



WEST ARNHEM REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
AGENDA

WEDNESDAY, 22 NOVEMBER 2023



WEST ARNHEM REGIONAL COUNCIL

Notice is hereby given that an Ordinary Meeting of the West Arnhem Regional Council will be held in Teams on Wednesday, 22 November 2023 at 10:30am.

Jessie Schaecken
Acting Chief Executive Officer

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Acknowledgement of Country

West Arnhem Regional Council acknowledges the First Nations Custodians, and the many Language and Family groups who are Managers and Caretakers to each of their Traditional homelands and Waters across the West Arnhem Region Wards.

West Arnhem Regional Council pays its respects and acknowledges Elders, past, present and rising.

WEST ARNHEM REGIONAL COUNCIL
FOR THE MEETING 22 NOVEMBER 2023

Agenda Reference:	3.1
Title:	Apologies and Leave of Absence
File Reference:	1104614
Author:	Ben Heaslip, Acting Governance and Risk Advisor

SUMMARY

This report is to table, for Council's record, any apologies and requests for leave of absence received by Council's Chief Executive Officer from Elected Members for the Ordinary Council meeting held on 22 November 2023.

COMMENT

Council can choose to accept the apologies or requests for leave of absence as presented, or not accept them. Apologies or requests for leave of absence that are not accepted by Council will be recorded as absent without notice.

Note: The Acting CEO apologises to Council for her late arrival at this meeting due to family commitments.

STATUTORY ENVIRONMENT

Section 47(o) of the *Local Government Act 2019* is relevant to this matter.

POLICY IMPLICATIONS

This report has been prepared in accordance with Council's Scheduling and Conduct of Meetings (Elected, Local Authority and Council Committee Members) Policy.

STRATEGIC IMPLICATIONS

This report is aligned to goals in pillar 6 in the *Regional Plan and Budget 2023-2024* as outlined below:

PILLAR 6 FOUNDATIONS OF GOVERNANCE

Integrity is at the heart of everything we do. We are leaders of best practice and excellence in governance, advocacy, consultation and administration. Our processes, procedures and policies are ethical and transparent.

Goal 6.3	Council and Local Authorities Excellence in governance, consultation administration and representation
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RECOMMENDATION:

That Council received and noted Elected Member apologies and/or requests for leave of absence for the Ordinary Council meeting held on 22 November 2023.

ATTACHMENTS

WEST ARNHEM REGIONAL COUNCIL
FOR THE MEETING 22 NOVEMBER 2023

Agenda Reference:	4.1
Title:	Absent Without Notice
File Reference:	1104386
Author:	Ben Heaslip, Acting Governance and Risk Advisor

SUMMARY

This report is to table, for the Ordinary Council Meeting's record, any elected members that are absent without notice for the meeting held on 22 November 2023.

STATUTORY ENVIRONMENT

Clauses 7.1(f) and 9 *Guideline 1: Local Authorities 2021*

STRATEGIC IMPLICATIONS

This report is aligned to goals in pillar 6 in the *Regional Plan and Budget 2023-2024* as outlined below:

PILLAR 6 FOUNDATIONS OF GOVERNANCE

Integrity is at the heart of everything we do. We are leaders of best practice and excellence in governance, advocacy, consultation and administration. Our processes, procedures and policies are ethical and transparent.

Goal 6.3	Council and Local Authorities Excellence in governance, consultation administration and representation
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RECOMMENDATION:

That the Council received and noted member's absences without notice for the meeting held on 22 November 2023.

ATTACHMENTS

WEST ARNHEM REGIONAL COUNCIL
FOR THE MEETING 22 NOVEMBER 2023

Agenda Reference:	5.1
Title:	Acceptance of Agenda
File Reference:	1104388
Author:	Ben Heaslip, Acting Governance and Risk Advisor

SUMMARY

Agenda papers are presented for acceptance at the Ordinary Council meeting held on 22 November 2023.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

This report has been prepared in accordance with Council's Scheduling and Conduct of Meetings (Elected, Local Authority and Council Committee Members) Policy.

STRATEGIC IMPLICATIONS

This report is aligned to goals in pillar 6 in the *Regional Plan and Budget 2023-2024* as outlined below:

PILLAR 6 FOUNDATIONS OF GOVERNANCE

Integrity is at the heart of everything we do. We are leaders of best practice and excellence in governance, advocacy, consultation and administration. Our processes, procedures and policies are ethical and transparent.

Goal 6.3	Council and Local Authorities Excellence in governance, consultation administration and representation
Goal 6.5	Planning and Reporting Robust planning and reporting that supports Council's decision-making processes

RECOMMENDATION:

That the agenda papers for the Ordinary Council meeting held on 22 November 2023 as circulated be received for consideration at the meeting.

ATTACHMENTS

WEST ARNHAM REGIONAL COUNCIL
FOR THE MEETING 22 NOVEMBER 2023

Agenda Reference:	6.1
Title:	Disclosure of Interest of Members or Staff
File Reference:	1104389
Author:	Ben Heaslip, Acting Governance and Risk Advisor

SUMMARY

Elected Members are required to disclose an interest in a matter under consideration at the Council meeting:

- 1) In the case of a matter featured in an officer's report or written agenda item by disclosing the interest to the meeting as soon as possible after the matter is raised.
- 2) In the case of a matter raised in a general debate or by any means other than the printed agenda of the Council meeting by disclosure as soon as possible after the matter is raised.

Under disclosure, the Member must abide by the decision of the Council on whether he/she shall remain in the Chambers and/ or take part in the vote on the issue. The Council may elect to allow the Member to provide further and better particulars of the interest prior to requesting him/her to leave the Chambers.

Staff Members of the Council are required to disclose an interest in a matter at any time at which they are required to act or exercise their delegate authority in relation to the matter. Upon disclosure, the staff member is not to act or exercise his or her delegated authority unless Council expressly directs him or her to do so.

STATUTORY ENVIRONMENT

Section 114 (Elected Members) *Local Government Act 2019*

Section 179 (staff members) *Local Government Act 2019*

POLICY IMPLICATIONS

This report has been prepared in accordance with Council's Scheduling and Conduct of Meetings (Elected, Local Authority and Council Committee Members) Policy.

STRATEGIC IMPLICATIONS

This report is aligned to pillar 6 in the *Regional Plan and Budget 2023-2024* as outlined below:

PILLAR 6 FOUNDATIONS OF GOVERNANCE

Integrity is at the heart of everything we do. We are leaders of best practice and excellence in governance, advocacy, consultation and administration. Our processes, procedures and policies are ethical and transparent.

Goal 6.3	Council and Local Authorities Excellence in governance, consultation administration and representation
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RECOMMENDATION:

That Council received the declarations of interest as listed for the meeting held on 22 November 2023.

ATTACHMENTS

WEST ARNHEM REGIONAL COUNCIL
FOR THE MEETING 22 NOVEMBER 2023

Agenda Reference:	7.1
Title:	Confirmation of Previous Minutes Ordinary Council Meeting 10-11 October 2023
File Reference:	1104665
Author:	Ben Heaslip, Acting Governance and Risk Advisor

SUMMARY

Minutes of 10 October Ordinary Council meeting are submitted to Council for confirmation that those minutes are a true and correct record of the meeting.

STATUTORY ENVIRONMENT

Sections 101 and 102 *Local Government Act 2019*

POLICY IMPLICATIONS

This report has been prepared in accordance with Council's Scheduling and Conduct of Meetings (Elected, Local Authority and Council Committee Members) policy.

STRATEGIC IMPLICATIONS

The confirmation of previous minutes is aligned to the following goals as outlined in pillar 6 of the *Regional Plan and Budget 2023-2024*:

PILLAR 6 FOUNDATIONS OF GOVERNANCE

Integrity is at the heart of everything we do. We are leaders of best practice and excellence in governance, advocacy, consultation and administration. Our processes, procedures and policies are ethical and transparent.

Goal 6.2	Records Delivery of storage and retrieval of records processes which support efficient and transparent administration
Goal 6.5	Planning and Reporting Robust planning and reporting that supports Council's decision-making processes

RECOMMENDATION:

That the minutes of 10-11 October 2023 Ordinary Council meeting are confirmed as a true and correct record of the meeting.

ATTACHMENTS

- 1 2023.10.11 Ordinary Council Meeting Minutes.pdf



Minutes of the West Arnhem Regional Council an Ordinary Meeting
 Wednesday, 10 - 11 October 2023 At 12:00pm
 Council Chambers, Jabiru

Chairperson Mayor Ryan declared the meeting open at 12:01, welcomed all in attendance and did an Acknowledgement of Country.

ELECTED MEMBERS PRESENT

Chairperson	Matthew Ryan (Mayor)
Deputy Mayor	Elizabeth Williams
Councillor	Ralph F Blyth
Councillor	Otto Dann
Councillor	Mickitja Onus
Councillor	James Woods
Councillor	Henry Guwiyul
Councillor	Gabby Gumurdul (via video conference)

STAFF PRESENT

Chief Executive Officer (acting)	Jessie Schaecken
Chief Corporate Officer	Deirdre Osullivan
Chief Corporate Officer	James Stockdale
Chief Operating Officer (acting)	Fiona Ainsworth
General Manager, Technical Services (acting)	Clem Beard
Governance and Risk Advisor (acting)	Ben Heaslip (via video conference)
Governance and Risk Advisor (acting)	Jasmine Mortimore
Communication and Public Relations Coordinator	Heidi Walton
Waste and Resource Coordinator	Sara Fitzgerald
Business Development Manager	Leanne Johansson

GUESTS PRESENT

Department of Chief Minister and Cabinet	Owain Dunn
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APOLOGIES**3.1 APOLOGIES AND LEAVE OF ABSENCE**

The Council considered a report on Apologies and Leave of Absence.

OCM149/2023 RESOLVED:

On the motion of Councillor James Woods

Seconded Councillor Henry Guwiyul

That Council received and noted Elected Member apologies for Cr Donna Nadjamerrek, Cr Jacqueline Phillips, Cr James Marrawal for the Ordinary Council meeting held on 10-11 October 2023.

CARRIED

ABSENT WITHOUT NOTICE**4.1 ABSENT WITHOUT NOTICE**

The Council considered a report on Absent Without Notice.

OCM150/2023 RESOLVED:

On the motion of Councillor Ralph Blyth

Seconded Councillor Henry Guwiyul

That Council;

1. Received and noted Cr Julius Don Kernan absences without notice for the meeting held on 10-11 October 2023, relevant to section 47 (1)(o) of the Local Government Act 2019.
2. Council request CEO issue letter to Cr Kernan reminding of responsibility to attend in line with the Act.

CARRIED

ACCEPTANCE OF AGENDA**5.1 ACCEPTANCE OF AGENDA**

The Council considered a report on Acceptance of Agenda.

OCM151/2023 RESOLVED:

On the motion of Councillor Ralph Blyth

Seconded Councillor James Woods

That the agenda papers for the Ordinary Council meeting held on 10-11 October 2023 as circulated be received for consideration at the meeting.

CARRIED

8.1 SWEARING IN OF NEWLY ELECTED MEMBER - KAKADUWARD BY-ELECTION 9 SEPTEMBER 2023

The Council considered a report on Swearing in of Newly Elected Member – Kakadu Ward By-election 9 September 2023.

OCM152/2023 RESOLVED:

On the motion of Deputy Mayor Elizabeth Williams

Seconded Councillor Otto Dann

That Council congratulated Mr Micketja Onus on his appointment as Councillor to the West Arnhem Regional Council, representing the Kakadu Ward after the By-election held on 9 September 2023.

CARRIED

DECLARATION OF INTEREST OF MEMBERS OR STAFF**6.1 DISCLOSURE OF INTEREST OF MEMBERS OR STAFF**

The Council considered a report on Disclosure of Interest of Members or Staff.

OCM153/2023 RESOLVED:

On the motion of Deputy Mayor Elizabeth Williams

Seconded Councillor James Woods

That Council received no declarations of interest for the meeting held on 10-11 October 2023.

CARRIED

CONFIRMATION OF PREVIOUS MINUTES**7.1 CONFIRMATION OF PREVIOUS MINUTES - ORDINARY COUNCIL MEETING HELD 20 SEPTEMBER 2023**

The Council considered a report on Confirmation of Previous Minutes - Ordinary Council Meeting held 20 September 2023.

OCM154/2023 RESOLVED:

On the motion of Councillor Otto Dann

Seconded Councillor Henry Guwiyul

That the minutes of 20 September 2023 Ordinary Council meeting are confirmed as a true and correct record of the meeting.

CARRIED

David King and Kyle Roe joined the meeting at 12:23 and left at 13:57

CHIEF EXECUTIVE OFFICER'S REPORTS**8.3 INCOMING AND OUTGOING CORRESPONDENCE**

The Council considered a report on Incoming and Outgoing Correspondence.

OCM155/2023 RESOLVED:

On the motion of Councillor James Woods

Seconded Councillor Mickitja Onus

That Council:

- 1. Received and noted the attached items of incoming and outgoing correspondence since the 20 September OCM.**
- 2. Arrange meeting with CEO of National Justice Project and Mayor to further discuss education issues in the NT.**

CARRIED

Gretl Turkich and Jess Gurthrie joined the meeting at 12:38 to discuss CDP in West Arnhem Communities and left at 13:15

Mayor Ryan declared that he is a board member of Bawinanga Aboriginal Corporation an organisation that delivers CDP services in Maningrida.

Meeting broke 13:20 at and recommenced at 13:57

8.6 PRESENTATIONS AND VISITORS

The Council considered a report on Presentations and Visitors.

OCM156/2023 RESOLVED:

On the motion of Councillor Ralph Blyth

Seconded Councillor James Woods

That Council:

Noted the presentation by David King, Kylie Roe, Gretl Turkich and Jess Guthrie

CARRIED

8.2 REVIEW OF ACTION ITEMS LIST

The Council considered a report on Review of Action Items List.

OCM157/2023 RESOLVED:

On the motion of Councillor Ralph Blyth

Seconded Mayor Matthew Ryan

That Council:

1. Received and noted report entitled '*Review of Action items list*'; and
2. Reviewed the outstanding resolutions, and gave approval for completed items to be removed from the list.
3. Endorsed letter to be sent to the Minister of Housing regarding Ms Wauchope priority housing in Gunbalanya
4. Request increased advocacy for AFL in West Arnhem Region

CARRIED

Meeting closed at 15:18 and reopened at 9:01 on Wednesday 11 October 2023

Gabby Gumurdul was an apology for Wednesday 11 October 2023

8.4 MEETINGS AND EVENTS ATTENDED BY THE MAYOR

The Council considered a report on Meetings and Events Attended by the Mayor.

OCM158/2023 RESOLVED:

On the motion of Councillor Ralph Blyth

Seconded Deputy Mayor Elizabeth Williams

That Council:

1. Received and noted the report entitled '*Meetings and Events Attended by the Mayor*'; and
2. Approved associated travel cost to attend the listed meetings and events.

CARRIED

8.5 MEETINGS AND EVENTS ATTENDED BY THE ACTING CEO

The Council considered a report on Meetings and Events Attended by the Acting CEO.

OCM159/2023 RESOLVED:

On the motion of Deputy Mayor Elizabeth Williams

Seconded Councillor Ralph Blyth

That Council:

1. Received and noted the report entitled '*Meetings and Events Attended by the Acting CEO*'.
2. Endorsed Acting CEO request for 1 day Annual Leave Friday 27 October

CARRIED

8.7 SUBMISSION - INQUIRY INTO ELECTED MEMBER ENTITLEMENTS

The Council considered a report on Submission - Inquiry into Elected Member Entitlements.

OCM160/2023 RESOLVED:

On the motion of Deputy Mayor Elizabeth Williams

Seconded Councillor Mickitja Onus

That Council:

1. Received and noted the report entitled '*Submission - Inquiry into Elected Member Entitlements*',
2. The draft submission be amended to include travel risks and recommending the NT remuneration tribunal provide financial advice services to elected members – acting CEO to circulate new draft to Council for endorsing.

CARRIED

8.8 DRAFT OF THE 2022-2023 WEST ARNHEM REGIONAL COUNCIL ANNUAL REPORT

The Council considered a report on Draft of the 2022-2023 West Arnhem Regional Council Annual Report.

OCM161/2023 RESOLVED:

On the motion of Deputy Mayor Elizabeth Williams

Seconded Councillor Henry Guwiyul

That Council:

1. Noted the progress made towards completing the 2022-2023 West Arnhem Regional Council Annual Report;
2. Reviewed and provided feedback on the draft 2022-2023 West Arnhem Regional Council Annual Report.

CARRIED

8.9 COUNCIL MEETING SCHEDULE AND PROPOSED MEETING DATES FOR 2024

The Council considered a report on Council Meeting Schedule and Proposed Meeting Dates for 2024.

OCM162/2023 RESOLVED:

On the motion of Councillor Mickitja Onus

Seconded Councillor James Woods

That Council:

1. Received and noted the report;
2. Approved the attached 2024 West Arnhem Regional Council meetings calendar.

CARRIED

8.10 EXTENSION OF ACTING CEO POSITION

The Council considered a report on Extension of Acting CEO Position.

OCM163/2023 RESOLVED:

On the motion of Councillor Mickitja Onus

Seconded Councillor Ralph Blyth

That Council:

1. Approved an extension of the current Acting CEO Jessie Schaecken until a new CEO is appointed
2. Approved Higher Duties Allowance be paid to the current Acting CEO for a two week handover period after the CEO is appointed

CARRIED

CORPORATE SERVICES REPORTS

9.1 FINANCE REPORT FOR THE PERIOD ENDED 31 AUGUST 2023

The Council considered a report on Finance Report for the period ended 31 August 2023.

OCM164/2023 RESOLVED:
 On the motion of Councillor Otto Dann
 Seconded Councillor James Woods
 That Council received and noted report entitled '*Finance Report for the period ended 31 August 2023.*'

CARRIED

9.2 2022-2023 WASTE AND RESOURCE MANAGEMENT (WARM) ACQUITTAL

The Council considered a report on 2022-2023 Waste and Resource Management (WaRM) Acquittal.

OCM165/2023 RESOLVED:
 On the motion of Councillor Henry Guwiyul
 Seconded Councillor Otto Dann
 That council

1. Received and noted the reports entitled '*2022-2023 Waste and Resource Management (WaRM) Acquittal*'; and
2. Noted and approved the attached acquittal.

CARRIED

Meeting broke at 10:30 and recommenced at 11:11

9.3 BUSINESS DEVELOPMENT UNIT REPORT

The Council considered a report on Business Development Unit Report.

OCM166/2023 RESOLVED:
 On the motion of Councillor Ralph Blyth
 Seconded Councillor James Woods
 That Council received and noted the report entitled '*Business Development Unit Report*'.

CARRIED

9.4 TENANCY REMEDIATION REQUIREMENTS FOR JABIRU

The Council considered a report on Tenancy Remediation Requirements for Jabiru.

OCM167/2023 RESOLVED:
 On the motion of Councillor Ralph Blyth
 Seconded Councillor Mickitja Onus
 That Council received and noted the report entitled '*Tenancy Remediation Requirements for Jabiru*'

CARRIED

TECHNICAL SERVICES REPORTS

10.1 APPROVAL TO DISPOSE OF EXECUTIVE FLEET ASSET

The Council considered a report on Approval to Dispose of Executive Fleet Asset.

OCM168/2023 RESOLVED:
 On the motion of Councillor Ralph Blyth
 Seconded Councillor Otto Dann
 That Council:

1. Received and noted the report entitled '*Approval to Dispose of Executive Fleet Asset*'; and
2. Approved the sale via auction of the 2020 Toyota Hilux Utility - Jabiru.

CARRIED

10.2 TECHNICAL SERVICES REPORT - SEPTEMBER 2023

The Council considered a report on Technical Services Report - September 2023.

OCM169/2023 RESOLVED:

On the motion of Councillor Mickitja Onus

Seconded Councillor James Woods

That Council received and noted the report entitled '*Technical Services Report – September 2023*'.

CARRIED**10.3 KEEP AUSTRALIA BEAUTIFUL AWARDS**

The Council considered a report on Keep Australia Beautiful Awards.

OCM170/2023 RESOLVED:

On the motion of Councillor James Woods

Seconded Councillor Mickitja Onus

That Council received and noted report entitled '*Keep Australia Beautiful Awards*'

CARRIED**COMMITTEE AND LOCAL AUTHORITY REPORTS****11.1 ADOPTION OF LOCAL AUTHORITY MEETING MINUTES.**

The Council considered a report on Adoption of Local Authority Meeting minutes..

OCM171/2023 RESOLVED:

On the motion of Deputy Mayor Elizabeth Williams

Seconded Mayor Matthew Ryan

That Council:

1. Received and noted the report entitled '*Adoption of Local Authority Meeting minutes.*' and;
2. Endorsed the minutes of the Minjilang Local Authority meeting held on 15 September 2023 and reviewed decisions made by the Local Authority.

CARRIED**GENERAL ITEMS****12.1 OPERATIONS REPORT - SEPTEMBER 2023**

The Council considered a report on Operations Report - September 2023.

OCM172/2023 RESOLVED:

On the motion of Councillor Ralph Blyth

Seconded Councillor Otto Dann

That Council received and noted the report entitled '*Operations Report – July 2023*'.

CARRIED**12.2 NOVEMBER LGANT CONVENTION, WEST ARNHAM YOUTH SUMMIT AND WARC ELECTED MEMBER WORKSHOP AND ORDINARY COUNCIL MEETING**

The Council considered a report on November LGANT Convention, West Arnhem Youth Summit and WARC Elected Member Workshop and Ordinary Council meeting.

OCM173/2023 RESOLVED:

On the motion of Councillor Henry Guwiyul

Seconded Councillor Otto Dann

That Council:

1. Received and noted report entitled '*November LGANT Convention, West Arnhem Youth Summit and WARC Elected Member Workshop and Ordinary Council meeting*'
2. Approved the changes to the November Elected Member Workshop and Ordinary Council meeting.
3. Nominated Councillor Woods to attend the LGANT General Meeting, extend invitation to all councillor via email to nominate to attend convention and approved all associated travel costs.

CARRIED

12.3 PEOPLE AND CAPABILITY QUARTERLY REPORT

The Council considered a report on People and Capability Quarterly Report.

OCM174/2023 RESOLVED:

On the motion of Councillor Mickitja Onus

Seconded Councillor James Woods

That Council:

1. Received and noted the report entitled '*People and Capability Quarterly Report*' and;
2. Acknowledge the activity and progress made by the People and Capability unit in pursuit of the strategic goals.

CARRIED

ELECTED MEMBER QUESTIONS WITH OR WITHOUT NOTICE

13.1 ELECTED MEMBER QUESTIONS WITH OR WITHOUT NOTICE

The Council considered a report on Elected Member Questions With or Without Notice.

OCM175/2023 RESOLVED:

On the motion of Councillor Ralph Blyth

Seconded Councillor Mickitja Onus

That the Chairperson invite questions with or without notice from Elected Members.

1. Cr Dann raised Garbage truck being broken, staffing issues in Gunbalanya with staff leaving, feral animals in community.
2. Mayor Ryan raised work permit issues with staff leaving council and getting job elsewhere in community.
3. Cr Woods raised concerns with airport usage for sorry business – asked about another airport shelter using the emergency management funds
4. Cr Woods raised shelters in Maningrida at bottom camp foreshore to be put on Maningrida LA wish list.
5. Invite GACJT / JKL to attend next Ordinary Council Meeting to present to Council on the Jabiru Masterplan and the future of Jabiru.

6. CARRIED

PROCEDURAL MOTIONS

14.1 CLOSURE TO THE PUBLIC FOR THE DISCUSSION OF CONFIDENTIAL ITEMS

The Council considered a report on Closure to the Public for the Discussion of Confidential Items.

