



Council Meeting

BUSINESS PAPER

WEDNESDAY 16/09/2020

Meeting to be held commencing 6:30pm
In Council Chambers at 7 Bees Creek Road, Freds Pass
and via video conference

Zoom <https://us02web.zoom.us/j/84104861372>

Open Space Discussion with Community Members and Councillors
will be held from 6:00pm – 6:25pm in the
Council's Gazebo

Daniel Fletcher, Chief Executive Officer

Any member of Council who may have a conflict of interest, or a possible conflict of interest in regard to any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Notice of Meeting
to be held in the Council Chambers, Litchfield
on Wednesday 16 September 2020 at 6:30pm



Daniel Fletcher
Chief Executive Officer

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COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 16 September 2020

1. Open of Meeting

An audio recording of this meeting is being made for minute taking purposes as authorised by the Chief Executive Officer.

2. Acknowledgement of Traditional Ownership

Council would like to acknowledge the traditional custodians of this land on which we meet on tonight. We pay our respects to the Elders past, present and future for their continuing custodianship of the land and the children of this land across generations.

3. Apologies and Leave of Absence / Electronic Attendance

As per Litchfield Council's Meeting Procedures Policy GOV02 4.1.2 b) Mayor Bredhauer has applied for Electronic Meeting Attendance.

THAT Council notes and approves:

Electronic Meeting Attendance:

Mayor Maree Bredhauer

Leave of Absence:

Cr {Insert} {dates}

4. Disclosures of Interest

Any member of Council who may have a conflict of interest, or a possible conflict of interest regarding any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.

5. Confirmation of Minutes

THAT Council confirm the minutes of the Council Meeting held 19 August 2020, 7 pages.



COUNCIL MINUTES

LITCHFIELD COUNCIL MEETING

Minutes of Meeting

held in the Council Chambers, Litchfield
on Wednesday 19 August 2020 at 6:30pm

Present	Maree Bredhauer	Mayor
	Christine Simpson	Deputy Mayor / Councillor Central Ward
	Doug Barden	Councillor South Ward
	Mathew Salter	Councillor North Ward
Staff	Daniel Fletcher	Chief Executive Officer
	Silke Maynard	Director Community & Corporate Services
	Wendy Smith	Manager Planning and Regulatory Services
	Ken Fox	Infrastructure and Operations Directorate Support
	Phil Joyce	Manager Infrastructure & Assets
	Rodney Jessup	Project Engineer
	Debbie Branson	Executive Assistant

1. OPENING OF THE MEETING

The Mayor opened the meeting and welcomed members of the public.

The Mayor advised that an audio recording of the meeting will be made for minute taking purposes as authorised by the Chief Executive Officer.

2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

On behalf of Council, the Mayor acknowledged the traditional custodians of the land on which the Council meet on. The Mayor also conveyed Council's respect to the Elders past, present and future for their continuing custodianship of the land and the children of the land across generations.

3. APOLOGIES AND LEAVE OF ABSENCE

Kirsty Sayers-Hunt - Councillor East Ward – Apology

Moved: Deputy Mayor Simpson
Seconded: Cr Barden

THAT Council notes and approves Cr Sayers-Hunt's apology.

CARRIED (4-0)-2021/022

4. DISCLOSURES OF INTEREST

The Mayor advised that any member of Council who may have a conflict of interest, or a possible conflict of interest regarding any item of business to be discussed at a Council meeting or a Committee meeting should declare the conflict of interest to enable Council to manage the conflict in accordance with its obligations under the Local Government Act and its policies regarding the same.

No disclosures of interest were declared.

5. CONFIRMATION OF MINUTES

Moved: Deputy Mayor Simpson
Seconded: Cr Salter

THAT Council confirm the minutes of the:

1. Council Meeting held 15 July 2020, 7 pages;
2. Confidential Council Meeting held 15 July 2020, 1 page; and
3. Special Council Meeting held 29 July 2020, 7 pages.

CARRIED (4-0)-2021/023

6. BUSINESS ARISING FROM THE MINUTES

Moved: Deputy Mayor Simpson
Seconded: Cr Barden

THAT Council receives and notes the Action List.

