



Victoria Daly
REGIONAL COUNCIL

AGENDA

SPECIAL ORDINARY MEETING OF COUNCIL

TO BE HELD ON THURSDAY 14 APRIL 2022

AT 12:30 PM

AT THE TEAMS ON-LINE MEETINGS OR KATHERINE REGIONAL OFFICE

TEAM INVITE WILL BE SENT

COUNCILLORS

Mayor Brian Pedwell - Walangeri Ward

Deputy Mayor Shirley Garlett - Timber Creek Ward

Councillor Yvette Williams - Pine Creek Ward

Councillor Georgina Macleod - Daguragu Ward

Councillor Andrew McTaggart – Milngin Ward

Chief Executive Officer

Russell Anderson



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.



The Council strives to foster partnerships that will deliver our strategic goals. Council's goals for 2020-2021 are –

- **Quality Leadership**

Provide proactive leadership with transparent and accountable governance

- **Financial Sustainability**

Enhance the Council's financial sustainability to enable quality services and assets across the region

- **Invest in our people**

Grow our people through investment in training, skills recognition and developing regional opportunities for employment

- **Infrastructure**

Continually improve Council's assets and infrastructure through good forward planning

- **Systems**

Improve the operating systems, policies and procedures

- **Liveability**

Enhance the liveability of our communities and our regional lifestyle



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.

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 that reads "Russell Anderson". The signature is written in a cursive style with a large initial 'R'.

Russell Anderson
Chief Executive Officer



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1. Present

2. Apologies

3. Disclosure of Interest - Councillors and Staff



4. Reports to Council

4.1. Reports for Council Decision

4.1.1. Award of Tender PO-01-2022

Report Type Report for Decision
Department Council Operations
Prepared by Contracts Manager

Purpose

To note and accept the tender recommendation report for PO-01-2022 Supply and Install Security Fencing to Waste Site at Pine Creek NT, and to award tender PO-01-2022 to LAW Rural for the lump sum price of \$136,920.

Recommendations

- A. That this report is received
- B. That Council notes and accepts the Tender Recommendation Report for tender PO-01-2022
- C. That Council approves the award of tender PO-01-2022 Supply and Install Security Fencing to Waste Site at Pine Creek NT to LAW Rural as recommended.

Regional Plan

Goal 1: Proactive Leadership
Goal 2: Financial Sustainability
Goal 3: Enhance Liveability

Key Issues

As part of the Local Government Act (General) Regulations 2021, to award a tender Council must note and accept the CEO's tender recommendation and approve the award of tender.

Background

Please refer to attached Tender Recommendation Report and Assessment Panel Report

Discussion



As per the attached Assessment Panel Report the Assessment Panel convened on 7 April 2022 to unanimously to recommend to the CEO, to award the tender for the Supply and Install Security Fencing to Waste Site at Pine Creek NT to LAW Rural.

Budget implications

This project is being funded by the Federal Government's Local Roads and Community Infrastructure Phase 2 grant.

Funding for this project has been approved up to \$260,000

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. Tender Recommendation Report - P O-01-2022 [4.1.1.1 - 2 pages]
2. Assessment Panel Report - P O-01-2022 [4.1.1.2 - 4 pages]

TENDER RECOMMENDATION

Project Name: Supply and Install Security Fencing to Waste Site at Pine Creek NT

1. Background

18 March 2022

On the 18 March 2022 tender documents, approved by the Chief Executive Officer, Russell Anderson for the Supply and Install Security Fencing to Waste Site at Pine Creek NT were published via Tenderlink. Closing date for lodgment of tender responses was listed as 4pm (NT Time) 4 April 2022

24 March 2022

Notification of tender was published in the NT News

04 April 2022

Tender closed, responses were received from LAW Rural, Totem Fencing. Territory Wire and Countrywide building.

07 April 2022

Assessment Panel met for the first and final deliberation.