OCM176/2023 RESOLVED:

On the motion of Councillor Ralph Blyth

Seconded Councillor Otto Dann

That Council approved pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 52 of the Local Government (General) Regulations 2021 the meeting be closed to the public to consider the Confidential items of the Agenda.

CARRIED

CONFIDENTIAL ITEMS

The information in this section of the agenda is classed as confidential under section 293(1) of the *Local Government Act 2019* and regulation 51 of the *Local Government (Administration) Regulations 2021*.

NEXT MEETING

The next meeting is scheduled to take place on Tuesday, 7 November 2023

MEETING DECLARED CLOSED

Chairperson Mayor Ryan declared the meeting closed at 13:52

This page and the preceding pages are the minutes of the ordinary council meeting Ordinary Council Meeting held on Wednesday, 11 October 2023.

Chairperson

Date Confirmed

WEST ARNHEM REGIONAL COUNCIL
FOR THE MEETING 22 NOVEMBER 2023

Agenda Reference:	9.1
Title:	Finance Report for the period ended 30 September 2023
File Reference:	1104391
Author:	James Stockdale, Director Corporate Services; Corey White, Accountant

SUMMARY

The purpose of this report is to provide Council with the Financial Management Report for the period ended 30 September 2023.

BACKGROUND

The *Local Government (General) Regulations 2021*, Division 7, Section 17 (as in force at 1 July 2021) apply to this monthly Financial Report and state that Financial Reports to Council must set out and include the following:

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

- (2) (a) *details of all cash and investments held by the Council (including money held in trust); and*
(b) *the closing cash at bank balance split between tied and untied funds; and*
(c) *a statement on trade debtors and a general indication of the age of the debts owed to the Council; and*
(d) *a statement on trade creditors and a general indication of the age of the debts owed by the Council; and*
(e) *a statement in relation to the Council's payment and reporting obligations for GST, fringe benefits tax, PAYG withholding tax, superannuation and insurance; and*
(f) *other information required by the Council.*

- (5) (a) *a certification, in writing, by the CEO to the Council that, to the best of the CEO's knowledge, information and belief:*
 - (i) *the internal controls implemented by the Council are appropriate; and*
 - (ii) *the Council's financial report best reflects the financial affairs of the Council.*

The set of Financial Reports follow in this report, and include the following as attachments:

- CEO Certification
- Graphical Presentation
- Profit and Loss report
- Balance Sheet Report
- Monthly Financial Report Form – as required by the Department of Chief Minister & Cabinet [a new requirement from November 2022]

The report is a full detailed report. A graphical presentation will be viewed in conjunction with this report commentary.

COMMENT

Snapshot Information (slide 2)

This slide provides an overall snapshot of many aspects of Council's overall operations, which include:

- a) Profit and Loss related items: Total Revenue, and Operating surplus before capital.
- b) Balance sheet items (overall health of Council): Assets, Asset additions, & cash.
- c) Key indicators of financial health: Working capital, cash flows and restricted assets.

Actual vs Budget Comparison - Operational (slide 3)

This consolidated Financial Management Report relates to the year to date (YTD) period 1 July 2023 to 30 September 2023, the first three months of the 2023-2024 financial year. The report compares actual income and costs compared to Council's original budget; the finance team refer to this as "Budget A".

Total revenue

Total revenue (operational and capital) for the first three months to September 2023 is \$13.704M. This is comprised of operational revenue \$12.225M and capital income of \$1.480M. This includes brought forward grant amounts of \$3.474M and \$1.366M = \$4.841M of the \$13.704M total. The brought forward grant amounts will not be included in the budget until the first budget revision; "BUDR". This \$13.704M is therefore not an average amount of income for a 3 month period.

Operational revenue

Council's primary sources of operational revenue is derived from:

- (a) Income rates and charges - \$606K.
- (b) Charges – Sewerage - \$176K
- (c) Charges – Water - \$481K
- (d) Charges – Waste - \$355K
- (e) Income Operating Grants - \$6.777M, which consists of current income allocation grants of \$2.202M and brought forward grants of \$3.474M;
- (f) Income Agency and Commercial Services - \$1.824M. Some of which include:
 - Contract fee income - \$1.154M.
 - Service fee income - \$228K
 - Sales income - \$227K,
 - FAO Childcare Benefit - \$167K
 - Other Agency Income - \$41K
 - Sales Commissions Received - \$5K

Income (Internal) allocation is \$1.556M. This covers internal income recovery. Major contributors are internal income from: staff housing, vehicle, plant & equipment, information technology, printing, fuel, internal labour work, and contract administration.

Operational expenditure

Total Council operational expenditure for September YTD is \$8.464M.

Employee expenses are over the budget of \$4.608M by \$292K. Contract and material expenses are under the budget of \$2.110M by \$236K or 11%.

Actual vs Budget Comparison – Operating Position - Capital (slide 4)

Additional income is \$1.480M. This is brought forward capital grant and capital reserve income from the 22/23 Financial Year. Total Capital expenditure YTD is \$2.397M and mostly relates to repairs to Mala'la road in Maningrida. No new assets were commissioned in September 2023. Assets still "in progress" and not as yet completed total \$2,912,543.

MANAGEMENT REPORT - RESULTS FOR THE FINANCIAL YEAR SEPTEMBER 2023 YTD

A summary of Total Council comparative income and expenditure follows:



Actuals v Budget

as at 30 Sep 2023

Description	TOTAL COUNCIL					
	Actuals YTD	Budget YTD	Variance	%	Annual Budget	Progress
Operational Revenue						
Income Rates and Charges	606,267	644,037	(37,770)	(6%)	2,576,147	24%
Charges - Sewerage	176,148	193,726	(17,578)	(9%)	774,903	23%
Charges - Water	481,025	428,000	53,025	12%	1,712,000	28%
Charges - Waste	355,443	370,194	(14,751)	(4%)	1,480,776	24%
Income Council Fees and Charges	162,097	138,506	23,592	17%	552,223	29%
Income Operating Grants	6,777,011	3,302,579	3,474,431	100%+	13,162,438	51%
Income Investments	44,757	17,125	27,632	100%+	68,500	65%
Income Allocation	1,556,462	1,483,940	72,522	5%	5,874,515	26%
Other Income	241,293	54,455	186,838	100%+	218,821	100%+
Income Agency and Commercial Services	1,824,032	1,721,585	102,447	6%	6,699,753	27%
Total Operational Revenue	12,224,535	8,354,146	3,870,389	46%	33,120,077	37%
Operational Expenditure						
Employee Expenses	4,900,065	4,607,706	292,359	6%	18,362,799	27%
Contract and Material Expenses	1,874,020	2,109,861	(235,841)	(11%)	6,478,193	29%
Finance Expenses	3,800	2,906	893	31%	11,625	33%
Travel, Freight and Accom Expenses	237,071	240,244	(3,174)	(1%)	957,530	25%
Fuel, Utilities & Communication	510,071	590,051	(79,980)	(14%)	2,360,190	22%
Other Expenses	843,202	1,151,127	(307,925)	(27%)	4,566,991	18%
Elected Member Allowances	86,600	87,000	(400)	(0%)	348,000	25%
Elected Member Expenses	5,116	13,550	(8,434)	(62%)	54,200	9%
Council Committee & LA Allowances	3,550	1,325	2,225	(100%+)	5,300	67%
Council Committee & LA Expenses	105	62	43	68%	250	42%
Total Operational Expenditure	8,463,599	8,803,833	(340,235)	(4%)	33,145,077	26%
Total Operational Surplus / (Deficit)	3,760,936	(449,687)	4,210,623	100%+	(25,000)	0%



Annual Budget Operating Position

as at 30 Sep 2023

Description	Actuals YTD	Budget YTD	Variance	%	Annual Budget	Progress
Operating Surplus / (Deficit)	3,760,936	(449,687)	4,210,623	100%+	(25,000)	0%
Remove NON-CASH ITEMS						
Less Non-Cash Income	(1,556,462)	(1,483,940)	(72,522)	(5%)	(5,874,515)	26%
Add Back Non-Cash Expenses	1,557,304	1,488,857	68,447	5%	5,874,515	27%
Total Non-Cash Items	842	4,917	(4,075)	(83%)	-	100%
Less ADDITIONAL OUTFLOWS						
Capital Expenditure	(2,397,265)	(96,250)	(2,301,015)	(100%+)	215,000	100%+
Borrowing Repayments (Principal Only)	-	-	-	-	-	0%
Transfer to Reserves	-	-	-	-	-	0%
Other Outflows	-	-	-	-	-	0%
Total Additional Outflows	2,397,265	96,250	2,301,015	(100%+)	215,000	100%+
Add ADDITIONAL INFLOWS						
Capital Grants Income	-	-	-	-	-	0%
Prior Year Carry Forward Tied Funding	1,366,255	-	1,366,255	(100%)	-	100%
Other Inflow of Funds	-	240,000	(240,000)	100%	240,000	0%
Transfers from Reserves	113,802	-	113,802	(100%)	-	100%
Total Additional Inflows	1,480,057	240,000	1,240,057	100%+	240,000	100%+
Net Budgeted Operating Position	2,844,571	(301,020)	3,145,591	100%+	-	100%

CORE SERVICES – UNRESTRICTED FUNDING

Activities in this reporting group include Corporate Administration, Governance, Financial Management, Risk Management, Building Maintenance, Local Roads Maintenance, Rate collections, Parks and Reserves, Animal Control, etc.

Total operational revenue for the year-to-date is \$3.360M being over budget by \$171K.

Income from rates and charges is as follows:

- Income Rates and Charges \$606K
- Charges – Sewerage \$176K
- Charges – Water \$481K
- Charges – Waste \$355K

The summary below shows that Employee expenses are over budget by 6%.

A summary of the month's comparative income and expenditure is shown below.

Actuals v Budget - Core Services Unrestricted

as at 30 Sep 2023

Description	TOTAL COUNCIL				Annual Budget	Progress
	Actuals YTD	Budget YTD	Variance	%		
Operational Revenue						
Income Rates and Charges	606,267	644,037	(37,770)	(6%)	2,576,147	24%
Charges - Sewerage	176,148	193,726	(17,578)	(9%)	774,903	23%
Charges - Water	481,025	428,000	53,025	12%	1,712,000	28%
Charges - Waste	355,443	370,194	(14,751)	(4%)	1,480,776	24%
Income Council Fees and Charges	144,224	127,006	17,218	14%	506,223	28%
Income Operating Grants	1,646,714	1,640,417	6,297	0%	6,561,669	25%
Income Investments	44,757	17,125	27,632	100%+	68,500	65%
Income Allocation	1,460,976	1,265,882	195,095	15%	5,012,185	29%
Other Income	222,019	54,455	167,564	100%+	217,821	100%+
Income Agency and Commercial Services	39,524	37,838	1,686	4%	140,050	28%
Total Operational Revenue	5,177,097	4,778,679	398,418	8%	19,050,274	27%
Operational Expenditure						
Employee Expenses	2,896,097	2,728,687	167,409	6%	10,914,823	27%
Contract and Material Expenses	999,844	839,122	160,722	19%	3,312,971	30%
Finance Expenses	1,640	1,328	313	24%	5,310	31%
Travel, Freight and Accom Expenses	177,563	169,140	8,422	5%	677,929	26%
Fuel, Utilities & Communication	391,101	459,835	(68,734)	(15%)	1,839,390	21%
Other Expenses	279,330	679,189	(399,859)	(59%)	2,719,764	10%
Elected Member Allowances	86,600	87,000	(400)	(0%)	348,000	25%
Elected Member Expenses	5,116	13,550	(8,434)	(62%)	54,200	9%
Council Committee & LA Allowances	3,550	1,325	2,225	(100%)+	5,300	67%
Council Committee & LA Expenses	105	62	43	68%	250	42%
Total Operational Expenditure	4,840,945	4,979,239	(138,293)	(3%)	19,877,938	24%
Total Operational Surplus / (Deficit)	336,152	(200,560)	536,711	100%+	(827,664)	0%

Annual Budget Operating Position - Core Services Unrestricted

as at 30 Sep 2023

Description	Actuals YTD	Budget YTD	Variance	%	Annual Budget	Progress
Operating Surplus / (Deficit)	336,152	(200,560)	536,711	100%+	(827,664)	0%
Remove NON-CASH ITEMS						
Less Non-Cash Income	(1,460,976)	(1,265,882)	(195,095)	(15%)	(5,012,185)	29%
Add Back Non-Cash Expenses	698,896	628,487	70,409	11%	2,513,947	28%
Total Non-Cash Items	(762,080)	(637,395)	(124,685)	(20%)	(2,498,238)	31%
Less ADDITIONAL OUTFLOWS						
Capital Expenditure	(91,284)	(96,250)	4,966	5%	215,000	42%
Borrowing Repayments (Principal Only)	-	-	-	-	-	0%
Transfer to Reserves	-	-	-	-	-	0%
Other Outflows	-	-	-	-	-	0%
Total Additional Outflows	91,284	96,250	(4,966)	(5%)	215,000	42%
Add ADDITIONAL INFLOWS						
Capital Grants Income	-	-	-	-	-	0%
Prior Year Carry Forward Tied Funding	-	-	-	-	-	0%
Other Inflow of Funds	-	240,000	(240,000)	100%	240,000	0%
Transfers from Reserves	-	-	-	-	-	0%
Total Additional Inflows	-	240,000	(240,000)	(100%)	240,000	0%
Net Budgeted Operating Position	(517,212)	(694,205)	176,992	25%	(3,300,902)	16%

CORE SERVICES – RESTRICTED FUNDING

Activities include Indigenous Jobs Development Funding, Library Services, LRCI Grants (Phases 1-3), Gunbalanya Oval Lighting, Road to Recovery, Waruwi Community Hall Upgrade, Waste & Resource Management, a number of LA projects, and Black Spot Funding for Mala'la Road at Maningrida.

Total operational revenue consists of current **grant income allocations totalling \$1.460M.**

Employee costs are in line with budget for the YTD; whilst Contract & Material expenditure is only 16% of budget for the YTD. A summary of the year's comparative income and expenditure is shown below.



Actuals v Budget - Core Services Restricted

as at 30 Sep 2023

Description	TOTAL COUNCIL					
	Actuals YTD	Budget YTD	Variance	%	Annual Budget	Progress
Operational Revenue						
Income Council Fees and Charges	27	-	27	100%	-	100%
Income Operating Grants	1,460,417	388,905	1,071,512	100%+	1,555,620	94%
Charges - Sewerage	-	-	-	-	-	0%
Charges - Water	-	-	-	-	-	0%
Charges - Waste	-	-	-	-	-	0%
Total Operational Revenue	1,460,444	388,905	1,071,539	100%+	1,555,620	94%
Operational Expenditure						
Employee Expenses	222,238	222,282	(44)	(0%)	889,127	25%
Contract and Material Expenses	103,252	632,323	(529,071)	(84%)	649,793	16%
Travel, Freight and Accom Expenses	14,790	543	14,248	(100%)+	2,170	100%+
Fuel, Utilities & Communication	3,048	2,603	446	17%	10,410	29%
Other Expenses	2,059	1,030	1,029	100%	4,120	50%
Elected Member Allowances	-	-	-	-	-	0%
Elected Member Expenses	-	-	-	-	-	0%
Council Committee & LA Allowances	-	-	-	-	-	0%
Council Committee & LA Expenses	-	-	-	-	-	0%
Total Operational Expenditure	345,388	858,780	(513,392)	(60%)	1,555,620	22%
Total Operational Surplus / (Deficit)	1,115,056	(469,875)	1,584,931	100%+	-	100%



Annual Budget Operating Position

as at 30 Sep 2023

Description	Actuals YTD	Budget YTD	Variance	%	Annual Budget	Progress
Operating Surplus / (Deficit)	1,115,056	(469,875)	1,584,931	100%+	-	100%
Remove NON-CASH ITEMS						
Less Non-Cash Income	-	-	-	-	-	0%
Add Back Non-Cash Expenses	12,824	11,039	1,785	16%	44,156	29%
Total Non-Cash Items	12,824	11,039	1,785	16%	44,156	29%
Less ADDITIONAL OUTFLOWS						
Capital Expenditure	(2,268,398)	-	(2,268,398)	(100%)	-	100%
Borrowing Repayments (Principal Only)	-	-	-	-	-	0%
Transfer to Reserves	-	-	-	-	-	0%
Other Outflows	-	-	-	-	-	0%
Total Additional Outflows	2,268,398	-	2,268,398	100%	-	100%
Add ADDITIONAL INFLOWS						
Capital Grants Income	-	-	-	-	-	0%
Prior Year Carry Forward Tied Funding	1,366,255	-	1,366,255	(100%)	-	100%
Other Inflow of Funds	-	-	-	-	-	0%
Transfers from Reserves	-	-	-	-	-	0%
Total Additional Inflows	1,366,255	-	1,366,255	100%	-	100%
Net Budgeted Operating Position	225,737	(458,836)	684,573	100%+	44,156	100%+

COMMERCIAL SERVICES

This reporting group includes the provision of activities of a commercial or community nature, including Childcare, Centrelink, Licenced Post Offices (LPOs) at Gunbalanya, Jabiru, and Maningrida, Power and Water-essential services contract, Tenancy Management, Visitor Accommodation, and Airstrip Maintenance. Not all activities have generated a surplus, such as a childcare operation, and one of the Post Offices.

Overall, a net operating loss of \$64K was generated for the year to date, which is \$221K under budget. Agency and Commercial services income is over budget by \$168K, whilst Contract and Material expenses are over budget by \$345K. Employee expenses are over budget by \$60K.

A summary of the year's comparative income and expenditure is shown below:

Description	TOTAL COUNCIL					
	Actuals YTD	Budget YTD	Variance	%	Annual Budget	Progress
Operational Revenue						
Income Council Fees and Charges	17,847	11,500	6,347	55%	46,000	39%
Income Operating Grants	10,500	10,500	-	-	42,000	25%
Income Allocation	22,377	46,862	(24,484)	(52%)	177,544	13%
Other Income	11,275	-	11,275	100%	1,000	100%+
Income Agency and Commercial Services	1,758,504	1,600,857	157,647	10%	6,228,141	28%
Charges - Sewerage	-	-	-	-	-	0%
Charges - Water	-	-	-	-	-	0%
Charges - Waste	-	-	-	-	-	0%
Total Operational Revenue	1,820,503	1,669,718	150,784	9%	6,494,685	28%
Operational Expenditure						
Employee Expenses	879,155	811,934	67,222	8%	3,216,339	27%
Contract and Material Expenses	607,756	282,023	325,733	(100%)+	1,099,810	55%
Finance Expenses	2,159	1,579	581	37%	6,315	34%
Travel, Freight and Accom Expenses	22,533	32,546	(10,013)	(31%)	125,470	18%
Fuel, Utilities & Communication	59,192	57,291	1,901	3%	229,100	26%
Other Expenses	285,796	254,281	31,515	12%	980,281	29%
Elected Member Allowances	-	-	-	-	-	0%
Elected Member Expenses	-	-	-	-	-	0%
Council Committee & LA Allowances	-	-	-	-	-	0%
Council Committee & LA Expenses	-	-	-	-	-	0%
Total Operational Expenditure	1,856,593	1,439,654	416,939	29%	5,657,315	33%
Total Operational Surplus / (Deficit)	(36,090)	230,064	(266,154)	(100%)+	837,370	0%

Annual Budget Operating Position

as at 30 Sep 2023

Description	Actuals YTD	Budget YTD	Variance	%	Annual Budget	Progress
Operating Surplus / (Deficit)	(36,090)	230,064	(266,154)	(100%)+	837,370	0%
Remove NON-CASH ITEMS						
Less Non-Cash Income	(22,377)	(46,862)	24,484	52%	(177,544)	13%
Add Back Non-Cash Expenses	418,614	383,137	35,477	9%	1,472,489	28%
Total Non-Cash Items	396,237	336,275	59,962	18%	1,294,945	31%
Less ADDITIONAL OUTFLOWS						
Capital Expenditure	-	-	-	-	-	0%
Borrowing Repayments (Principal Only)	-	-	-	-	-	0%
Transfer to Reserves	-	-	-	-	-	0%
Other Outflows	-	-	-	-	-	0%
Total Additional Outflows	-	-	-	-	-	0%
Add ADDITIONAL INFLOWS						
Capital Grants Income	-	-	-	-	-	0%
Prior Year Carry Forward Tied Funding	-	-	-	-	-	0%
Other Inflow of Funds	-	-	-	-	-	0%
Transfers from Reserves	-	-	-	-	-	0%
Total Additional Inflows	-	-	-	-	-	0%
Net Budgeted Operating Position	360,147	566,339	(206,192)	(36%)	2,132,315	17%

COMMUNITY SERVICES

This reporting group has a focus on externally-funded grants. This includes: Home Care, Home Support, Aged Care, Night Patrols, Children's Services, Community Safety, Disability Care, Sports & Recreation, Youth Programs, Indigenous Languages and Radio and Broadcasting Programs.

Funds received for Community Services are restricted funds, through a funding agreement with Government, except for a few minor projects such as Civic Events (Australia Day celebrations, the Kakadu Triathlon).

Total operational revenue received for Community Service through grants and other income is \$3.322M for the YTD. Nearly all of this is from direct grants, to be spent and reported back to funding agencies.

Total operational expenditure for the YTD is \$883K, which is 13% less than budgeted. There is a separate list of funds received but not yet spent later in this report. It is referred to as External Restricted cash.

A summary of the year's comparative income and expenditure is shown below.

Actuals v Budget - Community Services

as at 30 Sep 2023

Description	TOTAL COUNCIL					
	Actuals YTD	Budget YTD	Variance	%	Annual Budget	Progress
Operational Revenue						
Income Operating Grants	3,659,379	1,262,757	2,396,623	100%+	5,003,149	73%
Income Allocation	73,108	171,197	(98,089)	(57%)	684,787	11%
Other Income	8,000	-	8,000	100%	-	100%
Income Agency and Commercial Services	26,005	82,891	(56,886)	(69%)	331,562	8%
Charges - Sewerage	-	-	-	-	-	0%
Charges - Water	-	-	-	-	-	0%
Charges - Waste	-	-	-	-	-	0%
Total Operational Revenue	3,766,491	1,516,844	2,249,647	100%+ 	6,019,498	63%
Operational Expenditure						
Employee Expenses	902,575	844,803	57,771	7%	3,342,509	27%
Contract and Material Expenses	163,168	356,393	(193,225)	(54%)	1,415,619	12%
Travel, Freight and Accom Expenses	22,184	38,015	(15,831)	(42%)	151,960	15%
Fuel, Utilities & Communication	56,729	70,322	(13,593)	(19%)	281,290	20%
Other Expenses	275,190	216,627	58,563	27%	862,826	32%
Elected Member Allowances	-	-	-	-	-	0%
Elected Member Expenses	-	-	-	-	-	0%
Council Committee & LA Allowances	-	-	-	-	-	0%
Council Committee & LA Expenses	-	-	-	-	-	0%
Total Operational Expenditure	1,419,846	1,526,161	(106,314)	(7%) 	6,054,204	23%
Total Operational Surplus / (Deficit)	2,346,645	(9,317)	2,355,962	100%+ 	(34,706)	0%

Annual Budget Operating Position - Community Services

as at 30 Sep 2023

Description	Actuals YTD	Budget YTD	Variance	%	Annual Budget	Progress
Operating Surplus / (Deficit)	2,346,645	(9,317)	2,355,962	100%+ 	(34,706)	0%
Remove NON-CASH ITEMS						
Less Non-Cash Income	(73,108)	(171,197)	98,089	57%	(684,787)	11%
Add Back Non-Cash Expenses	426,970	466,195	(39,225)	(8%)	1,843,924	23%
Total Non-Cash Items	353,862	294,998	58,864	20% 	1,159,137	31%
Less ADDITIONAL OUTFLOWS						
Capital Expenditure	-	-	-	-	-	0%
Borrowing Repayments (Principal Only)	-	-	-	-	-	0%
Transfer to Reserves	-	-	-	-	-	0%
Other Outflows	-	-	-	-	-	0%
Total Additional Outflows	-	-	-	- 	-	0%
Add ADDITIONAL INFLOWS						
Capital Grants Income	-	-	-	-	-	0%
Prior Year Carry Forward Tied Funding	-	-	-	-	-	0%
Other Inflow of Funds	-	-	-	-	-	0%
Transfers from Reserves	-	-	-	-	-	0%
Total Additional Inflows	-	-	-	- 	-	0%
Net Budgeted Operating Position	2,700,507	285,682	2,414,825	100%+ 	1,124,431	100%+

Cash In vs Cash Out (slide 6)

Overall, net cash decreased \$35K from \$7.994M in August to \$7.959M in September 2023.