CARRIED (4-0)-2021/024

7. PRESENTATIONS

Nil.

8. PETITIONS

Nil.

9. PUBLIC FORUM

Nil.

10. ACCEPTING OR DECLINING LATE ITEMS

Nil.

11. NOTICES OF MOTION

Nil.

12. MAYORS REPORT

Moved: Cr Barden
Seconded: Deputy Mayor Simpson

THAT Council receive and note the Mayor's monthly report.

CARRIED (4-0)-2021/025

13. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

Councillors appointed by Council to external committees provided an update where relevant.

Moved: Deputy Mayor Simpson
Seconded: Cr Barden

THAT Council note the Councillors' verbal report.

CARRIED (4-0)-2021/026

14. FINANCE REPORT

14.1 Council Finance Report – July 2020

Moved: Deputy Mayor Simpson
Seconded: Cr Barden

THAT Council receives the Litchfield Council Finance report for the period ended 30 June 2020.

CARRIED (4-0)-2021/027

15. OFFICERS REPORTS

15.1 August 2020 Summary Planning and Development Report

Moved: Cr Barden
Seconded: Cr Salter

THAT Council:

1. receives the August 2020 Summary Planning and Development Report and
2. notes for information the responses provided to relevant agencies within Attachments A-B to this report.

CARRIED (4-0)-2021/028

15.2 PA2020/0119, a Planning Scheme Amendment Application to Introduce the Coolalinga/Freds Pass Area Plan

Moved: Deputy Mayor Simpson
Seconded: Cr Barden

THAT Council:

1. receive and note the report; and
2. endorse Attachment A, Council's Letter of Comment for PA2020/0119, a Planning Scheme Amendment Application to Introduce the Coolalinga/Freds Pass Area Plan.

CARRIED (4-0)-2021/029

15.3 Proposed Update to the Litchfield Subregional Land Use Plan - Gunn Point Peninsula

Moved: Deputy Mayor Simpson
Seconded: Cr Barden

THAT Council:

1. receive and notes the report; and
2. endorse Attachment C, Council's Letter of Comment on the Discussion Paper and Proposed Updates to the Litchfield Subregional Land Use Plan – Gunn Point Peninsula.

CARRIED (4-0)-2021/030

15.4 Local Roads and Community Infrastructure Program - LRCI

Moved: Cr Barden
Seconded: Deputy Mayor Simpson

THAT Council:

1. endorse the infrastructure projects allocated to the Local Roads and Community Infrastructure Program funding, which include:
 - a. Wells Creek Road
 - b. Mocatto Road
 - c. Townend Road
 - d. Redcliffe Road; and
2. authorise the Chief Executive Officer to submit project nomination forms.

CARRIED (4-0)-2021/031

Manager Infrastructure & Assets Phil Joyce and Project Engineer Rodney Jessup left the meeting at 7:20pm

15.5 Draft Tourism and Events Strategy

Moved: Cr Barden
Seconded: Deputy Mayor Simpson

THAT Council:

1. adopt the Draft Tourism and Events Strategy;
2. approve the supporting documentation, Tourism in Litchfield; and
3. authorise the Chief Executive Officer to make editorial changes if needed.

CARRIED (4-0)-2021/032

15.6 Chief Executive Officer Monthly Report

Moved: Cr Salter
Seconded: Deputy Mayor Simpson

THAT Council note the Chief Executive Officer monthly report for July 2020.

CARRIED (4-0)-2021/033

15.7 Electoral Review 2020 – A report to the Minister for Local Government, Housing and Community Development

Moved: Deputy Mayor Simpson

Seconded: Cr Salter

THAT Council:

1. recommend to the Minister for Local Government, Housing and Community Development the following amendments to its constitutional arrangements:
 - a. The Council area will be divided into three (3) wards, with each ward being represented by two (2) Councillors;
 - b. The elected Council will comprise the Mayor and six (6) Councillors; and
 - c. The wards will be identified as North Ward, Central Ward and South Ward;
2. approve the attached *Review of Constitutional Arrangements – A report to the Minister for Local Government, Housing and Community Development*; and
3. authorise the Chief Executive Officer to make necessary editorial changes to the *Review of Constitutional Arrangements – A report to the Minister for Local Government, Housing and Community Development*.

