



**Victoria Daly**  
REGIONAL COUNCIL

# AGENDA

**ORDINARY MEETING OF COUNCIL  
TO BE HELD ON FRIDAY 28 APRIL 2023**

**AT 9:00 AM**

**AT THE PINE CREEK MULTI RESOURCE CENTRE**

56 Main Tce, Pine Creek, NT  
(Multi Resource Centre)

Mayor Brian Pedwell - Walangeri Ward  
Deputy Mayor Andrew McTaggart – Milngin Ward  
Councillor Yvette Williams - Pine Creek Ward  
Councillor Georgina Macleod - Daguragu Ward  
Councillor Shirley Garlett - Timber Creek Ward

**COUNCILLORS**  
**Chief Executive Officer**

Brian Hylands



## Our Vision

Council's vision for the Victoria Daly region is ***"Moving Forward Together"***, becoming a well respected and recognised leader within Australia's Local Government. Council aims to work towards developing a broad range of strategies that will help shape its vision for the region through excellent service delivery and community engagement; assisting to build one of the most sustainable, vibrant and diverse regions in Australia. The Council strives to form partnerships that ensure strategic goals are met.

## Our Values

The key core values and principles that are integral in achieving our vision are Respect, Integrity, Honesty, Openness and Equality

## Our Goals

The Council aims toward ensuring all communities are strong, safe and healthy; abundant with respect for culture and heritage. The Council aspires to provide good governance, leadership and advocacy and work towards building a strong regional economy by promoting local employment and high quality services within financial resources. The Council is also striving towards maintaining and developing Council assets, natural resources and country.



## VICTORIA DALY REGIONAL COUNCIL DISCLAIMER

No responsibility is implied or accepted by the Victoria Daly Regional Council for any act, omission or statement or intimation occurring during Council or committee meetings.

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Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or committee meeting does so at that person's or legal entity's own risk.

In particular and without detracting in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or officer of the Victoria Daly Regional Council during the Course of any meeting is not intended to be and is not taken as notice of approval from the Victoria Daly Regional Council.

The Victoria Daly Regional Council advises that anyone who has any application lodged with the Victoria Daly Regional Council shall obtain and should only rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Victoria Daly Regional Council in respect of the application.

A handwritten signature in black ink, consisting of a large, stylized 'B' followed by a horizontal line.

Brian Hylands  
**Chief Executive Officer**



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**1. Present**

**2. Apologies**

**3. Disclosure of Interest - Councillors and Staff**



## **4. Presentations - Deputations - Petitions**

Nil

## **5. Confirmation of Minutes**

### **5.1. Ordinary Council Meeting held on 28 March 2023**

#### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 28 March 2023 be taken as read and be accepted as a true record of the meeting.

#### **Attachments**

1. 20230328 OCM MIN unconfirmed [5.1.1 - 10 pages]



# MINUTES

**ORDINARY MEETING OF COUNCIL  
HELD ON TUESDAY 28 MARCH 2023**

**AT 9:00 AM**

**AT THE REGIONAL OFFICE - KATHERINE  
29 Crawford Street, Katherine East NT 0850**





**Victoria Daly**  
REGIONAL COUNCIL

Ordinary Meeting of Council Tuesday 28 March 2023

MINUTES

## VICTORIA DALY REGIONAL COUNCIL DISCLAIMER

No responsibility is implied or accepted by the Victoria Daly Regional Council for any act, omission or statement or intimation occurring during Council or committee meetings.

The Victoria Daly Regional Council disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or committee meetings.

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The Victoria Daly Regional Council advises that anyone who has any application lodged with the Victoria Daly Regional Council shall obtain and should only rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Victoria Daly Regional Council in respect of the application.

A handwritten signature in black ink, appearing to be 'B. Hylands', written over a large, faint, diagonal watermark that reads 'Unconfirmed'.

Brian Hylands  
**Chief Executive Officer**



*The meeting commenced at 09:08am.*

## 1. PRESENT

### Elected Members Present

Mayor (Chair)

Councillor

Councillor

Brian Pedwell

Georgina Macleod

Yvette Williams

### Staff Present

Chief Executive Officer

Manager of Executive Services

Executive Services Officer

Director of Corporate and Community Services

Director of Council Operations

Brian Hylands

Michelle Griffin (minute secretary)

Chellah Clancy

Trudy Braun

Matthew Cheminant

### Guests

Executive Director (LGRD CM&C)

Community Sports Officer

Territory Families, Housing and Communities

Maree De Lacey

William Kossack

## 2. APOLOGIES

Apologies: Deputy Mayor Andrew McTaggart, Cr Shirley Garlett

Leave of Absence: Nil

**OCM-2023/44 Resolution: Carried (Cr Georgina Macleod/Cr Yvette Williams)**

That Council accepts the apology of Deputy Mayor Andrew McTaggart for the Ordinary Council Meeting held on 28 March 2023.

**OCM-2023/45 Resolution: Carried (Cr Georgina Macleod/Cr Yvette Williams)**

That Council does not accept the apology of Councillor Shirley Garlett for the Ordinary Council Meeting held on 28 March 2023.

## 3. PRESENTATIONS - DEPUTATIONS - PETITIONS

Nil

## 4. PUBLIC QUESTION TIME

Nil



## **5. DISCLOSURE OF INTEREST - COUNCILLORS AND STAFF**

There were no declarations of interest at this meeting.

## **6. CONFIRMATION OF MINUTES**

### **6.1. Ordinary Council Meeting held on 28 February 2023**

Amendment to Mayoral report - addition of names for meeting with NLC, Wayne Beswick and Jonathon Macleod.

**OCM-2023/46 Resolution:** Carried (**Cr Georgina Macleod/Cr Yvette Williams**)

That the minutes of the Ordinary Council Meeting held on 28 February 2023 be taken as read and be accepted as a true record of the meeting.

## **7. CALL FOR ITEMS OF GENERAL BUSINESS**

1. CDP Contract
2. LGANT General Meeting in April
3. Identification of land availability in Kalkarindji
4. Nitjpurru housing - formal request from Council for future houses to be built on higher ground.
5. Road from Kalkarindji to Daguragu

## **8. MAYORAL REPORT**

### **8.1. Mayoral Report**

**OCM-2023/47 Resolution:** Carried/Cr Yvette Williams)

- A. That the Mayoral report is received and noted
- B. That Council endorses all travel and accommodation costs pertaining to the Mayor's duties.

## **9. CEO UPDATE**

### **9.1. CEO Report March**

*William Kossack entered the room at 9:45am.*

**OCM-2023/48 Resolution:** Carried (**Cr Georgina Macleod/Cr Yvette Williams**)

- A. That the CEO Report March be received and noted.



## 10. REPORTS TO COUNCIL

### 10.1. Reports for Council Decision

#### 10.1.1. 2023 Australian Council of Local Government (ACLG)

**OCM-2023/49 Resolution: Carried (Cr Yvette Williams/Mayor Brian Pedwell)**

- A. That the report 2023 Australian Council of Local Government (ACLG) is received and noted
- B. That Council endorses Yvette Williams, Georgina Macleod, Brian Pedwell, and Brian Hylands to attend the 2023 *National General Assembly of Local Government* and the *Australian Council of Local Government* at the National Convention Centre in Canberra on Friday, 16 June 2023; and
- C. That Council approves the expenditure of associated travel and accommodation costs.

#### 10.1.2. Policies 4.1.09 and 4.1.10 to be removed from policy register

**OCM-2023/50 Resolution: Carried (Mayor Brian Pedwell/Cr Georgina Macleod)**

- A. That the report Policies 4.1.09 and 4.1.10 to be removed from policy register is received and noted
- B. Approval for the removal of the following policies from the policy register
  - 4.1.09 Emergency relief
  - 4.1.10 Library Service

### 10.2. Reports for Information

#### 10.2.1. Financial Report for the period ended 28th February 2023

**OCM-2023/51 Resolution: Carried (Cr Georgina Macleod/Cr Yvette Williams)**

- A. That the Financial Report for the period ended 28th February 2023 is received and noted

#### 10.2.2. By-Laws Repeal

**OCM-2023/52 Resolution: Carried (Mayor Brian Pedwell/Cr Yvette Williams)**

- A. That the report By-Laws Repeal is received and noted



**10.2.3. Social media information sheet and guide for council members**

**OCM-2023/53 Resolution: Carried (Cr Yvette Williams/Cr Georgina Macleod)**

- A. That the resources provided by the Chief Minister and Cabinet regarding personal and professional use of social media is received and noted

**10.2.4. Corporate and Community Services**

***Councillor Shirley Garlett joined the meeting at 10:27am.***

***William Kossack left the meeting at 10:31am.***

**OCM-2023/54 Resolution: Carried (Cr Georgina Macleod/Cr Shirley Garlett)**

- A. That the Corporate and Community Services report is received and noted

**11. ACTION SHEET**

**11.1. Action Items**

***The meeting adjourned for morning tea at 11:15am.***

***The meeting resumed at 11:41am.***

***Maree De Lacey arrived at 11:25am and was given a tour of the new office located at Pearce Street.***

Maree De Lacey acknowledged the affect that recent flooding has had on the community and the council. She provided an updated to elected members on the following topics:

- Local Authority Reference Review Group of which Mayor Pedwell and Brian Hylands are members.
- Immediate Priority Grants
- Training for Council and Local Authority Chairs
- Burial and Cremation legislation

***Maree De Lacey left the meeting at 11:50am***

**OCM-2023/55 Resolution: Carried (Cr Yvette Williams/Cr Shirley Garlett)**

- A. That the Action Items report is received and noted  
B. That council approve completed actions be removed from the action item list.

**12. CORRESPONDENCE**

**12.1. Correspondence**



**OCM-2023/56 Resolution:** Carried (**Cr Georgina Macleod/Cr Yvette Williams**)

A. That the Correspondence is received and noted

### 13. NOTICES OF MOTION

Nil

### 14. GENERAL BUSINESS

#### 14.1 CDP Contract

**OCM-2023/57 Resolution:** Carried (**Cr Georgina Macleod/Cr Shirley Garlett**)

That Council endorses the affixing of the common seal for the Deed of Variation [4].  
to Project Schedule - Community Development Contract 2019-2023

#### 14.2 LGANT General Meeting

**OCM-2023/58 Resolution:** Carried (**Cr Shirley Garlett/Cr Yvette Williams**)

That the following members attend the LGANT General Meeting in Alice Springs on  
19th and 20th of April: Brian Pedwell, Brian Hylands and Georgina Macleod

#### 14.3 Identification of land availability in Kalkarindji

**OCM-2023/59 Resolution:** Carried (**Cr Georgina Macleod/Mayor Brian Pedwell**)

That investigations take place regarding land availability in Kalkarindji for the  
purpose of enabling future projects and grant funding opportunities that will benefit  
the community.

#### 14.4 Nitjpurru Housing

**OCM-2023/60 Resolution:** Carried (**Cr Georgina Macleod/Mayor Brian Pedwell**)

That the Mayor writes to all relevant Northern Territory and Federal Ministers  
advocating for the relocation of Nitjpurru to higher ground, emphasising that no new  
houses should be built in the flood area.

#### 14.5 Road from Kalkarindji to Daguragu

**OCM-2023/61 Resolution:** Carried (**Cr Georgina Macleod/Mayor Brian Pedwell**)

That Council write to Minister Eva Lawler to take responsibility for the strategic road  
from Kalkarindji to Daguragu, access to Mount Stanford Station, and access to  
Gregory/Jutburra National Park.



#### 14.6 Community Place for People Grants

**OCM-2023/62 Resolution:** Carried (Cr Georgina Macleod/Mayor Brian Pedwell)

A. That Council apply for Community Place for People grant for the communities of Kalkarindji, Daguragu, Nitjpurru, Amanbidji, Bulla and Yarralin for new facilities or upgrade to park and playgrounds areas.

#### 14.7 Community Place for People Grant

**OCM-2023/63 Resolution:** Carried (Cr Georgina Macleod/Mayor Brian Pedwell)

That Council apply for a community place for people grant for oval lighting at Pine Creek.

**The meeting adjourned for lunch at 01:02pm**

**The meeting resumed at 1:32pm**

### 15. CONFIDENTIAL

**Moved to confidential session at 1:33pm**

**Resolution:** Carried/Cr Yvette Williams)

That pursuant to section 99(2) and 293(1) of the *Local Government Act 2019* and section 51(1)(a) of the *Local Government (General) Regulations 2021* the meeting be closed to the public to consider the Confidential items of the Agenda.

#### 15.1. Confidential Ordinary Meeting of Council held on 28 February 2023

**Status 51(1)(c)(iv)** - This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the *Local Government Act 2019* and section 51(1)(c)(iv) of the *Local Government (General) Regulations 2021*, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, Information that would, if publicly disclosed, be likely to: subject to subregulation (3) - prejudice the interests of the council or some other person

#### 15.2. Acquittal of the 2021-22 Waste and Resource Management (WaRM) Grant

**Status 51(1)(c)(iv)** - This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the *Local Government Act 2019* and section 51(1)(c)(iv) of the *Local Government (General) Regulations 2021*, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, Information that would, if publicly disclosed, be likely to:



*subject to subregulation (3) - prejudice the interests of the council or some other person*

### **15.3. Acquittal of Waste and Resource Management (WaRM) Grant 2020-21**

**Status 51(1)(c)(iv)** - *This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, Information that would, if publicly disclosed, be likely to: subject to subregulation (3) - prejudice the interests of the council or some other person*

### **15.4. Acquittal of the 2021-2022 Local Government Immediate Priority Grant**

**Status 51(1)(c)(iv)** - *This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, Information that would, if publicly disclosed, be likely to: subject to subregulation (3) - prejudice the interests of the council or some other person*

### **15.5. Progress Report on Grant Applications**

**Status 51(1)(c)(iv)** - *This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, Information that would, if publicly disclosed, be likely to: subject to subregulation (3) - prejudice the interests of the council or some other person*

### **15.6. Rates and Waste Charges Request (Reclassification of Property Number 701477)**

**Status 51(1)(b)** - *This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(b) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information about the personal circumstances of a resident or ratepayer.*





### 15.7. Election Commitment Grant Funding - Minor Infrastructure Projects

**Status 51(1)(c)(iv)** - This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, Information that would, if publicly disclosed, be likely to: subject to subregulation (3) - prejudice the interests of the council or some other person

**The meeting returned to the open session at 01:53pm**

Resolution: Carried (Cr Yvette Williams/Cr Shirley Garlett)

That pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(a) of the Local Government (General) Regulations 2021 the meeting be re-opened to the public.

### 16. NEXT MEETING

The next Ordinary General Meeting of Victoria Daly Regional Council will be held on Friday 28 April 2023.

**The meeting closed at 02:05pm.**

This page and the preceding nine (9) pages are the minutes of the meeting of Ordinary Council held on Tuesday, 28 March 2023.

-----  
Mayor Brian Pedwell



## 6. Call for Items of General Business

## 7. Mayoral Report

### 7.1. Mayoral Report Update

**Department** Executive Services

**Prepared by** Manager of Executive Services

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#### Purpose

To provide a list of meetings attended by the Mayor and to seek Council's endorsement for the associated travel and accommodation costs.

#### Recommendations

- A. That the Mayoral report is received and noted
- B. That Council endorses all travel and accommodation costs pertaining to the Mayor's duties.

DATE	MET WITH / ATTENDED	REGARDING
<b>5 April 2023</b>	Lingarra Homelands Residents	Updating the community on the new service providers as of 1 July 2023.
<b>11 April 2023</b>	CSIRO, Marcus Barber and Kristina Fisher	Indigenous water rights and aspirations
<b>12 April 2023</b>	Len Darragh, Northern Territory Government (member of the Local Recovery Committee)	Road's access into Nitjpurru community and camp set up for the clean-up.
<b>13 April 2023</b>	Local Recovery Committee. Also, in attendance from VDRC: CEO Brian Hyalnds and Matthew Cheminant	Regarding flood recovery for Kalkarindji, Daguragu, and Nitjpurru.
<b>18 April 2023</b>	Local Authority Review Implementation Reference Group Meeting	Consultation with Regional Council's, elected members and Local Authority (LA) members regarding proposed changes to LA guidelines.



<b>18 April 2023</b>	Anna Falzon, Senior Lawyer - Central Land Council	Regarding future land use at Daguragu
<b>19-20 April 2023</b>	Sustainable Councils LGANT Conference and General Meeting	Theme: 'Sustainable Councils' Attending the Conference Hon Kristy McBain MP Minister for Regional Development, Local Government and Territories, Senator the Hon Malarndirri McCarthy Assistant for Indigenous Australians, and Hon Chansey Paech MLA, Minister for Local Government
<b>26 April 2023</b>	NT Cattlemen's Association Pastoral Real Jobs Program Graduation	Graduation will be held at Government House supporting our CDP young men and ladies from the VDRC region.
<b>27 April 2023</b>	Council Briefing Day	Pine Creek
<b>28 April 2023</b>	Ordinary Council Meeting	Pine Creek

**Attachments**

Nil



## 8. CEO Update

### 8.1. CEO Report April 2023

**Report Type** Officer Report For Information

**Prepared by** Chief Executive Officer

#### Purpose

To inform the Elected Members of the CEO's activities between Council meetings.

#### Recommendations

- A. That the CEO Report April 2023 be received and noted.

#### Key Issues

Regional Plan and Budget

Recovery of communities following floods

#### Meetings

DATE	MET WITH / ATTENDED	REGARDING
<b>6 April 2023</b>	Ruby Koop – Snap Send Solve, Michelle Griffin and Matthew Cheminant - VDRC	Snap Send Solve is the free app that simplifies the reporting of community issues
<b>11 April 2023</b>	CSIRO, Marcus Barber and Kristina Fisher and Mayor Pedwell	Indigenous water rights and aspirations
<b>12 April 2023</b>	Len Darragh, Northern Territory Government (member of the Local Recovery Committee)	Road's access into Nitjpurru community and camp set up for the clean-up.
<b>13 April 2023</b>	Local Recovery Committee. Also, in attendance from VDRC: CEO Mayor Pedwell and Matthew Cheminant	Regarding flood recovery for Kalkarindji, Daguragu, and Nitjpurru.
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**Council officer conflict of interest declaration**

We the Author and Approving Officer declare we do not have a conflict of interest in relation to this matter.

**Attachments**

Nil



## 9. Reports to Council

### 9.1. Reports for Information

#### 9.1.1. Financial Report for period ending 31st March 2023

**Report Type**    **Officer Report For Information**  
**Department**    **Financial Services Corporate Services**  
**Prepared by**    **Senior Accountant**

#### **Recommendations**

That the report Financial Report for period ending 31st March 2023 is received and noted

#### **Regional Plan**

##### ***Goal 1: Quality Leadership***

1.3 - Comply with all statutory, regulatory and reporting requirements

#### **Risk statement**

No risk assessment has been carried out at this stage.