WEST ARNHEM REGIONAL COUNCIL-STATEMENT OF CASH FLOWS	
for the period ended 30 September 2023	
	30 September 2023
	\$
CASH FLOWS FROM OPERATING ACTIVITIES	
<i>Receipts</i>	
Receipts from rates & annual charges	508,292
Receipts from user charges & fees	235,275
Interest received	86,942
Operating Grants & contributions	3,500,543
Other operating receipts	2,090,529
	6,421,581
<i>Payments</i>	
Payments to employees	(4,565,635)
Payments for materials & contracts	(1,093,121)
Payments of interest	(3,800)
Other operating payments	(759,219)
	(6,421,774)
Net Cash Flows provided by/(used in) the Operating Activities	(194)
CASH FLOWS FROM INVESTING ACTIVITIES	
<i>Receipts</i>	
Capital Grants	1,874,035
Proceeds from sale of assets	-
	1,874,035
<i>Payments</i>	
Purchase of assets	(2,397,265)
Disposal of assets (write off)	-
	(2,397,265)
Net Cash Flows (used in) the Investing Activities	(523,230)
CASH FLOWS FROM FINANCING ACTIVITIES	
<i>Payments</i>	
Investment in Joint Venture	-
Net Cash Flows used in the Investing Activities	-
NET INCREASE / (DECREASE) IN CASH HELD	(523,423)
Cash at Beginning of Reporting Period - 1 Jul 2023	8,481,990
Cash at End of Reporting Period	7,958,567

SUMMARY

Total Cash at Bank, cash on hand, and investments, *less* internal (capital reserve funded) and external (grant funded) restrictions totals \$371,083 as per the table below.

Cash at Bank - Operational Account	235,489
Cash at Bank - Cash at Bank Business Maningrida PO	100,413
Cash at Bank – Business Maxi Account	4,284,956
Cash at Bank - Dept of Agriculture, Water and the Environment (DAWE)	0
Trust Account	
Cash at Bank - Grant Trust Account	679,230
Cash at Bank - Traditional Credit Union	1,275
Cash on Hand General - Cash Floats in Communities	2,200
Traditional Credit Union - Shares	4
Term Deposits	2,655,000
Total Cash and Investments	7,958,567
Less Restricted Cash included further below	7,587,484
Balance Remaining	371,083

Investments (slide 7)

Total investments decreased from \$7.574M in August to \$6.940M in September 2023. Total current investments are broken down into 8 individual investments as listed in the table below. The investments listed below are held for a term on average of 177 days and generate interest income for Council. Investments are generally held with NAB as their rates are presently much more competitive than Westpac. The Westpac CMA investment for \$4,918,661 is currently being held in a Cash Management Account, with intentions of placing this into a Term Deposit in the near future. Council receives quotes on each occasion to ensure a competitive interest rate is obtained.

<u>Deposit Date</u>	<u>Bank</u>	<u>Principal</u>	<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Term in Days</u>
21/03/2022	WEST	5,000.00	0.25%	21/03/2024	365
5/07/2023	NAB	500,000.00	5.40%	2/01/2024	181
19/07/2023	NAB	500,000.00	3.90%	16/03/2024	241
2/08/2023	NAB	450,000.00	5.20%	29/01/2024	180
16/08/2023	NAB	300,000.00	4.90%	14/11/2023	90
30/08/2023	NAB	400,000.00	4.90%	28/11/2023	90
13/09/2023	NAB	500,000.00	4.85%	12/12/2023	90
20/07/2023	WEST CMA	4,284,955.70	1.55%		
Total Current Investments		\$6,939,956			

Movement of the value of investments for the past year is illustrated in presentation slide no.7.

Restricted Assets (slides 8-10)

Internal Restrictions: Capital Reserve	75,393
External Restrictions: Restricted Grant Funding as at 30 September 2023	7,512,091
	<u>7,587,484</u>

Internally Restricted (Reserve-funded projects) - Using Council's own Money

Funds allocated from Capital Reserve to Council projects are considered to be "internally restricted" funds.

Expenditure on Reserve-funded projects in recent months is listed below.

Capital Reserve Activity	Jul 2023 Expenditure	Aug 2023 Expenditure	Sep 2023 Expenditure
5265.00 - Network Upgrade : Region	-	-	-
5276.00 - Purchase Toyota Hilux - Darwin	-	-	-
5271.01 - Purchase Toyota Hilux - Gunbalanya	-	-	-
5294.01 - Concrete Stand for Diesel Tank - Gunbalanya	-	\$2,930	-
5272.02 - Purchase Toyota Hilux - Jabiru	-	-	-
5292.02 - Capital Reserve -Upgrade Council Office Jabiru Stage 2	-	-	-
5197.03 - Kerb Channel and Reseal Bagshaw Road Maningrida	-	-	-
5273.03 - Purchase Toyota Hilux - Maningrida	-	-	-
5279.03 - Purchase Ride on Mower - Maningrida	-	\$35,479	-
5293.03 - Mobilisation and Demobilisation Maningrida Oval Contractors	-	-	-
5274.04 - Purchase Toyota Hilux - Minjilang	-	-	-
5280.04 - Purchase Ride on Mower - Minjilang	-	-	-
5167.05 - Kerb and Channel Airport to Workshop Road - Warruwi	-	-	-
5275.05 - Purchase Toyota Hilux - Warruwi	-	-	-
5284.05 - Purchase Isuzu Russ Garbage Compactor - Warruwi	-	-	-
	-	\$38,409	-

The full list of current active projects follows:

Reserve Activity	Approved Budget	Date of Approval	Prior Year Expenditure	Expenditure to Date FY 2023-2024	Balance as at 30.09.2023
5265.00 - Network Upgrade: Region	11,643	FY 22/23	13,357	-	25,000
5276.00 - Purchase Toyota Hilux Utility - Darwin	55,000	FY 21/22	(52,194)	-	2,806
SUB-TOTAL FOR REGION	66,643		(38,837)	-	27,806
527101 - Purchase Toyota Hilux Utility - Gunbalanya	55,000	FY 21/22	(52,194)	-	2,806
529401 - Concrete Stand for Diesel Tank - Gunbalanya	70,000	FY 22/23	(64,198)	(2,930)	2,872
SUB-TOTAL FOR GUNBALANYA	125,000		(116,392)	(2,930)	5,678
5272.02 - Purchase Toyota Hilux Utility - Jabiru	55,000	FY 21/22	(52,194)	-	2,806
5292.02 - Upgrade Council Office Jabiru Stage 2	174,700	FY 21/22	(227,505)	-	(52,805)
SUB-TOTAL FOR JABIRU	229,700		(279,699)	-	(49,999)
5197.03 - Kerb Channel and Reseal Bagshaw Road Maningrida	360,000	FY 20/21	(359,248)	-	752
5273.03 - Purchase Toyota Hilux Utility - Maningrida	55,000	FY 21/22	(52,194)	-	2,806
5279.03 - Purchase Ride on Mower - Maningrida	35,000	FY 21/22	-	(35,479)	(479)
5293.03 - Mobilisation and Demobilisation Maningrida Oval Contractors	47,800	FY 22/23	(39,065)	-	8,735
SUB-TOTAL FOR MANINGRIDA	497,800		(450,507)	(35,479)	11,814
5274.04 - Purchase Toyota Hilux Utility - Minijlang	55,000	FY 21/22	(52,194)	-	2,806
5280.04 - Purchase Ride on Mower - Minijlang	35,000	FY 21/22	-	-	35,000
SUB-TOTAL FOR MINJILANG	90,000		(52,194)	-	37,806
5167.05 - Kerb and Channel Airport to Workshop Road - Warruwi	330,000	FY 19/20	(286,520)	-	43,480
5275.05 - Purchase Toyota Hilux Utility - Warruwi	55,000	FY 21/22	(52,194)	-	2,806
5284.05 - Purchase Isuzu Russ Garbage Compactor - Warruwi	7,335	FY 21/22	(11,335)	-	(4,000)
SUB-TOTAL FOR WARRUWI	392,335		(350,049)	-	42,286
Capital Reserve Balance	1,401,478		(1,287,678)	(38,409)	75,393

The movement of capital reserve expenditure is illustrated in the presentation slide no.9.

The summary reserve income and expenditure statement in management report format follows.



Actuals v Budget by Local Authority Area - Reserved Funds as at 30 Sep 2023

Description	TOTAL COUNCIL					
	Actuals YTD	Budget YTD	Variance	%	Annual Budget	Progress
Operational Revenue						
Charges - Sewerage	-	-	-	-	-	0%
Charges - Water	-	-	-	-	-	0%
Charges - Waste	-	-	-	-	-	0%
Total Operational Revenue	-	-	-	-	-	0%
Operational Expenditure						
Other Expenses	827	-	827	100%	-	100%
Elected Member Allowances	-	-	-	-	-	0%
Elected Member Expenses	-	-	-	-	-	0%
Council Committee & LA Allowances	-	-	-	-	-	0%
Council Committee & LA Expenses	-	-	-	-	-	0%
Total Operational Expenditure	827	-	827	100%	-	100%
Total Operational Surplus / (Deficit)	(827)	-	(827)	(100%)	-	100%



Annual Budget Operating Position - Reserved Funds as at 30 Sep 2023

Description	Actuals YTD	Budget YTD	Variance	%	Annual Budget	Progress
Operating Surplus / (Deficit)	(827)	-	(827)	(100%)	-	100%
Remove NON-CASH ITEMS						
Less Non-Cash Income	-	-	-	-	-	0%
Add Back Non-Cash Expenses	-	-	-	-	-	0%
Total Non-Cash Items	-	-	-	-	-	0%
Less ADDITIONAL OUTFLOWS						
Capital Expenditure	37,582	-	37,582	100%	-	100%
Borrowing Repayments (Principal Only)	-	-	-	-	-	0%
Transfer to Reserves	-	-	-	-	-	0%
Other Outflows	-	-	-	-	-	0%
Total Additional Outflows	37,582	-	37,582	100%	-	100%
Add ADDITIONAL INFLOWS						
Capital Grants Income	-	-	-	-	-	0%
Prior Year Carry Forward Tied Funding	-	-	-	-	-	0%
Other Inflow of Funds	-	-	-	-	-	0%
Transfers from Reserves	113,802	-	113,802	100%	-	100%
Total Additional Inflows	113,802	-	113,802	100%	-	100%
Net Budgeted Operating Position	75,393	-	75,393	100%	-	100%

Externally Restricted-Funds received from Grants (slide 10)

This includes grant funding as listed below. Note: Grants that are *overspent* are excluded from this report. Cash received to date for these externally restricted grant funding projects is \$10.350M. This is either from B/F balances from last year, 2022-23, or received this year. Expenditure for September YTD for these projects is \$3.780M, and \$7.512M remains to be spent.

There are 51 current funding streams included in the table below. The net movement in restricted assets from August to September was (a) Internal restrictions (capital reserve) – remaining the same, and (b) External restrictions (grant funding) – up by \$251K.

The monthly expenditure of restricted assets is illustrated in slides 9-10 of the presentation.

Restricted Assets-Tied Grant Funding	Annual Budget 2023-2024	Cash received to date (incl. Carried Forward)	Expenses to date	Balance as at 30 September 2023
2070 - Indigenous Jobs Development Funding - DHCD	794,000	-	(198,500)	-
2144 - Library Service: Jabiru	135,120	140,073	(36,233)	103,840
2178 - Local Authorities Community Project Income	626,500	1,056,348	(298,404)	757,944
2359 - Mala'la Rd - Maningrida - DIPL \$1m	-	218,776	(220,368)	-
2373 - Preparing Australian Communities - LED Screens	-	75,158	(42,017)	33,141
2374 - CBF - Jabiru Library Upgrade	-	409	(409)	-
2375 - LRCI Phase 3 - Malabam Road - Maningrida	-	538,992	(705,930)	538,992
2377 - PIF - Sewerage Telemetry	-	117,920	(180)	117,740
2380 - R2R - Mala'la Road	-	539,200	(539,200)	-
2381 - Warruwi Community Hall Upgrade	-	415,000	(4,507)	410,493
2383 - LRCI Phase 4 - Malabam Road - Maningrida	-	511,144	-	511,144
2384 - ABA - Maningrida Oval Changerooms	-	-	(27,230)	-
2385 - DCMC - Local Decision Making Warruwi	-	15,000	-	15,000
2386 - Gunbalanya Oval Lighting	-	780,000	(540)	779,460
2387 - Seeding New Investment	-	43,691	-	43,691
TOTAL CORE SERVICES-TIED	1,555,620	4,451,711	(2,073,518)	3,311,445
3001 - Home Care Packages Program (HCP)	303,900	49,166	(67,981)	(18,815)
3002 - Commonwealth Home Support Program (CHSP)	380,887	30,368	(76,059)	(45,692)
3003 - NT Jobs Package - Aged Care	663,120	555,578	(159,532)	396,045
3004 - Night Patrol	1,052,086	604,949	(349,659)	255,291
3009 - Warruwi Outside School Hours Care	47,878	64,467	(25,582)	38,884
3011 - Safety and Wellbeing - Sport and Recreation	515,000	-	7,739	7,739
3012 - Remote Sport Program	216,420	212,221	(71,567)	140,654
3025 - Deliver Indigenous Broadcasting Programs (RIBS)	35,000	16,422	(5,208)	11,215
3028 - Manage Creche	855,610	286,539	(73,462)	213,077
3040 - Children and Schooling - Youth	324,000	-	673	673
3070 - Australia Day Grant	3,000	376	(219)	157
3087 - Women's Safe House : Gunbalanya	440,452	306,668	(148,389)	158,279
3112 - Remote Sports Voucher Program	-	6	-	6
3119 - Boundless possible Instagram Campaign	-	400	(400)	-
3120 - Domestic Family & Sexual Violence Program	-	35,652	(269)	35,384
3121 - Mental Health and Suicide and Suicide Prevention awareness	-	44,137	-	44,137
3126 - Territory Day Community Grant	-	631	(631)	-
3127 - Aged Care Transitional Support	-	45,799	-	45,799
3129 - Strong Women for Healthy Country Network Forum	-	1,135	-	1,135
3130 - eHCP Home Care Packages Program	303,900	44,164	(48,697)	-
3131 - TEABBA Staff Funding - Indigenous Broadcasting Prgm (RIBS)	172,145	12,329	(14,856)	-
3133 - Youth Mobile Gym Program - Maningrida	-	760	-	760
3134 - Support Child Care Services - Jabiru	66,666	33,333	(23)	33,310
3135 - E-Tools - Commonwealth Home Support Program (CHSP)	639,234	1,180,945	(24,411)	1,156,534
3139 - Flexible Support Packages and COVID-19 Service Delivery Cost	-	71,615	(4,326)	67,288
3141 - Get Up Stand Up Show Up - NAIDOC Week Activity	-	24,924	(9,928)	14,996
3143 - Culture school Holiday Activities in Maningrida	-	576	-	576
3145 - Celebrating Aboriginal Culture (Australia Day)	-	3,071	-	3,071
3146 - Indigenous Skills and Employment Program	-	50,000	(50,000)	-
3147 - Jabiru Safe and Healthy Youth Project	-	10,377	-	10,377
3150 - Ninja Warrior Obstacle Course	-	14,300	(8,077)	6,223
3151 - NIAA - Local Investments Funding Grant Agreement	-	45,000	-	45,000
3152 - TFHC - Womens Safe House NPA	-	200,202	-	200,202
3153 - Voice 2 Parliament Referendum Expenditure	-	-	(1,994)	-
3154 - Sports and Recreation	-	538,709	(220,151)	318,558
TOTAL COMMUNITY SERVICES	6,019,298	4,484,818	(1,353,008)	3,140,863
Grants Commission-FAA Roads	1,413,043	1,413,043	(353,261)	1,059,782
TOTAL UNTIED GENERAL PURPOSE	1,413,043	1,413,043	(353,261)	1,059,782
Total	8,987,961	10,349,572	(3,779,787)	7,512,091

Statement of Working Capital / Current Ratio (slides 11-12)

Total current assets increased by \$870K from to \$2.248M in August 2023 to \$3.118M in September 2023. This is mainly due to an increase of \$1.156M in Trade and Other Receivables.

Cash and cash equivalents decreased by \$286K and is due to:

- (a) An decrease in cash at bank (including term deposits) of \$35K and;
- (b) An increase in restricted cash of \$251K.

Total current liabilities increased by \$2.074M from \$2.749M in August 2023 to \$4.823M in September 2023, mostly due to the increase of \$1.929M in "Trade and Other Payables" and an increase of \$102K in "Other Liabilities". The movement in current liability items is also shown in the table below. Council's net working capital (total current assets less total current liabilities) decreased from -\$501K in August 2023 to -\$1.705M in September 2023, as the net result of the movements noted above. The current ratio decreased from 0.82 to **0.65**, as at 30 September 2023. This calculation is also shown in the presentation slide 11.

Change in Calculation Methodology:

Effective from June 2023 the following changes have been made to the way the Working Capital Ratio is calculated:

- Include All Unrestricted Grant Funding in Cash and Cash Equivalents (Previously apportioned over the Funding Period)
- Exclude 'Inventories' and 'Prepayments and Other' from Total Current Assets
- Include only 25% of Total Provisions

Changes have been applied for 12 months historically for comparability / consistency.

The purpose of the change is to more accurately represent Council's capacity to meet short term obligations from Cash and Assets readily convertible to Cash.

	AUGUST	SEPTEMBER	Movement	%
CURRENT ASSETS				
Cash and cash equivalents	\$657,219	371,083	-\$286,135	-44%
Trade and Other Receivables	\$1,590,875	2,747,312	\$1,156,437	73%
Inventories (fuel and post office)	-	-	-	0%
Prepayments and Other	-	-	-	0%
TOTAL CURRENT ASSETS	\$2,248,094	\$3,118,396	\$870,302	39%
Less:				
CURRENT LIABILITIES				
Trade and Other Payables	\$1,600,274	3,528,791	\$1,928,518	121%
Provisions	\$521,230	564,840	\$43,610	8%
Other Liabilities	\$627,694	\$729,391	\$101,696	16%
TOTAL CURRENT LIABILITIES	\$2,749,198	\$4,823,022	\$2,073,824	75%
NET CURRENT ASSETS (Working Capital)	-\$501,105	-\$1,704,626	-\$1,203,522	-240%
CURRENT RATIO	0.82	0.65	-0.17	-21%

Asset Additions and Additions to existing assets (slide 13)

Capital expenditure to September YTD is \$2.397M. Assets, once ready for use are financially "commissioned". Council's total value of commissioned assets to August YTD is \$0, whilst the Assets still "in progress" and not as yet completed total \$2.913M.

Rates and Charges (No graphical slide)

Rates receivable is \$102K as at 30 September 2023

Location	Rates as at 30th September				
	Arrears	2022/23 LEVY	Interest	Balance Payable	Current Payment Plans
	\$	\$	\$	\$	\$
ARNHEMLAND	-	4,549	-	4,549	-
GUNBALANYA	-	15,753	-	15,753	-
JABIRU	-	51,215	-	51,215	-
MANINGRIDA	-	31,710	-	31,710	-
MINJILANG	-	-	-	-	-
WARRUWI	-	(1,512)	-	(1,512)	-
	-	101,714	-	101,714	-

Top 10 Payments Recurrent and Top 10 Payments Non-Recurrent (slides 14-15)

Recurrent Payments: includes Operational supplier-related costs, with top five largest being Jardine Lloyd Thompson, Councilbiz, Powerwater, Energy Resources of Australia and Australia Post – Maningrida LPO,

Non Recurrent Payments: generally the largest spending here is for Council’s capital acquisitions. The top five include: City Earthmoving, JMK NT, Best Contracting, NTEX Pty Ltd and Leadsun Australia.