CARRIED (3-1)-2021/034

15.8 Acquittal of Special Purpose Grant Energy Efficiency and Sustainability Grant

Moved: Deputy Mayor Simpson

Seconded: Cr Barden

THAT Council:

1. note the Energy Efficiency and Sustainability Grant Acquittal report; and
2. approve the acquittal of the Energy Efficiency and Sustainability Grant for replacement of streetlight luminaries to the value of \$132,499.67 as of 30 June 2020.

CARRIED (4-0)-2021/035

15.9 Draft FIN05 Debt Recovery Policy

Moved: Deputy Mayor Simpson
Seconded: Cr Barden

THAT Council adopt FIN05 Debt Recovery policy as attached to the report.

CARRIED (4-0)-2021/036

16. COMMON SEAL

Nil.

17. OTHER BUSINESS

Nil.

18. PUBLIC QUESTIONS

18.1 Andrew Mackay – Electoral Review 2020

Mr Mackay advised that the report omitted the percentage of submissions in relation to the Ward Identification.

Mayor Bredhauer thanked Mr Mackay for his comments and advised that an editorial change would be made to the report to include this information.

19. CONFIDENTIAL ITEMS

Nil.

20. CLOSE OF MEETING

The Chair closed the meeting at 7:56pm.

21. NEXT MEETING

Wednesday 16 September 2020.

MINUTES TO BE CONFIRMED

Wednesday 16 September 2020.

.....
Mayor
Maree Bredhauer

.....
Chief Executive Officer
Daniel Fletcher



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 16 September 2020

6. Business Arising from the Minutes

THAT Council receives and notes the Action List.

Resolution Number	Resolution	Action Officer	Meeting Date	Status
15/0175/02	Meeting Procedures By-Laws THAT Council instruct the Acting Chief Executive Officer to begin negotiating with Parliamentary Counsel on the drafting of Meeting Procedures By-Laws for Litchfield Council.	19-11-15	DCCS	Update to be provided at December 2020 Council Meeting.
16/0203	Signage, Roadside Vans and Events on Council Land 1. Endorse a position that no approvals will be given for signage, roadside vans or events on council owned land until such time as appropriate policy, procedures and by-laws are developed. This excludes Council Reserves which are run under management by committee or under lease to an incorporated body; 2. Develop Council by-laws to cater for the regulation of a permit system for signage within the municipality and roadside vans and events on council owned land; 3. Develop policy and procedures to support any Council by-laws which are enacted; and 4. To commence work on these by-laws, policy and procedures in 2017/18 financial year.	21-09-16	DCCS	On hold until Meeting By-Laws are concluded.
17/0036/4	Litchfield Aquatic Facility Needs Analysis Report THAT Council engages the Northern Territory Government to work together to address the gap in aquatic services in the southern part of the Litchfield municipality, in particular the provision of Learn to Swim facilities.	15-02-17	DCCS	Project on hold.
1718/240	Berry Springs Water Advisory Committee - Council Representative THAT Council appoints Councillor Barden as its nominated representative to lodge an Expression of Interest for the Northern Territory Government Department of Environment and Natural Resources Berry Springs Water Advisory Committee.	16-05-18	CEO	Appointments are on hold due to a legal issue relating to the Water Act 1992 and the number of water advisory committees that can operated in a water control district. Waiting on further advice from NT Government.
1819/145	Recreation Reserve Leases and Funding Agreements Project THAT Council: 1.notes the update on the development of leases and funding agreements as part of the Recreation Reserves Leases project; 2.notes the draft lease agreement; 3.approves the fixation of the Common Seal with the Mayor and the CEO signing the lease agreements on behalf of Council, providing no material changes are made to the lease agreement; and 4.receives an update report on the progress made with each Reserve Management Committee and other User Groups on Council's Recreation Reserves in signing the lease agreement, no later than the June 2019 Council meeting.	16-01-19	DCCS	The Lease Agreements for McMinns Lagoon, Livingstone and Berry Springs Recreation Reserves have been executed. The Lease Agreement for Humpty Doo Village Green Recreation Reserve requires further discussions prior to execution.
1920/174	Mira Square - Application for Crown Land THAT Council: 1.proceed with an application for Crown land for a portion of Mira Square for initial construction of a serviced shed and play area; and 2.authorise the Chief Executive Officer to lodge such application and enter into a lease agreement for the site.	19-03-20	DIO	Application submitted 17 July 2020 and currently under review by Crown Land for acceptance.