#### **Council officer conflict of interest declaration**

We the Author and Approving Officer declare we do not have a conflict of interest in relation to this matter.

#### **Attachments**

1. CEO Certification [9.1.1.1 - 1 page]
2. Finance report for the month ended March [9.1.1.2 - 16 pages]



**VICTORIA DALY REGIONAL COUNCIL**  
**ABN 66 931 675 319**

**MONTHLY FINANCE REPORT FOR PERIOD ENDED 31<sup>ST</sup> MARCH 2023**

**CHIEF EXECUTIVE OFFICER'S CERTIFICATION**

To the Councilors,

I, Brian Hylands, Chief Executive Officer of Victoria Daly Regional Council ('the Council'),  
certify that to the best of my knowledge, information, and belief:

- (i) The internal controls implemented by the Council are appropriate; and
- (ii) The accompanying finance report best reflects the financial affairs of the Council.

Signed

A handwritten signature in black ink, consisting of a large, stylized 'B' followed by a horizontal line that extends to the right.

Brian Hylands  
Chief Executive Officer

Dated this 14<sup>th</sup> April 2023



**Victoria Daly**  
REGIONAL COUNCIL

**VICTORIA DALY REGIONAL COUNCIL**  
**ABN 66 931 675 319**

**Monthly Income and Expenditure Statement for the Period Ended 31st March 2023**

	YTD Actuals \$	YTD Budget \$	YTD Variance \$	Annual Budget \$
<b>OPERATING INCOME</b>				
Rates	1,065,129	1,077,596	(12,466)	1,077,596
Charges	726,702	726,702		726,702
Fees and Charges	5,254,360	5,873,197	(618,837)	7,830,930
Operating Grants and Subsidies	7,206,996	6,607,583	599,413	8,810,111
Interest / Investment Income	282,889	305,351	(22,463)	407,135
Commercial and Other Income	732,798	644,105	88,693	858,807
<b>TOTAL OPERATING INCOME</b>	<b>15,268,874</b>	<b>15,234,534</b>	<b>34,340</b>	<b>19,711,279</b>
<b>OPERATING EXPENDITURE</b>				
Employee Expenses	7,128,835	10,119,372	(2,990,537)	13,492,496
Materials and Contracts	3,780,006	4,872,122	(1,092,116)	6,496,162
Elected Member Allowances	149,563	154,797	(5,234)	206,396
Elected Member Expenses	63,450	72,945	(9,495)	97,261
Council Committee & LA Allowances	16,304	24,132	(7,827)	32,175
Council Committee & LA Expenses	2,201	5,280	(3,079)	7,040
Depreciation, Amortisation, and Impairment	1,941,929	2,008,318	(66,389)	2,677,757
Interest Expenses	0	0	0	
Other Expenses	5,719	90	5,629	120
<b>TOTAL OPERATING EXPENDITURE</b>	<b>13,088,006</b>	<b>17,257,056</b>	<b>(4,169,050)</b>	<b>23,009,407</b>
<b>OPERATING SURPLUS / DEFICIT</b>	<b>2,180,868</b>	<b>(2,022,522)</b>	<b>4,203,390</b>	<b>(3,298,128)</b>



VICTORIA DALY REGIONAL COUNCIL  
ABN 66 931 675 319

**Monthly Operating Position**

	YTD Actuals \$	YTD Budget \$	YTD Variance \$	Annual Budget \$
<b>BUDGETED OPERATING SURPLUS / DEFICIT</b>	2,180,868	(2,022,522)	4,203,390	(3,298,128)
<b>Remove NON-CASH ITEMS</b>				
Less Non-Cash Income				
Add Back Non-Cash Expenses	1,941,929	2,008,318	(66,389)	2,677,757
<b>TOTAL NON-CASH ITEMS</b>	<b>1,941,929</b>	<b>2,008,318</b>	<b>(66,389)</b>	<b>2,677,757</b>
<b>Less ADDITIONAL OUTFLOWS</b>				
Capital Expenditure/Capital works	4,021,829	4,021,829		9,169,514
Borrowing Repayments (Principal Only)				
Transfer to Reserves				
Other Outflows				
<b>TOTAL ADDITIONAL OUTFLOWS</b>	<b>(4,021,829)</b>	<b>(4,021,829)</b>		<b>(9,169,514)</b>
<b>Add ADDITIONAL INFLOWS</b>				
Capital Grants Income				
Prior Year Carry Forward Tied Funding	1,340,856	1,340,856		5,210,278
Other Inflow of Funds				
Transfers from Reserves				4,835,884
<b>TOTAL ADDITIONAL INFLOWS</b>	<b>1,340,856</b>	<b>1,340,856</b>		<b>10,046,162</b>
<b>NET BUDGETED OPERATING SURPLUS / DEFICIT</b>	<b>1,441,823</b>	<b>(2,695,177)</b>	<b>4,137,000</b>	<b>256,277</b>

Total revenue year to date is \$15.268m and is over budget by \$34.34k.

- Rates and Charges income is under budget by \$12.5k. This is slightly below from the budget due to Rates adjustments.
- Fee and Charges is under budget by \$618.83k. The Variance is due to timing difference of receipt of CDP revenues. CDP and NDIS revenue are received a month later after provision of services.
- Grant and Subsidies is over the budget by \$599.41k. Some grants were in advance than budgeted.
- Interest income is under budget by \$22.46k. Interest revenue is recognized in the income and expenditure statement when received rather than when it is earned.
- Commercial and other Income is over the budget by \$88.69k. The over budget was due to profit on disposal of Residential property that was not factored in the budget.

In March, Council received \$563.62k in Fees and charges, \$206.81k in Grants and Subsidies, \$53.36k in interest income and \$20.91k in other income. (\$2,447) was rates adjustment.

	<b>March 2023 Actuals \$</b>	<b>YTD Actual</b>
Rates	(2,447)	1,065,129
Charges	-	726,702
Fees and Charges	563,623	5,254,360
Operating Grants and Subsidies	206,808	7,206,996
Interest / Investment Income	53,356	282,889
Commercial and Other Income	20,909.33	732,798
<b>TOTAL OPERATING INCOME</b>	<b>842,250</b>	<b>15,268,874</b>

Total expenditure year to date is \$13.088m and under budget by \$4.169m.

- Employees expenses is under budget by \$2.990m. This is due to vacant position across the organization.
- Material and Contract costs is under budget by \$1.092m, due to underspends in Contractors and Indigenous training budget.
- Elected Member Allowance is under budget by \$5.23k.
- Elected Member Expenses is under budget by \$9.5k, due to underspend in Professional development.
- The Council Committee and LA allowance was under budget by \$7.8k. Variance is due to fewer meetings being held and low turnout.
- Council Committee & LA Expenses is under budget by \$3.08k. The difference is due to fewer meetings being held and low attendance.

In March, employee's expenditure was \$961.19k, Material and contracts \$412.83k, Elected Member allowance \$16.78k, Elected members expenses \$9.57k and LA allowance \$0.528k.

<b>OPERATING EXPENDITURE</b>	<b>March 2023 Actuals \$</b>	<b>YTD Actual</b>
Employee Expenses	961,192	7,128,835.35
Materials and Contracts	412,825	3,780,005.64
Elected Member Allowances	16,777	149,562.88
Elected Member Expenses	9,567	63,450.01
Council Committee & LA Allowances	-	16,304.06
Council Committee & LA Expenses	528	2,200.61
Depreciation, Amortisation, and Impairment	214,435	1,941,928.53
Other Expenses	0	5,718.56
<b>TOTAL OPERATING EXPENDITURE</b>	<b>1,615,323</b>	<b>13,082,287</b>

**VICTORIA DALY REGIONAL COUNCIL  
ABN 66 931 675 319**

**The following are list of capital works and expenditure to date.**

- Waste management -Timber Creek \$1,146,279 (completed)
- Waste management -Pine creek \$1,064,347 (Completed)
- Fencing Pine Creek waste manages facility \$124,838.77 (completed)
- Lingara Small Cell-Final Payment \$54,950 (completed)
- 18 Pearce St project \$859,147.51 (work in progress)
- New Car for regional office \$54,385
- New Mower for Bulla LA \$6,360
- Fencing Small Cell site-Lingara \$17,281.82 (completed)
- Cameras Installed several locations \$34,366(completed)
- New Mower \$20,136
- Relocation of water Main-Yarralin \$5,039.09 (work in progress)
- New playground-Pine Creek upgrade \$49,475 (work in progress)
- Timber Creek new Building \$584,684 (completed)

**In March, Council paid \$90,770.57 for the following capital works.**

- Relocation of water Main-Yarralin \$382.09
- 18 Pearce St project \$90,006.39
- Daguragu Sport and Rec Hall \$382.09

### Quarterly Report on Planned Major Capital Works

Class of Assets	Total Prior Year(s) Actuals \$ (A)	YTD Actuals \$ (B)	Total Actuals \$ (C = A + B)	Total Planned Budget ** \$ (D)	Total Yet to Spend \$ (E = D - C)	Updates
Waste management facility Upgrade- Pine Creek	204,223	1,064,347	1,268,570	1,300,000	31,430	The waste Transfer facility construction phase completed. The waste transfer contract awarded to Veolia (Australia) Pty Ltd and currently operational.
Waste management facility Upgrade- Timber Creek	93,663	1,146,279	1,239,942	1,239,942	-	The waste Transfer facility construction phase completed. Currently waiting for operational funds for waste transfer contract to transport waste from Timber Creek to Katherine
Land /Building/Structures	-	231,437	231,437	300,000	68,563	Project completed
Motor vehicles (6x)	-	54,385	54,385	330,000	275,615	Already purchased. (Completed)
Infrastructure-Road Works	-	-	-	500,000	500,000	
Zero turn mowers	-	26,496	26,496	58,000	31,504	Two mowers delivered. One mower on order.
Office Equipments	-	-	-	49,026	49,026	Council decided to lease the printers instead of outright purchase
New office Building-18 Pearce St	-	859,148	859,148	3,000,000	2,140,852	Overall, 65% of the project is completed. Expected procurement phase for Carpark and Fire Hydrant including water and sewer connection underway.
Cab tractor(2x)	-	-	-	320,000	320,000	Purchase order issued. Waiting on Delivery.

Duplex - Yarralin	24,738	-	24,738	700,000	675,262	Currently investigating the feasibilities of repairing the existing building. Depending on the structural condition the decision to be made whether to construct a new building.
Libanagu Road Drainage	-	-	-	194,000	194,000	Currently on hold due to recent flood damages. May need to re-visit the scope of work.
Timber Creek new Building	-	584,684	584,684	584,684	-	Project completed
Main Water relocation-Yarralin	-	5,039	5,039	130,000	124,961	The contract awarded to BV Contracting Pty Ltd. The contractor is expected to be mobilised end of April depends on the road conditions.
New playground-Pine Creek	-	49,475	49,475	150,000	100,525	The contractor is waiting on the playground equipment. Expected project commencement end of April.
Daguragu Sports & Rec Hall Upgrade	-	539	539	636,486	635,947	The project is currently on hold due to recent flood damages. The project commencement yet to be announced.
<b>TOTAL</b>	<b>322,624</b>	<b>4,021,829</b>	<b>4,344,453</b>	<b>9,492,138</b>	<b>5,147,685</b>	<b>0</b>

The table below compares capital revenue and expenditure to budget. Expenses will increase as projects progress.

<b>CAPITAL EXPENDITURE **</b>	<b>YTD Actuals \$</b>	<b>YTD Budget * \$</b>	<b>YTD Variance \$</b>	<b>Current Financial Year (Annual) Budget * \$</b>
Waste management facility Upgrade-Pine Creek	1,064,347	1,064,347	(31,430)	1,095,777
Waste management facility Upgrade-Timber Creek	1,146,279	1,146,279	-	1,146,279
Land /Building/Structures	231,437	231,437	-	300,000
Motor vehicles (6x)	54,385	54,385	-	330,000
Infrastructure-Road Works	-	-	-	500,000
Zero turn mowers	26,496	26,496	-	58,000
Office Equipment	-	-	-	49,026
New office Building-18 Pearce St	859,148	859,148		3,000,000
Cab tractor(2x)	-	-		320,000
Duplex - Yarralin	-	-		675,262
Libanagu Road Drainage	-	-		194,000
Timber Creek new Building	584,684	584,684		584,684
Main Water relocation-Yarralin	5,039	5,039	-	130,000
New playground-Pine Creek	49,475	49,475		150,000
Daguragu Sports & Rec Hall Upgrade	539	539		636,486
<b>TOTAL CAPITAL EXPENDITURE*</b>	<b>4,021,829</b>	<b>4,021,829</b>	<b>- 31,430</b>	<b>9,169,514</b>
<b>TOTAL CAPITAL EXPENDITURE FUNDED BY: **</b>				
Waste management facility Upgrade-Core fund and grant	869,770	869,770	(31,430)	901,200
Waste management facility Upgrade-grant	194,577	194,577	-	194,577
Waste management facility Upgrade-Timber Creek-Grants	1,146,279	1,146,279	-	1,146,279
Land /Building/Structures-Core fund and Grants	231,437	231,437	-	300,000
Motor vehicles (6x)-Core fund	54,385	54,385	-	330,000
Infrastructure-Road Works-Grants	-	-	-	500,000
Zero turn mowers-Core fund	20,136	20,136	0	51,640
Zero turn mowers -Bulla LA funding	6,360	6,360	-	6,360

Office Equipments-Core fund			-	49,026
New office Building-18 Pearce St-Reserves	859,148	859,148	-	3,000,000
Cab tractor(2x)-Core fund			-	320,000
Duplex - Yarralin-Grant 50%			-	325,262
Duplex - Yarralin-Core fund 50%			-	350,000
Libanagu Road Drainage-Grant			-	194,000
Timber Creek new Building-reserves	584,684	584,684	-	584,684
Main Water relocation-Yarralin	5,039	5,039	-	130,000
New playground-Pine Creek	49,475	49,475	-	150,000
Daguragu Sports & Rec Hall Upgrade	539	539	-	636,486
<b>TOTAL CAPITAL EXPENDITURE FUNDING</b>	<b>4,021,829</b>	<b>4,021,829</b>	<b>(31,430)</b>	<b>9,169,514</b>

### Monthly Balance Sheet Report

BALANCE SHEET AS AT 31 March 2023	YTD Actuals \$	Note Reference*
<b>ASSETS</b>		
Cash at Bank		(1)
Tied Funds	5,341,848	
Untied Funds	14,049,137	
Accounts Receivable		
Trade Debtors	251,526	(2)
Rates & Charges Debtors	635,542	(2)
Other Current Assets	(144,747)	
<b>TOTAL CURRENT ASSETS</b>	<b>20,133,305</b>	
Non-Current Financial Assets	126,954	
Property, Plant and Equipment	32,011,140	(3)
<b>TOTAL NON-CURRENT ASSETS</b>	<b>32,138,094</b>	
<b>TOTAL ASSETS</b>	<b>52,271,399</b>	
<b>LIABILITIES</b>		
Accounts Payable	10,333	(4)
ATO & Payroll Liabilities	32,816	(5)
Current Provisions	1,017,016	(6)
Accruals	0	
Other Current Liabilities	1,174,357	(7)
<b>TOTAL CURRENT LIABILITIES</b>	<b>2,234,522</b>	
Non-Current Provisions	104,260	
Other Non-Current Liabilities	59,839	
<b>TOTAL NON-CURRENT LIABILITIES</b>	<b>164,099</b>	
<b>TOTAL LIABILITIES</b>	<b>2,398,621</b>	
<b>NET ASSETS</b>	<b>49,872,778</b>	
<b>EQUITY</b>		(8)
Asset Revaluation Reserve	1,455,776	
Reserves	29,187,145	
Accumulated Surplus	19,229,857	
<b>TOTAL EQUITY</b>	<b>49,872,778</b>	



#### Note 1: Cash and Investment Held

Council invests cash from its operational and business Savers accounts to ensure Council is receiving the best return on its cash holdings. As of March, Council's cash and cash equivalent increased by \$0.593m from \$8.084m in February to \$7.491m in March. \$2m Term deposit matured on 31 March 2023 and it was reinvested at 4.32% interest rate for 6 months.

28% (\$5.342m) of \$19.391m total cash and investments is tied funds.

#### Cash and Investments

Transaction Account				477,519
Trust account				4,261,975
Business Saver				2,749,971
Petty Cash				1,519
				7,490,985

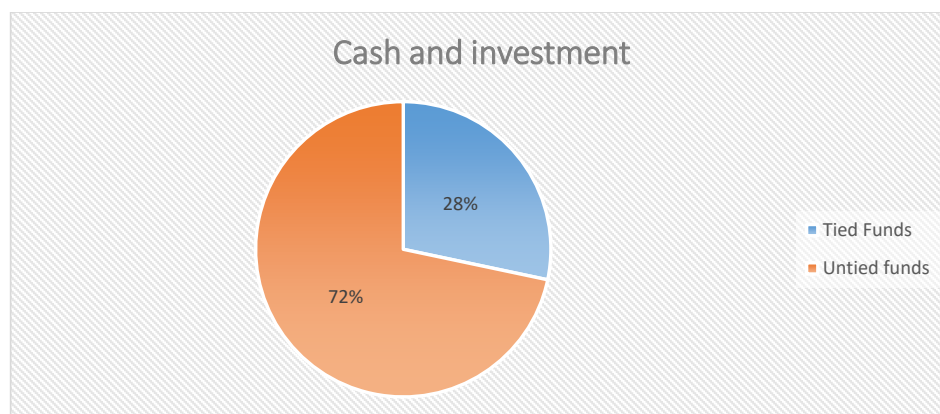
Cash Investments	Interest Rates	Maturing date	Maturing Term		Total Expected Interest on Maturity
Term Deposit-CBA	3.97%	26/04/2023	6 months	1,500,000	29,530.27
Term Deposit-CBA	4.00%	31/05/2023	6 months	2,000,000	41,205.48
Term Deposit-CBA	4.08%	30/06/2023	7 months	800,000	19,494.58
Term Deposit-CBA	4.11%	30/06/2023	7 months	1,200,000	27,700.27
Term Deposit-CBA	4.17%	31/07/2023	8 months	2,400,000	64,709.26
Term Deposit-CBA	4.47%	6/09/2023	6 months	2,000,000	45,312.33
Term Deposit-CBA	4.32%	29/09/2023	6 months	2,000,000	43,081.64
				11,900,000	271,033.84

**Tied Funds**  
**Untied funds**

**5,341,848**  
**14,049,137**

**Total**

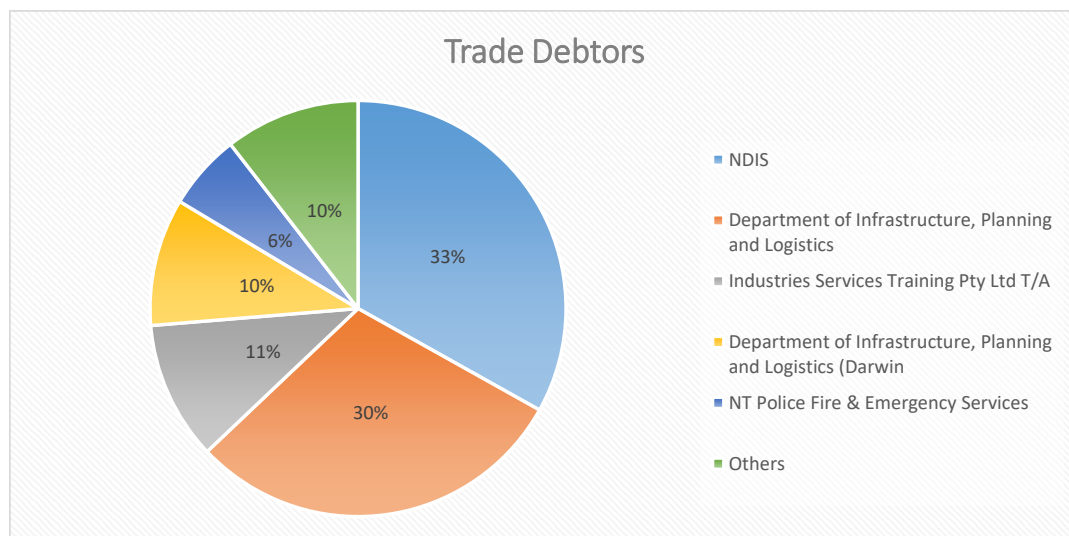
**19,390,985**



## Note 2: Statement of Trade Debtors

The Council's trade receivables balance as of 31<sup>st</sup> March 2023 was \$251,525.75 of which \$152,851.79 or approximately 61% was more than 90 days old. We are following up on the overdue invoices, and over 90 days invoices have been referred to Territory Debt Collector.