Debtors (slide 16)

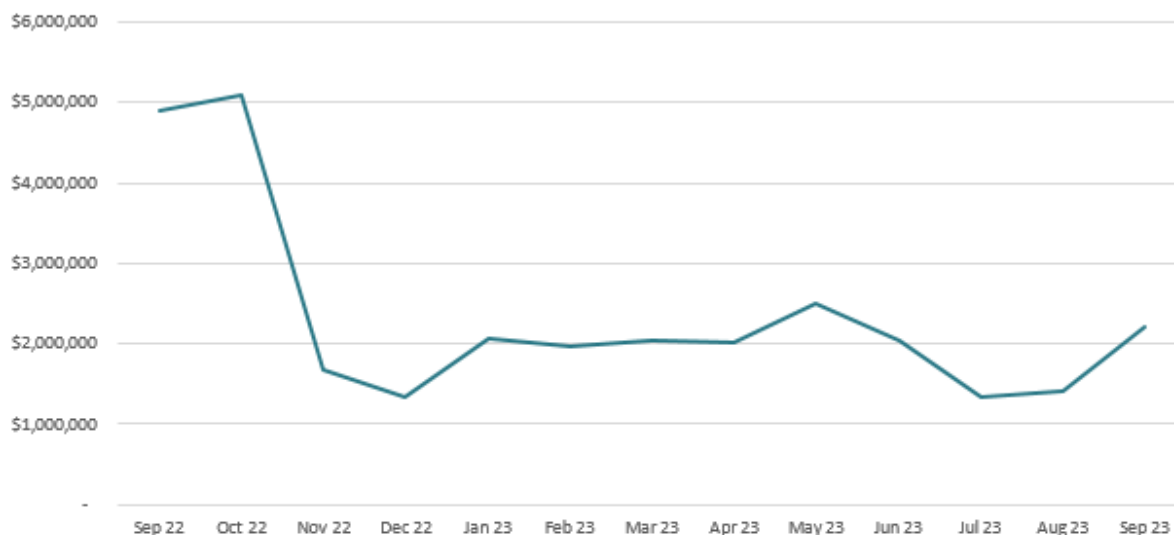
Debtors by Category			Ageing Dissection			
Debtor Category	Outstanding As at EoM	Outstanding % of Total	Current	> 30 days	> 60 days	> 90 days
Rates - General	101,714	5%	-	-	-	101,714
Rates - Water	762,261	34%	357,743	330,376	- 82	74,224
Childcare	67,928	3%	12,852	9,408	9,031	36,637
NDIS	107,173	5%	1,188	1,772	11,915	92,298
Trade Debtors	1,183,091	53%	369,404	357,657	429,650	26,380
TOTAL DEBTORS	2,222,168	100%	741,186	699,212	450,515	331,254

Age Analysis - Summary Report - TOP 5 DEBTORS

Age Analysis - Summary Report - TOP 5 DEBTORS				Ageing Dissection - Top 5			
Debtor No.	Debtor Name	Outstanding As at EoM	Outstanding % of Total	Current	> 30 days	> 60 days	> 90 days
310	Power and Water Corporation	490,729	22%	163,976	326,752	-	-
161	Kakadu National Park Env Australia	403,060	18%	2,660	-	400,400	-
	Energy Resources of Australia	280,489	13%	159,439	115,197	-	5,853
715	Department of Infrastructure, Planning & Logistics	159,224	7%	100,187	25,304	25,304	8,429
Various	NDIS Clients-Service Charges	107,173	5%	1,188	1,772	11,915	92,298
	TOTAL	1,440,675	65%	427,450	469,026	437,620	106,580
	Remaining Debtors	781,492	35%	313,736	230,186	12,895	224,675
	TOTAL DEBTORS AS AT 30th September 2023	2,222,168	100%	741,186	699,212	450,515	331,254

Movement of the total value of debtors for the past year follows:

Monthly Total Debtors



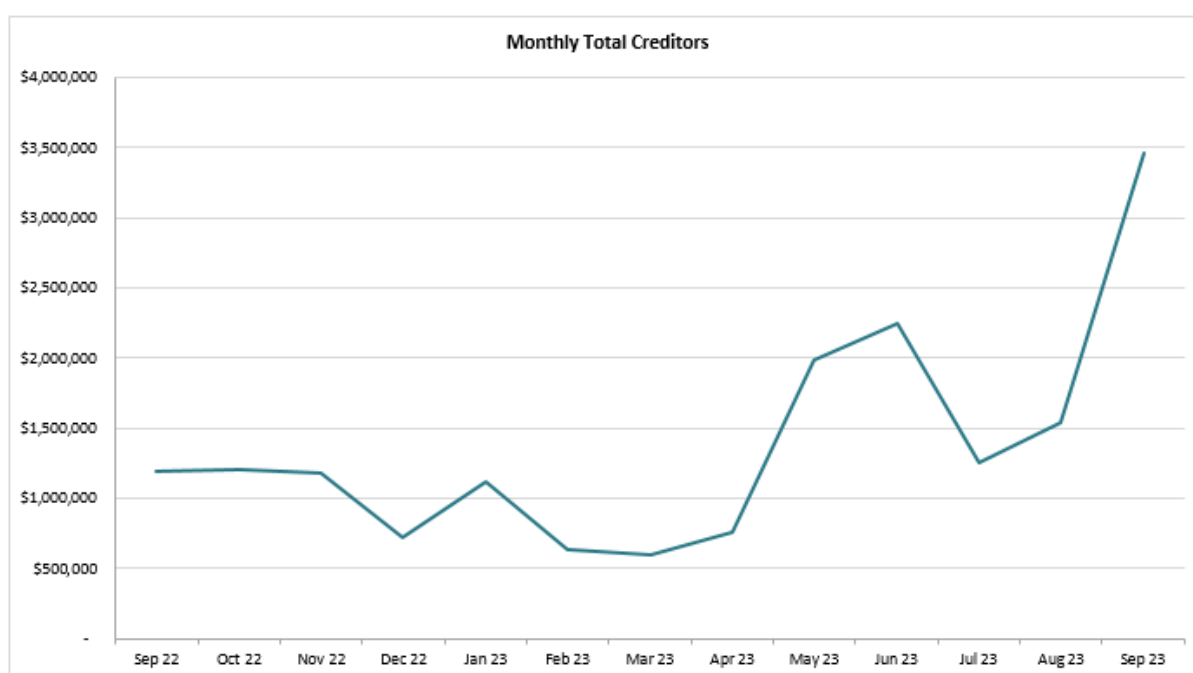
Trade Creditors (slide 17)

Age Analysis - Summary Report - TOP 5 CREDITORS

Creditor No.	Creditor Name	Outstanding As at EoM	Outstanding % of Total	Ageing Dissection - Top 5			
				Current	> 30 days	> 60 days	> 90 days
13898	City Earthmoving	1,963,466	57%	892,053	993,520	-	77,893
12106	ATO - PAYG Only	239,721	7%	239,721	-	-	-
10739	Jardine Lloyd Thompson	131,563	4%	-	131,563	-	-
13874	JMK NT	111,914	3%	95,414	16,500	-	-
13285	Best Contracting	98,860	3%	89,976	8,884	-	-
TOTAL		2,545,525	74%	1,317,164	1,150,467	-	77,893
Remaining Creditors		912,043	26%	694,059	135,563	37,472	44,949
TOTAL CREDITORS AS AT 30th September 2023		3,457,568	100%	2,011,223	1,286,030	37,472	122,842

*Creditors that are >90 Days are currently on a retainer

The movement of the total value of creditors for the past year follows:



LICENSED POST OFFICES – CASH VARIANCES

The Council operates Australia Post Licensed Post Offices (LPOs) at Jabiru, Maningrida and Gunbalanya.

Discrepancies between the actual cash balance at each LPO and the expected cash balance in the period between 1 September 2023 to 30 September 2023 are listed below:

LPO:	Amount:	Comment
Jabiru	\$ -	
Maningrida	\$0.05 positive	
Gunbalanya	\$ -	
Total	\$0.05 positive	

STATUTORY ENVIRONMENT

Regulation 17 of the *Local Government (General) Regulations 2021* outlines the requirements for financial reporting to council.

POLICY IMPLICATIONS

Not Applicable.

FINANCIAL IMPLICATIONS

Not Applicable.

STRATEGIC IMPLICATIONS

The contents of this report are aligned to pillar 6 as outlined in the *Regional Plan and Budget 2023-2024*.

PILLAR 6 FOUNDATIONS OF GOVERNANCE

Integrity is at the heart of everything we do. We are leaders of best practice and excellence in governance, advocacy, consultation and administration.

Our processes, procedures and policies are ethical and transparent.

Goal 6.1	Financial Management Provision of strong financial management and leadership which ensures long term sustainability and growth
-----------------	--

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION:

That Council received and noted report entitled '*Finance Report for the period ended 30 September 2023*'.

ATTACHMENTS

- 1 CEO Certification - September 2023.pdf
- 2 Combined PL and Balance Sheet - September 2023.pdf
- 3 Graphical Finance Presentation - September 2023.pdf
- 4 Monthly Financial Report Form - September 2023.pdf



WEST ARNHEM REGIONAL COUNCIL

ABN 45 065 336 873

MONTHLY FINANCE REPORT for September 2023

CEO CERTIFICATION

To the Councillors

I, Jessie Schaecken, Acting Chief Executive Officer of West Arnhem 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

Jessie Schaecken
Acting Chief Executive Officer

Dated this seventh day of November 2023



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West Arnhem Regional Council
Consolidated Profit and Loss Report by Account Category
 Periodical Report - Ending 30th September

	September		Year To Date		Full Year Budget
	Actual	Budget	Actual	Budget	
OPERATING REVENUE					
Income Rates and Charges					
6111 General Rate Income Base	190,586	201,416	569,060	604,248	2,416,992
6121 Sewerage Charges Income Base	59,165	64,575	176,148	193,726	774,903
6131 Water Charges Income Base	222,723	142,667	481,025	428,000	1,712,000
6141 Domestic Waste Charge Income Base	106,868	111,408	319,473	334,224	1,336,896
6143 Commercial Waste Charge Income	11,990	11,990	35,970	35,970	143,880
6151 Animal Control - Special Rate	12,457	13,263	37,207	39,789	159,155
Sub Total	603,789	545,319	1,618,883	1,635,957	6,543,826
Income Council Fees and Charges					
6211 License and Permit Fee Income	0	50	0	180	720
6213 Animal Registration Fee Income	40	83	373	250	1,000
6221 Council Fees and Charges Income	8,787	6,643	21,736	19,930	79,720
6223 Property Lease and Rental Fee Income	15,068	9,619	46,007	28,858	115,433
6225 Equipment Hire Income	17,847	4,125	19,327	12,975	50,100
6226 Landfill Tipping Fee Income	55,364	25,375	74,609	76,125	304,500
6229 Other User Charge Income	45	63	45	188	750
Sub Total	97,151	45,959	162,097	138,506	552,223
Income Operating Grants					
6311 Operating Grant Income - Australian Government	522,727	185,532	1,760,856	1,645,410	4,171,132
6312 Operating Grant Income - Territory Government	0	598,270	5,145,445	2,836,230	8,816,161
6319 Operating Grant Income - Other	0	14,595	0	43,786	175,145
6391 Brought Forward Operational Grants	(29,221)	0	3,474,431	0	0
6392 Brought Forward Grants Offset	29,221	0	(3,474,431)	0	0
6393 Income Allocation Grants	1,100,860	1,100,860	3,302,579	3,302,579	13,162,438
6394 Income Allocation Grants OFFSET	(1,100,860)	(1,100,860)	(3,302,579)	(3,302,579)	(13,162,438)
Sub Total	522,727	798,397	6,906,301	4,525,426	13,162,438
Income Investments					
6411 Interest Income General Operating	0	0	1,921	0	0
6412 Interest Income from Investments	16,076	5,708	42,837	17,125	68,500
Sub Total	16,076	5,708	44,757	17,125	68,500

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West Arnhem Regional Council
Consolidated Profit and Loss Report by Account Category
 Periodical Report - Ending 30th September


	September		Year To Date		Full Year Budget
	Actual	Budget	Actual	Budget	
Income Allocation					
6513 Internal Staff Cost Allocation - Income	0	13,334	3,187	40,566	129,459
6514 Internal Staff Housing Cost Allocation - Income	165,760	138,192	498,240	414,576	1,644,864
6516 Workers Comp Cost Allocation - Income	29,205	20,576	101,436	61,729	246,916
6520 Internal Insurance Premium Allocation - Income	0	0	0	5,000	5,000
6524 Internal Vehicle and Plant Cost Allocation - Income	75,600	76,300	229,200	228,900	915,600
6525 Internal Plant & Equip Hire Allocation - Income	0	0	0	0	0
6531 Internal Information Technology Cost Allocation - Inco	62,266	62,266	186,297	186,797	747,188
6535 Internal Printing Cost Allocation - Income	1,985	1,930	5,475	5,790	23,160
6536 Internal Accommodation Cost Allocation - Income	0	6,074	15,023	18,222	72,890
6537 Internal Fuel Cost Allocation - Income	5,915	8,077	19,970	24,230	96,922
6538 Internal Food Purchase Allocation - Income	2,304	1,750	5,696	5,250	21,000
6553 Internal Work Cost Allocation - Income	28,224	57,066	73,108	171,197	684,787
6561 Contract Admin Fee Cost Allocation - Income	184,770	107,228	418,829	321,683	1,286,730
Sub Total	556,028	492,792	1,556,462	1,483,940	5,874,515
Other Income					
6611 Reimbursement Income from Australian Govt	0	0	5,000	0	0
6615 Reimbursement Income from Other	750	13,333	750	40,000	160,000
6616 Reimbursement Income from Insurance Claims	0	0	187,455	0	0
6617 Reimbursement Income from Workers Compensation	308	0	308	0	0
6618 Reimbursement Income from Employees	0	0	1,003	0	0
6619 Reimbursement Income from Centrelink	7,062	0	7,062	0	0
6631 Cash from Fundraising	0	0	0	0	1,000
6632 Cash Donation and Gift Income	(2,500)	0	6,955	0	0
6640 Fuel Tax Credit	1,855	3,833	7,572	11,500	46,000
6641 Other Income	24,778	985	25,190	2,955	11,821
Sub Total	32,252	18,152	241,293	54,455	218,821
Income Agency Services					
6729 Other Agency Income	20,368	30,708	41,448	92,125	368,500
6730 Sales Commissions Received	1,478	1,500	5,378	4,500	18,000
Sub Total	21,846	32,208	46,826	96,625	386,500
Income Commercial Services					
Sub Total	527,132	528,177	1,777,206	1,624,960	6,313,253

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West Arnhem Regional Council
Consolidated Profit and Loss Report by Account Category
 Periodical Report - Ending 30th September

	Actual	September Budget	\$ Variance	Actual	Year To Date Budget	\$ Variance	Full Year Budget
OPERATING EXPENDITURE							
Employee Expenses							
Sub Total	1,565,777	1,535,902	(29,875)	4,900,065	4,607,706	(292,359)	18,362,799
Contract and Material Expenses							
Sub Total	150,355	426,797	276,442	1,544,818	1,932,915	388,097	5,755,906
Finance Expenses							
Sub Total	1,364	969	(395)	3,800	2,906	(893)	11,625
Travel, Freight and Accom Expenses							
Sub Total	79,360	74,831	(4,529)	241,828	240,807	(1,021)	959,780
Fuel, Utilities & Communication							
Sub Total	166,576	196,654	30,078	510,071	590,051	79,980	2,360,190
Corporate Expenses							
Sub Total	425,724	443,823	18,100	1,071,386	1,339,448	268,062	5,334,777
System and Network Expenses							
Sub Total	35,694	30,000	(5,694)	191,632	90,000	(101,632)	360,000
Total Operating Expenditure	2,424,849	2,708,976	284,127	8,463,599	8,803,833	340,235	33,145,077
Net Surplus / (Deficit) - Rev Exp Only:	1,002,497	(242,264)	1,244,761	5,764,262	1,013,160	4,751,102	215,000
Other Revenue & Expenditure							
Total Other Revenue & Expenditure	0	0	0	0	0	0	0
ALLOCATIONS							
Total Allocations	0	0	0	0	0	0	0
Net Surplus / (Deficit) - incl. Allocations:	1,002,497	(242,264)	1,244,761	5,764,262	1,013,160	4,751,102	215,000

West Arnhem Regional Council		WEST ARNHEM
Balance Sheet Report		
As at Period Ending - 30th September		REGIONAL COUNCIL
ASSETS	TOTALS	NOTE REFERENCE
Cash at Bank		(1)
Tied Funds	7,587,484	
Untied Funds	371,083	
Cash Sub Total	7,958,567	
Accounts Receivable		
Trade Debtors	1,283,641	(2)
Rates & Charges Debtors	688,686	
Grants Receivable	591,453	
ATO Receivables	224,095	(4)
Receivables Sub Total	2,787,875	
Other Current Assets	(40,563)	
Inventory	194,932	
Prepayments	873,927	
TOTAL CURRENT ASSETS	11,774,738	
Non-Current Financial Assets		
Property, Plant and Equipment	-	
Acquisition of Assets	94,074,582	
Capital Expenditure	2,977,342	
TOTAL NON-CURRENT ASSETS	97,051,925	
TOTAL ASSETS	108,826,663	
LIABILITIES		
Accounts Payable	3,457,568	(3)
ATO & Payroll Liabilities	71,224	(4)
Current Provisions	2,055,762	
Income Received in Advance	(1,164,102)	
Accruals	447,547	
Other Current Liabilities	281,844	
TOTAL CURRENT LIABILITIES	5,149,842	
Non-Current Provisions	303,061	
Other Non-Current Liabilities	6,821,877	
TOTAL NON-CURRENT LIABILITIES	7,124,937	
TOTAL LIABILITIES	12,274,780	
NET ASSETS	96,551,882	
EQUITY		
Asset Revaluation Reserve	48,616,454	
Reserves	75,393	
Accumulated Surplus	47,922,566	
Equity Adjustments	(62,530)	
TOTAL EQUITY	96,551,883	

Note 1. Details of Cash and Investments Held

Cash at Bank Operational General 035-302 133298	235,489	
Cash at Bank Community LPO Account 035-308 186614	100,413	
Cash at Bank Trust 2 DAWE RENT 6620	-	
Cash at Bank Trust 1 a/c 035308 146612	679,230	
Cash at Bank TCU #70000	1,275	
Cash on Hand General	2,200	
Term Deposits	2,655,000	Further Breakdown of Investments held on page 11 of report
Traditional Credit Union - Shares	4	
Westpac Max-i Direct A/C No: 190 970	4,284,956	
Total	7,958,567	

Note 2. Statement of Trade Debtors

Example:

(Council can select timing of the age of trade debtors)	Current	Past Due 1 – 30 Days	Past Due 31 – 60 Days	Past Due 61-90 Days	Past Due 90+ Days	Total *
Trade Debtors		\$ 363,968	\$ 359,429	\$ 441,566	\$ 118,678	\$ 1,283,641

Note 3. Statement on Trade Creditors

Example:

(Council can select timing of the age of creditors)	Current	Past Due 1 – 30 Days	Past Due 31 – 60 Days	Past Due 61-90 Days	Past Due 90+ Days	Total
Trade Creditors		\$ 2,011,223	\$ 1,286,030	\$ 37,472	\$ 122,842	\$ 3,457,568
Other Creditors						\$ -
Total Accounts Payable	\$ -	\$ 2,011,223	\$ 1,286,030	\$ 37,472	\$ 122,842	\$ 3,457,568

Note 4. Statement on Australian Tax Office (ATO) and Payroll Obligations**Reporting and payment obligations with the Australian Taxation Office**

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

Goods and Services Tax – Amounts are reported and remitted monthly;

PAYG Income Tax Withheld – Amounts are reported and remitted fortnightly as part of Single Touch Payroll (STP) arrangements; and

Fringe Benefits Tax – Instalment amounts are paid quarterly with an FBT return for the 12 month period ended 31 March required to be lodged each year.

As at the date of this report, all reporting and payment obligations had been met up to 30 September 2023.

Superannuation

Employees are paid 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 Statewide Super.

Commencing 1 July 2022 the minimum Superannuation Guarantee Charge increased from 10.0 to 10.5 per cent. Most full-time employees of the Council receive a 12.5 per cent overall superannuation contribution as part of their agreed remuneration package.

Superannuation payments are due to be remitted on the 28th of the month following the previous quarter. However, the Council elects to remit superannuation accrued on a monthly basis in line with its Single Touch Payroll process. All superannuation contributions that had accrued up to 30 July 2023 have been remitted to employees' respective superannuation funds as at the date of this report.

The Corporate Services (financial) division of the Council is not presently aware of any late and outstanding superannuation obligations due to current or former employees.

Insurance

Details of the Council's current insurance arrangements for the 2022-23 financial year are as follows. Period of cover is for the financial year 1 July 2023 to 30 June 2024.

	FY2022-23		Date paid
	Annual Premium Amount \$ excl GST	Quarterly Premium cum. Total \$	
Corporate Travel	\$ 8,325		29/07/2022
Councillors & Officers Liability w Employment Practices Liability	\$ 15,632		12/08/2022
Industrial Special Risks - Property	\$ 699,926		9/09/2022
Motor Vehicle	\$ 96,990		26/08/2022
Personal Accident	\$ 502		29/07/2022
Public Liability Business Pack - (Australia Post-Maningrida, Gunbalanya and Jabiru Licensed Post Offices)	\$ 1,252		29/07/2022
Public Liability / Professional Indemnity	\$ 83,096		9/09/2022
Workers' Compensation Return to WorkSA ends 30.6.23	\$ 1,119		30/09/2022
Workers' Compensation [paid in 4 instalments] - 1st instalment:		\$ 118,034	26/08/2022
Workers' Compensation [paid in 4 instalments] - 2nd instalment:		\$ 118,034	9/09/2022
Workers' Compensation [paid in 4 instalments] - 3rd instalment:		\$ 118,034	16/12/2022
Workers' Compensation [paid in 4 instalments] - 4th instalment:		\$ 118,034	27/03/2023
Public Sector Service Fee [paid in 4 instalments] - 1st Instalment		\$ 11,824	12/08/2022
Public Sector Service Fee [paid in 4 instalments] - 2nd Instalment		\$ 11,824	9/09/2022
Public Sector Service Fee [paid in 4 instalments] - 3rd Instalment		\$ 11,824	5/01/2023
Public Sector Service Fee [paid in 4 instalments] - 4th Instalment		\$ 11,824	14/03/2023
	\$ 906,842	\$ 519,432	

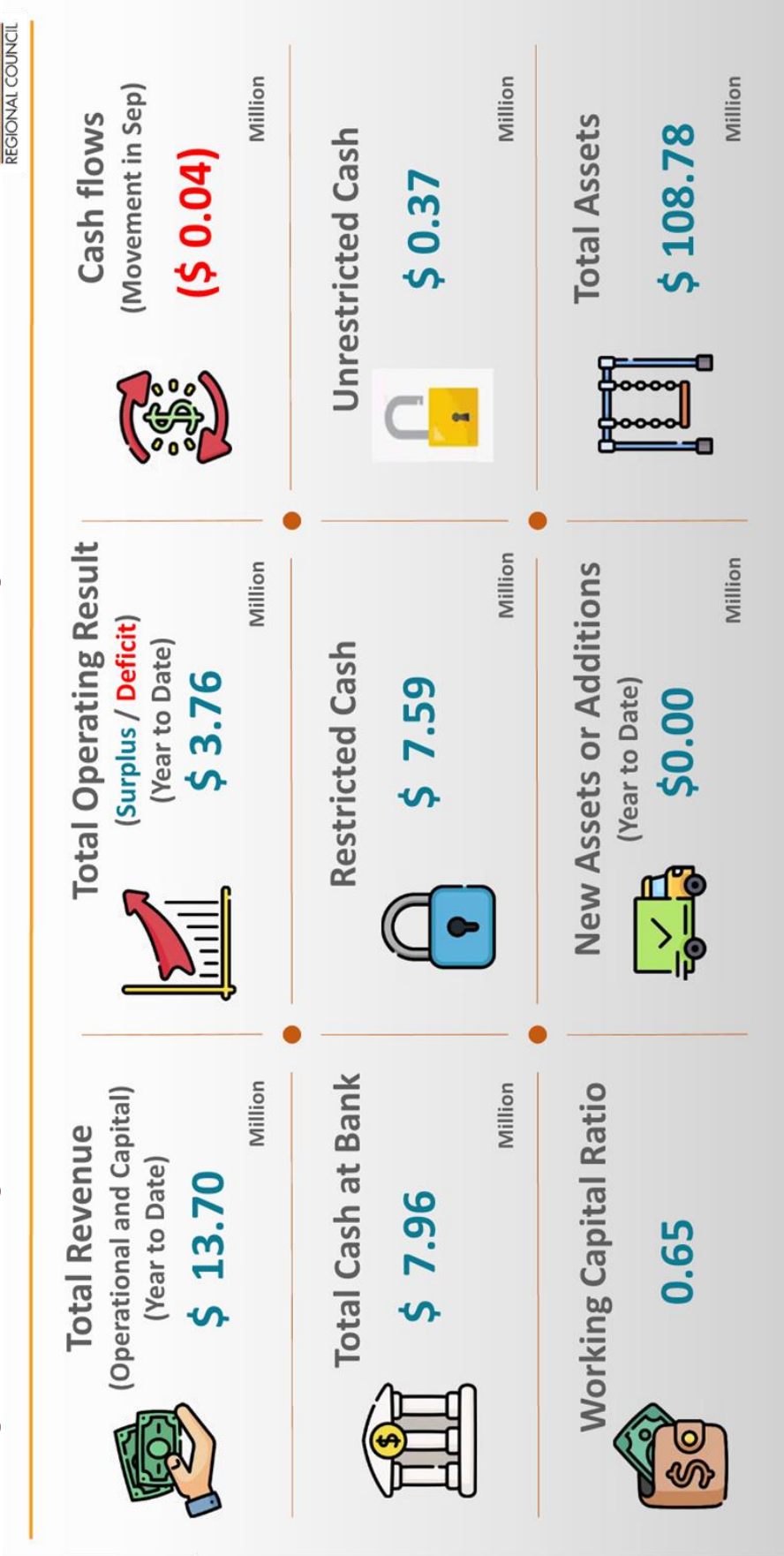
Due to the commercial-in-confidence nature of the Council's insurance policies, the specifics of the Council's insurance policies can be made available for review upon request.