2. Pricing incl GST – LUMP SUM

LAW Rural	Totem Fencing	Territory Wire	Countrywide Building
\$136,920	\$256,274.34	\$228,761.09	\$132,300

3. Final Recommendation

As per the attached Assessment Panel Report the Assessment Panel convened unanimously to recommend to the CEO, to award the tender for the Supply and Install Security Fencing to Waste Site at Pine Creek NT to LAW Rural.

Though Countrywide Building's lump sum quote was \$4620 less than the price quoted by LAW Rural, the Assessment Panel have found that LAW Rural provided the most competitive and cost-effective fee structure as Countrywide Building qualified that their quote was only valid for 3 weeks and they may have to vary the price if they encounter excessive digging.


LAW Rural also met all other conditions of the selection criteria provided and scored the highest overall against the selection criteria at 91.3%. Countrywide Building scored 71.3%, Totem Fencing Scored 58.3% and Territory Wire scored 58.8%

Fees quoted by Totem Wire and Territory Wire were significantly higher than the other two tenderers which had a significant effect on their overall assessment score

Additionally, there was a mandatory site visit as part of the Conditions of Tendering which Countrywide Building and Territory Wire did not attend. LAW Rural attended the site twice as part of their Tender Response. Totem Fencing also attended the site visit.

4. Approval to Award Tender as Recommended

Name: *Russell W Anderson* Position: *CEO*


CEO

Date: *14/4/22*

ASSESSMENT PANEL REPORT

Project Name: Supply and Install Security Fencing to Waste Site at Pine Creek NT

Attachment A: Request for Tender

Attachment B: Tender Responses

1. Assessment Panel

Name	Position
Kelra Townsend	Contracts Manager
Jocelyn Moir	Acting Director of Operations
Sarita Karki	Essential Services and Homelands Officer
Tony Harris	Buildings and Assets Manager

2. Selection Criteria

Item	Description
1. 20%	Past Performance <ul style="list-style-type: none"> • Provide an overview of the organisation's previous experience in providing similar Works • Provide details of any disputes or claims made against your business in the last 3 years • Referees
2. 30%	Capacity <ul style="list-style-type: none"> • Provide an overview of experience of personnel that will be involved in providing the Requirement • Provide details of all current contractual commitments that you are or will be undertaking between the due date of this tender and the date of completion of these works, as stated in the annexure. • After commitments mentioned above are taken into account. Does your business have the capacity to undertake the works required by this tender? • Construction Plan
3. 10%	Local content <ul style="list-style-type: none"> • Provide an overview of the business' presence in the Region of the work location, including office address(s), community engagement and community involvement. • Provide any additional details that demonstrate Local Content and/or Regional development opportunities directly relating to the contract. • Provide a list of Suppliers and Sub-Contractors that may be used/acquired in relation to this contract. • Give an overview of how your business contributes to Indigenous Employment, include number of Indigenous staff members and any training or additional support you have provided to Indigenous Employees. Also, include any Indigenous Employment or Participation that may be used or employed directly for this contract.
40%	Price

3.1 Evaluation – LAW Rural

Item	Description	Average Score / 10	Weighted Score
1. 20%	Past Performance	$36 + 4 = 9$	$(9 + 10) \times 20$ $= 18$
2. 30%	Capacity	$36 + 4 = 9$	$(9 + 10) \times 30$ $= 27$
3. 10%	Local content	$38 + 4 = 9.5$	$(9.5 + 10) \times 10$ $= 9.5$
4. 40%	Price	$37 + 4 = 9.25$	$(9.25 + 10) \times 40$ $= 36.8$
TOTAL = 91.3%			

3.2 Evaluation – Totem Fencing

Item	Description	Average Score / 10	Weighted Score
1. 20%	Past Performance	8.5	$(8.5 + 10) \times 20$ $= 17$
2. 30%	Capacity	7	$(7 + 10) \times 30$ $= 21$
3. 10%	Local content	8.25	$(8.25 + 10) \times 10$ $= 8.2$
4. 40%	Price	3	$(3 + 10) \times 40$ $= 12$
TOTAL = 58.3%			