Contact	Current	1 Month	2 Months	3 Months	>3 Months	Total	
NDIS	2,094.52	467.36	-	2,205.83	78,523.15	83,290.86	33%
Department of Infrastructure, Planning and Logistics	49,989.42	-	-	24,994.71	-	74,984.13	30%
Industries Services Training Pty Ltd T/A	-	-	-	-	27,086.68	27,086.68	11%
Department of Infrastructure, Planning and Logistics (Darwin	2,049.99	-	-	-	22,876.69	24,926.68	10%
NT Police Fire & Emergency Services	-	14,712.50	-	-	90.00	14,802.50	6%
Others	1,427.63	110.00	328.16	293.84	24,275.27	26,434.90	11%
	55,561.56	15,289.86	328.16	27,494.38	152,851.79	251,525.75	
	22%	6%	0%	11%	61%		



- NDIS – Debt over 90 days, Council have been referred to TDC (Territory Debt Collectors).
- Department of Infrastructure, Planning and Logistics
- Department of Infrastructure, Planning and Logistics (Darwin)
- Industries Services Training Pty Ltd T/A – Account have been referred to TDC (Territory Debt Collectors)
- NT Police

In March, council received \$83,552 from Rates payers. Total rates and refuse charges outstanding as at 31<sup>st</sup> March was \$635,542. Outstanding rates and charges levied this financial year was \$193,150 and \$442,391.80 for prior years.

Rates and Refuse charges	
Balance as at 01/03/2023	719,093
Cash received in March	83,552
Balance as at 31/03/2023	<b>635,542</b>

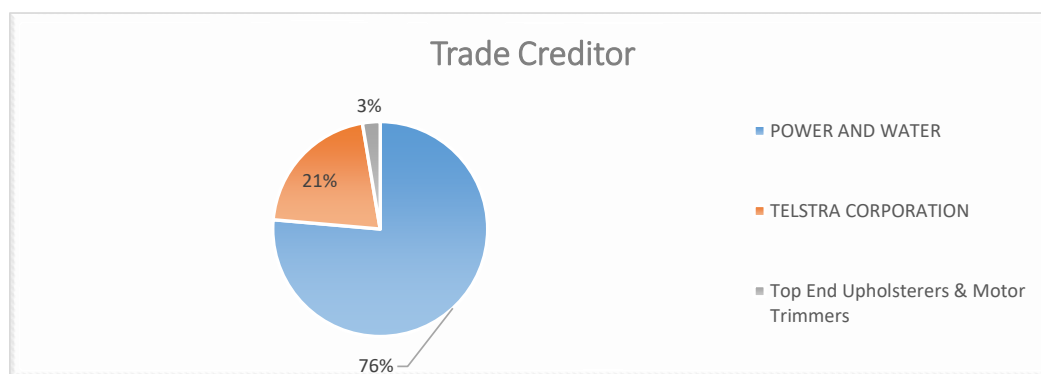
### Note 3: Statement on Trade Creditors

The Council's trade payables balance as of 31<sup>st</sup> March was \$10,332.88.

Settlement of the Council's trade payables is generally within 30 days.

The Council does not have any trade payables for which it classifies as non-current i.e., not payable within 12 months.

Contact	Current	1 Month	2 Months	3 Months	>3 Months	Total	
POWER AND WATER	7,892.88	-	-	-	-	7,892.88	76%
TELSTRA CORPORATION	2,165.00	-	-	-	-	2,165.00	21%
Top End Upholsterers & Motor Trimmers	275.00	-	-	-	-	275.00	3%
	10,332.88	-	-	-	-	10,332.88	
	100%	0%	0%	0%	0%		



**Note 4: Corporate credit cards.**

The Council has a credit card facility of \$200,000 of which \$96,000 of that has been allocated to a total of 13 cardholders.

For the month of March 2023 there was an aggregate spend of \$14,769.46

Masked Card Number	Transaction Dates		Amount
5550-05XX-XXXX-1159	24-Feb-23	23-Mar-23	1,601.00
5550-05XX-XXXX-1528	24-Feb-23	23-Mar-23	2,373.85
5550-05XX-XXXX-2105	24-Feb-23	23-Mar-23	667.04
5550-05XX-XXXX-4529	24-Feb-23	23-Mar-23	3,159.38
5550-05XX-XXXX-4639	24-Feb-23	23-Mar-23	579.97
5550-05XX-XXXX-5034	24-Feb-23	23-Mar-23	83.00
5550-05XX-XXXX-5850	24-Feb-23	23-Mar-23	846.75
5550-05XX-XXXX-6309	24-Feb-23	23-Mar-23	243.07
5550-05XX-XXXX-6341	24-Feb-23	23-Mar-23	1,405.48
5550-05XX-XXXX-8147	24-Feb-23	23-Mar-23	149.02
5550-05XX-XXXX-9622	24-Feb-23	23-Mar-23	225.32
5550-05XX-XXXX-9718	24-Feb-23	23-Mar-23	3,435.58
5550-05XX-XXXX-4541	24-Feb-23	23-Mar-23	-14,769.46

Cardholder Name: Mayor

Transaction Date	Amount \$	Supplier's Name	Reason for the Transaction
23/03/2023	149.02	United-Katherine	Fuel
<b>Total</b>			

Cardholder Name: CEO

Transaction Date	Amount	Supplier's Name	Reason for the Transaction
27/03/2023	3.00	City of Darwin	Carpark
10/03/2023	11.00	City of Darwin	Carpark
27/03/2023	69.00	Katherine Council Club	Council's Catering
<b>Total</b>	<b>83.00</b>		

**Note 5: Statement on Australian Taxation Office, Superannuation, and Insurance Obligations**

**(a) Australian Taxation Office**

The Council has the following reporting and payment obligations with the Australian Taxation Office:

- (i) Goods and Services Tax – Amounts are reported and remitted monthly.
- (ii) PAYG Income Tax Withheld – Amounts are reported and remitted fortnightly as part of Single Touch Payroll (STP) arrangements; and
- (iii) Fringe Benefits Tax – Instalment amounts are paid quarterly with an FBT return for the 12-month period ended 31<sup>st</sup> March required to be lodged each year.

As of 31<sup>st</sup> March, GST liability was \$31,628.38 and PAYG liability was \$727.77.

**(b) Superannuation**

Employees are paid defined superannuation contributions in accordance with the superannuation legislative framework. Superannuation contributions are paid to either an employee's choice of complying fund or the Council's default fund, which is currently Hostplus Super.

The council contributes 10.5 per cent of an employee's ordinary time earnings into their selected super account. Some employees of the Council receive an additional superannuation contribution as part of their agreed remuneration package.

Superannuation payments are remitted monthly.

As of 31<sup>st</sup> March, super liability was \$460.00. This amount was remitted to superannuation funds in April.

		Obligation Accrued	To be paid/refunded
GST	31,628.38	March	April
Super	460.00	March	April
PAYG	727.77	March	April
	<b>32,816.15</b>		

**(6) Provisions**

Provision is for annual leave, LSL and toils liability accrued. As of March 2023, employees leave liability increase by \$46,761 from \$0.970m to \$1.017m in March.

	March	Feb	Difference
Provision - Annual Leave	694,697	658,375	36,323
Provision - LSL (Current)	324,060	313,622	10,438
Provision - TOIL	-1,742	-1,742	0
	<b>1,017,016</b>	<b>970,255</b>	<b>46,761</b>

**(7) Other Current Liabilities**

Other current liabilities decreased by \$4k from \$1.178m in February to \$1.174m.

<b>Current Liabilities</b>	<b>March</b>	<b>Feb</b>	<b>Difference</b>
Client Contribution clearing	1054.3	1,054	-
Community Fund (Generated from CDP IGA)	6,837	6,837	-
Council Rates Received in Advance	9,231	9,231	-
Current Lease Liability	89,517	89,517	-
Current Liability Other General	45,015	45,015	-
HCP Client Contingencies	29,710	29,710	-
Material Fund (CDP IGA)	7,682	7,682	-
Payables - Bond and Deposit	16,511	15,941	570.00
Payables - CDP Income Generation Activity	21,636.58	21,637	-
Payables - CDP Outcome Pay	55,000.00	55,000	-
Payables - Employee	(55.79)		
Payables - Others	4,834	4,834	-
Payables - Retention Money	231,017	231,017	-
Payroll Clearing Account	(110)	(110)	-
Rounding	20	20	(0)
Unexpended Grants	681,960	681,960	-
Workers Compensation Clearing	(25,501.57)	(20,926)	(4,575)
	<b>1,174,357</b>	<b>1,178,418</b>	<b>(4,005)</b>

**(8) Equity**

Equity balance decreased by \$856.28k from \$50.729 in February to \$49.872m

<b>Equity</b>	<b>March</b>	<b>Feb</b>
Accumulated Surplus/Deficit	17,756,057	17,756,057
Asset Reval Reserve	25,972,951	25,972,951
Asset Revaluation-Motor Vehicles	328,096	328,096
Asset Revaluation-Plant & Equipment	1,127,680	1,127,680
Assets Replacement Reserve	530,000	530,000
Reserves- Warnkurr Club	265,000	265,000
Unexpended Grants Reserve	2,684,194	2,687,463
	<b>48,663,978</b>	<b>48,667,246</b>
<b>Add:</b>		
Operating Surplus/Deficit	2,180,868	2,942,590
Prior Year Carry Forward Tied Funding	1,340,856	1,340,856
<b>Less:</b>		
Works capitals	(2,312,924)	(2,221,630)
Current Year Earnings	1,208,800	2,061,816
	<b>49,872,778</b>	<b>50,729,062</b>

The following is a list of projects financed by Council reserves.

**Reserve committed**

Yarralin duplex	350,000
Pine creek waste management facility	901,200
18 Pearce Project-New Regional office	3,000,000
New Building Timber Creek	584,684
	<b><u>4,835,884</u></b>

**(9) Insurance for financial year 2022/23**

In March, Council paid third instalment of workers Compensation insurance premium.

Details of the Council's current insurance arrangements for the 2022/23 financial year are as follows

Insurance	Amount \$	GST	Net	Paid in
Motor vehicle	67,679	6,153	61,526	July
Property	781,058	63,148	717,910	August
1st Instalment Workers Comp	108,258	9,842	98,416	July
2nd Instalment Workers Comp	108,258	9,842	98,416	Sept
3rd Instalment Workers Comp	108,258	9,842	98,416	March
	<b><u>1,173,510</u></b>	<b><u>98,825</u></b>	<b><u>1,074,685</u></b>	

**(10) Key Indicators year to date**

Key indicators	Jul 22-Mar 23	Jul 22-Feb 23	Variance
<b>Cash</b>			
Cash received	17,977,744	16,510,727	9%
Cash spent	17,130,460	15,520,171	10%
Closing bank balance	7,505,569	8,082,189	-7%
<b>Profitability</b>			
Income	16,609,729	15,344,085	8%
Expenses	15,400,930	13,689,528	13%
Profit (loss)	1,208,800	1,654,557	-27%
<b>Balance Sheet</b>			
Debtors	251,526	248,432	1%
Creditors	10,333	8,188	26%
Net assets	49,872,778	50,729,062	-2%
<b>Ratios</b>			
Current assets to liabilities	4.09	4.09	0%
Liabilities to assets Ratio	0.048	0.048	0%



## **9.1.2. NDIS Elected Members Induction**

**Report Type** Officer Report For Decision

**Department** Corporate Services

**Prepared by** Director of Corporate Services

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### **Purpose**

To ensure Elected Members have the relevant information to enable them to monitor the NDIS Program through safeguarding the health, wellbeing and human rights of participants.

### **Recommendations**

- A. That the report NDIS Elected Members Induction is received and noted
- B. That all Elected Members have received and participated in the NDIS Board Member Induction for Victoria Daly Regional Council.

### **Regional Plan**

#### **Goal 1: Quality Leadership**

1.3 - Comply with all statutory, regulatory and reporting requirements

#### **Goal 4: Liveability**

4.1 Delivery of quality programs which support resident's well being

4.3 Facilitate the provision of services which improve residents' lives

### **Background**

As a requirement of Victoria Daly Regional Council providing services through NDIS, an induction for Safeguarding for Boards guide along with short films has been presented to all Elected Members, CEO and Directors to ensure that each level of Management has been inducted, is informed and has an understanding of their role in the provision of NDIS services provided.

### **Policy implications**

Nil

### **Budget implications**

Nil

### **Risk statement**

No risk assessment has been carried out at this stage.





**Council officer conflict of interest declaration**

We the Author and Approving Officer declare we do not have a conflict of interest in relation to this matter.

**Attachments**

1. NDIS Board Member Induction for VDRC Board Members - Safeguarding Boards [9.1.2.1 - 27 pages]



VICTORIA DALY REGIONAL COUNCIL

Integrity, Respect

Equality

Honesty, Openness

# SAFEGUARDING FOR BOARDS

A practical guide for Boards of Management  
about preventing and responding to abuse  
and neglect of people with disability



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## Forward by Dr Ken Baker

The National Disability Insurance Scheme (NDIS) presents unparalleled opportunities for people with disability to enjoy their human rights and participate as equal members of society. Despite this, people with disability continue to be at greater risk of neglect and abuse than people without disability.

Evidence shows that ‘agencies which deny the potential for abuse may increase risk by failing to recognise indicators of abuse and introduce protective and responsive strategies.’ It is therefore critical for all organisations to acknowledge the possibility that people with disability using their services might experience abuse or neglect. This needs to be a team effort across every level of organisation, from frontline workers to the board.

NDS recognises the enormous contribution that board members make to the disability sector. Boards have multiple responsibilities and face numerous pressures, particularly during this period of significant change. However, the human rights and safety of the people with disability who use services should be a priority for any board.

This guide and accompanying films are designed to help directors and other members of boards of management to know their role in this picture. This includes creating an expectation about human rights-based approaches, and the right questions to ask of management to make sure that appropriate strategies are being implemented. .

With the introduction of the new NDIS Quality and Safeguards Commission, the standards and requirements regarding service quality and safety are clearer than ever before. This Guide provides an opportunity to put your organisation on the front foot in meeting those requirements. When used alongside other *Zero Tolerance* resources it will support your organisation to look beyond compliance and towards a future where people with disability are empowered, listened to and respected as equal citizens.

**Dr Ken Baker AM**  
**Chief Executive, National Disability Services**  
**June 2018**

## Who is this guide for?

This guide has been developed for Boards of Management of disability service providers. It is intended to assist you to have a better understanding of abuse, neglect and violence experienced by people with disabilities.

Although board members do not manage operational matters, you have a responsibility to ensure your organisation is prioritising the safety of people who use your services, and all staff are meeting their responsibilities to maximising people's human rights.

As a board member, this guide will help you to:

- increase your **knowledge** about abuse, violence and neglect of people with disabilities
- explore **actions** that your organisation can take to prevent abuse, neglect or violence
- understand your **responsibilities** in relation to abuse, neglect and violence for people with disabilities using your organisation
- ensure **systems and processes** are in place to be able to respond quickly and appropriately to any cases of abuse, neglect or violence within your organisation
- know the **right questions to ask** about safeguarding in your organisation
- be ready for the requirements under the NDIS Quality and Safeguarding Framework.

## Using this guide

The guide uses the five tiers of the NDS *Zero Tolerance Framework* to explore different aspects of safeguarding. These include:

1. Understanding Abuse
2. Preventing Abuse
3. Considering Additional Risks
4. Responding to Abuse
5. Learning from Abuse

Each section contains relevant requirements under the National Standards for Disability Services and a checklist containing:

- actions for you as a board
- questions to explore with your CEO and others in your organisation

Allocate time on your board meetings to consider the different sections, discuss the suggested actions and consider whether there is need for improvement or changes.

## Human Rights and Safeguarding: Your role as a board member

Board members have a responsibility to monitor organisational performance and ensure that systems, processes and policies are in place to ensure all aspects of the business are functioning in line with its purpose and strategic objectives.

Boards also play a critical leadership role in setting expectations in relation to values, behaviour and organisational culture. This includes setting expectations around human rights and safeguarding people who use the service from harm.

Human rights are sometimes seen as abstract or considered to be an additional requirement for organisations already under pressure to deliver in an increasingly competitive environment. As board members you have an opportunity and a responsibility to send the right message and set expectations which recognise that people:

- **Want to support human rights:** most people working in the disability sector want to do the right thing. They want to support people to lead good lives where they make decisions.
- **Should support human rights:** supporting the human rights of people with disability is the right thing to do. People at all levels of an organisation, including board members, should seek to support people to maximise their rights and ensure safe practice.
- **Have to support human rights:** organisations have a duty of care to the people they support. They have obligations under state, national and international policy and law to ensure people are treated respectfully and are safe from abuse, neglect, exploitation and violence.