**Financial Management Report for the
period ended 30th September 2023**



Snapshot – September 2023 Financial Report





Actual v Budget – Operational – September YTD 2023



Actuals v Budget

as at 30 Sep 2023

Description	TOTAL COUNCIL			
	Actuals YTD	Budget YTD	Variance	%
Operational Revenue				
Income Rates and Charges	606,267	644,037	(37,770)	(6%)
Charges - Sewerage	176,148	193,726	(17,578)	(9%)
Charges - Water	481,025	428,000	53,025	12%
Charges - Waste	355,443	370,194	(14,751)	(4%)
Income Council Fees and Charges	162,097	138,506	23,592	17%
Income Operating Grants	6,777,011	3,302,579	3,474,431	100%+
Income Investments	44,757	17,125	27,632	100%+
Income Allocation	1,556,462	1,483,940	72,522	5%
Other Income	241,293	54,455	186,838	100%+
Income Agency and Commercial Services	1,824,032	1,721,585	102,447	6%
Total Operational Revenue	12,224,535	8,354,146	3,870,389	46%
Operational Expenditure				
Employee Expenses	4,900,065	4,607,706	292,359	6%
Contract and Material Expenses	1,874,020	2,109,861	(235,841)	(11%)
Finance Expenses	3,800	2,906	893	31%
Travel, Freight and Accom Expenses	237,071	240,244	(3,174)	(1%)
Fuel, Utilities & Communication	510,071	590,051	(79,980)	(14%)
Other Expenses	843,202	1,151,127	(307,925)	(27%)
Elected Member Allowances	86,600	87,000	(400)	(0%)
Elected Member Expenses	5,116	13,550	(8,434)	(62%)
Council Committee & LA Allowances	3,550	1,325	2,225	(100%)+
Council Committee & LA Expenses	105	62	43	68%
Total Operational Expenditure	8,463,599	8,803,833	(340,235)	(4%)
Total Operational Surplus / (Deficit)	3,760,936	(449,687)	4,210,623	100%+



Actual v Budget – Operating Position – September YTD 2023

Annual Budget Operating Position as at 30 Sep 2023

Description	Actuals YTD	Budget YTD	Variance	%	Annual Budget Progress
Operating Surplus / (Deficit)	3,760,936	(449,687)	4,210,623	100% +	! (25,000) 0%
Remove NON-CASH ITEMS					
Less Non-Cash Income	(1,556,462)	(1,483,940)	(72,522)	(5%)	! (5,874,515) 26%
Add Back Non-Cash Expenses	1,557,304	1,488,857	68,447	5%	! 5,874,515 27%
Total Non-Cash Items	842	4,917	(4,075)	(83%)	! - 100%
Less ADDITIONAL OUTFLOWS					
Capital Expenditure	(2,397,265)	(96,250)	(2,301,015)	(100%)+	! 215,000 100%+
Borrowing Repayments (Principal Only)	-	-	-	-	! - 0%
Transfer to Reserves	-	-	-	-	! - 0%
Other Outflows	-	-	-	-	! - 0%
Total Additional Outflows	2,397,265	96,250	2,301,015	(100%)+	! 215,000 100%+
Add ADDITIONAL INFLOWS					
Capital Grants Income	-	-	-	-	! - 0%
Prior Year Carry Forward Tied Funding	1,366,255	-	1,366,255	(100%)	! - 100%
Other Inflow of Funds	-	240,000	(240,000)	100%	! 240,000 0%
Transfers from Reserves	113,802	-	113,802	(100%)	! - 100%
Total Additional Inflows	1,480,057	240,000	1,240,057	100%+	! 240,000 100%+
Net Budgeted Operating Position	2,844,571	(301,020)	3,145,591	100%+	! - 100%

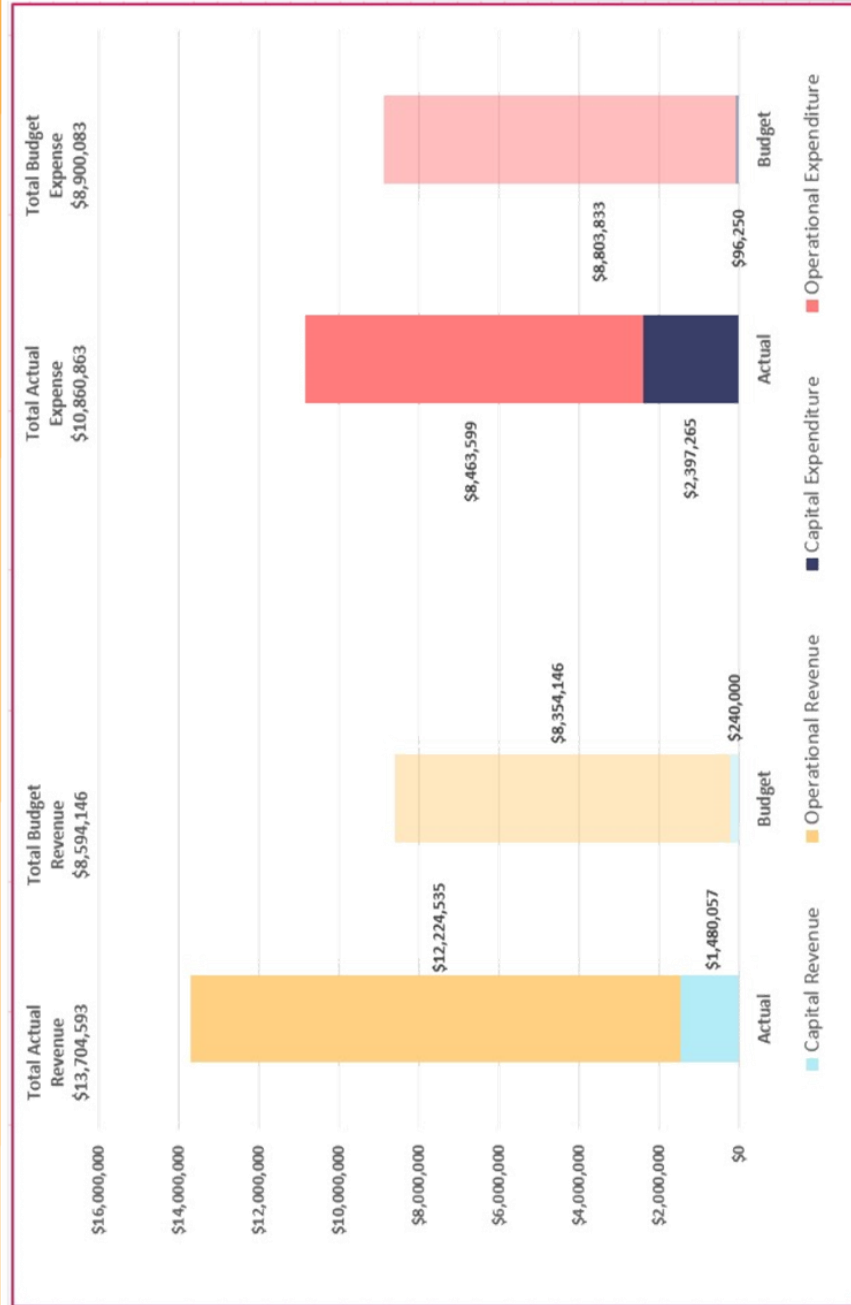
Legend:

- ! Unfavourable variance over \$75,000
- ! Unfavourable variance under \$75,000
- ! Favourable variance
- ! Variance over \$300,000





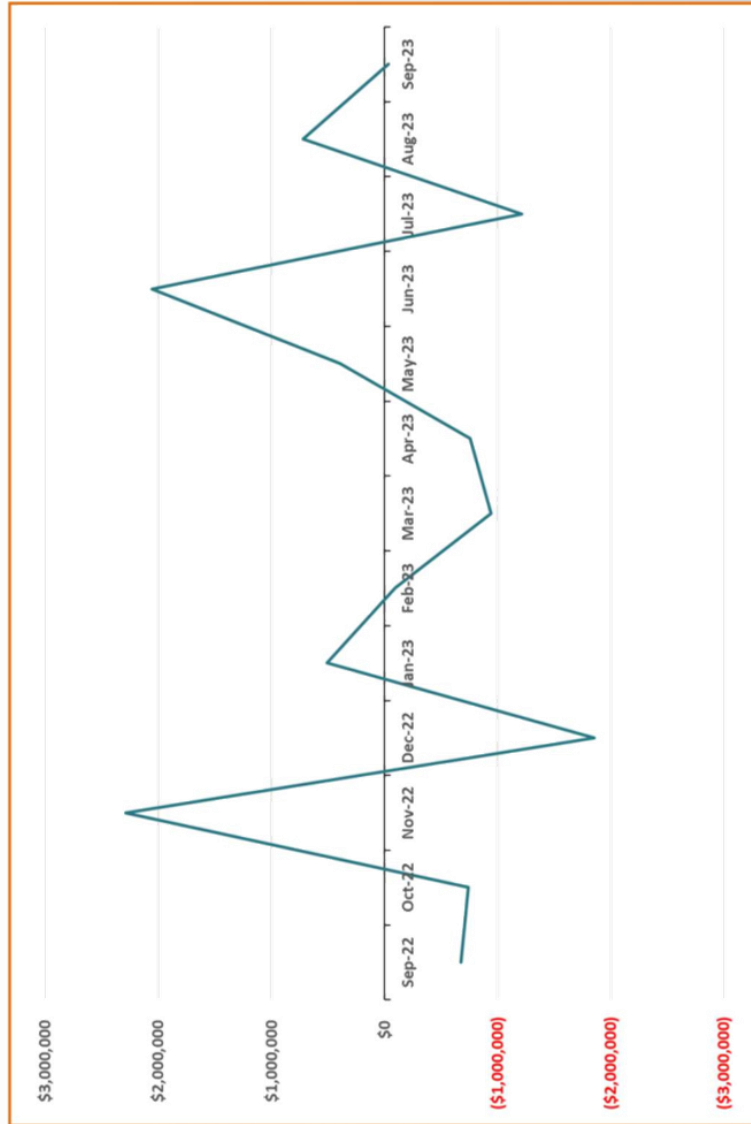
Actual v Budget – Total Council – September YTD 2023





Cash flow – Cash in vs Cash out

Month	Cash in / (out)
Sep-22	\$ (677,000)
Oct-22	\$ (741,983)
Nov-22	\$ 2,291,100
Dec-22	\$ (1,853,442)
Jan-23	\$ 508,651
Feb-23	\$ (91,977)
Mar-23	\$ (937,932)
Apr-23	\$ (755,025)
May-23	\$ 392,462
Jun-23	\$ 2,057,668
Jul-23	\$ (1,213,855)
Aug-23	\$ 722,941
Sep-23	\$ (35,056)
Year to Date	\$ 343,552





Term Deposits & CMA over the past year

Month	Total Deposits
Sep-22	\$6,705,139
Oct-22	\$6,205,139
Nov-22	\$7,255,139
Dec-22	\$6,755,139
Jan-23	\$6,855,139
Feb-23	\$6,855,139
Mar-23	\$6,305,139
Apr-23	\$5,655,139
May-23	\$4,655,139
Jun-23	\$3,255,139
Jul-23	\$6,768,208
Aug-23	\$7,573,661
Sep-23	\$7,958,567





Restricted Assets – September 2023

Restricted Assets:

- Internal Restrictions: Capital Reserve \$75,393
- External Restrictions: Restricted Grant Funding as at 30th September 2023 \$6,649,079

TOTAL	\$6,724,472
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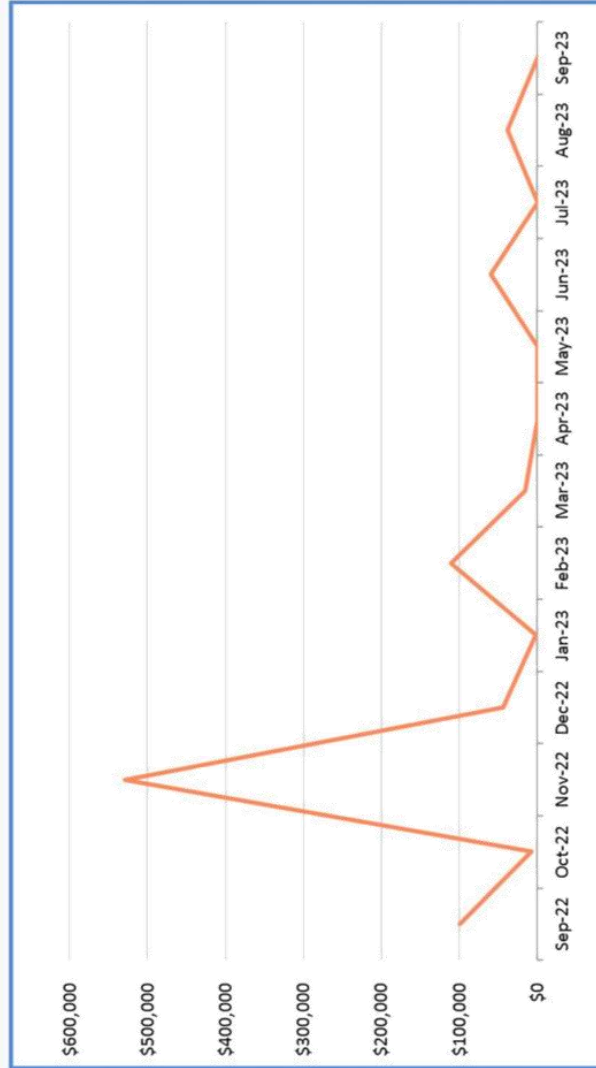
- Includes Cash that belongs to Funding Bodies, Grant income that is tied, and cash reserved for special projects of the Council
- These amounts are excluded from Cash & Cash equivalents for the Working Capital calculation.





Internal Restrictions: Capital Reserve Expenditure for the past year

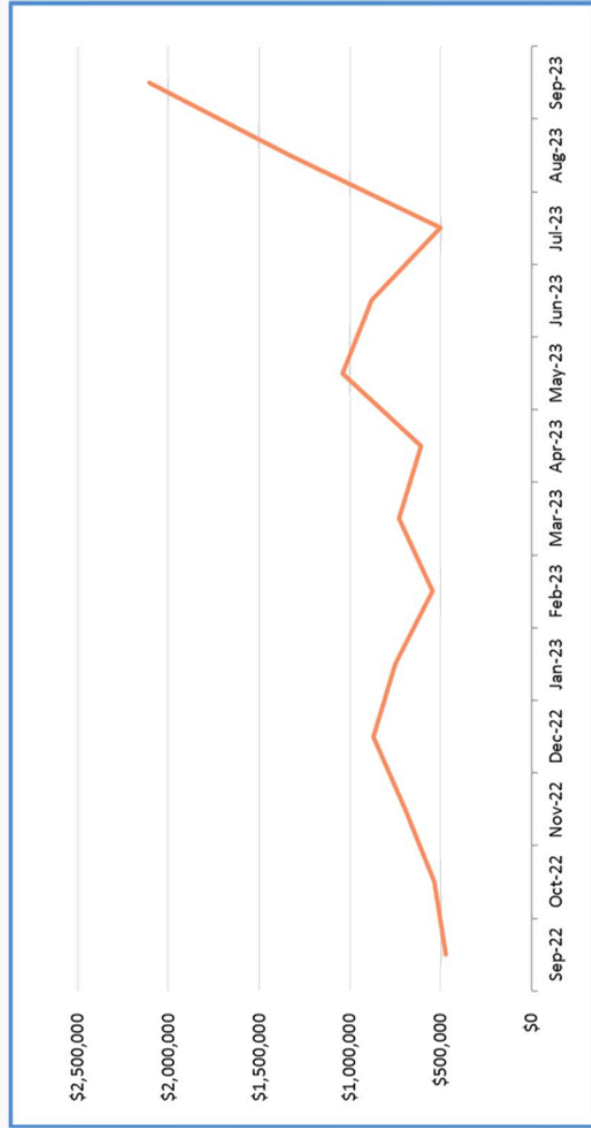
Capital Reserve Monthly Expenditure 2022/2023											
Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Sep-23
\$99,726	\$7,335	\$529,910	\$44,318	\$2,200	\$110,967	\$15,955	Nil	Nil	\$60,036	Nil	\$38,409
											\$0





External Restrictions: Expenditure for the past year

External Restrictions Monthly Expenditure 2022/2023											
Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Sep-23
\$471,053	\$533,261	\$693,910	\$871,632	\$747,934	\$544,398	\$727,895	\$610,353	\$1,039,160	\$883,093	\$500,907	\$2,108,199





Working Capital / Current Ratio

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

WEST ARNHEM REGIONAL COUNCIL for the period ended 30 September 2023		30 September 2023
		\$
CURRENT ASSETS		
Cash and cash equivalents *		371,083
Trade and Other Receivables		2,747,312
Inventories		-
Prepayments and Other		-
TOTAL CURRENT ASSETS		3,118,396
Less:		
CURRENT LIABILITIES		
Trade and Other Payables		3,528,791
Provisions		564,840
Borrowings		-
Other Liabilities		729,391
TOTAL CURRENT LIABILITIES		4,823,022
NET CURRENT ASSETS (Working Capital)		(1,704,626)
	CURRENT RATIO	0.65

$$\text{Current Ratio Formula} = \frac{\text{Current Assets}}{\text{Current Liabilities}}$$

What makes an asset current is that it can be converted into cash within a year. What makes a liability current is that it is due within a year.



- Note: does not include restricted cash of \$7.587 million as at 30 September 2023



Current Ratio: Change in Calculation Methodology

Effective from June 2023 the following changes have been made to the way the Working Capital Ratio is calculated:

- Include All Unrestricted Grant Funding in Cash and Cash Equivalents (Previously apportioned over the Funding Period)
- Exclude 'Inventories' and 'Prepayments and Other' from Total Current Assets
- Include only 25% of Total Provisions

The purpose of the change is to more accurately represent Council's capacity to meet short term obligations from Cash and Assets readily convertible to Cash.

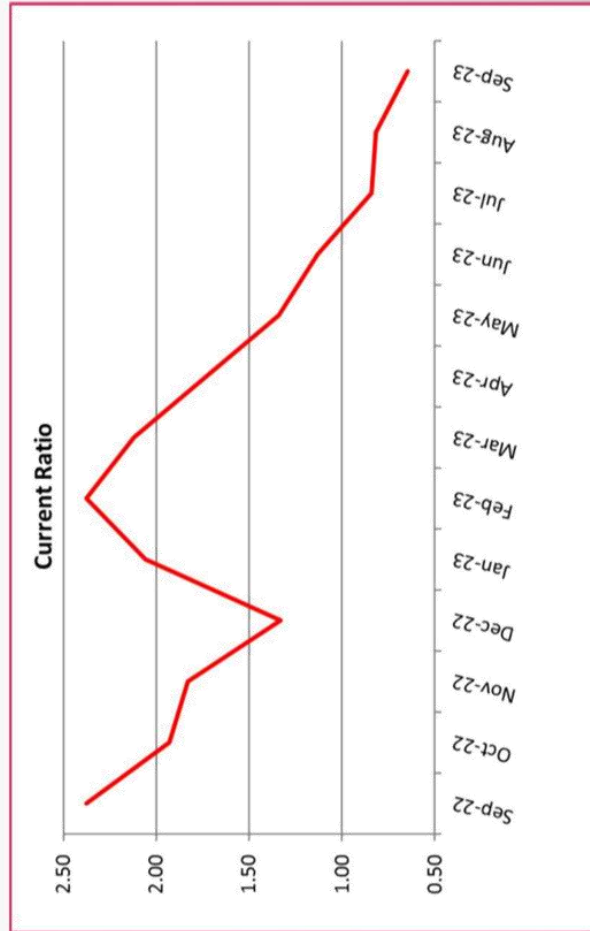
Changes have been applied for 12 months historically for comparability / consistency. Below is a table demonstrating the changes in Current Ratio made historically.

	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
Updated Figures	2.38	1.93	1.83	1.33	2.06	2.38	2.12	1.73	1.34	1.13	0.84	0.82	0.65
Original Figures	0.84	0.75	0.78	0.70	0.72	0.84	0.87	0.90	0.97				



Current Ratio for the past Year

Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
2.38	1.93	1.83	1.33	2.06	2.38	2.12	1.73	1.34	1.13	0.84	0.82	0.65



Commissioned Assets – September 2023



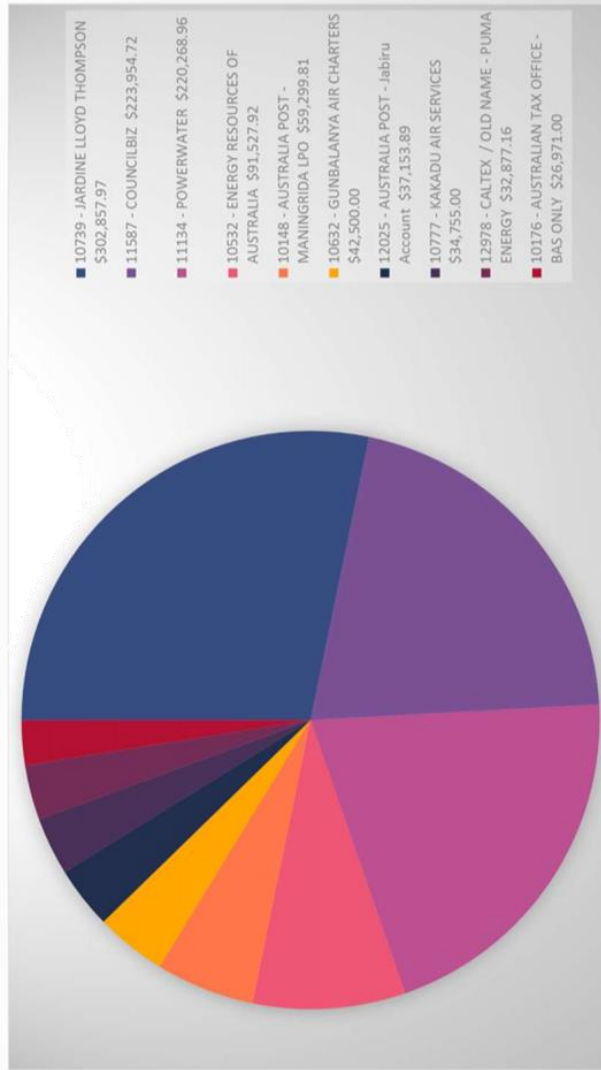
No new assets were commissioned in September 2023





Top 10 Payments Year To Date – Recurrent

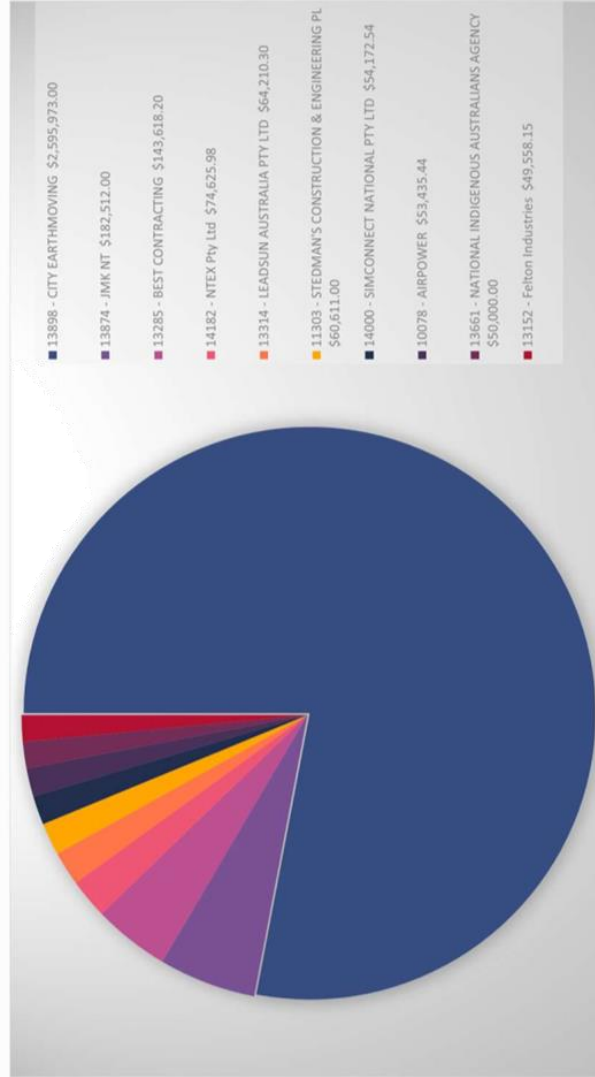
	\$	%
Total Top 10 Recurrent Payments	\$ 1,072,166	19%
Total Top 10 Non-Recurrent Payments	\$ 3,328,717	58%
Total Payments to All Other Suppliers	\$ 1,348,170	23%
Total Payments YTD	\$ 5,749,053	100%