3.3 Evaluation – Territory Wire

Item	Description	Scoring (0 to 10) Where 0= nil alignment to the criterion and 10: Excellent alignment to the Criterion	Weighted Score
1. 20%	Past Performance	6.5	$(6.5 \div 10) \times 20$ = 13
2. 30%	Capacity	8	$(8 \div 10) \times 30$ = 24
3. 10%	Local content	7	$(7 \div 10) \times 10$ = 7
4. 40%	Price	3.75	$(3.75 \div 10) \times 40$ = 14.8
TOTAL = 58.8%			

3.4 Evaluation – Countrywide Building

Item	Description	Scoring (0 to 10) Where 0= nil alignment to the criterion and 10: Excellent alignment to the Criterion	Weighted Score
1. 20%	Past Performance	5.75	$(5.75 \div 10) \times 20$ = 11.4
2. 30%	Capacity	6.25	$(6.25 \div 10) \times 30$ = 18.6
3. 10%	Local content	8.5	$(8.5 \div 10) \times 10$ = 8.5
4. 40%	Price	8.25	$(8.25 \div 10) \times 40$ = 32.8
TOTAL = 71.3%			

5. Recommendation - LAW Rural with the highest score of 91.3%

Name of the Assessment Panel Member	Signature	Date
Kelra Townsend		08/04/2022
Jocelyn Moir		8/4/22
Sarita Karki		8/04/2022
Tony Harris		8/4/22



4.1.2. Duplex Construction at Yarralin

Report Type Report for Decision

Department Chief Executive Office Chief Executive Office

Prepared by Chief Executive Officer

Recommendations

1. That this report be received and noted.
2. Instruct the CEO to provide the following to CMD Big Rivers
3. Council will not request any further funds from CMD Local Government Division to complete the \$700,000 Duplex build and the \$130,000 to redirect the water pipe under Lot 55 Yarralin.

Background

Council successfully received a grant of \$350,000 from CMD Local Government Division, being half of the cost to build two Duplexes on Lot 55 at Yarralin. Since that time, a water main was located under lot 55 resulting in the stopping of works.

Power and Water have disowned responsibility to shift the water pipe and to reconnect water to the affected lots. The cost of completing this work from a contractor was a quote of \$130,000. These funds were requested as a grant from the Minister of Local Government.

Current Situation

The letter from the Minister approved the extension of the works to 30 June 2023 and advised for Council to work with Ms Amanda Haigh to review costings, timing and scope of works. Then explore funding options for the timely completion of the works.

Discussions with the Big Rivers Regional office has identified the need for Council to confirm if additional funds are required to complete the two Duplex's that Council will be responsible to provide these funds. Only after this confirmation the \$130,000 will be provided.

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. 2022-03-31 INCOMING Letter to Mayor from Minister Paech RE extension of project - Yarralin Duplex Lo [4.1.2.1 - 1 page]



MINISTER FOR LOCAL GOVERNMENT

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

GPO Box 3146
Darwin NT 0801
Telephone: 08 8936 5688

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

Dear Mayor *BP,*

Thank you for your letter of 14 March 2022, regarding the delays and issues Victoria Daly Regional Council is experiencing with the demolition and replacement of staff housing on Lot 55 in the Yarralin community, for which a Northern Territory Government co-contribution of \$350 000 was provided under the Local Government Priority Infrastructure Grant awarded in 2020-21.

I appreciate the challenges the Victoria Daly Regional Council is facing with Power and Water Corporation's advice, the delays you have experienced with progressing the construction of the new duplexes and the need to find additional funding to progress works.

I am pleased to advise I have approved an extension to the project's completion date to 30 June 2023.

I encourage you to work with Ms Amanda Haigh, Project Manager (Local Government), Big Rivers Regional Office, Department of the Chief Minister and Cabinet, to review the costings, timing and scope of works and explore funding options for the timely completion of works.

I look forward to hearing of the outcome of this review prior to 30 June 2022, once it has been completed and all options explored.