Proposed Road Opening Richards Road, Blackmore – Section 1719					
1920/176	THAT Council: 1.proceed with the road opening process for Richards Road across 2415 Cox Peninsula Road, Blackmore; and 2.authorise all appropriate documents to be signed and common seal affixed by the Mayor and Chief Executive Officer for the opening of the road, as required.	19-03-20	DIO	Final step in process is Ministerial approval, which will occur once NT Government election results and Ministerial appointments are finalised.	
NGA20 Notice of Motion					
1920/182	THAT Council endorse the submission of the following motion to the National General Assembly of Local Governments for consideration: “Litchfield Council calls on the Federal Government to provide increased funding towards reducing the amount of ‘fuel loads’ throughout the natural environment to specifically, but not exclusively, combat the spread of Gamba Grass (Andropogon gayanus) which is an Australian Government weed of National Significance and a declared weed in Western Australia, Northern Territory and Queensland.”	19-03-20	CEO	Deferred until National General Assembly of Local Government reconvenes in 2021	
COVID-19 Response Plan					
1920/183	THAT Council: 1.delegate to the Chief Executive Officer, pursuant to Section 32 (d) of the Local Government Act 2008 (NT), and in light of Australian Government and Northern Territory Government requirements for the COVID-19 response, its powers and functions as set out in sections 47 and of the Local Government Act 2008 (NT) being the power to determine opening times of Council’s offices and facilities and the opening times of the Libraries until such time as the Australian Government or Northern Territory Government have declared the emergency has ended; and 2.delegate to the Chief Executive Officer, pursuant to Section 32 of the Local Government Act 2008 (NT), and in light of Australian Government and Northern Territory Government requirements for the COVID-19 response, the authority to cancel or amend programs, service levels, budgeted council events and third party events held on council property under license, permit, or any other agreement until such time as the Australian Government or Northern Territory Government have declared the emergency has ended.	19-03-20	CEO	This resolution of council continues to be active until the Australian and/or Northern Territory Governments declare the COVID-19 pandemic has ended.	

Change to Meeting Protocols

THAT Council:

1.acknowledge the need to adapt GOV02 Meeting procedures policy to allow for the use of online platforms for conducting Council meetings;

2.suspend:

a.section 4.1.2(d) of GOV02 Meeting Procedures policy to allow the Mayor to Chair meetings remotely,

b.public accessing Chambers for Council meetings due to social distancing protocols,

c.section 4.1.10(c) of GOV02 Meeting Procedures policy and require a member of the public to make a statement in reference to a petition remotely, and

d.section 4.1.21 – Members will not be required to stand when addressing the meeting;

3.require all questions from the public related to the agenda be submitted via email to the Chief Executive Officer at least two days prior to the meeting to be read out at the meeting;

4.record all Ordinary and Special Council meetings and make these available on the Council website;

5.require requests for deputations (section 4.1.11 of GOV02 Meeting Procedures) be conducted by remote access;

6.request the Chief Executive Officer to develop appropriate Electronic Meeting Procedures; and

7.review these directives:

a.at the first Council meeting in 2021, or

b.when Social distancing protocols are lifted by the Northern Territory Chief Health Officer.

1920/207

15-04-20

DCCS

Ongoing as physical distancing rules regarding COVID19 still apply.