Top 10 Payments Year To Date – Non Recurrent

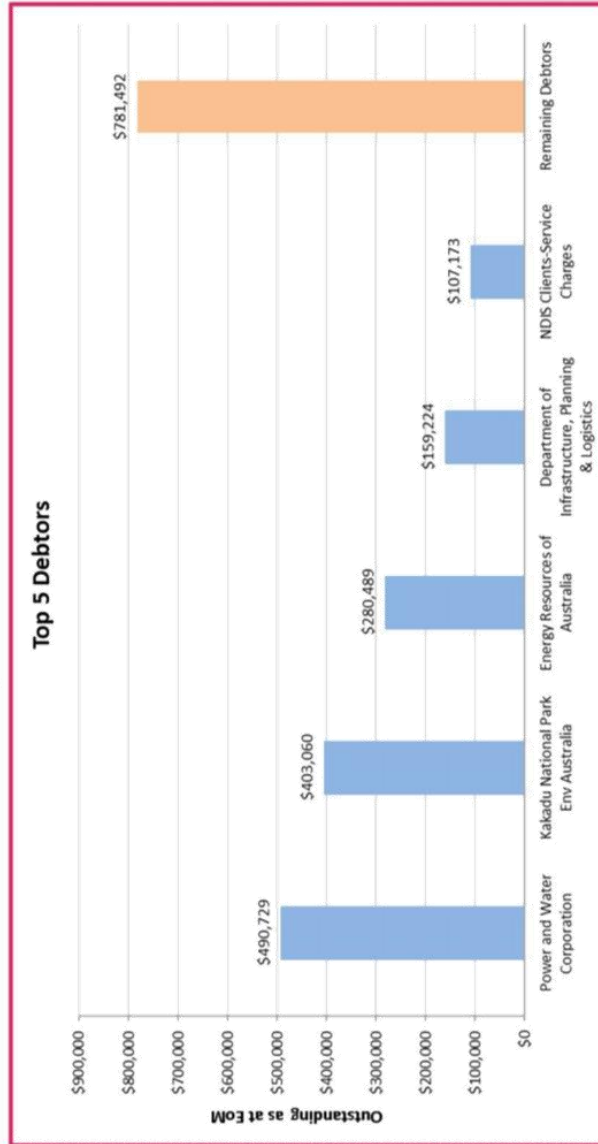
	\$	%
Total Top 10 Recurrent Payments	\$ 1,072,166	19%
Total Top 10 Non-Recurrent Payments	\$ 3,328,717	58%
Total Payments to All Other Suppliers	\$ 1,348,170	23%
Total Payments YTD	\$ 5,749,053	100%





Debtors – as at 30th September 2023

“Money owed to Council”

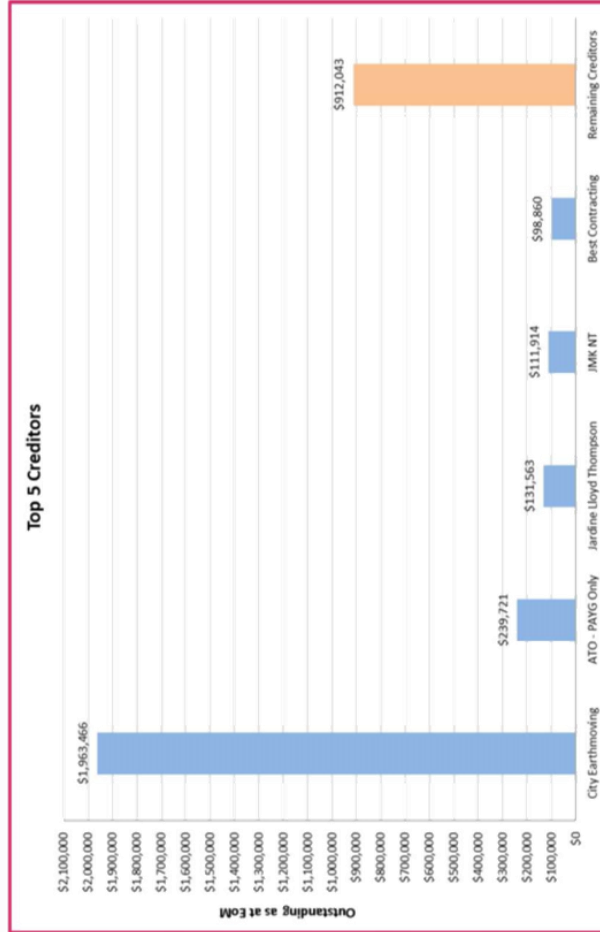


DEBTORS													
	Sep 22	Oct 22	Nov 22	Dec 22	Jan 23	Feb 23	Mar 23	Apr 23	May 23	Jun 23	Jul 23	Aug 23	Sep 23
	\$ 4,911,381	\$ 5,093,306	\$ 1,679,456	\$ 1,346,023	\$ 2,064,976	\$ 1,965,022	\$ 2,038,419	\$ 2,019,803	\$ 2,489,874	\$ 2,048,769	\$ 1,326,946	\$ 1,401,401	\$ 2,222,168



Creditors – as at 30th September 2023

“Money Council owes to its suppliers”



CREDITORS

	Sep 22	Oct 22	Nov 22	Dec 22	Jan 23	Feb 23	Mar 23	Apr 23	May 23	Jun 23	Jul 23	Aug 23	Sep 23
Outstanding as at EoM	\$1,194,270	\$1,203,413	\$1,181,327	\$724,508	\$1,120,671	\$635,480	\$602,269	\$758,067	\$1,986,246	\$2,244,581	\$1,254,692	\$1,538,246	\$3,457,568



Annual Budget Operating Position

as at 30 Sep 2023

Description	Actuals YTD	Budget YTD	Variance	%	Annual Budget Progress
Operating Surplus / (Deficit)	3,760,936	(449,687)	4,210,623	100%+	! (25,000) 0%
Remove NON-CASH ITEMS					
Less Non-Cash Income	(1,556,462)	(1,483,940)	(72,522)	(5%)	! (5,874,515) 26%
Add Back Non-Cash Expenses	1,557,304	1,488,857	68,447	5%	5,874,515 27%
Total Non-Cash Items	842	4,917	(4,075)	(83%)	! - 100%
Less ADDITIONAL OUTFLOWS					
Capital Expenditure	(2,397,265)	(96,250)	(2,301,015)	(100%)+	! 215,000 100%+
Borrowing Repayments (Principal Only)	-	-	-	-	- 0%
Transfer to Reserves	-	-	-	-	- 0%
Other Outflows	-	-	-	-	- 0%
Total Additional Outflows	2,397,265	96,250	2,301,015	(100%)+	! 215,000 100%+
Add ADDITIONAL INFLOWS					
Capital Grants Income	-	-	-	-	- 0%
Prior Year Carry Forward Tied Funding	1,366,255	-	1,366,255	(100%)	! - 100%
Other Inflow of Funds	-	240,000	(240,000)	100%	! 240,000 0%
Transfers from Reserves	113,802	-	113,802	(100%)	! - 100%
Total Additional Inflows	1,480,057	240,000	1,240,057	100%+	! 240,000 100%+
Net Budgeted Operating Position	2,844,571	(301,020)	3,145,591	100%+	! - 100%



Capital Expenditure
as at 30 Sep 2023

Description	TOTAL COUNCIL			
	Actuals YTD	Budget YTD	Variance	%
Capital Expenditure				
Plant & Equipment	(46,197)	(6,250)	(39,947)	(100%)+
Infrastructure	(235,244)	-	(235,244)	(100%)
Roads	(2,005,766)	-	(2,005,766)	(100%)
Buildings	(82,599)	(90,000)	7,401	8%
Furniture, Fittings and Office Equipment	(27,458)	-	(27,458)	(100%)
Vehicles	-	-	-	-
Total Capital Expenditure *	(2,397,265)	(96,250)	(2,301,015)	(100%)+
Total Capital Expenditure Funded By				
Operating Income (amount allocated to fund capital items)	232,314	-	232,314	100%
Capital Grants	1,366,255	-	1,366,255	100%
Transfers from Cash Reserves	113,802	-	113,802	100%
Total Capital Expenditure Funding	1,712,371	-	1,712,371	(100%)

Budget by Planned Major Capital Works
as at 30 Sep 2023



Class of Assets	TOTAL COUNCIL				Expected Project Completion Date
	Total Prior Year(s) Actuals	YTD Actuals	Total Actuals	Total Planned Budget	
Furniture, Fittings and Office Equipment	-	42,017	42,017	170,000	28/02/2024
Infrastructure	164,288	4,966	169,254	398,909	30/06/2024
Infrastructure	-	4,507	4,507	415,000	30/06/2024
Infrastructure	-	540	540	1,560,000	31/08/2024
Roads	778,362	220,368	998,730	1,000,000	
Roads	9,952	705,930	715,882	1,080,536	31/12/2023
Roads	-	540,268	540,268	540,268	30/06/2024
Roads	-	539,200	539,200	-	-
Roads	-	-	-	311,000	30/06/2024
Total	952,602	272,398	1,215,048	3,543,909	



Member and CEO Council Credit Card Transactions for September

Transaction Date	Amount	Suppliers Name	Reason for Transaction
Cardholder Name: Manager - People and Capability - Peter Ryan			
05-Sep-23	\$ 242.00	Property Me	Subscription - Basic (04/08/2023 - 04/09/2023)
14-Sep-23	\$ 174.50	ServiceM8	ServiceM8 Premium Plan for community ESOs
Total	\$ 416.50		
Cardholder Name: Acting COO - Fiona Ainsworth			
02-Sep-23	\$ 47.19	Kidsoft	Direct Debit Facility Fee - Jabiru Childcare Centre
02-Sep-23	\$ 199.00	Kidsoft	Monthly License Fee - Jabiru Childcare Centre
11-Sep-23	\$ 1,140.16	Desert Palms	Accommodation - 13-15.09.2023 Cr Blyth & Cr Dann - NT Aboriginal Leadership & Governance Forum
12-Sep-23	\$ 199.00	Kidsoft	Monthly License Fee - Minjilang Crèche
12-Sep-23	\$ 199.00	Kidsoft	Monthly License Fee - Waruwi Crèche
13-Sep-23	\$ 396.00	AHRI Ltd	Professional Membership AHRI - Luisa Arango
13-Sep-23	\$ 650.00	Charles Darwin University	Course Fee - Fiona Ainsworth - Contract Law Masterclass for Managers
13-Sep-23	\$ 119.81	Hoist Hydraulics	Replacement Parts - Rego CB88BP - Iszup Tipper Truck Jabiru
19-Sep-23	\$ 21.50	Woolworths	Batteries 2032 4pk - Fiona Ainsworth & Clem Beard's WARC iPad keyboards.
21-Sep-23	\$ 51.00	InfoTrack	User Fee - Marmie Mitchell - Child Care Provider Entry Portal (CCPEP)
22-Sep-23	\$ 386.20	Aimorth	RPT Flights - Cr Phillips - 24.09.23 Maningrida-Darwin for NTAIC Forum
25-Sep-23	\$ 1,386.35	Airbnb	Accommodation - 04-06.10.2023 Wagait Beach - RAPWG Retreat
02-Sep-23	\$ 43.70	Kidsoft	Direct Debit Facility Fee - Jabiru Childcare Centre
02-Sep-23	\$ 199.00	Kidsoft	Monthly License Fee - Jabiru Childcare Centre
Total	\$ 5,037.91		
Cardholder Name: Mayor - Matthew Ryan			
04-Sep-23	\$ 34.48	Mercure Darwin Airport	Lunch for voice trip (payroll deduction form filled in)
08-Sep-23	\$ 130.00	Mobile Tech Darwin	Council replacement phone case
28-Sep-23	\$ 140.00	Gulin Gulin Community	Fuel to attend funeral (stat dec filled in)
Total	\$ 304.48		



Member and CEO Council Credit Card Transactions for September

Transaction Date	Amount	Suppliers Name	Reason for Transaction
Cardholder Name : CCO - Deirdre O'Sullivan			
04-Sep-23	\$ 81.00	Safe NT	Working With Children Clearance Check - Simone Fernando
04-Sep-23	\$ 149.00	Vend Pos	Standard 8.0 software Jabiru Post Office from 03.09.2023 to 03.10.2023
05-Sep-23	-\$ 126.98	QANTAS	Refund of fees & charges for Matthew Ryan Airfare Darwin - Canberra purchased 31.08/2023
06-Sep-23	\$ 81.00	Safe NT	Working With Children Clearance Check - Trevor Brown (Broadcasting Officer)
06-Sep-23	\$ 779.61	Yarn Marketplace	Purchase of t-shirts, shopping bags, stickers etc
13-Sep-23	\$ 81.00	Safe NT	Working With Children Renewal - Eiston Nabegeyo
14-Sep-23	\$ 537.11	Rex Airlines	Airfare for Mark Gavenlock relief USO for Peter Hussie to complete training
14-Sep-23	\$ 15.00	Australian Financial	NPII Search - Jessie Scheacken
15-Sep-23	\$ 695.67	Jetstar	Airfare for Mark Gavenlock relief USO for Peter Hussie to complete training
18-Sep-23	-\$ 885.00	ALGA	2023 Road Congress Refund - Matthew Ryan
18-Sep-23	\$ 81.00	Safe NT	Working With Children Renewal - Marcia Brennan
20-Sep-23	\$ 81.00	Safe NT	Working With Children Renewal - Shane Wauchope
22-Sep-23	\$ 81.00	Safe NT	Working With Children Renewal - Jillian May (Librarian)
22-Sep-23	\$ 81.00	Safe NT	National Police Clearance Check - Dave Galaminda
28-Sep-23	\$ 81.00	Safe NT	National Police Clearance Check - Damaris Naynggul (Naloriman)
28-Sep-23	\$ 81.00	Safe NT	Working With Children Check - Maggie Spence
28-Sep-23	\$ 81.00	Safe NT	Working With Children Renewal - Marlee Willmott
Total	\$ 1,974.41		



Actuals v Budget by Local Authority Area

as at 30 Sep 2023

Description	REGION			GUNBALANYA			JABIRU		
	Actuals YTD	Budget YTD	Variance	Actuals YTD	Budget YTD	Variance	Actuals YTD	Budget YTD	Variance
Operational Revenue									
Income Rates and Charges	5,155	5,155	-	92,226	92,188	38	313,900	351,708	(37,807)
Charges - Sewerage	-	-	-	-	-	-	176,148	193,726	(17,578)
Charges - Water	-	-	-	-	-	-	481,025	428,000	53,025
Charges - Waste	-	-	-	87,556	87,556	-	59,476	74,227	(14,751)
Income Council Fees and Charges	35,863	27,500	8,363	3,311	4,608	(1,297)	87,875	89,385	(1,510)
Income Operating Grants	4,371,973	2,656,053	1,715,920	887,201	231,038	656,163	83,884	60,947	22,938
Income Investments	44,757	17,125	27,632	-	-	-	-	-	-
Income Allocation	1,463,888	1,320,260	143,629	54,323	79,515	(25,191)	14,412	34,642	(20,229)
Other Income	37,894	40,000	(2,106)	4,537	4,000	537	(12,090)	625	(12,715)
Income Agency and Commercial Services	6,230	40,106	(33,876)	369,242	473,244	(104,002)	743,729	410,040	333,689
Total Operational Revenue	5,965,760	4,106,198	1,859,563	1,498,395	972,148	526,247	1,948,360	1,643,298	305,062
Operational Expenditure									
Employee Expenses	1,849,819	1,837,624	12,195	682,674	680,236	2,438	982,484	823,419	159,065
Contract and Material Expenses	429,805	354,948	74,857	215,241	471,650	(256,409)	812,937	405,760	407,177
Finance Expenses	1,496	1,198	298	1,040	572	468	611	411	200
Travel, Freight and Accom Expenses	118,692	78,698	39,994	12,613	28,900	(16,287)	16,522	14,917	1,605
Fuel, Utilities & Communication	97,765	112,057	(14,292)	90,928	84,409	6,519	137,048	156,173	(19,125)
Other Expenses	256,265	416,257	(159,992)	163,538	175,103	(11,565)	170,302	225,875	(55,573)
Elected Member Allowances	86,600	87,000	(400)	-	-	-	-	-	-
Elected Member Expenses	5,116	13,550	(8,434)	-	-	-	-	-	-
Council Committee & LA Allowances	-	-	-	800	375	425	-	-	-
Council Committee & LA Expenses	-	-	-	-	62	(62)	-	-	-
Total Operational Expenditure	2,845,557	2,901,332	(55,774)	1,166,834	1,441,307	(274,473)	2,119,905	1,626,556	493,349
Total Operational Surplus / (Deficit)	3,120,203	1,204,866	1,915,337	331,561	(469,156)	800,720	(171,544)	16,743	(188,287)

Actuals v Budget by Local Authority Area
as at 30 Sep 2023



Description	MANINGRDA			MINJILANG			WARRUMI			TOTAL COUNCIL		
	Actuals YTD	Budget YTD	Variance	Actuals YTD	Budget YTD	Variance	Actuals YTD	Budget YTD	Variance	Actuals YTD	Budget YTD	Variance
Operational Revenue												
Income Rates and Charges	155,544	155,544	-	15,175	15,175	-	24,267	24,267	-	606,267	644,037	(37,770)
Charges - Sewerage	-	-	-	-	-	-	-	-	-	176,148	193,726	(17,578)
Charges - Water	-	-	-	-	-	-	-	-	-	481,025	428,000	53,025
Income Council Fees and Charges	169,436	169,436	-	15,711	15,711	-	23,265	23,265	-	355,443	370,194	(14,751)
Income Operating Grants	23,991	11,063	12,928	3,954	4,200	(246)	7,103	1,750	5,353	162,097	138,506	23,592
Income Investments	723,526	92,800	630,726	369,444	120,688	248,756	340,982	141,054	199,928	6,777,011	3,302,579	3,474,431
Income Allocation	4,855	16,389	(11,534)	13,370	25,401	(12,031)	5,613	7,735	(2,122)	44,757	17,125	27,632
Other Income	201,799	6,705	195,094	8,591	1,750	6,841	563	1,375	(612)	1,556,462	1,483,940	72,522
Income Agency and Commercial Services	299,789	331,827	(32,039)	193,468	250,192	(56,724)	211,575	216,176	(4,601)	1,824,032	1,721,565	102,447
Total Operational Revenue	1,578,939	783,764	795,175	619,713	433,116	186,596	613,367	415,622	197,745	12,224,535	8,354,146	3,870,389
Operational Expenditure												
Employee Expenses	467,824	414,464	53,360	364,461	381,176	(16,715)	552,803	470,788	82,015	4,900,065	4,607,706	292,359
Contract and Material Expenses	294,068	591,667	(297,599)	41,348	118,794	(77,446)	80,421	167,042	(86,622)	1,874,020	2,109,861	(235,841)
Finance Expenses	129	263	(134)	317	368	(50)	206	95	111	3,800	2,906	893
Travel, Freight and Accom Expenses	29,441	42,444	(13,003)	26,533	40,409	(13,877)	33,270	34,875	(1,605)	237,071	240,244	(3,174)
Fuel, Utilities & Communication	67,841	102,710	(34,869)	72,400	81,252	(8,851)	44,088	53,450	(9,362)	510,071	590,051	(79,980)
Other Expenses	115,837	140,305	(24,468)	52,859	92,414	(39,555)	84,400	101,173	(16,773)	843,202	1,151,127	(307,925)
Elected Member Allowances	-	-	-	-	-	-	-	-	-	86,600	87,000	(400)
Elected Member Expenses	-	-	-	-	-	-	-	-	-	5,116	13,550	(8,434)
Council Committee & LA Allowances	1,400	375	1,025	1,350	200	1,150	-	375	(375)	3,550	1,325	2,225
Council Committee & LA Expenses	-	-	-	105	-	105	-	-	-	105	62	43
Total Operational Expenditure	976,540	1,282,228	(315,688)	559,574	714,612	(155,039)	795,189	827,799	(32,610)	8,463,599	8,803,833	(340,235)
Total Operational Surplus / (Deficit)	602,399	(508,464)	1,110,863	60,139	(281,496)	341,635	(181,821)	(412,177)	230,356	3,760,936	(449,687)	4,210,623

WEST ARNHAM REGIONAL COUNCIL

FOR THE MEETING 22 NOVEMBER 2023

Agenda Reference:	12.1
Title:	Acceptance of ABA Grant - Maningrida Football Oval Change Rooms Project
File Reference:	1104390
Author:	Fiona Ainsworth, Acting Chief Operating Officer; Clem Beard, Project Manager Technical Services

SUMMARY

The purpose of this report is provide Council Members with updated information regarding status of funding for the Maningrida Football Oval Change Rooms Project including toilets, umpires room, canteen and first aid room.

BACKGROUND

Maningrida Community has a growing number of senior football teams and currently there is no allocated change rooms or toilets amenities at the oval for players, officials or spectators alike. The school has been supporting the AFLNT with the development of the Women's AFL and additionally coordinating the process including a number of junior teams.

The requirement to build additional infrastructure is critical to develop the game locally and follow the WARC strategic plan to cater for a growing number of players and supporters throughout the Maningrida Community. Enhanced facilities can drive improved healthy living programs, enhanced fitness programs and deliver better wellbeing throughout the community.

COMMENT

In December 2023 Council received notification of grant funding to the value of \$4.6M from the National Indigenous Australians Agency (NIAA) for the construction of change room facilities for the Maningrida oval.

The administration has been working with the funding body to map out a plan for the release of initial funding to commence community consultation with key stakeholders, Local Authority Members, Traditional Owners, Northern Land Council, Community Members, and the AFLNT to develop a concept plan for community approval. It has been negotiated to deliver the project in 2 phases, with Phase 1 comprising consult, concept, design and improvements to the existing ablution facilities at the WARC offices. Phase 2 comprises project delivery with completion at the end 2025. It is estimated this project will run across 3 financial years.

Administration is currently engaging Keogh Bay Consulting team with experience in remote sporting facilities environment to complete consultant works. Currently tenders are being sourced for existing ablution block improvements. Once this tender is finalised, the administration has liaised with the funding body to commence Phase 1 financial release and schedule works to commence per attached agreement.

Administration are requesting Council to review the Project Plan, Project Schedule and Milestone per the Capital Works Grant Schedule and authorize for the CEO to affix the Common Seal for the release of funds for project commencement.

STATUTORY ENVIRONMENT

The reports relates to the *Native Title Act* and the Aboriginal Areas Protection Authority.

POLICY IMPLICATIONS

Common Seal Policy

FINANCIAL IMPLICATIONS

Council are in consultations with (NIAA) National Indigenous Australians Agency per attached agreement.

