuneration) Bill 2022	25/03/2022	Matthew Eastham
9/03/2022	Councillor Terry Sams	Chansey Peach, Minister for Local Government	Letter	File	Congratulations Councillor Sams	29/03/2022	
4/04/2022	Matthew Eastham	Jodie Ryan Chief Executive Officer Department of the Chief Minister and Cabinet Northern Territory Government	Letter via email	File	RE: Disaster Recovery Funding Arrangement - Flood event February/March 2021 - AGRN955	5/04/2022	Exec team
29/03/2022	Mayor Narburup	Roger Harvey, Chair NACKEROO and NORFORCE Association	Letter	File	80th Anniversary of 2/1 North Australia Observer Unit	5/04/2022	Mayor Narburup



Date	Addressed To	Correspondence From	Type	File Location	Title/Content	Date Received	Forwarded to
4/04/2022	Matthew Eastham	David Ritchie, Chair NT Grants Commission	Letter	File	Early Payment 2022-23 Northern Territory Financial Assistance Grants	8/04/2022	Grants, CFO, COO, CEO
6/04/2022	Mayor, Councillors and CEO	Cr Linda Scott, President Australian Local Government Association	Letter	File	Invitation to National General Assembly of Local Government (NGA), Canberra 19-22 June	21/04/2022	Matthew Eastham
22/04/2022	CEO	Mark Wilton NT Electoral Commission	Email w report	File	Final individual council report 2021 Local Government elections: West Daly Regional Council	22/04/2022	Exec team
4/05/2022	N/A	Sam Celestino Department of Infrastructure	Email	File	LRCI - Phase 3 Project Nomination/Grant Agreement	4/05/2022	Grants
4/05/2022	CEO	Michael Kartinyeri National Indigenous Australian Agency	Letter via email	File	4-BTGCNOY Acquitital	4/05/2022	Grants



Date	Addressed To	Correspondence From	Type	File Location	Title/Content	Date Received	Forwarded to
5/05/2022	Mayor Ralph Narburup	Roxanne Kelly President MacDonnell Regional Council	Letter via email	File	Response to issues raised LGANT	6/05/2022	CEO
12/05/2022	Councillors	Lewis Whitehead	Email	File	Telstra Payphone at Wadeye NT	12/05/2022	CEO
23/05/2022	CEO	Maree De Lacy Executive Director Local Government and Regional Development	Letter	File	Variation request to 2018-19 Strategic Local Government Infrastructure Fund Grant	1/06/2022	CEO
14/04/2022	Mayor	Chief Minister Gunner	Letter	File	Wadeye Swimming Pool funding	1/06/2022	CEO & Exec

Correspondence for March to June 2022

Outgoing

Date	Addressed To	Correspondence From	Type	File Location	Title/Content	Sent from
1/04/2022	Maree De Lacey Executive Director Local Government and Regional Development Department of the Chief Minister and Cabinet	Via email: LG.Compliance@nt.gov.au	Letter	File	Response to Local Authority Desktop Review Draft Report – West Daly Regional Council	Matthew Eastham
18/05/2022	Chief Minister NTG	minister.tyler@nt.gov.au	Letter via email	File	Request for assistance - Supporting Local Government across the West Daly region	CEO