Local Roads and Community Infrastructure Program - LRCI

THAT Council:

1.endorse the infrastructure projects allocated to the Local Roads and Community Infrastructure Program funding, which include:

a.Wells Creek Road

b.Mocatto Road

c.Townend Road

d.Redcliffe Road; and

2.authorise the Chief Executive Officer to submit project nomination forms

2021/031

19-08-20

DIO

COMPLETE: Project nomination forms submitted to Department of Infrastructure, Transport, Regional Development and Communications. Awaiting approval.

Draft Tourism and Events Strategy

THAT Council:

1. adopt the Draft Tourism and Events Strategy;

2. approve the supporting documentation, Tourism in Litchfield; and

3. authorise the Chief Executive Officer to make editorial changes if needed.

2021/032

19-08-20

CEO

Complete.
Both documents available on Council's website.

Electoral Review 2020 – A report to the Minister for Local Government, Housing and Community Development

2021/034	<p>THAT Council:</p> <ol style="list-style-type: none"> 1.recommend to the Minister for Local Government, Housing and Community Development the following amendments to its constitutional arrangements: <ol style="list-style-type: none"> a.The Council area will be divided into three (3) wards, with each ward being represented by two (2) Councillors; b.The elected Council will comprise the Mayor and six (6) Councillors; and c.The wards will be identified as North Ward, Central Ward and South Ward; 2.approve the attached Review of Constitutional Arrangements – A report to the Minister for Local Government, Housing and Community Development; and 3.authorise the Chief Executive Officer to make necessary editorial changes to the Review of Constitutional Arrangements – A report to the Minister for Local Government, Housing and Community Development. 	19-08-20	DCCS	<p>Complete. Report submitted to Minister for Local Government, Housing and Community Development on 21 August 2020.</p>
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Acquittal of Special Purpose Grant Energy Efficiency and Sustainability Grant

2021/035	<p>THAT Council:</p> <ol style="list-style-type: none"> 1.note the Energy Efficiency and Sustainability Grant Acquittal report; and 2.approve the acquittal of the Energy Efficiency and Sustainability Grant for replacement of streetlight luminaries to the value of \$132,499.67 as of 30 June 2020. 	19-08-20	DCCS	<p>Complete. Acquittal submitted on 24 August 2020.</p>
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COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 16 September 2020

7 Presentations

8 Petitions

9 Public Questions

10 Accepting or Declining Late Items

11 Notices of Motion

12 Mayors Report

12.1 Mayor's Report



COUNCIL REPORT

Agenda Item Number: 12.1
Report Title: Mayor's Monthly Report
Author & Recommending Officer: Maree Bredhauer
Meeting Date: 16/09/2020
Attachments: Nil

Executive Summary

A summary of the Mayor's attendance at meetings and functions representing Council for the period 20 August 2020 to 16 September 2020.

Summary

Date	Event	Content/Comment
20 August 2020	Walking Group – McMinns Lagoon	Get Active Program in Litchfield
21 August 2020	Territory FM Radio Interview	Regular Interview
24 August 2020	Litchfield Palmerston Regional Reconstruction Committee	Scheduled Meeting
25 August 2020	Online Citizenship Ceremonies	Scheduled Event
	Review of Re-Energise Australia – A clean Job Summit for Local Government	Online summit
26 August 2020	CMCA Meeting	Requested Meeting
27 August 2020	Walking Group – McMinns Lagoon	Get Active Program in Litchfield
	Seniors Morning Tea Cazalys Palmerston	Fortnightly event
	Litchfield Palmerston Regional Reconstruction Committee	Scheduled Meeting
28 August 2020	Territory FM Radio Interview	Regular Interview
29 August 2020	Quarterly Council Workshop	Scheduled Meeting
30 August 2020	Berry Springs Markets	Weekly Event
1 September 2020	Litchfield Women in Business Network Event – Coffee Catch Up	Monthly Event