This guide uses a human rights approach to give you a clearer insight into creating an organisation where people with disability feel respected, are treated with dignity and are safe from harm.

## **Boards and their CEOs: A critical partnership**

A good relationship between a board and their Chief Executive Officer is of critical importance. In some cases the CEO may provide the only avenue to understand how the organisation is performing at an operational and community service level. Whilst each organisation will manage this relationship differently, the following actions can help ensure that the relationship is based on mutual trust, understanding and commitment to the rights of people with disability:

### **The right person for the job**

- When recruiting CEOs and other senior leaders, include selection criteria around human rights practice and implementing positive feedback cultures
- Ask values-based interview questions which explore candidates attitudes to human rights
- Include people with disability (preferably board members) on interview panels if possible
- Include questions about human rights when consulting referees

### **Be proactive**

- Set clear expectations about the nature of information you want from your CEO (use this guide to inform your requests)
- Share responsibility for canvassing of agenda items – no topic should be off limits
- Include human rights and safeguarding for discussion on every board meeting agenda
- Expect the same level of information as you would for finance and WHS reporting
- Set organisational goals and expectations for improvement e.g. incident report numbers

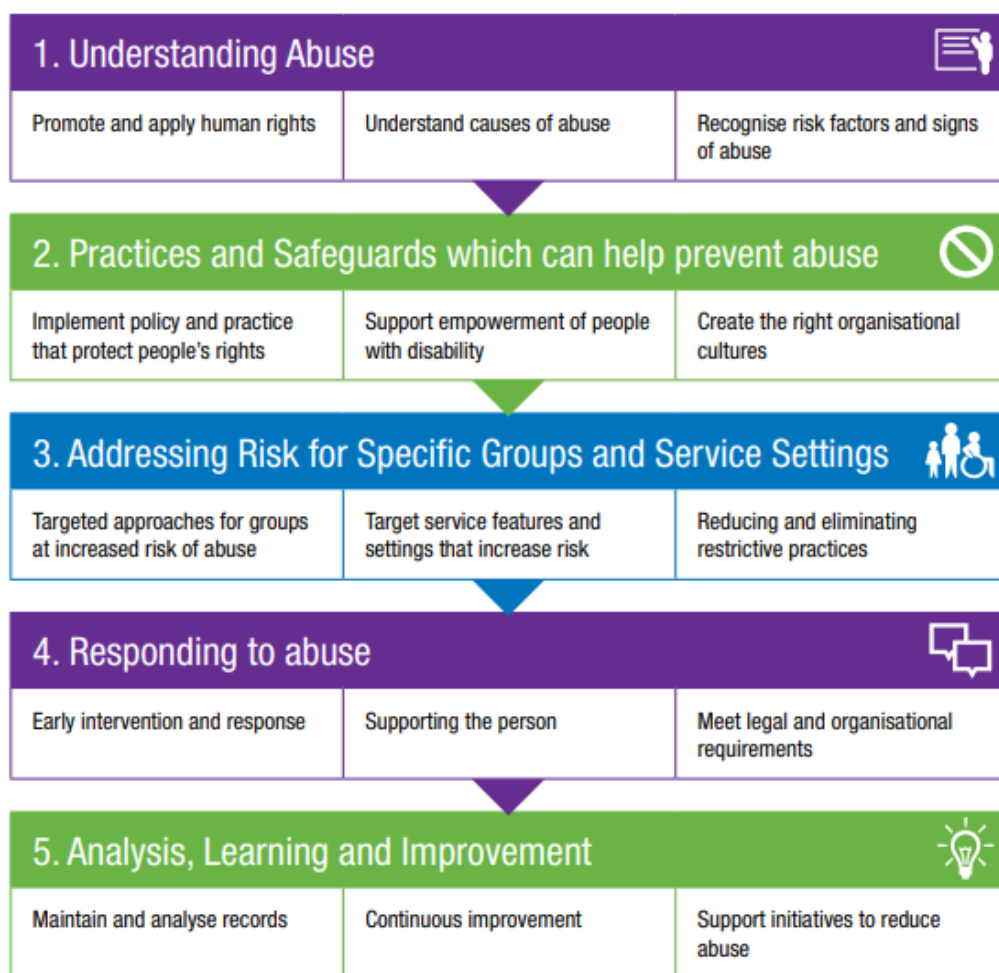
### **Seek diverse opinions**

- Even if you have a strong and trusting relationship with your CEO, do not rely on one person to inform your views on organisational health
- Make efforts to meet with and seek opinions of others in the organisation
- Seek access to any relevant reports as you feel necessary e.g. organisational culture, client feedback and exit interviews
- Be ready to discuss matters in private (in camera) with other board members



## The Zero Tolerance Framework

The *Zero Tolerance Initiative* is NDS's national approach to promoting human rights and preventing and responding to abuse, neglect and violence experienced by people with disability. It is built around a prevention focused framework (see below) and encourages action across organisations to embed human rights and promote positive practice. It also seeks to encourage reflective practice and early intervention, asking staff to take corrective steps where there is a risk of a person's rights being compromised.



This guide uses the five levels outlined above to illustrate the range of actions organisations can take to implement human rights approaches and strengthen safeguarding practices.



## Understanding Abuse

To prevent abuse organisations must first have an understanding about what it is. Under the *Zero Tolerance* framework, *Understanding Abuse* starts with:

1. Applying human rights practices and recognising abuse, neglect, exploitation and violence as violations of human rights
2. Understanding the factors that can create risk of abuse
3. Recognising signs and signals that abuse is taking (or has taken) place

Abuse and neglect of people with disability can take many forms. It can also be caused by many factors. One factor on its own might not lead to a person experiencing abuse, but combinations of factors can increase risk. These can include:

- Personal factors such as gender, age, disability, and communication style
- A person's social connections (and any segregation and isolation)
- Choice and control: how much say people have in decisions about their lives and safety
- Attitudes of others: viewing people with disability as less than equal ('othering') including having lower expectations about a person's capabilities
- Living environment: where people live and how they are supported there
- Reliance on others, especially help for things that are private and personal
- Limited life experience: a result of people not being supported to take risks and grow
- Predators, groomers, opportunists and other perpetrators of disability hate crimes

Some abuse and neglect happens **deliberately**. Other forms of abuse can happen by **accident**, for example where a staff member has not been trained properly, or does not realise the impact of their actions. Abuse can also happen due to **systemic** issues, such

as cutting corners due to lack of staff or availability of necessary equipment. Regardless of the cause the impact on a person with disability is the most important factor.

Boards must send a strong message throughout their organisation that all forms of abuse are unacceptable and must be addressed.

### **National Standards for Disability Services 1: Rights**

- The service, its staff and its volunteers treat individuals with dignity and respect.
- The service, its staff and its volunteers recognise and promote individual freedom of expression.

## **Understanding Abuse: Checklist**

Do you as a board:

- ☐ Have a mission statement and vision which reflects a commitment to human rights?
- ☐ Understand and acknowledge the potential for abuse, neglect and violence toward people with disability within your organisation
- ☐ have a *Zero Tolerance* approach to violations of people's human rights that is reflected in policy and practice
- ☐ understand the clear link between service quality and safeguarding

### **Does your organisation:**

- ☐ provide training for staff on human rights (such as Human Rights and You)
- ☐ provide information about human rights in an accessible format to people with disability, staff and families
- ☐ provide a clear definition and information about abuse, neglect and violence in an accessible format to people with disability, staff and families
- ☐ provide training on the causes and signals of abuse, neglect, violence and exploitation (e.g. NDS's Zero Tolerance 'Understanding Abuse' e-learning)
  - as part of staff and volunteer induction - including board members
  - in ongoing training and through supervision
- ☐ encourage your workforce to escalate concerns of suspected abuse, neglect and violence free of any victimisation or recrimination



## Preventing Abuse

The National Standards for Disability Services are explicit that services must have 'preventative measures in place to ensure that individuals are free from discrimination, exploitation, abuse, harm, neglect and violence.' Although boards do not lead day to day operations, board leadership is critically important in establishing the culture which facilitates these actions. Boards can set expectations around human rights policy and empowerment, showing willingness to external scrutiny and demonstrating the importance of feedback through their own actions including activity canvassing and responding to feedback from across the organisation.

1. Policy and practice that protect people's rights: ensuring your organisation has clear policies and guidelines in place that are built on human rights and are mindful of contemporary approaches to safeguarding participants.
2. Measures that seek to empower people with disability: including providing people with information and training on rights, involving significant people in people's lives, and building connections outside the service.
3. Actions that impact on organisational culture: including verifying values, background and qualifications of staff; positive feedback and complaints cultures which encourage people to speak up and protects whistleblowers, and being open to scrutiny from external bodies.

### **Quote - National Standards for Disability Services 1: Rights**

- The service has preventative measures in place to ensure that individuals are free from discrimination, exploitation, abuse, harm, neglect and violence.
- The service supports active decision-making and individual choice including the timely provision of information in appropriate formats to support individuals, families, friends and carers to make informed decisions and understand their rights and responsibilities.

- The service keeps personal information confidential and private
- The service recognises the role of families, friends, carers and advocates in safeguarding and upholding the rights of people with disability.

## **Preventing Abuse: Checklist**

### **1. Person Centred Policy and Procedure**

#### **Do you as a board:**

- ☐ have an understanding of, and commitment to, your responsibilities under the National Standards for Disability Services and NDIS Quality and Safeguarding Framework
- ☐ set clear expectations about safeguarding the rights of people who use your organisation's services through policy and practice
- ☐ have mechanisms to periodically review policy documents to ensure they are in line these expectations and commitments

#### **Does your organisation:**

- ☐ have in place policies and guidelines which maximise person centred practice, choice and control and the empowerment and independence of people with disability
- ☐ undertake individual planning for clients includes an assessment of the person's unique risks, potential vulnerabilities and behaviours
- ☐ use an active support model as a basis for service delivery
- ☐ integrate a strong focus on prevention of abuse into risk management
- ☐ have established abuse prevention policies and procedures that protect people's rights
- ☐ ensure all other policies are linked to safeguarding policies and practices

### **2. Empowerment of people with disability**

#### **Do you as a board:**

- ☐ recognise and support people's rights as individuals to make decisions, take risks and be involved in all aspects of their lives and any supports they may need
- ☐ recognise and set organisational expectations about the role of families, friends, carers and advocates in safeguarding and upholding the rights of people with disability

**Does your organisation:**

- ☐ support people to access information about their rights and use them, including the right to be safe, and the right to make decisions
- ☐ engage with families and carers regarding the support provided to people with disability
- ☐ encourage people to form connections with peer support networks support
- ☐ seek to connect people to relevant advocacy services including self-advocacy

**Quote - National Standards for Disability Services 4: Feedback and Complaints**

- Individuals, families, friends, carers and advocates are actively supported to provide feedback, make a complaint or resolve a dispute without fear of adverse consequences.
- Complaints are resolved in collaboration with the individual, family, friends, carer or advocate in a proactive and timely manner.

### **3. Positive speaking up cultures**

**Do you as a board:**

- ☐ set a clear expectation about the need to canvass and respond promptly to feedback from people who use your services and their families and carers
- ☐ set an expectation that complaints or feedback from people with disability, families, carers and staff will be taken seriously and responded to promptly and appropriately
- ☐ actively canvass feedback from people, families and staff through a range of mechanisms
- ☐ have mechanisms to monitor feedback and complaints and emerging themes or trends
- ☐ have a commitment to supporting people who disclose or report rights violations

**Does your organisation:**

- ☐ have a culture that actively canvasses feedback from participants and staff and commits to rapid response and action
- ☐ undertake client culture and satisfaction surveys
- ☐ have policies and procedures that clearly explain process for identifying, escalating, reporting and responding to abuse, service user complaints and staff grievances

- ☐ have a clearly documented, easy to use and accessible complaints process
- ☐ promptly address and monitor concerns relating to organisational culture which may create a low confidence in disclosing abuse
- ☐ have in place policies and practices related to whistle blower protection which encourage staff to speak up about issues of concern in confidence

#### **4. Staff recruitment and supervision**

##### **Do you as a board:**

- ☐ understand your responsibility to ensuring that all staff have appropriate background, qualification and criminal history checks
- ☐ understand the importance of including training on rights as part of staff induction and ongoing training and set appropriate expectations
- ☐ understand the importance of staff supervision and set expectations for supervisors

##### **Does your organisation:**

- ☐ ensure adequate pre-employment screening and regularised ongoing screening of staff, volunteers (including board members) based on:
  - background and centrally conducted referee checks
  - values based interview techniques
  - input from participants
- ☐ have a clearly articulated code of conduct outlining acceptable and unacceptable behaviours for staff and participants interacting with one another
- ☐ have clearly articulated outcomes for effective supervision of staff and ensure that these are monitored and adhered to
- ☐ address concerns about the competency of staff or adequacy of training and supervision of staff and volunteers
- ☐ support staff with effective ongoing supervision and training, including:
  - regular staff supervision and audit this to ensure it occurs
  - use group and peer staff supervision practices
  - implement and encourage peer reviews
- ☐ use effective quality management systems
- ☐ undertake unannounced quality visits, including by external bodies
- ☐ implement strategies to ensure the health, safety and support of workforce

## 3. Considering Additional Risks



### Considering Additional Risks

*Zero Tolerance* uses a human rights approach to set out a series of universal practices which will contribute to reducing risk of harm for people with disability who use disability services. However it is also important to understand that risk of harm can increase due to factors specific to the individuals being supported as well as features of some service settings and approaches.

Some service types or settings can also increase risk, such as services where there:

- is regular physical contact with the person being supported
- are closed or segregated environments such as in home support, supported accommodation, or supported employment
- are unsupervised interactions between staff and participants/ other participants

Risk of abuse can be greater for some people with disability depending on their age, their gender, their disability type(s) and any complexity, their health (including mental health) their communication style and language, and their cultural background including indigenous status. These can be further exacerbated by the personal circumstances of some individuals such as:

- poverty and living environment
- social connections and lack of supportive relationships (including friends and family)
- high dependency on support givers/service provision
- limited sex education or age-appropriate sexual experiences
- lack of self-protection skills
- lack of knowledge of rights

Organisations should also have comprehensive policy and practice with regard to supporting people with behaviours of concern, provided in accordance with the *National*



*Standards for Disability Services* requirement for 'minimal restrictive options and are contemporary, evidence-based, transparent and capable of review.'

**Quote: National Standards for Disability Services 1: Rights**

- The service provides support strategies that are based on the minimal restrictive options and are contemporary, evidence-based, transparent and capable of review.

**Quote: National Standards for Disability Services 3: Individual Outcomes**

- Service planning and delivery is responsive to diversity including disability, age, gender, culture, heritage, language, faith, sexual identity, relationship status and other ... factors.

**Considering additional risk: Checklist**

**Do you as a board:**

- ☐ have a comprehensive understanding of the diversity of people with disability your organisation supports
- ☐ recognise and understand that there is an increased risk of harm for some people with disability linked to a person's:
  - age, including specific risks for children, young people and the elderly
  - gender, gender identity and sexuality
  - disability type(s) and any complexity
  - health (including mental health)
  - communication style and language
  - cultural background including indigenous status
  - family situation, including people with no family
- ☐ have a comprehensive understanding of the types of services provided by your organisation and the settings they are provided in
- ☐ recognise and understand that there is an increased risk of harm in the delivery of some services and in some service environments including:
  - where there is regular intimate physical contact
  - in closed or segregated environments such as in home support, supported accommodation, or supported employment
  - during unsupervised interactions between staff and participants and between participants

- ☐ have a commitment to the reduction and elimination of restrictive practices and measures in place to understand if it is effective

**Does your organisation:**

- ☐ recognise that there is an increased risk of harm for some participants including:
  - age-related risk (including children, young people and older people)
  - risk related to gender and/or sexuality
  - risk for people with cognitive disability and/or mental health issues
  - risk related to people from CALD and indigenous backgrounds
  - support needs of people who use augmented and complex communication
  - people who require support with management of finances
  - people with a high dependency on services and lack other social supports
- ☐ have policy and guidelines in place to address these specific risks
- ☐ complete environmental risk assessments and implement a risk strategy – including training for staff and people with disability that targets known risks, groups and settings for the organisation
- ☐ have personal care policies and procedures that enable participants to choose their support staff with respect to gender and culture
- ☐ recognise potential risk of harm associated with specific service settings and have policy and guidelines in place to address them, including:
  - accommodation settings
  - personal care
  - remotely supervised service provision
- ☐ employ effective supervision and training processes for staff that work remotely, including new technology to assist communication and use of online training
- ☐ have a financial commitment to staff training for positive behaviour support
- ☐ have a commitment and action plan for the reduction of restrictive practices

## 4. Responding to Abuse



### Responding to Abuse

Although organisations must make every effort to prevent abuse, it is critical that organisations are ready and able to respond to abuse should it occur. Zero Tolerance highlights the following areas for organisations to be ready to respond appropriately, quickly and effectively to any incidences of abuse, neglect and violence toward people with disability:

- 1. Early intervention and response:** encouraging workers to be alert to and respond to any signals of poor practice and more serious acts, having clear policy and set actions that organisations must take to respond when abuse is disclosed, reported or observed, timely reporting and evidence gathering.
- 2. Supporting victims:** ensuring safety of victims, supporting access to medical and other specialist response and recovery services, contacting families and carers and ensuring access to justice through contact with the police and advocacy services.
- 3. Meeting legal and organisational requirements:** meeting all responsibilities under policy and legislation including working with police, investigators and statutory bodies; conducting thorough investigations which acknowledge needs of individuals and staff.

Boards should set a clear expectation of how organisations (as a whole) will respond to any disclosed, reported or observed abuse. People with disability, families, staff members and others should not feel they have any reason to hesitate reporting abuse, and that the organisation will treat the matter with appropriate seriousness and meet its obligations in supporting victims and working with external authorities.

Not only can ineffective organisational responses deny justice for victims, they can allow abuse to continue and compound the harm by putting other participants at risk; giving an impression that human rights abuses are tolerated and won't be acted upon, discouraging others from speaking up and undermine efforts to prevent abuse.

NDS advocates a “4A’s” approach to responding to abuse, specifically

- **Acknowledgement:** by the organisation of the person’s situation
- **Answers:** informed by a thorough investigation and shared appropriately
- **Actions:** resulting from the investigation, and commitment to improve
- **Apology:** for anything the organisation could have done or done better

**Quote: National Standards for Disability Services 1: Rights**

- The service addresses any breach of rights promptly and systemically to ensure opportunities for improvement are captured.
- The service supports individuals with information and, if needed, access to legal advice and/or advocacy.