Yours sincerely

CHANSEY PAECH
31/3/22





4.1.3. Amanbidji Local Authority Nominations

Report Type Nomination

Department Executive Services Chief Executive Office

Prepared by Manager of Executive Services

Status 51(1)(c)(iii) - *contains an attachment with information that would, if publicly disclosed, be likely to: prejudice the security of the council, its members or staff*

Purpose

For Council to consider Amannbidji Local Authority nominations for endorsement.

Recommendations

- A. That the report Amanbidji Local Authority Nominations is received and noted
- B. In accordance with provision 2.2.7 of the Local Authority Policy (LGP026), Council appoints the following members to the Amanbidji Local Authority pending receipt of Covid-19 vaccination certificates.
 1. Joy Mikamon
 2. June Lurda
 3. Sharon Lurda
 4. Ross Roberts
 5. Cassandra Ahwon
 6. Raylene Raymond
 7. (*Rupert) Aldus
 8. Toni Maree Waterloo
 9. Rhonda Lurda

Regional Plan

Goal 1: Quality Leadership

1.1 - Ensure effective community leadership and representation to Council of local issues through Local Authority Committees

Background

- At the Ordinary Council Meeting on 30 November 2021 Council resolved to rescind Local Authority membership [192/2021] and call for nominations for each Local Authority [190/2021]
- At the same meeting Council resolved that a VDRC staff member at the level of Team Leader or above is not eligible to apply for a position [191/2021]



Discussion

- Letters were sent to all former Local Authority members explaining the decision of Council and offering opportunity to nominate again.
- The call for nominations was distributed widely via newspapers, social media, website, radio broadcasting, Council offices, and posters displayed in communities.
- Elected Members assisted in spreading the word and encouraging nominations.
- Nominations for all VDRC local authorities except Amanbidji were endorsed at the Ordinary Meeting of Council on 22 February 2022.
- Deputy Mayor travelled to Amanbidji recently to gather the nominations for the local authority.
- The nominations are attached for Council's consideration.

Key Issues

- Nominations must be endorsed for the local authority meeting to proceed as scheduled on 27 April 2022.
- Amanbidji Local Authority are at risk of not meeting the requirement of meeting four times per year.
- So far the Amanbidji local authority has met once in the 2020-21FY.

Policy implications

LGP026 Local Authority Policy

Budget implications

Sitting fees and travel allowances are paid to Local Authority members for attendance at Local Authority meetings and reasonable travel required to attend. These amounts are contained within the Annual Report.

Risk statement

Local Authorities play a vital role in identifying community priorities for the Regional Plan. In order to receive the input the Local Authority nominations require endorsement so the planned March meetings can proceed.

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. CONFIDENTIAL REDACTED - 2022-04-05 Nomination Amanbidji LA - June Lurda [4.1.3.1 - 1 page]
2. CONFIDENTIAL REDACTED - 2022-04-05 Nomination Amanbidji LA - Joy Mikamon [4.1.3.2 - 1 page]



3. CONFIDENTIAL REDACTED - 2022-04-05 Nomination Amanbidji LA - (Rupert) Aldus [4.1.3.3 - 1 page]
4. CONFIDENTIAL REDACTED - 2022-04-05 Nomination Amanbidji LA - Sharon Lurda [4.1.3.4 - 1 page]
5. CONFIDENTIAL REDACTED - 2022-04-05 Nomination Amanbidji LA - Cassandra Ahwon [4.1.3.5 - 1 page]
6. CONFIDENTIAL REDACTED - 2022-04-05 Nomination Amanbidji LA - Toni Maree Waterloo [4.1.3.6 - 1 page]
7. CONFIDENTIAL REDACTED - 2022-04-05 Nomination Amanbidji LA - Ross Roberts [4.1.3.7 - 1 page]
8. CONFIDENTIAL REDACTED - 2022-04-05 Nomination Amanbidji LA - Raylene Raymond [4.1.3.8 - 1 page]
9. CONFIDENTIAL REDACTED - 2022-04-05 Nomination Amanbidji LA - Rhonda Lurda [4.1.3.9 - 1 page]