Date	Event	Content/Comment
	Risk Management & Audit Committee Meeting	Scheduled Meeting
	Inpex Meeting	Requested Meeting
2 September 2020	Litchfield Palmerston Regional Reconstruction Committee	Scheduled Meeting
	Strategic Discussion & Briefing Session	Monthly Briefing
3 September 2020	CEO Performance Review Committee	Scheduled Meeting
	Litchfield Palmerston Regional Reconstruction Committee	Scheduled Meeting
4 September 2020	Territory FM Radio Interview	Regular Interview
5 September 2020	Rotary Club of Litchfield Palmerston	Suicide Prevention Awareness Event
	Care Flight Barefoot Bowls Night	Fundraiser
6 September 2020	Talent Quest – Presentation of Prizes	Annual Event
7 September 2020	Litchfield Women in Business Network Committee Meeting	Scheduled Meeting
10 September 2020	Seniors Morning Tea Cazalys Palmerston	Fortnightly event
	Rotary Club of Litchfield / Palmerston Information Awareness	Suicide Awareness Program
11 September 2020	Territory FM Radio Interview	Regular Interview
16 September 2020	ABC Darwin Grassroots Program	Monthly Interview
	Litchfield Council & Thorak Regional Board Meeting	Monthly Meeting

Recommendation

THAT Council receives and notes the Mayor's monthly report.



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 16 September 2020

Council Appointed Representatives provide a verbal update on activities over the past month relating to the committee meetings to which the Councillor has been formally appointed.

13 Verbal Reports from Council Appointed Representatives

Cr Barden	-	Freds Pass Upgrade Reference Group
Cr Simpson	-	Freds Pass Rural Show Committee
Mayor Bredhauer	-	Howard East Water Advisory Committee
	-	Litchfield Women in Business Network Committee
	-	Local Government Association of the Northern Territory (LGANT)

Activity Area Plans

Mayor Bredhauer Cr Simpson	Coolalinga/Freds Pass Rural Activity Centre Area Plan Community Advisory Committee
Mayor Bredhauer Cr Barden	Humpty Doo Rural Activity Centre Area Plan Community Advisory Group

RECOMMENDATION

THAT Council note the Councillors' verbal report.



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 16 September 2020

14	Finance Report
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14.1	Litchfield Council Finance Report August 2020
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COUNCIL REPORT

Agenda Item Number:	
Report Title:	Litchfield Council Finance Report – August 2020
Author:	Arun Dias, Manager Finance
Recommending Officer:	Silke Maynard, Director Community & Corporate Services
Meeting Date:	[Meeting Date]
Attachments:	Nil

Executive Summary

Council's Operational Surplus position as at August 2020 reflects all rates levied except for Special Rates for Productive Mango Roads project. Total Operational expenses for August are in line with budget. The Surplus position excludes depreciation expense and is subject to change as expenses are incurred during the year.

The full year 2020-21 Budgeted Capital Revenue and Capital Expense do not include recent grants received under the Special Community Assistance and Local Employment (SCALE) program in June 2020 and \$1.18 million receivable for the 2020-21 year under the Local Roads and Community Infrastructure Grant Agreement (LRCI). In addition to these, capital budget from 2019-20 of \$2.5 million is expected to be carried forward to the 2020-21 year. These additions come to an additional \$4.7 million, bringing the total Capital budget for 2020-21 to \$10.8 million. For the purposes of 2019-20 financial statements, these funds are constrained and form part of the Unexpended Grants and Capital Works Reserves.

Council's cash position continues to remain strong with a high performance of current ratio representing enough cash resources to settle any outstanding liabilities for the next twelve months.

Prior year's rates have increased compared to the same month in the 2019-20 financial year. Council is prioritising rates collection and will be taking steps to ensure debt collection strategies currently in place are promoted to create awareness among ratepayers on obligations and implications of unpaid Rates and Charges. This is done with view to ensure rates collectible remains at acceptable levels and as Council fulfills its Municipal Plan targets to remain financially sustainable.

Financial Statements for year ending 2019-20 have not been finalised which could have impacts on results presented in this report.

Recommendation

THAT Council note the Litchfield Council Finance Report for the period ended 31 August 2020.

Background

Detailed financial information presented in the following pages.

Links with Strategic Plan

A Well-Run Council - Good Governance

Legislative and Policy Implications

Not applicable.