## **Responding to Abuse: Checklist**

**Do you as a board:**

- ☐ set a clear message that the needs of victims should be the first priority following disclosed, reported or observed abuse of a person with disability
- ☐ receive notification of all cases of disclosed, observed and reported abuse and request details on outcomes for any victims, accused staff and the organisation
- ☐ have a commitment to supporting (including resourcing) transparent and independent investigative processes
- ☐ understand the need for a clear communications strategy which:
  - prioritises the safety and seeks to respect privacy of those involved;
  - sends a zero tolerance to abuse message
  - is clear that justice for victims is prioritised over the organisation’s reputation
- ☐ understand your legal obligations as a board in the case of substantiated abuse of a person using your service
- ☐ understand your industrial responsibilities to any staff member
- ☐ read investigation reports and take responsibility for communicating and commissioning implementation of any recommendations
- ☐ have a comprehensive Acknowledgement, Actions, Answers, Apology strategy

**Does your organisation:**

- ☐ have in place policies and guidelines that support swift response to early indicators of abuse, including expectations of any bystanders
- ☐ have clear information regarding expectations, policies and procedures for immediate response to, and escalation of, disclosures, observations and reported abuse (both recent and historic)
- ☐ have in place clear steps for frontline staff and managers around reporting and working with police and external bodies, including preservation of evidence
- ☐ have effective note taking and record keeping systems in place
- ☐ provide clear information for staff regarding the process for supporting victims of abuse, and perpetrators who are participants, including being connected with relevant and appropriate support services and advocates for as long as required
- ☐ understand the organisation and the board's legal and statutory obligations to be enacted when incidents of abuse or neglect occur
- ☐ have in place guidelines for conducting criminal, disciplinary, organisational and person-centred investigations following any case of abuse
- ☐ have in place policies and procedures to support staff who may be implicated in or directly involved in any observed, reported or disclosed abuse
- ☐ have in place a communications strategy which is:
  - informed by advice from the police and other authorities
  - Seeks to inform key stakeholders where to do so will not impact on any corresponding investigation
  - Respects the needs, trauma and privacy of victims
  - Is clear on what steps will be followed
- ☐ ensure protection from recrimination for people who report or disclose
- ☐ participants, their support networks are informed of how to make complaints/disclose abuse and are at the centre of any resolution or investigation



## Learning and Improvement

Boards have a critical role to play in contributing to, and providing feedback on analysis, learning and organisational improvement opportunities. *Zero Tolerance* recommends actions including:

- 1. Maintaining and analysing records:** using effective, efficient methods to maintain records and details of all incidents and human rights violations, regardless of any criminal conviction. Analysis of incident and workforce data to understand pressure points and potential risks.
- 2. Committing to continuous improvement:** ensuring a systematic program of review for policy and practice, informed by participants, families, staff, management and the board. Responding to any gaps in safeguarding practice and seeking to strengthen effectiveness, transparency, accessibility and accountability.
- 3. Supporting wider initiatives to reduce abuse:** board members come from different walks of life, and bring a range of different skills and industry experience to the disability sector. Boards can incorporate knowledge of relevant practice and initiatives from other sectors to strengthen practice in your organisation. Board members can also endorse partnerships and participation in broader initiatives.

Abuse, neglect and violence are complex and have many causes. However the risk of some forms of abuse can be anticipated and prevented. Equally, it is important to learn from any breaches of human rights for people who use your service, understand why it happened and take actions to prevent it happening again. A data dashboard (below) is an effective way to identify and analyse organisational trends.

**Quote: National Standards for Disability Services 4: Feedback and Complaints**

- The service seeks and in conjunction with individuals, families, friends, carers and advocates, reviews feedback on service provision and supports on a regular basis as part of continuous improvement.
- The service develops a culture of continuous improvement using compliments, feedback and complaints to plan, deliver, and review services for individuals and the community.

**Quote: National Standards for Disability Services 6: Service Management**

- The service documents, monitors and effectively uses management systems including Work Health and Safety, human resources management and financial management.
- The service has monitoring, feedback, learning and reflection processes which support continuous improvement.

**Learning and Improvement: Checklist**

**Do you as a board:**

- ☐ have rights and safeguarding as a standing item on your meeting agendas, tied to an annual calendar
- ☐ receive and consider regular data and analysis from incident reports
- ☐ receive and analyse workplace health and safety reports
- ☐ receive and analyse exit interview data
- ☐ prioritise organisational cultural health at the same level of financial health
- ☐ request regular policy and procedure review
- ☐ have processes in place to change board members on a regular basis
- ☐ have people with disability on your board
- ☐ ensure adequate financial allocation to develop and maintain safeguarding strategies within the organisation

**Does your organisation:**

- ☐ have rights and safeguarding as a standing item on relevant meeting agendas, including executive and board meetings
- ☐ keep up to date with best practice prevention strategies and changing legal obligations
- ☐ have a formal risk management plan and reporting process that includes regular monitoring of known risk factors and strategies to identify new and emerging risks
- ☐ use data to implement continuous improvement including policy and guidelines review and training
- ☐ maintain records on any alleged abuse by staff, even where there is insufficient evidence
- ☐ have in place appropriate committees (e.g. risk and audit; quality; clinical governance) or governance structures to explore and address safeguarding gaps
- ☐ have a senior management team which seeks and review data from incident reports, complaints, quality audits, client surveys, Community Visitor reports and other external bodies and examine trends in targeted risks and development of new risks
- ☐ review policies to ensure that they are up to date with compliance obligations and incorporate best-practice
- ☐ verify that all uses of restrictive intervention are documented in up-to-date behaviour support plans
- ☐ work collaboratively with mainstream and specialist support services to contribute to improved understanding and practice of safeguarding for people with disability
- ☐ monitor and understand the impact of high staff turnover, and have risk management strategies in place to address this



## Zero Tolerance resources for your board

Access the full range of **free** *Zero Tolerance Initiative* resources via the NDS website <https://www.nds.org.au/resources/zero-tolerance>.

You will need to advise the NDIS Manager once these modules are completed so that this information can be included in the NDIS HR Compliance Register

Resource	What is it
<b><i>Safeguarding for Boards films</i></b>  <a href="https://www.nds.org.au/resources/zero-tolerance">Safeguarding for Boards (nds.org.au)</a>	A series of short interviews with a panel of disability board members discussing different aspects of human rights and preventing and responding to abuse (Approx 55mins total) <ul style="list-style-type: none"> <li>• Understanding Abuse</li> <li>• Preventing Abuse</li> <li>• Considering Additional Risk Part 1 – Diversity</li> <li>• Considering Additional Risk Part 2 – Practice</li> <li>• Responding to Abuse</li> <li>• Learning from Abuse</li> <li>• Why be a Board Member</li> </ul>
<b><i>Human Rights and You:</i></b>  <a href="https://www.nds.org.au/resources/zero-tolerance">Human Rights and You eLearning Program (nds.org.au)</a>	Short, engaging, and accessible eLearning module for understanding why human rights matter for people with a disability

## Other useful resources

- NDIS Quality and Safeguarding Framework: [link](#)



NDIS Quality  
and Safeguards  
Commission



NDIS  
WORKER  
SCREENING

# NDIS Risk Assessed Roles

## What is a Risk Assessed Role?

Risk assessed roles include:

- Key personnel roles. This includes executive, senior management and operational roles in a registered NDIS provider. For example, Chief Executive Officer, Chairperson or Board Member.
- Roles in which normal duties include the direct delivery of specified supports or services to a person with disability.
- Roles in which normal duties are likely to require more than incidental contact with a person with disability.

## What is the NDIS Worker Screening Check?

From 1 February 2021, the NDIS Worker Screening Check (Worker Screening Check) replaces the different arrangements operating in each state or territory, setting a minimum national standard that all workers engaged in risk assessed roles must meet.

The assessment determines whether a person is cleared or excluded from working in certain roles with people with disability.

The NDIS Worker Screening Check is conducted by the Worker Screening Unit at SAFE NT. The Worker Screening Unit also decides whether a person is cleared or excluded. Registered NDIS providers are required to ensure that they only engage workers who have been cleared in certain roles, called risk assessed roles.

## How to apply for a NDIS Worker Screening Check

When a worker applies for an NDIS Worker Screening Check, a fee is payable (which is set by the state or territory in which the application is made). Workers must prove their identity for their application to proceed.

It is a condition of registration for registered NDIS providers that they ensure that workers in risk assessed roles have a NDIS Worker Screening Check. This provides a level of safeguarding for NDIS participants by helping to ensure that those in risk assessed roles do not pose an unacceptable risk to the safety and wellbeing of NDIS participants.

### How long is the NDIS Worker Screening clearance valid?

Workers with a NDIS Worker Screening clearance are subject to ongoing monitoring against police and other relevant information.

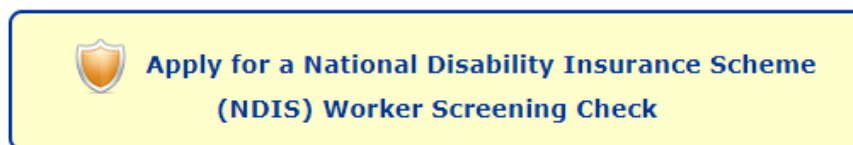
This means their NDIS Worker Screening clearance status can be re-assessed if a WSU or the NDIS Commission receives new or updated information that suggests they pose a risk to people with disability. If this happens, they may be excluded from having a NDIS Worker Screening clearance before their existing NDIS Worker Screening clearance expires.

NDIS Worker Screening clearances expire every five (5) years.

### Where to apply for Worker Screening in the Northern Territory:

Follow this link: [SAFE NT Online Applications](#)

Select:



You will be prompted to select which employer you are performing the risk assessed role: Victoria Daly Regional Council

- **ABN**66931675319
- **Legal name** Victoria Daly Regional Council
- **Address** VICTORIA DALY REGIONAL COUNCIL 29 CRAWFORD STREET KATHERINE  
NORTHERN TERRITORY 0850

#### Victoria Daly Regional Council NDIS Registration Id:

- 4-433C-1454

The NDIS Manager will receive an email notification from the NDIS Quality and Safeguards Commission once your application has been submitted and you will receive a notice with your Worker Clearance number. The NDIS Manager is responsible for accepting your application and ensuring its progress through to 'Verified' state.

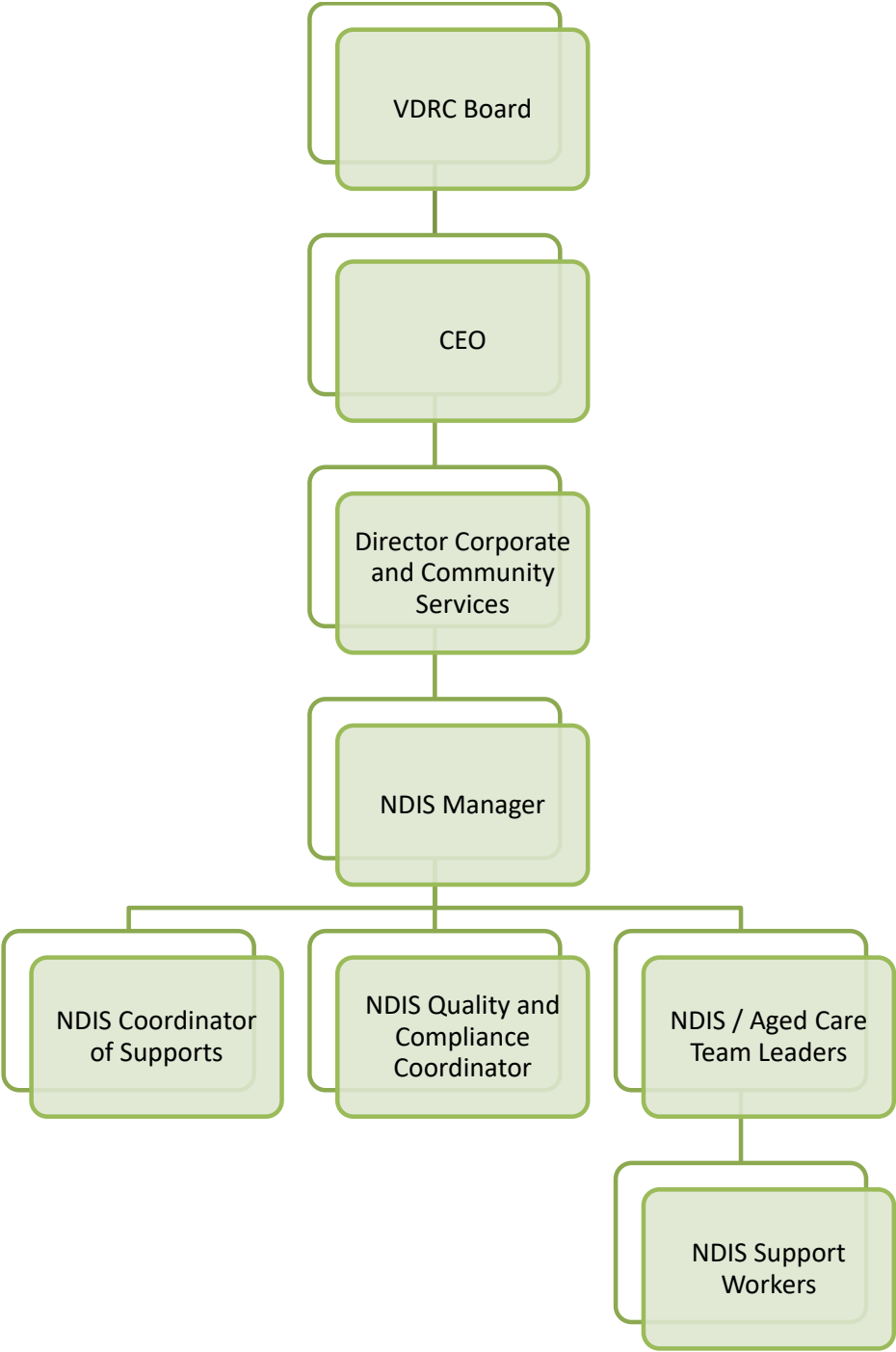
Your Worker Clearance Details will be placed on the NDIS HR Compliance Register for a reminder to renew each 5 years.

### Remember:

You only need to apply one time for national coverage under this workers clearance.

If you perform work in a risk assessed role for another local council, agency, organisation or private business you will only need to link them as an approved employer, if they are approved registered providers of NDIS who also must have these clearances.

# NDIS ORGANISATIONAL CHART





## **10. Local Authority**

### **10.1. Local Authority Minutes**

#### **10.1.1. Provisional Timber Creek Local Authority meeting held on 21 February 2023**

##### **Recommendation**

That the minutes of the Provisional Timber Creek Local Authority meeting held on 21 February 2023 be adopted as a resolution of Ordinary Council.

##### **Attachments**

1. 20230221 TCLA MIN unconfirmed [**10.1.1.1** - 7 pages]



# MINUTES

**TIMBER CREEK LOCAL AUTHORITY PROVISIONAL MEETING**  
**HELD ON TUESDAY 21 FEBRUARY 2023**  
**AT 3:00 PM**  
**AT THE TIMBER CREEK COUNCIL OFFICE**  
VDRC Office



## VICTORIA DALY REGIONAL COUNCIL DISCLAIMER

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In particular and without detracting in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or officer of the Victoria Daly Regional Council during the Course of any meeting is not intended to be and is not taken as notice of approval from the Victoria Daly Regional Council.

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A handwritten signature in black ink, appearing to read "BH", written over a large, faint, diagonal watermark that says "DRAFT".

Brian Hylands  
Chief Executive Officer



**Victoria Daly**  
REGIONAL COUNCIL

MINUTES  
Timber Creek Local Authority Meeting Tuesday 21 February 2023

## 1. MEETING OPENING

Section 98(2) of the Local Government Act 2019 states that a quorum at a meeting of a local authority consists of a majority of its members holding office at the time of the meeting. Five members are required to be present to reach quorum and only four were present for the meeting. A provisional meeting proceeded.

*The Chairperson opened the provisional meeting at 3:15pm.*

## 2. WELCOME

Chairperson welcomed members and visitors to the meeting.

## 3. ATTENDANCE AND APOLOGIES

### 3.1. Attendees

#### MEMBERS

Chairperson	Coralie Myers
Member	Rebecca Myers
Member	John Horgan
Member	Chris Flood

#### STAFF AND MAYOR

Chief Executive Officer	Brian Hylands
Council Operations Manager	Paul Buckley
Council Operations Assistant Manager	Renee Croton
Director of Council Operations	Matthew Cheminant
Manager of Executive Services	Michelle Griffin (minute taker)
PR and Communications Officer	Maggie Coggan

#### GUESTS

Katherine West Health	Katherine Drummond
Katherine West Health	Marilla Appleby
Community member	Tristram Holcombe

### 3.2. Apologies and Absentees

Apologies: Cecelia McKenzie

Absent: Cr Shirley Garlett, Darryl Darby, Larry McLaughlin

Leave of Absence: Nil

## 4. DISCLOSURE OF INTEREST

There were no declarations of interest at this meeting.





**Victoria Daly**  
REGIONAL COUNCIL

MINUTES  
Timber Creek Local Authority Meeting Tuesday 21 February 2023

## **5. RESIGNATIONS, TERMINATIONS AND NOMINATIONS**

### **5.1. Resignations**

Nil

### **5.2. Terminations**

Nil

### **5.3. Nominations**

#### **TCLA-2023/1 Resolution: Carried (John Horgan/Rebecca Myers)**

That the Timber Creek Local Authority received endorse the nomination of Tristram Holcombe and request Council accept the nomination.

## **6. PRESENTATIONS AND TRAINING**

### **6.1. Local Authority Training - Roles and Responsibilities**

The Chairperson thanked Michelle Griffin and the Department of Chief Minister and Cabinet for the information on local authority roles and responsibilities.

### **6.2. Australian Electoral Commission - Indigenous Electoral Participation Program**

Australian Electoral Commission guests did not attend.

## **7. CONFIRMATION OF MINUTES**

### **7.1. Timber Creek Local Authority Meeting held on 15 November 2023**

#### **TCLA-2023/2 Resolution: Carried (Rebecca Myers/Coralie Myers)**

That the minutes of the Timber Creek Local Authority Meeting held on 15 November 2023 be taken as read and be accepted as a true record of the meeting.