STRATEGIC IMPLICATIONS

PILLAR 1 PARTNERSHIPS, RELATIONSHIPS AND BELONGING	
Investing in relationships and partnerships at all levels supports and strengthens community and belonging. We prioritise the value of partnerships and relationships as a key determinant of a happy, strong and thriving community.	
Goal 1.1	Community Engagement Seek out and support diverse perspectives and collaborations with community, community leaders, businesses, agencies and local service providers to enhance community life
Goal 1.2	Economic Partnerships Secure increased income opportunities (grants and commercial) that create employment and/or improve community life
Goal 1.4	Community Events Deliver cultural, civic and sporting events which engage and unite the community
Goal 1.6	Youth Engagement Deliver diverse, targeted programs and events which actively empower and engage young people as valuable partners in decision-making which effects them
PILLAR 3 SAFETY AND WELLBEING	
As an 'Employer of Choice', we provide and promote a positive culture of safety, inclusion and respect. Our people are skilled, informed and have opportunities to grow and develop within our organisation. Services provided to community are professional, impactful, engaging and appropriate to local needs.	
Goal 3.4	Community Service Delivery Provision of high quality, culturally informed programs that support and enhance the safety and wellbeing of community members

PILLAR 4 SERVICE DELIVERY AND BUILT ENVIRONMENT	
We provide high quality infrastructure and service delivery that meets the unique needs of each community, creates a sense of place and contributes towards promoting a sense of pride in community.	
Goal 4.1	Strategic Infrastructure and Asset Management Strategically manage, maintain and enhance community infrastructure

VOTING REQUIREMENTS

Simple majority

RECOMMENDATION:**That Council:**

- 1. Received and noted the report;**
- 2. Accepted the proposed Aboriginal Benefits Account funding agreement (NIAA) for the total sum of \$4,581,700.00 (ex GST)**
- 3. Directed the CEO to sign the agreement; and**
- 4. Approved the use of the Common Seal.**

ATTACHMENTS

- 1 ABA Capital Works Schedule Maningrida Sporting Change Rooms November 2023.pdf**



Australian Government

National Indigenous Australians Agency

PROJECT SCHEDULE –
CAPITAL WORKS GRANTS
ABORIGINALS BENEFIT ACCOUNT

Executed by

**the Commonwealth of Australia as represented by the National Indigenous Australians Agency
(ABN 30 429 895 164)**

AND

West Arnhem Regional Council (ABN 45 065 336 873)

Grant System Agreement number (System ID)	4-G2Q2EMJ
Project Schedule reference number (System ID)	4-IZEGI4L
Provider reference number (System ID)	1-1IFLCF

Version: August 2020

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Requests for other licence rights to this work should be directed to the National Indigenous Australians Agency.

How this Project Schedule works

The Commonwealth has agreed to execute this Project Schedule, which sets out details of the Grant to be provided by the Commonwealth to the Provider for the purpose of delivering a Project that involves capital works.

Once this Project Schedule has been executed, a separate contract is formed. That contract is called a **Project Agreement**.

The terms of the Project Agreement are as set out in:

- a) this Project Schedule;
- b) the Head Agreement; and
- c) any attachments or documents incorporated by reference into either of those documents.

This Project Schedule contains the terms and conditions that relate specifically to this Project and Grant listed in this document. The document comprises:

The Head Agreement contains general terms and conditions that apply to all Projects and Grants.

(See also clauses 1 to 10 of the Head Agreement).

- Part 1 – a summary of the Project and Grant in this Project Schedule;
- Part 2 – Pre Construction Obligations
- Part 3 – Construction Obligations; and
- Part 4 – Additional Conditions

The Head Agreement contains general terms and conditions that apply to all Projects and Grants.

PART 1: PROJECT AND GRANT SUMMARY

1 Project overview

1.1 The Grant is provided for the following Project:

Project overview	
Project name	Maningrida Sporting Change Rooms
Provider full legal name	West Arnhem Regional Council
Trading or business name (if different to above)	
ABN	45 065 336 873
Project Agreement Start Date	The date that this Project Schedule is executed by both parties.
Date for Completion of the Works	31 December 2025 or earlier termination date.
Date of Completion of the Works	The date that the Works are completed. This is the later of: <ul style="list-style-type: none"> a) the date the provider complies with item 23.1; or b) if the Commonwealth issues a notice or notice under item 23.2, the date the Provider complies with item 23.3.
Defects Liability Period	The period of 12 months commencing on the Date of Completion of the Works.
Project Agreement End Date	The later of: <ul style="list-style-type: none"> a) the day after the expiration of the Defects Liability Period; or b) the day after the Provider submits the last report required under this Project Schedule.
The Grant is provided under the following programme/s	Jobs Land and Economy Programme Aboriginals Benefit Account (Special Account)

2 Party representatives for notices

(Clauses 134 – 135 of the Head Agreement)

2.1 The Parties' representatives are responsible for liaison and day-to-day Project management, as well as issuing and accepting any written notices relating to the Project Agreement.

Commonwealth	Details
Contact officer / position for Project	Giovanna Ianniello
Physical / postal address(es) for notices	Level 5 39-41 Woods Street Darwin NT 0800 PO Box 9932 Darwin NT 0801
Telephone	08 8896 8480
E-mail	ArnhemGrooteAgreements@official.niaa.gov.au

Provider	Details
Contact officer / position for Project	Fiona Ainsworth / General Manager Technical Services
Physical / postal address(es) for notices	13 Tasman Crescent Jabiru NT 0886 PO Box 721 Jabiru NT 0886
Telephone	0497 600 655
E-mail	grants@westarnhem.nt.gov.au

3 Duration of Project

3.1 The Project must be delivered from the Project Agreement Start Date to the Project Agreement End Date.

4 Project description, outcomes and objectives

4.1 The Provider must achieve the following outcomes and objectives.

<p>Project description</p>	<p>4.2 This project must deliver fit for purpose sporting change rooms and associated amenities for the Maningrida Oval. The project will be delivered in 2 Stages.</p> <p>Stage 1:</p> <ul style="list-style-type: none"> a) Develop a new concept plan for the new Sporting Change Rooms at Maningrida Oval b) Undertake community consultations based on the new concept c) Refurbish the existing public toilets adjacent to the Oval <p>Stage 2:</p> <ul style="list-style-type: none"> d) Construction of the Maningrida Sporting Change Rooms. <p>4.3 Within 14 days of execution of this funding agreement the Provider must develop and submit a Project Plan outlining the Project Stages 1 and 2 including deliverables and milestones for each component.</p> <p>4.4 During Stage 1 the Provider must refurbish the existing public facilities located at Lot 477, Maningrida, NT. Once refurbished, these facilities must be open and available for public use during sporting or community events held at the Maningrida Oval. The upgrades must include accessibility upgrades to ensure facilities are available that meet minimum standards of AS1428 Design and Access for mobility.</p> <p>4.5 Prior to commencing refurbishment of the facilities referred to in Item 4.4 the Provider must, in line with Item 16, give the Commonwealth copies of the construction plans and documents relating to the refurbishment.</p> <p>4.6 The Provider must develop a new concept plan for the Maningrida Oval Sporting Change Rooms in preparation for community consultations. The concept plan must be developed within the scope of the budget and plans submitted with the Provider's application for this project (refer Item 30.1 and Attachment A.)</p> <p>4.7 The Provider must undertake public consultation on the concept plan for the Maningrida Sporting Change Rooms to ensure the facility will be fit for purpose and culturally appropriate and incorporate stakeholder feedback into the design and Project Plan.</p> <p>4.8 Consultations should include the following stakeholders:</p> <ul style="list-style-type: none"> a) Local Authority Members b) Council Members c) Traditional Owners d) Cultural and Kinship representatives e) Community Members f) NTG Departments g) Service providers (Territory/Federal) h) Local Indigenous Corporations <p>4.9 On completion of consultations, and prior to finalising the plans for the Maningrida Sporting Change Rooms, the Provider must submit the final concept plans for the Change Rooms to the Commonwealth for approval.</p> <p>4.10 On acceptance of the concept plans for the Maningrida Sporting Change Rooms, the Provider must finalise and submit the construction plans to the Commonwealth in line with Item 15 and 16</p>
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	<p>of this Project Schedule. The Provider must also produce drawings, tender documents and associated documents in preparation for the tender process for Stage 2.</p> <p>4.11 Following completion of Milestone 7 at Item 5 of this Project Schedule, the Provider must submit an updated Project Plan and Budget for Stage 2 of the Project. A Deed of Variation to the Project Agreement will be required to incorporate specific details related to Stage 2 of the Project.</p> <p>4.12 The Provider must install community signage at Maningrida Oval and at Lot 477 Maningrida, NT informing the community about this project. The signage must be updated as the Project progresses to keep the community informed about project progress and anticipated time for completion.</p>
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<p>Works</p>	<p>Stage 1</p> <p>The Provider must:</p> <p>4.13 Undertake consultations, finalise concept design and develop engineered plans in preparation for the tender of the Maningrida Sporting Change Rooms as outlined in Items 4.2 – 4.11 of this Project Schedule.</p> <p>4.14 Deliver upgrades to the existing ablution block at Lot 477, Maningrida NT in line with the approved plans, to modernise and meet minimum standards of AS1428 Design and access for mobility as outlined below:</p> <ul style="list-style-type: none"> a) Replace existing pans, urinal, sinks and taps with new pans, urinal, sinks and taps. b) Include an additional pan in the female facilities c) Extend ablution block to add two disabled toilet facilities (one male, one female). d) Concrete walkway from ablution block to existing walkway connecting to council office. <p>4.15 Install signage at Maningrida Oval and Lot 477, Maningrida NT as detailed in Item 4.12.</p> <p>Stage 2</p> <p>4.16 Construct the Maningrida Sporting Change Rooms at Maningrida Oval, including fit-out, painting and landscaping in line with the plans approved at Item 16.</p> <p>4.17 The Works must include at a minimum the facilities included in the plans at Attachment A:</p> <ul style="list-style-type: none"> a) fit for purpose change rooms that are suitable to be used interchangeably by male and female participants; b) male and female public toilets; c) a first aid room; d) canteen; e) storeroom; and f) seating, including a viewing area suitable for spectators in wheelchairs.
<p>Outcomes</p>	<p>4.18 Improved community facilities and infrastructure.</p> <p>4.19 Increased community engagement through sport and recreation (physical activity and events) that improves the standard and quality of life in the community.</p> <p>4.20 Increased engagement with local community members to improve social, emotional and well-being outcomes, create employment, support education, and build safer communities</p>
<p>Objectives</p>	<p>4.21 Deliver new sports change rooms and public toilet facilities that are culturally appropriate and fit for purpose.</p>
<p>Designated Use</p>	<p>NA</p>

Designated Use Period	NA
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5 Milestones

- 5.1 The Provider must achieve all of the following Milestones within the time frame shown in the table below subject to Item 5.2.
- 5.2 The Milestones and dates are subject to change by formal variation of this project schedule after satisfactory completion of Item 5 Milestone 7, and the Commonwealth acceptance of an updated Project Plan and budget as outlined at Items 4.11 and 10.1.

No.	Milestone	Due date
1	Secure right to commence Works in accordance with item 11.1.	30 December 2023
2	Obtain all approvals in accordance with item 12.1.	30 December 2023
3	Prepare construction plans for the ablution block upgrades identified at Item 4.14 in accordance with item 16.1.	30 December 2023
4	Commence works for ablution block upgrades identified at Item 4.14.	30 January 2024
5	Submit final concept plans for the Maningrida Sporting Change Rooms.	28 February 2024
6	Submission of final construction documents for the Maningrida Sporting Change Rooms in accordance with item 16.	28 March 2024
7	Award tender for construction works and Provider submits the agreed construction sub-contract/s to the Commonwealth in accordance with item 19.	15 May 2024
8	Complete works on ablution blocks at Lot 477 Maningrida in accordance with item 23.	30 June 2024
9	Commence site works and clearing at Maningrida Oval for Sporting Change Rooms.	1 July 2024
10	Complete all Works in accordance with item 23.	31 December 2025

6 Location

- 6.1 The Project will be delivered at the following location/s:

Title Particulars	Street Address
Lot 479 Maningrida	Maningrida Oval Lot 479 Maningrida, Northern Territory
Lot 477 Maningrida	Lot 477 Maningrida, Northern Territory

7 Grant Payments

(Clauses 11, 12 and 81 of the Head Agreement)

- 7.1 The Provider must use the Grant only for the purpose of the Project.
- 7.2 The Commonwealth will pay up to \$4,581,700.00 from the Aboriginals Benefit Account (Special Account) for this project.
- 7.3 The Commonwealth will not make any payments beyond instalment 1 and 2 until the parties have amended the Milestones (Item 5) and the Grant Payments (Item 7) to reflect the specifics of the Works. It is anticipated Deed of Variation No. 1 will occur after satisfactory completion of Item 5 Milestone 7, and the Commonwealth acceptance of an updated Project Plan and budget as outlined at Items 4.11 and 10.1.
- 7.4 The Grant will be paid upon achievement of the Milestones or delivery of the Reports or other events as set out in the below Grant Payments schedule, and subject to the terms of the Project Agreement and any amendments to the Project Agreement.

Anticipated date	Description	Amount (excl GST)	GST	Total (incl GST)
<i>Per description</i>	Payment within 20 business days of the Provider submitting the Project Plan outlined at Item 4.3, and the Commonwealth acceptance of the Project Plan.	\$270,233.00	\$0.00	\$270,233.00
28 February 2024	Payment upon submission of satisfactory Performance report by the Provider, and the Commonwealth being satisfied with the Provider's performance.	\$270,233.00	\$0.00	\$270,233.00
TBC	Execution of Deed of Variation No. 1 that will incorporate agreed construction milestones at Item 5 and will update this Item 7 to incorporate payments for the remaining balance of \$4,041,234.00			
Total Grant payable:		\$4,581,700.00	\$0.00	\$4,581,700.00

Note: The Timeframe indicated in the table in Item 7.2 is the date by which the Provider is required to have achieved the Milestone. Grant amounts are, subject to the Project Agreement, payable on the actual achievement of the Milestone (which may occur before or after the Timeframe) not on the date indicated in the Timeframe.

8 Bank account details

8.1 The Provider's bank account for the purpose of clause 13 of the Head Agreement is as follows:

Bank / institution name	Westpac
BSB number	035-308

Account name	West Arnhem Regional Council
Account number	146612

9 Tax and invoices

(Clauses 16 to 19 of the Head Agreement)

9.1 The Parties have entered into this Project Agreement on the understanding that they are both 'government related entities' as defined in the GST Law, and either:

- a) the payment of the Grant:
 - (i) is covered by an appropriation under an Australian law or the COAG National Health Reform Agreement; and
 - (ii) is calculated on the basis that the sum of the Grant and anything else that the Provider receives from another entity in connection with, or in response to, or for the inducement of that supply under this Project Agreement, or a related supply does not exceed the Provider's anticipated or actual costs of making those supplies; OR
- b) the payment of the Grant is a kind of payment specified in regulations made for the purposes of sections 9-17 of the GST Law.

9.2 The Parties rely on sections 9-17 of the GST Law for no GST being imposed in connection with a supply made under this Project Agreement.

10 Reporting

(Clauses 52 to 58 of the Head Agreement)

10.1 The Provider must submit the following reports to the Commonwealth by the following due dates:

Report	Due date
Project Plan outlined at Item 4.3; and Indigenous Employment Plan	Within 14 days of the Project Agreement Start Date
Site visit, to be conducted by the Commonwealth in the three months leading up to the due date	31 December 2023
Performance Report covering the period from project commencement to 31 December 2023, including details of the consultations and a copy of the final concept plan for approval by the Commonwealth	28 February 2024
Updated Project Plan and Budget for Stage 2	15 June 2024
Site visit, to be conducted by the Commonwealth in the three months leading up to the due date	30 June 2024
Performance Report covering the period 1 January 2024 to 30 June 2024	15 July 2024
Audited Expenditure Report covering the period 1 July 2023 to 30 June 2024	30 September 2024

Report	Due date
WWVP and WHS Statement of Compliance	31 October 2024
Site visit, to be conducted by the Commonwealth in the three months leading up to the due date	31 December 2024
Performance Report covering the period 1 July 2024 to 31 December 2024	15 January 2025
Site visit, to be conducted by the Commonwealth in the three months leading up to the due date	30 June 2025
Performance Report covering the period 1 January 2025 to 30 June 2025	15 July 2025
Audited Expenditure Report covering the period 1 July 2024 to 30 June 2025	30 September 2025
WWVP and WHS Statement of Compliance	31 October 2025
Site visit, to be conducted by the Commonwealth in the three months leading up to the due date	31 December 2025
Performance Report covering the period 1 July 2025 to 31 December 2025	15 January 2026
Audited Expenditure Report covering the period 1 July 2025 to 31 December 2025	30 March 2026
WWVP and WHS Statement of Compliance	31 October 2026

10.2 The following information must be provided in the following types of Reports:

Report	Details
Indigenous Employment report	The Indigenous Employment report must indicate the number of Indigenous people employed on the Project.
Performance report	Performance reports must detail the progress and performance of the Project during the reporting period, including against the outcomes, objectives and performance targets set out in this Project Schedule. If there are significant issues affecting the progress of the Project, the Interim Performance report must specify the actions being taken to address the issues.
Expenditure report	The following information must be provided: 1. A Financial Declaration: a) verifying that the Grant was expended for the Project and in accordance with the Project Agreement;

Report	Details
	<p>b) specifying any amount of the Grant that remains unspent for that Financial Year; and</p> <p>c) certified by the Provider's CEO, Board or authorised officer.</p> <p>Financial declarations will be required only where requested by the Commonwealth. In accordance with clauses 116 of the Head Agreement, Providers must keep full and accurate records relating to Grant expenditure.</p> <p>2. Expenditure Report:</p> <p>a) a detailed statement of income and expenditure relating to the Grant; and</p> <p>b) a financial declaration as referred to above.</p> <p>If audited, the Expenditure Report is to be audited in accordance with clauses 55-56 of the Head Agreement.</p> <p>Item 10.1 of this Project Schedule specifies the type of report and whether the Expenditure Report for a Project is to be unaudited or audited.</p>
<p>Working with Vulnerable People and Work Health and Safety Statement of Compliance</p>	<p>1. Annual statement of compliance with relevant Head Agreement obligations, including where identified, mandatory state and territory legislative requirements for the jurisdiction in which the Project is held, pertaining to:</p> <p>a) Working with Vulnerable People, including children (WWVP); and</p> <p>b) Work Health and Safety (WHS).</p>

PART 2: PRE CONSTRUCTION OBLIGATIONS

11 Right to Undertake Works at Location

11.1 Before the Provider commences the Works the Provider must have:

- a) a lease;
- b) an agreement for lease;
- c) a licence; or
- d) some other interest or right,

that permits the Provider to occupy and undertake the Works at the Location and which is reasonably satisfactory to the Commonwealth. The Provider must, on request, provide the Commonwealth with copies of all relevant documentation regarding its interest in and its right to occupy and undertake the Works at the Location.

11.2 If required by the Commonwealth, the Provider must enter into a Purposes Deed with the Commonwealth and the Owner, in a form provided by the Commonwealth, as soon as reasonably practical after the Project Agreement Start Date.

11.3 If the Provider fails to comply with items 11.1 and 11.2 the Commonwealth may terminate this Project Agreement immediately under clauses 88 and 89 of the Head Agreement.

12 Approvals

12.1 The Provider must, within 28 days of the Project Agreement Start Date (or such longer time as approved by the Commonwealth) obtain all approvals necessary for:

- a) the development of the Location for the Designated Use;
- b) the construction of the Works; and
- c) the use of the Works for the Designated Use,

and must, if requested by the Commonwealth, give a copy of each approval to the Commonwealth.

12.2 The Provider must, within 28 days of the Project Agreement Start Date (or such longer time as approved by the Commonwealth) obtain a Building Permit for the construction of the Works and must give a copy of the Building Permit to the Commonwealth.

13 Activities on Native Title Land

13.1 Without limiting items 11 and 12, before the Provider undertakes Works on Native Title Land, the Provider must, in addition to complying with item 11, obtain all necessary authorities to undertake the Works, including, where required by law, the agreement of any native title holders or claimants in relation to the Native Title Land concerned, including, if appropriate, entering into an Indigenous Land Use Agreement.

13.2 Before the Provider undertakes Works on Native Title Land, the Provider must be satisfied that the native title holders or claimants understand the nature of the Works and have had an adequate opportunity to comment. That is, where Works are undertaken on Native Title Land, the Provider must consult with native title holders or claimants, even if there is no legal requirement that the Provider obtain their agreement. In all cases, it is desirable that the Provider has their agreement.

13.3 If the Provider fails to obtain all necessary authorities to undertake the Works (including, where required by law, agreeing an Indigenous Land Use Agreement and having it registered on the Register

of Indigenous Land Use Agreements), within 6 months after the Project Agreement Start Date, the Provider must immediately notify the Commonwealth in writing. The Commonwealth may either:

- a) negotiate changes to the Works to either avoid the need for the relevant authorities to be obtained or for an Indigenous Land Use Agreement to be negotiated and registered on the Register of Indigenous Land Use Agreements, or otherwise address the issues preventing the relevant authorities being obtained or the parties agreeing to an Indigenous Land Use Agreement and having it registered on the Register of Indigenous Land Use Agreements;
- b) terminate this Project Agreement immediately under clauses 88 to 91 of the Head Agreement; or
- c) reduce the scope of this Project Agreement in accordance with clauses 88 to 91 of the Head Agreement, in which case the Provider agrees that the Commonwealth will not be liable to pay the Provider any costs to the extent they relate to the part of the Works requiring the authorities or negotiation and registration of an Indigenous Land Use Agreement.

13.4 The Provider must provide the Commonwealth with a copy of any Indigenous Land Use Agreement entered into for the purposes of this item 13 within 5 business days after registration on the Register of Indigenous Land Use Agreements.

13.5 Unless otherwise agreed in writing, the Commonwealth is only required to pay the Grant to the Provider if the Provider has complied with this item 13.

14 Activities on Land Rights Land

14.1 Without limiting items 11 and 12, before the Provider undertakes Works on Land Rights Land, the Provider must obtain all necessary authorities to undertake the Works, including, where required by law, from any land holding body, traditional owners or claimants of the Land Rights Land concerned.

14.2 Before the Provider undertakes Works on Land Rights Land, the Provider must be satisfied that the land rights holders or claimants understand the nature of the Works and have had an adequate opportunity to comment. That is, where the Works are undertaken on Land Rights Land, the Provider must consult with land rights holders or claimants, even if there is no legal requirement that the Provider obtain their agreement. In all cases, it is desirable that the Provider has their agreement.

14.3 Unless otherwise agreed in writing, the Commonwealth is only required to pay the Grant to the Provider if the Provider has complied with this item 14.

15 Design of the Works

15.1 The Provider is responsible for the design of the Works and must ensure that:

- a) the design of the Works is conducted with the level of skill and care of a prudent and competent design professional;
- b) the design of the Works comply with the National Construction Code (whether or not it applies of its own force to the Location) and other regulatory requirements of the relevant State or Territory and local government in the jurisdiction in which the Works are to be carried out or that otherwise apply to the Location;
- c) the Works will be fit for the Designated Use;
- d) all Construction Documents are approved by a registered building certifier; and
- e) an Occupancy Permit will be able to be issued in respect of the Works on their completion.

15.2 The Provider must only use products in relation to the Works that comply with the relevant Australian standards published by, or on behalf of, Standards Australia.