## **8. COUNCIL RESPONSE TO PREVIOUS MINUTES**

### **8.1. Council Response to Previous Minutes**

#### **TCLA-2023/3 Resolution: Carried (Coralie Myers/Rebecca Myers)**

That the Timber Creek Local Authority receive and note the feedback from Council



**Victoria Daly**  
REGIONAL COUNCIL

MINUTES  
Timber Creek Local Authority Meeting Tuesday 21 February 2023

## 9. REPORTS

### 9.1 Council Operations Manager Report

**TCLA-2023/4 Resolution:** Carried (**Chris Flood/John Horgan**)

That the Council Operations Manager report is received and noted

### 9.2. Finance Report for six months period ending 31st December 202

**TCLA-2023/5 Resolution:** Carried (**John Horgan/Chris Flood**)

That the Finance Report for six months period ending 31st December 2022 is received and noted

### 9.3. Local Authority Project Funding Update

**TCLA-2023/6 Resolution:** Carried (**John Horgan/Coralie Myers**)

- A. That the Local Authority Project Funding Update is received and noted
- B. That the Timber Creek Local Authority agrees to accept the election commitment funding offer and commit a matching co-contribution as per the funding guidelines; and
- C. That the Timber Creek Local Authority will commit their remaining LAPF funds of \$30,000 and the TCLA request that council contributes \$20,000 to allow for the maximum \$50,000 co-contribution offer.

Action: The VDRC contracts manager to be invited to the next Local Authority meeting to discuss playground options for local authority projects.

### 9.4. Action Items

**TCLA-2023/7 Resolution:** Carried (**Rebecca Myers/Chris Flood**)

That the Timber Creek Local Authority receive and note the action items update

### 9.5. Service Delivery

**TCLA-2023/8 Resolution:** Carried (**Coralie Myers/John Horgan**)

That the Timber Creek Local Authority receive and note the Service Delivery



## 10. QUESTIONS FROM THE PUBLIC

### Q1 - School zone signage

Member of public Tristram Holcombe put forward a question about school zone signage the Timber Creek School.

- Mr. Holcombe is requesting investigation into school zone signs and alerts to improve road safety for children and families walking to and from the school.

#### **TCLA-2023/9 Resolution: Carried (Coralie Myers/Chris Flood)**

The Timber Creek Local Authority request council write to the Timber Creek Police requesting that they conduct speed radar checks near the school to assist in safe driving particularly during drop off and pick up time.

### Q2 - Town Pool

Member of public Tristram Holcombe put forward a question about possibility of a town pool.

- Local Authority member Chris Flood advised the members and guests of a project taking place which will include a pool available for public and advised that the project could be completed by next year.

Chairperson advised that she will investigate if any travelling instructors would consider running lessons at Timber Creek.

## 11. GENERAL BUSINESS

### 11.1 Women's Shelter

Action: An invitation to be extended to Noel and/or Joel to attend the next local authority meeting to discuss options for a women's shelter for the Timber Creek township.

### 11.2 Street Lights

Member John Horgan advised the local authority that NWA does not have the equipment to access and maintain streetlights. NWA will investigate and engage a contractor to remedy broken lights in the areas that NWA is responsible for.

### 11.3 International Women's Day

Chairperson Coralie Myers advised that she is running a women's day event in Timber Creek.



**Victoria Daly**  
REGIONAL COUNCIL

**MINUTES**  
Timber Creek Local Authority Meeting Tuesday 21 February 2023

#### **11.4 Timber Creek Festival**

Chairperson Coralie Myers advised that the Timber Creek Festival will be held on 5 August (Picnic Day weekend) to allow for people to travel from surrounding townships and communities.

#### **12. CONFIDENTIAL**

Nil

#### **13. NEXT MEETING**

The next Meeting of Timber Creek Local Authority will be held Tuesday, 16 May 2023.

***Meeting closed at 4:39pm***

This page and the preceding six (6) pages are the minutes of the provisional meeting of the Timber Creek Local Authority held on Tuesday, 21 February 2023.



**10.1.2. Special Timber Creek Local Authority meeting held on 14 April 2023**

**Recommendation**

That the minutes of the Special Timber Creek Local Authority meeting held on 14 April 2023 be adopted as a resolution of Ordinary Council.

**Attachments**

1. 2023-04-14 TCLA MIN SPECIAL UNCONFIRMED [**10.1.2.1** - 4 pages]



# MINUTES

## SPECIAL

**TIMBER CREEK LOCAL AUTHORITY MEETING**

**HELD ON FRIDAY 14 APRIL 2023**

**AT 3:00 PM**

**AT THE TIMBER CREEK COUNCIL OFFICE**

**VDRC Office**



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A handwritten signature in black ink, appearing to read "BH", with a long horizontal flourish extending to the right.

Brian Hylands  
**Chief Executive Officer**



## 1. Meeting Opening

*The meeting commenced at 3:00pm.*

## 2. Welcome

Chairperson Coralie Myers welcomed members to the special meeting.

## 3. Attendance and Apologies

### 3.1. Attendees

Coralie Myers  
Rebecca Myers  
John Horgan  
Shirley Garlett (via phone)

Staff  
Manager of Executive Services    Michelle Griffin (minute secretary)

### 3.2. Apologies and Absentees

Apologies: Nil

Absent: Larry McLaughlin, Darrell Darby, Ceclia McKenzie

## 4. Disclosure of Interest

There were no declarations of interest at this meeting.

## 5. Resignations, Terminations and Nominations

### 5.1. Resignations

#### 5.1.1. Resignation of Chris Flood from the Timber Creek Local Authority

**TCLA-2023/10 Resolution:** Carried (John Horgan/Rebecca Myers)

That the Resignation of Chris Flood from the Timber Creek Local Authority is accepted.

### 5.2. Nominations

#### 5.2.1. Nominations of Marilla Appleby to the Timber Creek Local Authority

**TCLA-2023/11 Resolution:** Carried (Coralie Myers/Cr Shirley Garlett)

That the Nominations of Marilla Appleby to the Timber Creek Local Authority is received and accepted.





### 5.3.2. Nomination of Beatty Retchford to the Timber Creek local Authority

**TCLA-2023/12 Resolution: Carried (Rebecca Myers/Coralie Myers)**

That the Nomination of Beatty Retchford to the Timber Creek local Authority is received and accepted.

## 6. Confirmation of Minutes

### 6.1. Provisional Timber Creek Local Authority meeting held on 21 February 2023

**TCLA-2023/13 Resolution: Carried (John Horgan/Rebecca Myers)**

A. That the minutes of the Provisional Timber Creek Local Authority meeting held on 21 February 2023 be taken as read and be accepted as a true record of the meeting.

B. That all resolutions of the provisional meeting held on 21 February 2023 be adopted as resolution of the Timber Creek Local Authority.

## 7. Next Meeting

The next Meeting of Timber Creek Local Authority will be held 16 May 2023.

***The meeting closed at 03:02pm***



## **10.2. Local Authority Membership**

### **10.2.1. Nomination of Tristram Holcombe to the Timber Creek Local Authority**

**Report Type** Nomination  
**Prepared by** Manager of Executive Services

#### **Recommendation**

That the Nomination of Tristram Holcombe to the Timber Creek Local Authority is received and accepted.

#### **Attachments**

1. 20230221 TCLA NOM HOLCOMB E, Tristram Redacted [10.2.1.1 - 1 page]



**Victoria Daly**  
REGIONAL COUNCIL

## Local Authority Nomination Form

Name of Nominee: Tristram Holcombe

Community: Timber Creek Date: 21-2-23

**Local Authority you are nominating for** (please tick)

- |  |                   |
|--|-------------------|
| <input type="checkbox"/> Pine Creek Local Authority              | Pine Creek Ward   |
| <input type="checkbox"/> Daly River Local Authority              | Milngin Ward      |
| <input type="checkbox"/> Amanbidji Local Authority               | Timber Creek Ward |
| <input type="checkbox"/> Bulla Local Authority                   | Timber Creek Ward |
| <input checked="" type="checkbox"/> Timber Creek Local Authority | Timber Creek Ward |
| <input type="checkbox"/> Yarralin / Pigeon Hole Local Authority  | Walangeri Ward    |
| <input type="checkbox"/> Kalkarindji / Daguragu Local Authority  | Daguragu Ward     |

**Contact Information**

Contact Number: [REDACTED]

Email: [REDACTED]

Postal Address: [REDACTED]

Please explain why you would be a good candidate for your Local Authority:

I love here.

Please explain the position you hold in your community and how it will assist in decision making:

Other information to support your nomination:

Signature of Nominee: [REDACTED]

Nomination endorsed by Council	Date:	Resolution:
--------------------------------	-------	-------------



### **10.2.2. Nomination of Beatty Retchford to the Timber Creek local Authority**

**Report Type** Nomination  
**Prepared by** Manager of Executive Services

#### **Recommendation**

That the Nomination of Beatty Retchford to the Timber Creek local Authority is received and accepted.

#### **Attachments**

1. 20230303 TCLA NOM RETCHFORD, Beatty Redacted [**10.2.2.1** - 1 page]



**Victoria Daly**  
REGIONAL COUNCIL

Name of Nominee: BEATTY RETCHFORD

Community: TIMBER CREEK Date: 03-03-23

**Local Authority you are nominating for (please tick)**

- |  |                   |
|--|-------------------|
| <input type="checkbox"/> Pine Creek Local Authority              | Pine Creek Ward   |
| <input type="checkbox"/> Daly River Local Authority              | Milngin Ward      |
| <input type="checkbox"/> Amanbidji Local Authority               | Timber Creek Ward |
| <input type="checkbox"/> Bulla Local Authority                   | Timber Creek Ward |
| <input checked="" type="checkbox"/> Timber Creek Local Authority | Timber Creek Ward |
| <input type="checkbox"/> Yarralin / Pigeon Hole Local Authority  | Walangeri Ward    |
| <input type="checkbox"/> Kalkarindji / Daguragu Local Authority  | Daguragu Ward     |

**Contact Information**

Contact Number: [REDACTED]

Email: [REDACTED]

Postal Address: [REDACTED]

Please explain why you would be a good candidate for your Local Authority:

I HAVE PREVIOUS EXPERIENCE IN LOCAL GOVERNMENT  
GOVERNANCE, ADMINISTRATION, REGIONAL SERVICES

Please explain the position you hold in your community and how it will assist in decision making:

NLC RANGER COORDINATOR ALLOWS ME TO BE  
INTERACTIVE WITH ALL COMMUNITY MEMBERS AND SERVICES  
PROVIDERS

Other information to support your nomination:

I HAVE A DIVERSE BACKGROUND OF WORKING IN ALL  
LEVELS OF GOVERNMENT AND LIVING IN REMOTE AREAS

Signature of Nominee: [REDACTED]

Nomination endorsed by Council

Date:

Resolution:



### **10.2.3. Nomination of Marilla Appleby to the Timber Creek Local Authority**

**Report Type** Nomination  
**Prepared by** Manager of Executive Services

#### **Recommendation**

That the Nomination of Marilla Appleby to the Timber Creek Local Authority is received and accepted.

#### **Attachments**

1. 20230221 TCLA NOM APPLEBY, Marilla Redacted [**10.2.3.1** - 1 page]





**Victoria Daly**  
REGIONAL COUNCIL

## Local Authority Nomination Form

Name of Nominee: Marilla Appleby

Community: Timber Creek Date: 21/2/23.

Local Authority you are nominating for (please tick)

- |  |                   |
|--|-------------------|
| <input type="checkbox"/> Pine Creek Local Authority              | Pine Creek Ward   |
| <input type="checkbox"/> Daly River Local Authority              | Milngin Ward      |
| <input type="checkbox"/> Amanbidji Local Authority               | Timber Creek Ward |
| <input type="checkbox"/> Bulla Local Authority                   | Timber Creek Ward |
| <input checked="" type="checkbox"/> Timber Creek Local Authority | Timber Creek Ward |
| <input type="checkbox"/> Yarralin / Pigeon Hole Local Authority  | Walangeri Ward    |
| <input type="checkbox"/> Kalkarindji / Daguragu Local Authority  | Daguragu Ward     |

### Contact Information

Contact Number: [REDACTED]

Email: [REDACTED]

Postal Address: [REDACTED]

Please explain why you would be a good candidate for your Local Authority:

Interested in Community development.

Please explain the position you hold in your community and how it will assist in decision making:

Remote Area Nurse.

Other information to support your nomination:

[REDACTED]

Signature of Nominee: [REDACTED]

Nomination endorsed by Council

Date:

Resolution:



#### **10.2.4. Termination of Darryl Darby from the Timber Creek Local Authority**

**Report Type** Termination  
**Prepared by** Manager of Executive Services

##### **Background**

Provision 2.3.2 of the Local Authority Policy sets out how, and in what circumstances, appointment of a member may be revoked or otherwise cease.

***2.3.2 In accordance with Section 7.1(f) of the Ministerial Guideline 1, the membership of an appointed Local Authority member may be revoked by Council where the member is absent without permission of the Local Authority from two consecutive meetings.***

Timber Creek Local Authority member Darryl Darby has been absent without apology for the previous two meetings held on 15 November 2022 and 21 February 2023.

##### **Recommendation**

That the Council terminate the membership of Darryl Darby in accordance with provision 2.3.2 of the Local Authority policy due to non-attendance without apology.

##### **Attachments**

Nil





### **10.2.5. Termination of Larry McLaughlin from the Timber Creek Local Authority**

**Report Type** Termination  
**Prepared by** Manager of Executive Services

#### **Background**

Provision 2.3.2 of the Local Authority Policy sets out how, and in what circumstances, appointment of a member may be revoked or otherwise cease.

***2.3.2 In accordance with Section 7.1(f) of the Ministerial Guideline 1, the membership of an appointed Local Authority member may be revoked by Council where the member is absent without permission of the Local Authority from two consecutive meetings.***

Timber Creek Local Authority member Larry McLaughlin has been absent without apology for the previous two meetings held on 15 November 2022 and 21 February 2023.

#### **Recommendation**

That Council terminate the membership of Larry McLaughlin in accordance with provision 2.3.2 of the Local Authority policy due to non-attendance without apology.

#### **Attachments**

Nil



## 11. Action Sheet

### 11.1. Action Items

**Report Type**    **Officer Report For Information**

**Prepared by**    **Manager of Executive Services**

---

#### **Purpose**

To provide an update on the status of action items since the last ordinary Council meeting.

#### **Recommendations**

- A. That the Action Items report is received and noted

#### **Council officer conflict of interest declaration**

We the Author and Approving Officer declare we do not have a conflict of interest in relation to this matter.

#### **Attachments**

1. 20230428 Action Items Report [11.1.1 - 6 pages]

## Action Register



**Victoria Daly**  
REGIONAL COUNCIL

Meeting Date	Item	Action Required	Assignee/s	Action Taken	Status
21/03/2017	052/2017 - Waste Management Site - Kalkarindji	<b>Action:</b> CEO to identify ownership (through Land Council) of suitable future waste management land sites. Apply for external fencing funding for Kalkarindji civil works to ascertain waste management site requirements for inclusion of project in the community plan.	Brian Hylands	25 June 2019 Since March 2017 a waste management strategy has been established. The only outstanding land tenure issues are at Kalkarindji. The area where the landfill is located is subject to a land title claim. CLC are investigating a way forward. Funding has been provided to develop shovel ready documentation and cost estimates for all Council landfills.	Ongoing
28/01/2020	Item 14 – Upstream Flood Notifications	<b>Action:</b> (28/02/22) Letter to be sent to LGANT regarding the urgent need for upstream flood notification for upper Victoria River (above Kalkarindji) and the Humbert River (above Lingarra) (22/10/21) Email to be sent from CEO to Peter McLinden concerning motions from previous Council meetings regarding advocacy for upstream notification system on Victoria River.	Brian Hylands, Michelle Griffin	Motion submitted to LGANT for discussion at General Meeting in April. Actions from 21-01-21 and 22-10-21 combined. <b>17/03/2023 Michelle Griffin</b> Motion paper sent to LGANT for inclusion in the general meeting agenda. LGANT GM is scheduled for 19-20 April 2023.	In progress
22/02/2020	Item 10 - NDIS Audit	<b>Action:</b> Aged Care & NDIS Audit to be conducted every six months by external provider	Trudy Braun	<b>24/01/2023 Trudy Braun</b> Audits commencing 16 February 2023.	Ongoing
28/09/2020	Item GB-31.4 Waste Management Plan Nauiyu	<b>Action:</b> That a business plan be prepared to outsource waste management at Nauiyu	Matthew Cheminant	<b>17/03/2023 Matthew Cheminant</b> VDRC are still waiting for a lease agreement.	In progress
26/07/2022	General Business 13.2 Roadside stops - Buntine Hwy	Discuss and identify the location for a rest stop with toilets. <b>Action:</b> Letter to DIPL and the Department of Chief Minister and Cabinet (Jake and Claire) and Regional Manager Territory Regional Growth. Roadside rest stop near Delamere.	Matthew Cheminant	<b>17/03/2023 Matthew Cheminant</b> MC sent an email to Dipl requesting toilet blocks along the Buntine HWY in three locations. They have acknowledged the request.	Not yet started
30/08/2022	Community Benefit Fund Major Grant Application	<b>Resolution: OCM-2022/106</b> A. That the report Community Benefit Fund Major Grant Application is received and noted B. That Council approves the submission of a Community Benefit Fund grant application to support upgrades and the furnishing of 4 Fitzer Road Timber Creek C. 60K limit for kitchen upgrade - to be recovered from grant if successful.	Keira Townsend	<b>08/03/2023 Keira Townsend</b> Council has been notified of a successful application however a funding agreement will not be provided until Council provides an updated project plan and budget. As the Council has been unsuccessful in obtaining 2 Fitzer Road, the Operations team need to update project design and accompanying budget for 4 Fitzer which then needs to be supplied to NIAA. A funding agreement will not be provided until this is submitted and approved.	Awaiting external response
30/08/2022	General Business 13.2 Representation review Committee – Timber Creek Councillor	<b>Resolution: OCM-2022/126</b> CEO to write to Representation Review Committee for an additional Councillor for Timber Creek ward.	Brian Hylands	<b>24/01/2023 Michelle Griffin</b> Research taking place on process.	Not yet started
27/09/2022	General Business 15.6 In-kind support request	<b>Resolution: OCM-2022/152</b> That a letter from the Mayor be sent to Sitzler seeking in-kind support for the projects taking place in Timber Creek for the benefit of the people of Timber Creek.	Michelle Griffin	<b>17/01/2023 Michelle Griffin</b> Letter drafted. Requires further investigation. <b>13/04/2023 Michelle Griffin</b> On hold until scope of works is complete.	On hold
27/09/2022	General Business 15.1 Key cutting – schedule of fees and charges	<b>Resolution: OCM-2022/148</b> That key cutting be added to the schedule of fees and charges for \$15 per instance. One machine to be located at Yarralin and one at Timber Creek; and That one key cutting machine be gifted to Green Rivers Aboriginal Corporation from Nauiyu.	Jackson Bernard, Michelle Griffin	<b>18/01/2023 Michelle Griffin</b> Schedule of fees and charges have been updated and published to website. One machine gifted to GRAC. Two remaining machines require servicing prior to distribution to Yarralin and Timber Creek.	In progress
25/10/2022	Correspondence Timbe Creek Infrastructure	<b>Action:</b> Letter be sent from Mayor to Ministers Lawler and Fyles with supporting attachments from TCLA regarding infrastructure in Timber Creek (copy: Dheran Young, Marion Scrymgour, Senator Malarndirri McCarthy)	Michelle Griffin	<b>17/01/2023 Michelle Griffin</b> Letter drafted and awaiting feedback. Further investigations taking place. <b>23/02/2023 Michelle Griffin</b> Letter sent to Minister Lawler on 20/02/23 seeking update on Timber Creek planning.	Awaiting external response
25/10/2022	General Business 13.1 Kakadu Litter	<b>Action:</b> Letter to DIPL requesting additional roadside stops and waste facilities on Kakadu Highway outside the National Park boundary due to parks policy "take your rubbish with you", as the rubbish comes to VDRC facilities, in particular Pine Creek.	Michelle Griffin	<b>17/01/2023 Michelle Griffin</b> Letter drafted and awaiting feedback. <b>24/01/2023 Michelle Griffin</b>	Awaiting external response

Meeting Date	Item	Action Required	Assignee/s	Action Taken	Status
		<b>Action:</b> Letter to West Arnhem seeking support for councils request to DIPL for more facilities on Arnhem and Kakadu Highway due to parks policy "take your rubbish with you" as the rubbish comes to VDRC facilities, in particular Pine Creek.		Letters sent on 24 January 2023 <b>17/03/2023 Michelle Griffin</b> Caleb Johnston from Minister Lawler's office contacted Council to gather more information. He will contact us shortly with options moving forward. <b>13/04/2023 Michelle Griffin</b> Correspondence received from Minister Lawlers office on 11 April 2023 in response to Council's letter. Letter is attached in the agenda (28-Apr-23) for Council to comment.	
29/11/2022	Pine Creek Local Authority meeting held on 7 November 2022	<b>Resolution: OCM-2022/183</b> A. That the minutes of the Pine Creek Local Authority meeting held on 7 November 2022 be adopted as a resolution of Ordinary Council; and B. That Council endorse the following Pine Creek Local Authority resolution: • <b>PCLA-2022/26</b> That the Local Authority pay the variance of \$31,605.50 to build and install two Troppo Bird Hides.	Matthew Cheminant, Tanya Brown	<b>24/01/2023 Keira Townsend</b> Confirmation of location of signs is being finalised and a request to DIPL to approve installation under our Occupation License has been submitted. The builder has been instructed to commence construction. Katherine signs are ready to develop the visuals for the signs. Expecting project completion by end of April just in time for the tourists.	In progress
29/11/2022	Daly River Local Authority meeting held on 2 November 2022	<b>Resolution: OCM-2022/184</b> 1) That the minutes of the Daly River Local Authority meeting held on 2 November 2022 be adopted as a resolution of Ordinary Council. 2) That Council endorses the following Daly River Local Authority resolutions: I. <b>DRLA-2022/13</b> - That the Daly River Local Authority commit \$5000 ex.GST for the hire of a skip bin for waste management during the 2022-23 wet season at Nauiyu: and	Matthew Cheminant, Pat Hollowood	<b>24/01/2023 Jocelyn Moir</b> <b>DRLA-2022/13:</b> The skip bin is not currently at Nauiyu. It has been coordinated to be delivered should it be required before flood occurs for this current wet season. <b>08/03/2023 Pat Hollowood</b> Skip bin arrived in Nauiyu 27/2/2023 and used during the flood event in March	Completed
29/11/2022	Kalkarindji   Daguragu Local Authority meeting held on 8 November 2022	<b>Resolution: OCM-2022/185</b> A. That the minutes of the Kalkarindji   Daguragu Local Authority meeting held on 8 November 2022 be adopted as a resolution of Ordinary Council; and B. That Council endorse the following Kalkarindji   Daguragu Local Authority resolution: • <b>KLA-2022/3</b> - That the Kalkarindji   Daguragu Local Authority commit up to \$25,000 for the Katherine Vet Services to deliver vet program two times in 2023.	Allan Hawke, Matthew Cheminant	<b>24/01/2023 Jocelyn Moir</b> Quotes received on 20/01/2023. Vet visits confirmed for Feb/Mar and Oct/Nov. 2 x 5-day visits + accommodation. Leftover funding 21/22 KDLA vet resolution was brought forward to 22/23. <b>17/03/2023 Matthew Cheminant</b> Purchase order has been raised for the two vet visits.	Scheduled
29/11/2022	Correspondence Report By-Laws repeal process	<b>Resolution: OCM-2022/192</b> A. That the Correspondence Report is received and noted B. That Council acknowledges the letter dated 17 November 2022 from Minister for Local Government Chansey Paech regarding Council's By-laws (Pine Creek (Control of Dogs) By-Laws, Pine Creek (Litter and Flammable and Noxious Weeds) By-Laws, and Timber Creek By-Laws); and C. That Council approves the process of repealing the abovementioned by-laws recommences. <b>ADDITIONAL RESOLUTION</b> D. That the outcome of the Repeal By-Laws consultation be tabled at the Timber Creek and Pine Creek Local Authority, including a report with an explanation of the Repeal process since it commenced	Trudy Braun	<b>24/01/2023 Michelle Will</b> Certificate received from the Department of the chief Minister and Cabinet on 24/01/2023. Report to council in January 2023 seeking council resolution to finalise repeal process. <b>8/03/2023 Janelle Iszlaub</b> Report has been added to both Pine Creek and Timber Creek LA for May 2023	In progress
13/12/2022	13.4 Additional Rubbish in Pine Creek	<b>Action:</b> Clr Macleod to raise with LGANT regarding rubbish and filling water tanks.	Michelle Griffin	Awaiting councillor report.	
13/12/2022	Allocation of 2022-2023 FY WaRM Funding	<b>Resolution: OCM-2022/198</b> A. That the Allocation of 2022-2023 FY WaRM Funding report is received and noted B. That the Council approves allocating WaRM funding totaling \$148,800 to sealing the Timber Creek WTS access Road including line marking, installation of bollards and verge safety barriers.	Jackson Bernard, Keira Townsend, Matthew Cheminant	<b>24/01/2023 Trudy Braun</b> <b>Council resolution sent to the Department of the Chief Minister and Cabinet.</b> <b>08/03/2023 Keira Townsend</b> Resolution provided to NTG and project is approved.	Awaiting external response
13/12/2022	General Business 13.3 Yarralin Gate - DIPL	Yarralin gate signage is not clear to go through the gate onto Yarralin Community Complaints have been received by the Mayor that staff providing major services to Yarralin, cannot find the community and return back to Timber Creek. <b>Action:</b> Letter to DIPL regarding signage to Yarralin on the gate	Michelle Griffin, Matthew Cheminant	<b>17/03/2023 Michelle Griffin</b> MG spoke to DIPL officer and was advised that there shouldn't be a problem with obtaining approval to erect a sign at the Yarralin gate. Design of sign can be developed and submitted to DIPL with dimensions and location.	Not yet started

Meeting Date	Item	Action Required	Assignee/s	Action Taken	Status
13/12/2022	<b>General Business</b> 13.2 Lot 2 Wooliana Rd DR	What is happening with granting Lot 2 to VDRC as a future office/depot. <b>Action:</b> Letter to Dheran Young for an update of Lot 2 Wooliana Road, Nauiyu.	Michelle Griffin	<b>23/02/2023 Michelle Griffin</b> Letter sent to Dheran Young on 23/02/2023 with invitation to March OCM <b>17/03/2023 Michelle Griffin</b> Correspondence was redirected to Dheran Young's electorate email and office was contacted. Mr. Young is sitting in Parliament at the end of March so won't be able to attend the March OCM. Tentative meeting booked for Thursday 27 April when Council meets in Pine Creek.	Awaiting external response
31/01/2023	<b>Timber Creek Floods – recognition letters</b>	<b>Resolution: OCM-2023/4</b> <i>That Council recommend Daniel Jones and Grahem Watts receive a bravery award for their commitment to ensuring community safety during the Timber Creek floods in December 2022.</i> <b>Resolution: OCM-2023/6</b> <i>That Council request a Timber Creek community safety debrief by all services/agencies following the Timber Creek floods in December 2022.</i> <b>Resolution: OCM-2023/7</b> <i>That Council write a letter of appreciation to all staff members who were involved in ensuring community safety throughout the flood event in Timber Creek.</i>	Michelle Griffin	<b>21/03/2023 Michelle Griffin</b> Seeking clarification from Councillors regarding bravery award. <b>16/04/2023 Michelle Griffin</b> Will commence soon.	Not yet started
31/01/2023	<b>Remote rubbish collection service</b>	<b>12.3 Rubbish collection (remote housing)</b> Action: paper to March council meeting outlining rubbish collection service in remote communities.	Matthew Cheminant	<b>23/02/2023 Matthew Cheminant</b> Director of Operations contacted Territory housing in charging for a second bin at houses under their management due to overcrowding. They requested a quote on the second bin and second collection. this is currently in progress.	In progress
31/01/2023	<b>Lot 2 Wooliana Road</b>	<b>Resolution: OCM-2023/17</b> <i>Letter to Minister for Local Government (cc Dheran Young and the Chief Minister) regarding Lot 2, Wooliana Road as a potential future site for waste management.</i>	Michelle Griffin	<b>23/02/2023 Michelle Griffin</b> Awaiting update from Mr. Dheran Young. Invitation was extended for him to attend the March OCM. <b>17/03/2023 Michelle Griffin (AS ABOVE)</b> Correspondence was redirected to Dheran Young's electorate email and office was contacted. Mr. Young is sitting in Parliament at the end of March so won't be able to attend the March OCM. Tentative meeting booked for Thursday 27 April when Council meets in Pine Creek.	Scheduled
31/01/2023	<b>12.7 Invitation to EPA to attend VDRC local authority meetings.</b>	<b>Resolution: OCM-2023/18</b> <i>Council invites the Environmental Protection Agency (Cc Minister Moss) to all VDRC local authority meetings to explain their policies regarding landfill and penalties for illegal dumping.</i>	Michelle Griffin	23/02/2023 Michelle Griffin Letter is being drafted to invite EPA to May local authority meetings. <b>03/03/2023 Michelle Griffin</b> Invitation sent on 3 March 2023 <b>16/03/2023 Michelle Griffin</b> CEO spoke to EPA. At this stage it is unclear whether the EPA will accept the invitation.	Awaiting external response
28/02/2023	<b>Auction of Council assets</b>	<b>Resolution: OCM-2023/24</b> A. That the report Operations Auction List Report is received and noted; and B. That Council approves the disposal of the following assets through an auction: C. 2001, 611OSE John Deere Rego 632337 D. 2007, F3680 Kubota Rego CB95XA E. 2002, Delta Daihatsu Rego 632726 F. 2014, M7040SU Kubota Rego CB28GR G. 2006, 450LONG Isuzu Rego 771755 H. 2004, M7040SU Kubota Rego CD91NJ I. 2001, F3560 Kubota Rego 618783 J. 2012, LC78 Toyota Rego CC42NN K. DINGO (Trailer – I. 2497) L. John Deere 5205 M. Massey Ferguson GC2400 N. Rover mini rider – 6 speed transmission O. Various other smaller items P. The A Trailer; and Q. C. That the Chief Executive Officer's certificate for auction list presented at this meeting for items beyond economical repair and/or no longer required by council be received and noted	Matthew Cheminant	<b>17/03/2023 Matthew Cheminant</b> With flood recovery a priority, the Auction has been put on hold until Director can be in Katherine for inspections of auction items.	Not yet started



Meeting Date	Item	Action Required	Assignee/s	Action Taken	Status
28/02/2023	Pine Creek Local Authority Project Funding	<b>Resolution: OCM-2023/28</b> A. That the minutes of the Pine Creek Local Authority meeting held on 7 February 2023 be adopted as a resolution of Ordinary Council; and B. That Council endorses resolution <b>PCLA-2023/4</b> The Pine Creek Local Authority extends an invitation to PowerWater to attend the next Pine Creek Local Authority meeting to discuss water issues. C. That Council endorses resolution <b>PCLA-2023/7</b> that the Pine Creek Local Authority have accepted the Election Commitment funding offer and commit a matching co-contribution as per the funding guidelines. D. That Council endorses resolution <b>PCLA-2023/8</b> for the council to obtain quotes for lighting options for the Pine Creek oval (to include fixed and mobile options). E. That Council notes resolution <b>PCLA-2023/10</b> and will continue to support the Pine Creek Goldrush with in-kind assistance	Jackson Bernard, Matthew Cheminant, Tanya Brown	<b>08/03/2023 Jackson Bernard</b> No action is required from Finance. <b>17/03/2023 Matthew Cheminant</b> A. Pine Creek Com needs to invite Power and water to the next local authority meeting. B. Committed funding just a delay on delivery of equipment. C. Lighting, Applications for a grant in progress D. Approved <b>20/03/2023 Tanya Brown</b> COM, Tanya Brown emailed PWC on 7th February 2023 to Shane Papworth to update on Pine Creek water security. Waiting for confirmation of attendance. COM, Tanya Brown emailed All Regions electrical for a cost estimate on supplying and installing lighting at the oval on 7.2.2023	
28/02/2023	Daly River Local Authority Project Funding	<b>Resolution: OCM-2023/29</b> A. That the minutes of the Daly River Local Authority meeting held on 8 February 2023 be adopted as a resolution of Ordinary Council. B. That Council endorses DRLA resolution DRLA-2023/8 to commit \$10,000 of Local Authority Project Funding to a bi-annual veterinary program. C. That council receives the feedback from the Daly River Local Authority DRLA-2023/6 that a library service would benefit the community and will take this feedback into account when developing the 2023/24 regional plan.	Jackson Bernard, Matthew Cheminant, Pat Hollowood	<b>08/03/2023 Jackson Bernard</b> \$10k for Bi-annual veterinary be added in the next budget review.	
28/02/2023	Kalkarindji / Daguragu Local Authority Project Funding	<b>Resolution: OCM-2023/30</b> A. That the minutes of the Kalkarindji/Daguragu Local Authority meeting held on 14 February 2023 be adopted as a resolution of Ordinary Council. B. That Council endorses resolution KDLA-2023/6 to proceed with the bus shelter project, estimated to cost up to \$20,000. C. That Council endorses resolution KDLA-2023/7 for the design of the waste management sign 'for health and safety reasons please do not light up the dump'. (attached) D. That Council endorses resolution KDLA-2023/8 to proceed with the Arts Centre Park shade trees and outdoor table project, estimated to cost up to \$20,000. E. That Council receive and note resolution KDLA-2023/9 that the Local Authority support the council to advocate for rest stops on the Buntine Highway and support that council write to the relevant Ministers on the matter.	Allan Hawke, Jackson Bernard, Matthew Cheminant	<b>08/03/2023 Jackson Bernard</b> \$20k commitment for the Bus Shelter and \$20k for Arts Centre shade trees and outdoor table project will be included in the next budget review.	
28/02/2023	Yarralin/Nitjpurru Local Authority Project Funding	<b>Resolution: OCM-2023/31</b> A. That the minutes of the Yarralin/Nitjpurru Local Authority meeting held on 16 February 2023 be adopted as a resolution of Ordinary Council. B. That council endorses resolution YLA-2023/4 to commit \$30,000 of Local Authority Project Funding to a bi-annual vet program in 2023. C. That council endorses resolution YLA-2023/5 to commit \$150,000 of Local Authority Project Funding to the development of a playground, including outdoor fitness equipment in Yarralin. D. That council notes resolution YLA-2023/6 and will investigate options for developing a council premises including office and staff accommodation at Nitjpurru. E. That council notes resolution YLA-2023/7 and will investigate the process and support a place name change from 'Pigeon Hole' to 'Nitjpurru'.	Jackson Bernard, Matthew Cheminant, Noleen Campbell	<b>08/03/2023 Jackson Bernard</b> \$30k and \$150k commitments will be included in the next budget review.	
28/02/2023	Bulla Local Authority Project Funding	<b>Resolution: OCM-2023/32</b> A. That the minutes of the Bulla Local Authority meeting held on 21 February 2023 be adopted as a resolution of Ordinary Council. B. That Council endorses resolution BLA-2023/2 to commit \$6,500 of Local Authority Project Funding to the purchase of event equipment including marquee, tables, and chairs.	Matthew Cheminant, Jackson Bernard, Paul Buckley	<b>08/03/2023 Jackson Bernard</b> \$6.5K commitment will be included in the next budget review, in April	
28/02/2023	ABA Grant for Timber Creek (4 Fitzer Street)	<b>Resolution: OCM-2023/34</b> That council request that the ABA grant to develop land at 4 Fitzer Street Timber Creek (Lot 101) be varied due to no available land, and the variation to be focused on staff accommodation on council land to support the aged care and NDIS programs.	Trudy Braun, Keira Townsend	<b>08/03/2023 Keira Townsend</b> Prior to receiving a Grant Agreement, Council is required to submit new project plan and accompanying budget to NIAA. The Operations team have been notified that this is required.	
28/02/2023	Invitation for GRAC Board to attend March Council Meeting	<b>Resolution: OCM-2023/35</b> That the Correspondence is received and noted; and Council invite the GRAC CEO and Board to the March Council briefing.	Michelle Griffin	<b>16/03/2023 Michelle Griffin</b> Invitation sent to GRAC GM on 09/03/2023. Awaiting response following GRAC Board meeting on 15/03/2023. <b>21/03/2023 Michelle Griffin</b> GRAC Board accepted the invitation, however VDRC has sent an email asking if they can attend in April instead due to Councillors being absent in March. <b>13/04/2023 Michelle Griffin</b> GRAC Board will meet with Council in Pine Creek on Thursday 27 April 2023.	No further action required

Meeting Date	Item	Action Required	Assignee/s	Action Taken	Status
28/03/2023	Nitjpurru Future Housing	<b>Resolution: OCM-2023/60</b> That the Mayor writes to all relevant Northern Territory and Federal Ministers advocating for the relocation of Nitjpurru to higher ground, emphasising that no new houses should be built in the flood area.	Michelle Griffin	<b>16/04/2023 Michelle Griffin</b> Will commence soon.	Not yet started
28/03/2023	LGANT GM April	<b>Resolution: OCM-2023/58</b> That the following members attend the LGANT General Meeting in Alice Springs on 19th and 20th of April: Brian Pedwell, Brian Hylands and Georgina Macleod	Michelle Griffin	<b>16/04/2023 Michelle Griffin</b> All travel and accommodation booked. Confirmations and itinerary distributed. Travel allowance submitted to finance for processing.	Completed
28/03/2023	Community Place for People Grant – Playgrounds	<b>Resolution: OCM-2023/62</b> That Council apply for Community Place for People grant for the communities of Kalkarindji, Daguragu, Nitjpurru, Amanbidji, Bulla and Yarralin for new facilities or upgrade to park and playgrounds areas.	Keira Townsend	<b>16/04/2023 Michelle Griffin</b> Grant application in progress.	In progress
28/03/2023	Community Place for People Grant – lighting Pine Creek oval	<b>Resolution: OCM-2023/63</b> That Council apply for a community place for people grant for oval lighting at Pine Creek.	Keira Townsend	<b>16/04/2023 Michelle Griffin</b> Grant application in progress.	In progress
28/03/2023	Land availability Kalkarindji	<b>Resolution: OCM-2023/59</b> That investigations take place regarding land availability in Kalkarindji for the purpose of enabling future projects and grant funding opportunities that will benefit the community.	Michelle Griffin	<b>16/04/2023 Michelle Griffin</b> Will commence soon.	Not yet started
28/03/2023	Strategic Roads to Kalkarindji	<b>Resolution: OCM-2023/61</b> That Council write to Minister Eva Lawler to take responsibility for the strategic road from Kalkarindji to Daguragu, access to Mount Stanford Station, and access to Gregory/Jutburra National Park.	Michelle Griffin	<b>16/04/2023 Michelle Griffin</b> Will commence soon.	Not yet started





## 12. Correspondence

### 12.1. Correspondence

**Report Type** Officer Report For Information

**Prepared by** Manager of Executive Services

#### Purpose

To present to Council a register of incoming and outgoing correspondence since the previous council meeting.