16 Construction Contracts and Plans

- 16.1 The Provider must give the Commonwealth copies of all Construction Documents.
- 16.2 Within a reasonable time after receiving copies of the Construction Documents, the Commonwealth will notify the Provider that the Commonwealth either:
 - a) approves the Construction Documents; or
 - b) requires the Provider to make changes to the Construction Documents.
- 16.3 If the Commonwealth requires the Provider to make changes to the Construction Documents under item 16.2(b), the Provider must make those changes and give the Commonwealth copies of the revised Construction Documents incorporating those changes, at which time the provisions of item 16.2 and this item 16.3 will apply again.
- 16.4 The Provider remains fully responsible for the adequacy and sufficiency of the Construction Documents for the Works and the Designated Use. No review, comment, requested amendment or approval by the Commonwealth will transfer any risk in respect of the Construction Documents to the Commonwealth.
- 16.5 The Provider must not make any substantial or material change to the Construction Documents once the Commonwealth has approved them without the Commonwealth's prior written consent.

17 Indigenous Employment

- 17.1 The Provider must, within 14 days of the Project Agreement Start Date (or such longer time as approved by the Commonwealth) provide an Indigenous Employment Plan to the Commonwealth.
- 17.2 The Provider must use its reasonable endeavours to ensure the Project delivers a high level of meaningful and sustained local Indigenous employment for the duration of the Project.

18 Latent Site Conditions pre Works

- 18.1 The Provider must ensure that:
 - a) the Location is suitable for carrying out the Works and using the Works for the Designated Use; and
 - b) there are no Latent Conditions at the Location that may affect the Provider's ability to complete the Works or use the Works for the Designated Use.

19 Subcontracting

- 19.1 In addition to the requirements for subcontracting in clauses 32 to 36 of the Head Agreement, any subcontract of the Project, or any part of it, must include clauses equivalent to items 11 to 14 (inclusive) of this Project Agreement.

PART 3: CONSTRUCTION OBLIGATIONS

20 Works

- 20.1 The Provider must undertake the Works at the Location with the level of skill and care of a prudent and competent building professional.
- 20.2 The Provider must carry out the Works in accordance with the approved Construction Documents, unless the Commonwealth gives the Provider written notice permitting or requiring otherwise.
- 20.3 Notwithstanding that the Location may not be in a Building Control Area, the Provider must undertake the Works as though the Location and the Works are subject to Parts 4 to 13 of the Building Act and the Building Regulations (including, but not limited to, requiring a Building Permit and an Occupancy Permit).

21 Latent Site Conditions during Works

- 21.1 If, at any time during the conduct of the Works, a condition at the Location is discovered that may affect the Provider's ability to complete the Works or use the Works for the Designated Use (whether a Latent Condition or otherwise), the Provider must:
- a) immediately notify the Commonwealth;
 - b) give the Commonwealth any details it reasonably requires as to the condition, its causes, and its effect on the Works or the use of the Works;
 - c) allow the Commonwealth, and any person the Commonwealth nominates, access to the Location at all reasonable times to inspect and investigate the condition; and
 - d) take all steps necessary to avoid (or, if the condition cannot be avoided, mitigate) the impacts of the condition on the performance or use of the Works.
- 21.2 The Commonwealth may direct the Provider to change the Works to overcome the impacts of any condition at the Location that would or may adversely affect the Provider's ability to complete the Works in accordance with this Project Agreement, use the Works for the Designated Use, or otherwise comply with the Provider's obligations under this Project Agreement. Any such direction does not limit the Commonwealth's rights under item 21.3 below.
- 21.3 If, in the Commonwealth's reasonable opinion, a condition referred to in item 21.1 or 21.2 is a Latent Condition:
- a) all steps the Provider takes (and that any third party takes on the Provider's behalf) to avoid or mitigate the impacts of the Latent Condition in accordance with item 21.2 are entirely at the Provider's own risk and expense and must not be paid for using any of the Grant; and
 - b) the Commonwealth may, at any time following the identification of the Latent Condition, terminate this Project Agreement under clauses 88 to 91 of the Head Agreement, if the Commonwealth considers that:
 - (i) the Location cannot or will not be able to be used for the Designated Use;
 - (ii) the impacts of the Latent Condition are unable to be avoided or mitigated so as to complete the Works; or
 - (iii) the Provider has failed to avoid or mitigate the impacts of the Latent Condition in accordance with item 21.1 within a reasonable time.
- 21.4 The Commonwealth's termination of this Project Agreement under item 21.3 does not limit the Provider's obligations under item 21.1.

22 Date for Completion of the Works

22.1 The Provider must complete the Works by the Date for Completion of the Works.

22.2 If the Provider has not completed the Works by the Date for Completion the Provider will be in breach of this Project Agreement and clauses 82 to 87 of the Head Agreement will apply.

23 Completion of the Works

23.1 Within 10 business days after completing the Works, the Provider must provide the Commonwealth with an Occupancy Permit.

23.2 Within 10 business days after receiving the [certificates/written certification] under item 23.1, the Commonwealth may give the Provider written notice setting out the further matters which the Commonwealth requires the Provider to address to meet the conditions for completion of the Works.

23.3 The Provider must address all matters raised by the Commonwealth in a notice provided under item 23.2 as soon as reasonably practical after the Provider receives the notice.

24 Defects

24.1 The Provider must correct all Defects that appear in the Works during the Defects Liability Period.

25 Project Advisory and Management Services Panel

25.1 The Provider acknowledges that the Commonwealth has established or may establish one or more panels to provide the Commonwealth with project advisory and technical and project management services in areas such as cost management, quantity surveying, land surveying and infrastructure advice.

25.2 The Provider will cooperate fully with such panel members, including:

- a) giving them access to the Location and the Works;
- b) providing any information requested in relation to the Works; and
- c) facilitating meetings, discussions and access to other stakeholders, such as the Project Manager and the Owner.

26 Building and Construction WHS Accreditation Scheme

Building Work procured using funds provided under this Project Agreement may be covered by the Work Health and Safety Accreditation Scheme (**WHS Accreditation Scheme**).

26.1 The WHS Accreditation Scheme is established under the Building and Construction Industry (Improving Productivity) Act 2016 (Cth) and specified in the Building and Construction Industry (Improving Productivity) (Accreditation Scheme) Rules 2019 (Cth).

The WHS Accreditation Scheme applies to Building Work that is indirectly funded by the Commonwealth or a corporate Commonwealth entity if it is carried out under a contract with a value of \$4 million or more (GST inclusive) and the contribution made to the funding of the project that includes the Building Work by the Commonwealth or corporate Commonwealth entity is at least:

- a) \$6,000,000 (GST inclusive) and represents at least 50% of the total funding; or
- b) \$10,000,000 (GST inclusive).

Contracts for Building Work that use funds provided under this Project Agreement and that meet the financial thresholds outlined above should:

- c) be notified to the Office of the Federal Safety Commissioner at the earliest possible opportunity (that is, when approaching the market) and
- d) contain a requirement that the builder:

- (i) is accredited under the WHS Accreditation Scheme* and
- (ii) maintains their accreditation while carrying out the Building Work.

* Paragraph 26(g) of the *Building and Construction Industry (Improving Productivity) (Accreditation Scheme) Rules 2019* outlines provisions applying to joint venture arrangements that include accredited and unaccredited builders.

27 Work Health and Safety

27.1 The Provider must prepare, and must ensure that its head contractor prepares, a Work Health and Safety Plan which complies with the WHS Law.

27.2 The Work Health and Safety Plan must, in particular, comply with:

- a) Chapter 6 of the Work Health and Safety Regulations 2011 (Cth); and
- b) all relevant codes of practice relating to the carrying out of the Works.

27.3 The Work Health and Safety Plan must address all matters relating to the regulation and implementation of safe work practices on the Location, including but not limited to site induction, recording and reporting of accidents and incidents and the protection of other users of the Works, the Location and their surroundings.

27.4 The Provider acknowledges and agrees that for the purposes of the WHS Law, in carrying out the Works, it:

- a) is a person conducting a business or undertaking;
- b) has management and control of the site to the extent necessary to carry out the Works; and
- c) will be or it must appoint its head contractor as the 'principal contractor' in relation to the carrying out of the Works for the purposes of the WHS Law.

27.5 The Provider must comply, and must ensure that its head contractor complies, with all duties and obligations imposed on a principal contractor under the WHS Law, including:

- a) complying with its health and safety duties in relation to all work under this Project Agreement;
- b) complying with the consultation, representation and participation requirements, including any consultation required with other designers and manufacturers;
- c) preparing safe work method statements for high risk construction work and ensuring that the high risk construction work is carried out in accordance with the safe work method statements;
- d) complying with all relevant codes of practice approved under the WHS Law;
- e) immediately notifying the Commonwealth of any 'notifiable incident', as defined in the WHS Law;
- f) permitting the Commonwealth and its nominees entry to the Location where the Works are being carried out;
- g) permitting entry to the Location by work health and safety entry permit holders; and
- h) not permitting any act or omission that causes or may cause the Commonwealth or the Provider to not comply with the WHS Law.

28 Definitions

28.1 In this Project Agreement, unless the contrary appears:

Building Act means the *Building Act (NT)*.

Building Control Area means an area of the Northern Territory to which any or all of the provisions of the Building Act and Building Regulations have been declared to apply to under section 6(2) of the Building Act.

Building Permit means a building permit issued under section 59 of the Building Act in respect of the Works.

Building Regulations means the *Building Regulations (NT)*.

Building Work has the same meaning as in section 3(4) of the Building Code.

Construction Documents means all construction contracts, design plans and construction plans for the Works.

Date of Completion of the Works means the date the Provider is required to complete the works, as specified in item 1.1.

Date Completion of the Works means the date the Works are actually completed, determined in the manner set out in item 1.1.

Defect means any defect, shrinkage, fault or omission in the Works, including any aspect of the Works which is not in accordance with the requirements of this Project Agreement or otherwise is not fit for its intended purpose;

Defects Liability Period means the period which starts on the Works Completion Date and which continues for the period described in item 4.1.

Designated Use means the Designated Use specified in item 4.1.

Enterprise Agreement has the same meaning as in the *Fair Work Act 2009* (Cth).

Exclusion Sanction has the same meaning as in section 3(3) of the Building Code.

Head Agreement means the head agreement entered into by the Commonwealth and the Provider identified by the Grant System Agreement number shown on the first page of this Project Schedule.

Indigenous Employment Plan means a plan that outlines, to the reasonable satisfaction of the Commonwealth:

- a) the number of Indigenous employees to be employed over the life of the project;
- b) the roles, responsibilities and required training of Indigenous employees to be employed over the life of the Project;
- c) how the employment of local Indigenous employees will be supported and sustained;
- d) how Indigenous employment will be implemented, monitored and reviewed in respect of the Project;
- e) how the project Manager will communicate with employees, service providers and the community about participation issues (including cultural awareness training for personnel, as required); and
- f) the methods for managing subcontractors and other service providers to fulfil the stated Indigenous employment commitments.

Indigenous Land Use Agreement means an indigenous land use agreement made under the *Native Title Act 1993* (Cth).

Land Rights Land means land which is:

- a) subject to a freehold estate or lease granted or vested under legislation that makes provision for the grant or vesting of such things only to, in or for the benefit of, Aboriginal peoples or Torres Strait Islanders;
- b) held expressly for the benefit of, or held on trust, or reserved, expressly for the benefit of, Aboriginal peoples or Torres Strait Islanders; or
- c) claimed under legislation referred to above in paragraph (a).

Latent Conditions means any ground condition at the Location where the Works are to take place, excluding ground conditions resulting from inclement weather, which differ materially from those which should have been anticipated by a prudent, competent and experienced building contractor.

Location means the site at which the Works and Project are to be carried out, as specified in item 6.1.

Milestone means a milestone of the Project as specified in item 5.1.

Native Title Land means land that is subject to native title or subject to a native title claim.

National Construction Code means the National Construction Code issued by the Australian Building Codes Board. Information on the National Construction Code can be obtained from <http://www.abcb.gov.au/>

Occupancy Permit means an occupancy permit issued under section 72 of the Building Act in respect of the Works.

Owner means the owner of the Location.

Purposes Deed means a deed between the Commonwealth, the Provider, and the Owner (if the Provider is not the Owner) under which the Provider (and the Owner if the Provider is not the Owner) agree that the Location will be used for the Designated Use for the Designated Use Period.

Register of Indigenous Land Use Agreements means the register of indigenous land use agreements established under the *Native Title Act 1993* (Cth).

Scheme means the Australian Government Building and Construction WHS Accreditation Scheme established by the *Building and Construction Industry (Improving Productivity) Act 2016*.

WHS Law means all legislative requirements dealing with or relevant to health and safety at work and of workers and others who may be affected by the carrying out of the Project or the Works, and includes any requirements of any government authority exercising regulatory powers in respect of such matters, including but not limited to the *Work Health and Safety Act 2011* (Cth).

Works means that part of the Project which relates to the design, construction, modification, expansion, refurbishment, installation, furnishing, equipping or fit-out of structures and related activities, the scope of which is specified in item 4.1.

PART 4: ADDITIONAL CONDITIONS

29 Aboriginals Benefit Account

29.1 The Grant is made under section 64(4) of the *Aboriginal Land Rights (Northern Territory) Act 1976*. The Grant is being made from the Aboriginals Benefit Account (ABA) to or for the benefit of Aboriginal people living in the Northern Territory.

30 Budget

30.1 The dates and amount of budget are subject to change by formal variation of this project schedule. It is anticipated Deed of Variation No. 1 will occur after satisfactory completion of Item 5 Milestone 7, and the Commonwealth acceptance of an updated Project Plan and budget as outlined at Items 4.11 and 10.1.

30.2 Unless otherwise approved by the Commonwealth in writing and subject to item 30.3 below, the Provider must spend the Grant in accordance with the following budget:

Expenditure item	Grant amount (GST exclusive)
Stage 1 Budget	
Community signage and communications	\$15,000.00
Community consultations regarding planning and designs of Maningrida Sporting Change Rooms	\$10,000.00
Upgrade Ablutions at the Council Office - Disabled compliance	\$195,333.00
Design consultant fees and charges	\$271,000.00
Project Management	\$49,133.00
Stage 2 Budget (To be negotiated subject to item 30.1 above)	
Total Stage 1	\$540,466.00
Total Stage 2	\$4,041,234.00
Total combined project budget	\$4,581,700.00

30.3 The Provider may transfer amounts between categories of expenditure items within the budget which are less than 10% without seeking Commonwealth approval. The total amount of transfers in any financial year must not exceed 10% of the total value of Grant payments under the Project Agreement in that financial year. The Provider and the Commonwealth shall review the budget set out in item 30.1 annually on a date agreed by the parties. Any changes to the budget must be agreed.

31 Restrictions on expenditure

31.1 In addition to clause 12 of the Head Agreement, the Provider must not use any part of the Grant for any of the following purposes, unless it obtains the Commonwealth's prior written approval:

- a) to make a loan or gift;
- b) to pay sitting fees, allowances, travel expenses or similar payments to Directors or members of the Provider's organisation or any related entities (including any parent or subsidiary company);
- c) to pay commissions, success bonuses or similar benefits to staff, members or consultants;

- d) for overseas travel;
- e) to engage a consultant for over \$10,000;
- f) to conduct litigation; or
- g) to transfer money (including as a payment, reimbursement, gift or loan) to a parent or subsidiary company of the Provider.

32 Governance – Board meetings and papers

- 32.1 The Provider must give the Commonwealth at least 14 days prior written notice of each planned Board meeting and immediate notice of any unplanned Board meetings, if the Board meeting relates to the Project.
- 32.2 The Provider must keep the Commonwealth updated about the time, date, location, agenda and attendees for each Board meeting, and must provide a copy of any Board papers to the Commonwealth within seven days of the relevant meeting, if the Board meeting or papers relate to the Project.
- 32.3 The Provider must give the Commonwealth a copy of the minutes from each Board meeting and any other Board papers, within seven days of the relevant meeting taking place, if the Board meeting relates to the Project.

33 Governance – Persons involved in management and financial administration

- 33.1 The Provider must immediately notify the Commonwealth of any person it employs, engages or elects who will have a role in its financial administration or management. The notice must include the identity and qualifications of the person/s.
- 33.2 The Provider must not employ, engage or elect any person who will have a role in its management or financial administration if any of the following applies:
 - a) the person is an undischarged bankrupt;
 - b) there is in operation a composition, deed of arrangement or deed of assignment with the person's creditors under the law relating to bankruptcy;
 - c) the person has been given final judgment for a debt and the judgment has not been satisfied;
 - d) within the last five years, the person:
 - (i) has been convicted of an offence/s against a Commonwealth, State or Territory law involving dishonesty;
 - (ii) has been released from prison after having been imprisoned for offence/s involving dishonesty;
 - (iii) is or was a director or occupied an influential position in the management or financial administration of an organisation that had failed to comply with funding or grant

requirements of the Commonwealth, the Aboriginal and Torres Strait Islander Commission or its predecessors;

- e) the person is otherwise prohibited from being a member, director, employee or responsible officer of the Provider under Commonwealth, State or Territory legislation.

34 Recruitment

34.1 If the Provider uses any part of a Grant for the full or partial payment of staff salaries for new or vacant positions, the Provider must either itself or through a recruitment company:

- a) make available a duty statement and selection criteria for the relevant position;
- b) advertise the position;
- c) ensure the selection panel does not consist of anyone who has or appears to have a conflict of interest; and
- d) ensure the selection process is merit-based and consistent with the duty statement and selection criteria.

EXECUTION PAGE

Executed as a Deed

Commonwealth:

SIGNED, SEALED and DELIVERED for and on behalf of the Commonwealth of Australia as represented by the National Indigenous Australians Agency by:

(Name of Commonwealth Representative)

(Signature of Commonwealth Representative)

(Position of Commonwealth Representative)

...../...../.....

(Name of Witness in full)

(Signature of Witness)

Provider:

SIGNED, SEALED and DELIVERED for and on behalf of West Arnhem Regional Council ABN 45 065 336 873 in accordance with its rules:

(Name and position held by Signatory)

(Signature)

...../...../.....

(Name and position held by second Signatory /
Name of Witness)

(Signature of second Signatory / Witness)

...../...../.....

Notes about the Provider's signature block:

- if the Provider is an **incorporated association**, the signatories can be any two members of the governing committee of the Association or a member of the governing committee and the Public Officer. Alternatively, the Head Agreement could be executed using the Common Seal. Associations incorporated in the **Northern Territory** must affix their **Common Seal** unless the Rules of the Association authorise a person to enter into legally binding documents.
- if the Provider is a **company**, generally two signatories are required – the signatories can be two Directors or a Director and the Company Secretary. Affix the Provider's **Company Seal**, if required by the Provider's Constitution.
- if the Provider is a **company with a sole Director/Secretary**; the Director/Secretary is required to be the signatory in the presence of a witness. Affix the Provider's **Company Seal**, if required by the Provider's Constitution.
- if the Provider is a **partnership**, a partner must be a signatory in the presence of a witness.
- if the Provider is an **individual**, the Provider must sign in the presence of a witness.
- if the Provider is a **university**, the signatory can be an officer authorised by the legislation creating the university to enter into legally binding documents. A witness to the signature is required.
- if you are a **State or Territory Government**, the delegate must sign for the State/Territory Department/Agency acting on behalf of the State or Territory Government. The delegate's signature must also be witnessed.

WEST ARNHEM REGIONAL COUNCIL
FOR THE MEETING 22 NOVEMBER 2023

Agenda Reference:	12.2
Title:	2022-2023 Annual Report
File Reference:	1104485
Author:	Heidi Walton, Communications and Public Relations Coordinator

SUMMARY

The purpose of this report is to present the West Arnhem Regional Council's 2022-2023 Annual Report for adoption. The Annual Report contains information about Council's operating and financial activities over the past financial year.

BACKGROUND

According to section 291 of the *Local Government Act 2019*, every council must have an annual report that contains:

- (a) A copy of the council's audited financial statement for the relevant financial year.
- (b) An assessment of:
 - (i) The council's performance against the objectives stated in the relevant regional plan adopted for the relevant financial year (applying indicators of performance set in the plan). In this context, the *West Arnhem Regional Council Regional Plan and Budget 2021-2022*.
 - (ii) The activities of all local authorities within the council's area for the relevant financial year.
- (c) An itemisation of any shared services the council has been involved with for the relevant financial year.
- (d) Details in relation to any delegations of the council's functions and powers to a council committee, local authority or local government subsidiary in force for the relevant financial year.
- (e) An itemisation of any amounts of fees or allowances paid to committee members in the relevant financial year.
- (f) A report on the consultations undertaken by the council in the relevant financial year.
- (g) An assessment of the council's performance of service delivery and projects for the relevant financial year, with reference to the advice and recommendations of authorities.
- (h) Any other information prescribed by regulation or in accordance with guidelines made by the Minister. In this regard, regulation 12 of the *Local Government (General) Regulations 2021* further states that the annual report of a council must include a comparison of the council's original budget, the council's most recently adopted budget and actual results, with a report on the reasons for the material variations between the most recently adopted budget and the actual results.

COMMENT

Due to size restraints, the 2022-2023 Annual Report document has been tabled as a separate document to the agenda.

There will be a separate report to Council regarding the audited financial statements in this agenda. The statements and analysis were considered at the Risk Management and Audit Committee meeting

held on 10 November 2023. A copy of these audited financial statements will also appear in the final copy of the Annual Report.

STATUTORY ENVIRONMENT

Sections 290 and 291 of the *Local Government Act 2019*.
Clause 12 of the *Local Government (General) Regulations 2021*.

POLICY IMPLICATIONS

Not applicable.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC IMPLICATIONS

The preparation of Council's annual report fulfils the following performance objectives as outlined in the *Regional Plan 2023-2024*:

PILLAR 1 PARTNERSHIPS, RELATIONSHIPS AND BELONGING

Investing in relationships and partnerships at all levels supports and strengthens community and belonging. We prioritise the value of partnerships and relationships as a key determinant of a happy, strong and thriving community.

Goal 1.1

Community Engagement

Seek out and support diverse perspectives and collaborations with community, community leaders, businesses, agencies and local service providers to enhance community life

PILLAR 6 FOUNDATIONS OF GOVERNANCE

Integrity is at the heart of everything we do. We are leaders of best practice and excellence in governance, advocacy, consultation and administration. Our processes, procedures and policies are ethical and transparent.

Goal 6.3

Council and Local Authorities

Excellence in governance, consultation administration and representation

Goal 6.5

Planning and Reporting

Robust planning and reporting that supports Council's decision-making processes

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION:

Council reviewed and adopted the West Arnhem Regional Council Annual Report 2022-2023.

ATTACHMENTS

WEST ARNHEM REGIONAL COUNCIL
FOR THE MEETING 22 NOVEMBER 2023

Agenda Reference:	14.1
Title:	Closure to the Public for the Discussion of Confidential Items
File Reference:	1104613
Author:	Ben Heaslip, Acting Governance and Risk Advisor

SUMMARY

Pursuant to section 99(2) and 293(1) of the *Local Government Act 2019* and regulation 52 of the *Local Government (General) Regulations 2021*, the meeting is to be closed to the public to consider confidential matters.

STATUTORY ENVIRONMENT

Section 99(2) of the *Local Government Act 2019*
Regulations 51 and 52 of the *Local Government (Administration) Regulations 2021*

RECOMMENDATION:

That Council approved pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 52 of the Local Government (General) Regulations 2021 the meeting be closed to the public to consider the Confidential items of the Agenda.

ATTACHMENTS

**WEST ARNHEM REGIONAL COUNCIL
FOR THE MEETING 22 NOVEMBER 2023**

EXCLUSION OF THE PUBLIC

The information in this section of the agenda is classed as confidential under section 293(1) of the *Local Government Act 2019* and regulation 51 of the *Local Government (Administration) Regulations 2021*.

**WEST ARNHEM REGIONAL COUNCIL
FOR THE MEETING 22 NOVEMBER 2023**

RE-ADMITTANCE OF THE PUBLIC