#### Recommendations

- A. That the Correspondence is received and noted

#### INCOMING REGISTER

<b>DATE</b>	<b>ADDRESSED TO</b>	<b>FROM</b>	<b>REGARDING</b>	<b>DOC ID</b>
23/03/2023	Mayor B. Pedwell	Eva Lawler Minister for infrastructure, Planning and Logistics	RE: Update on Timber Creek Planning	<u>DOCID-423691570-1270644</u>
29/03/2023	CEO Brian Hylands	Sylvia Jagtman Senior Officer - Applications National Native Title Tribunal	RE: Native Title Determination Applications	DOCID-423691570-1270964
30/03/2023	CEO Brian Hylands	Bill Townsend Vice President Corporate	RE: INPEX Environment Plan Consultation	DOCID-423691570-1271012
3/04/2023	CEO Brian Hylands	Jacob Peggie Director, Homeland Services Group	RE: Response from Homeland - new service provider (2023-25)	<u>DOCID-423691570-1270926</u>
4/04/2023	CEO Brian Hylands	Tim McManus General Manager Department of the Chief Minister and cabinet	RE: Local Authority Project Funding 2022-23	DOCID-423691570-1271524
6/04/2023	CEO Brian Hylands	Allan McGill (Chairperson) Heritage Council	RE: Historic Aircraft Wrecks	DOCID-423691570-1271343
6/04/2023	Mayor B.	Senator	RE: Aboriginal and	DOCID-



	Pedwell	Malarndirri McCarthy	Torres Straight Islander voice to Parliament	423691570- 1271676
11/04/2023	Mayor B. Pedwell	Eva Lawler Minister for infrastructure, Planning and Logistics	RE: Litter disposal from kakadu visitors	DOCID- 423691570- 1271650

## OUTGOING REGISTER

<b>DATE</b>	<b>FROM</b>	<b>ADDRESSED TO</b>	<b>REGARDING</b>	<b>DOC ID</b>
31/03/2023	Jacob Peggie Director, Homeland Services Group	CEO Brian Hylands	RE: Requesting details if new service provider for 2023-25	<u>DOCID- 42369157 0-1270708</u>
12/04/2023	Darrell Lewis	Mayor B. Pedwell	RE: Photos for dreaming Ecology- Consent	DOCID- 42369157 0-1271529
12/04/2023	Property- 700068	Mayor B. Pedwell	RE: outcome of rates request	<u>DOCID- 42369157 0-1271561</u>
12/04/2023	Property- 701489	Mayor B. Pedwell	RE: outcome of rates request	<u>DOCID- 42369157 0-1271562</u>
12/04/2023	Property- 701477	Mayor B. Pedwell	RE: outcome of rates request	DOCID- 42369157 0-1271563
13/04/2023	Local Government Grants	CEO Brian Hylands	RE: Resquest for extention to carry forward upspent LAPF	DOCID- 42369157 0-1271677

## Attachments

1. 20230329 D C 2022 001 003 004 Letter to LGA Victoria Daly - Notification [12.1.1 - 2 pages]
2. D C 2022 001-004 Clean Copy [12.1.2 - 1 page]
3. 2023-04-06 INCOMING Letter to CEO - Historic aircraft wrecks [12.1.3 - 3 pages]
4. 2023-04-11 INCOMING Letter regarding the litter disposal from visitors to Kakadu [12.1.4 - 1 page]



Reference: DC2022/001; DC2022/003; DC2022/004

29 March 2023

Mr Brian Hylands  
Chief Executive Officer  
Victoria Daly Regional Council  
PO Box 19  
Katherine NT 0851

By email: [admin@vicdaly.nt.gov.au](mailto:admin@vicdaly.nt.gov.au)

Dear Mr Hylands

**Native Title Determination Applications -**

- **NTD19/2022 Daphne Huddleston & Anor v Northern Territory of Australia (DC2022/001)**
- **NTD21/2022 Margaret Foster & Anor on behalf of the Kamu and Wagiman Groups v Northern Territory of Australia (DC2022/003)**
- **NTD22/2022 Phillipine Parling & Anor on behalf of the Labarganyan and Wagiman Groups v Northern Territory of Australia (DC2022/004)**

On 27 October 2022, the above native title determination applications were filed in the Federal Court of Australia (the Federal Court).

The *Native Title Act 1993* (Cth) (the Act) requires the Federal Court to give the applications to the Native Title Registrar (the Registrar) to consider for registration. On 25 November 2022, the Registrar decided to accept the applications for registration. This means that details of the applications were entered on the Register of Native Title Claims. The native title claimants can now exercise certain rights under the Act, including the right to negotiate about certain proposed acts in the area covered by their application.

Once the registration decision is made, the Registrar is required to notify certain people and organisations of the details of the applications. Under s 66(3)(a) of the Act, those people and organisations include:

- any proprietary interest holders in the area covered by the application;



Level 5, Harry Gibbs Commonwealth Law Courts, 119 North Quay, BRISBANE QLD 4000 | PO Box 12440, George Street Post Shop, BRISBANE QLD 4003  
Email [Enquiries@nntt.gov.au](mailto:Enquiries@nntt.gov.au) | Telephone +61 7 3052 4040 | [www.nntt.gov.au](http://www.nntt.gov.au)

- any registered native title claimants and registered native title bodies corporate in the area covered by the application;
- any relevant representative Aboriginal and Torres Strait Islander bodies;
- the Commonwealth Minister;
- any relevant local government authorities; and
- any person whose interests may be affected by a determination in relation to the application.

Victoria Daly Regional Council has been identified as a local government authority in the area covered by the above applications.

A copy of the public notice is enclosed to provide you with the details of the applications. The notice also indicates that under the Act, there can be only one determination of native title for a particular area. If a person with native title rights and interests does not become a party to any of the applications, there may be no other opportunity for the Federal Court, in making its determination, to take into account those native title rights and interests in relation to the area concerned.

The Act requires that the applications be notified for a period of three months. The notification day for this application is **19 April 2023**.

If you wish to become a respondent party to any of these applications, you must file a Form 5 (Notice of Intention to become a Party) with the Federal Court **on or before 18 July 2023**, being three months from the notification day. After this date, you will need to seek leave from the Federal Court to become a party. For information regarding how to file a Form 5, please visit the Federal Court's website [www.fedcourt.gov.au](http://www.fedcourt.gov.au) or call 1300 720 980.

The National Native Title Tribunal cannot provide legal advice, however should you require further information about native title please email [claimsassistance@nntt.gov.au](mailto:claimsassistance@nntt.gov.au) or visit our website [www.nntt.gov.au](http://www.nntt.gov.au).

Yours faithfully



**Sylvia Jagtman**

**Senior Officer – Applications**

Tel: (07) 3052 4248 | Email: [sylvia.jagtman@nntt.gov.au](mailto:sylvia.jagtman@nntt.gov.au)

Encl. Copy of Public Notice

## Notice of applications for determination of native title in the Northern Territory

Notification day: 19 April 2023



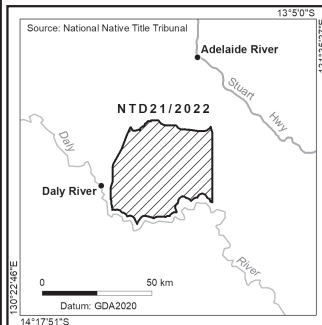
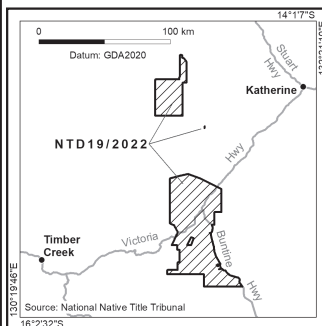
## National Native Title Tribunal

These are applications by native title claim groups which are asking the Federal Court of Australia (Federal Court) to determine that they hold native title in the areas described below.

If you want to become a party to any of these applications, you must file a Form 5 (Notice of Intention to become a Party) with the Federal Court, **on or before 18 July 2023**. Further information regarding how to file a Form 5 is available from [www.fedcourt.gov.au](http://www.fedcourt.gov.au). After

**18 July 2023**, you will need to seek leave from the Federal Court to become a party.

Under the *Native Title Act 1993* (Cth) there can be only one determination of native title for a particular area. If a person with native title rights and interests does not become a party to any of these applications, there may be no other opportunity for the Federal Court, in making its determinations, to take into account those native title rights and interests in relation to the areas concerned.



Each application was filed on 27 October 2022 and the Native Title Registrar has **accepted** each application for registration.

Application name	Federal Court File No	Description of application area	LGA(s)
Daphne Huddleston & Anor v Northern Territory of Australia	NTD19/2022	Application area covers about 3,200 sq km, located about 80 km west and southwest of the town of Katherine	Victoria Daly Regional Council
Rosemary Timber & Anor on behalf of the Werat Group v Northern Territory of Australia	NTD20/2022	Application area covers about 697 sq km, located about 30 km north of the town of Daly River	Un-Incorporated (Cox-Daly) Area
Margaret Foster & Anor on behalf of the Kamu and Wagiman Groups v Northern Territory of Australia	NTD21/2022	Application area covers about 1,579 sq km, located about 4 km east of the town of Daly River	Un-Incorporated (Cox-Daly) Area and Victoria Daly Regional Council
Phillipine Parling & Anor on behalf of the Labaganyan and Wagiman Groups v Northern Territory of Australia	NTD22/2022	Application area covers about 1,378 sq km, located about 9 km south of the town of Daly River	Victoria Daly Regional Council

For assistance and further information about these applications, call Sylvia Jagtman on 07 3052 4248 or visit [www.nntt.gov.au](http://www.nntt.gov.au)

# Heritage Council

Northern Territory

**Postal address** GPO Box 4198

Darwin NT 0801

**Tel** 08 8999 5039

**Email** [heritagecouncil@nt.gov.au](mailto:heritagecouncil@nt.gov.au)

Mr Brian Hylands  
Chief Executive Officer  
Victoria Daly Regional Council

[admin@vicdaly.nt.gov.au](mailto:admin@vicdaly.nt.gov.au)

Dear Mr Hylands

## Historic Aircraft Wrecks

I am writing to advise you that the Northern Territory Heritage Council is seeking submissions as to whether all historic aircraft wrecks throughout the Northern Territory should be declared as a 'protected class of place'.

A fact sheet is attached to this letter, and further information can be found at (link).

Please note that submissions close on **8 May 2023**.

If you have queries about this matter, please contact Dr David Steinberg, Senior Heritage Officer, Heritage Branch, on 8999 5086 or at [david.steinberg@nt.gov.au](mailto:david.steinberg@nt.gov.au).

Yours sincerely



Allan McGill  
Chairperson

6 April 2023

# Historic aircraft wrecks

The Northern Territory Heritage Council is seeking submissions as to whether historic aircraft wrecks throughout the Northern Territory should be declared as a 'protected class of place'.

## What is an 'historic aircraft wreck'?

The definition of 'historic aircraft wrecks' being used by the Heritage Council is:

*The physical location and surviving in situ remains of aircraft wrecks that are at least 50 years old.*

There is no intent to protect wreckage that has been removed from a crash location, and is now held in a museum or elsewhere. Also, if an aircraft crashed and all the wreckage has been removed, there is no intent to protect the place where the aircraft crashed.

## What legislation is the Heritage Council using?

The Council is using, for the first time, provisions in the Northern Territory *Heritage Act 2011* that are intended to protect classes of places where there is a high degree of consensus about their value, and where protection of individual sites may not be practical (in some cases because their existence is unknown).

These provisions enable the Council to consider whether a 'class of place' may be of heritage significance, and to seek submissions as to whether that class of place should be a 'protected class of place'.

## What sort of protection is proposed?

If historic aircraft wrecks are declared as a 'protected class of place' under the *Heritage Act 2011*, then they will be protected in exactly the same way as other 'heritage places' in the Act. That means it will be an offence to disturb any historic aircraft wreck without permission.

## Do we know how many historic aircraft wrecks there are?

Yes, we have a very good idea. Records indicate that there are **246** aircraft wreck sites within the boundaries of the Northern Territory. The vast majority are from World War II. We know where **164** of these wrecks are – others are yet to be located.

## Does the proposal include wrecks underwater?

Yes. The *Heritage Act 2011* applies throughout the Northern Territory, including Northern Territory waters. That includes Darwin Harbour and waters up to three nautical miles (or about 5.5km) from the coastline.

Almost all of the historic aircraft wrecks that are yet to be located are underwater.

## If historic aircraft wrecks were protected, what would it mean for landowners?

In most cases, this proposal would have very little effect on landowners.

There are a small number of landowners in the Northern Territory that have historic aircraft wrecks on their property that they already know about. This proposal will bring new protections, and will mean that if the owner wants to disturb the wreck, certain processes have to be followed.

There is always the possibility of an unexpected discovery of an aircraft wreck. However, virtually every historic aircraft wreck on land has already been located.

# Historic aircraft wrecks

## What about underwater wrecks?

Records indicate that there are 75 aircraft wrecks that are underwater off the Northern Territory coast, yet to be located.

Anyone proposing work such as dredging or building an underwater pipeline in Territory waters will have to factor in the possibility of the unexpected discovery of an aircraft wreck. They would be expected to avoid impact on the wreck. If, for some reason, avoiding impact was impossible, then permission would need to be sought to disturb the wreck.

Disturbance would be strongly discouraged, partly because in some cases these wrecks may still contain the remains of crew that went down with the plane when it crashed.

## Who gets to make the final decision about whether historic aircraft wrecks are protected?

The Minister for Arts, Culture and Heritage has the final decision. The Minister is obliged to consider all submissions made during the public submission period before he makes his decision.

## How can I get further information?

You can view a copy of the Statement of Heritage Value, and a copy of the Assessment Report that was considered by the Heritage Council in relation to historic aircraft wrecks by going to [tfhc.nt.gov.au/proposed-heritage-declarations](https://tfhc.nt.gov.au/proposed-heritage-declarations).

## How do I have my say?

Submissions can be made to the Heritage Council by email or post.

- Email: [heritagecouncil@nt.gov.au](mailto:heritagecouncil@nt.gov.au)
- Hard copy submissions should be sent to:  
Heritage Council  
PO Box 4198  
Darwin NT 0801

Submissions must be received by **Monday 8 May 2023** and should be addressed to the Chairperson of the Heritage Council.

For further information contact the Heritage Branch on (08) 8999 5039 or email [heritage.branch@nt.gov.au](mailto:heritage.branch@nt.gov.au)





MINISTER FOR INFRASTRUCTURE, PLANNING AND LOGISTICS

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

GPO Box 3146  
Darwin NT 0801  
Telephone: 08 8936 5566  
Facsimile: 08 8936 5616

Mr Brian Pedwell  
Mayor  
Victoria Daly Regional Council

Via email: [executive@vicdaly.nt.gov.au](mailto:executive@vicdaly.nt.gov.au)

  
Dear Mr Pedwell

Thank you for your letter regarding the litter disposal from visitors to Kakadu National Park. The waste management along roads within Kakadu National Park is not a function of the Department of Infrastructure, Planning and Logistics (the Department), this comes under the control of Parks Australia.

I am advised the Department maintains a number of roadside rest areas and truck parking bays on the Stuart Highway and other major roads. Bins are provided at these rest areas and truck parking bays for the users of these road side stops.

The Department experiences frequent issues of rubbish dumping at these road side stops. The Darwin region contract for maintenance of road side stops is performance based and the Contractor is required to attend site and remove rubbish as often as required to meet intervention levels. The Contractor currently attends sites along the Stuart Highway to remove rubbish at least a minimum of twice per week. The Katherine region contract is based on a fixed frequency with rubbish removed twice per week.

The provision of additional bins (or larger bins) to cater for dumping of rubbish by passing motorists / tourists would detract from the amenity of these road stops and compromise their function for drivers to stay for fatigue management.

Yours sincerely



EVA LAWLER

11 APR 2023





## 13. Notices of Motion

Nil

## 14. General Business

## 15. Confidential

THAT pursuant to section 99(2) and 293(1) of the *Local Government Act 2019* and section 51(1)(a) of the *Local Government (General) Regulations 2021* the meeting be closed to the public to consider the Confidential items of the Agenda.

### 15.1. Confidential Ordinary Council meeting held on 28 March 2023

**Status 51(1)(c)(iv)** - *This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, Information that would, if publicly disclosed, be likely to: subject to subregulation (3) - prejudice the interests of the council or some other person*

### 15.2. Progress Report on Grant Applications

**Status 51(1)(c)(iv)** - *This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, Information that would, if publicly disclosed, be likely to: subject to subregulation (3) - prejudice the interests of the council or some other person*

### 15.3. Action Items

**Status 51(1)(c)(iv)** - *This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, Information that would, if publicly disclosed, be likely to: subject to subregulation (3) - prejudice the interests of the council or some other person*