Financial Implications

Nil.

Risks



Community Engagement

Not applicable.

Finance Report

August 2020

**LITCHFIELD
COUNCIL**



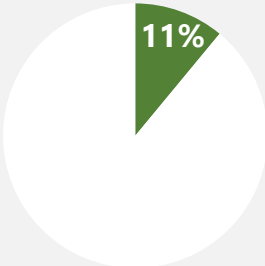
Community effort is essential

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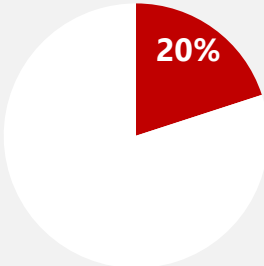
AUGUST 2020

DRAFT DASHBOARD REPORTING



Asset Sustainability Ratio

Capital Expenditure
Actuals \$0.62M
Target – 47% for full year



Rates Outstanding

\$2.4 M Outstanding
Target– 15% (\$1.6M and less)



Current Cash Investments

\$20M

→ 0 of 22 Completed Capital Projects

→ \$17M Forecast Cash Reserves June 2021

\$ 11.5M

OPERATIONAL REVENUE

\$16M Budget – 69% Target Achieved

\$ 1.8M

OPERATIONAL EXPENSES

\$15M Budget – 12% Spent

\$ 9.7M

OPERATING SURPLUS

Budget \$1.8M

\$ 0.0M

CAPITAL REVENUE

\$1.8M Budget – 0% Target Achieved

\$ 0.62M

CAPITAL EXPENSES

\$6.56M Budget – 9.4% Spent

\$ (0.62)M

CAPITAL DEFECIT

Budget (\$4.7M)

RATIOS

11% Asset Sustainability
Target 60% and more

20% Rates Outstanding
Target less than 15%

46% Own Source Revenue
Target 60% and more

26.18 Current Ratio
Target more than 1

0 Debt Service Ratio
Target less than 1

Not Achieved

Not Achieved

Budgeted to be Achieved

Achieved

Achieved

SECTION 1

CONSOLIDATED FINANCIAL STATEMENTS

The consolidated Financial Statements, including Thorak Regional Cemetery operations are presented in the same format as the full set of *End of Financial Year* Statements for greater transparency. In line with end of financial year procedures, adjustments and accruals to financials is currently underway. As such, results presented in this report are subject to change until the conclusion of the 2019-20 financial year audit.

The statements do not include capital revenue, this is reported in the Capital Budget Position table. Capital expenditure is capitalised as Infrastructure, Property, Plant & Equipment in the Balance Sheet upon completion of the projects.

CONSOLIDATED OPERATING STATEMENT at 31 August 2020

	2020/21 Budget	2020/21 YTD Actuals	% of Budget
REVENUE			
Rates	11,050,208	10,804,964	98%
Stat Charges	125,200	11,483	9%
User Charges	1,186,723	293,741	25%
Grants	3,580,922	398,434	11%
Inv Income	678,201	67,484	10%
Reimbursements	0	0	0%
Other Revenue	118,200	1,659	1%
TOTAL REVENUE	16,739,455	11,576,766	69%
EXPENSES			
Employee Costs	6,932,575	1,073,846	15%
Auditors Fees	33,356	0	0%
Bad Debts	900	0	0%
Elected Member	270,910	38,032	14%
Election Costs	0	0	0%
Cemetery Operations	380,563	39,021	10%
Contractors	4,103,852	348,076	8%
Energy	196,300	6,548	3%
Insurance	260,000	58,845	23%
Maintenance	451,821	51,402	11%
Legal Expenses	82,004	1,700	2%
Donations and Community Support	131,131	19,242	15%
Computer / IT Costs	388,455	49,457	13%
Parts, Accessories & Consumables	185,860	29,686	16%
Professional Fees	982,239	45,540	5%
Sundry	558,589	47,485	9%
TOTAL EXPENSES	14,958,554	1,808,879	12%
RESULT	1,780,901	9,767,886	548%

CONSOLIDATED BALANCE SHEET at 31 August 2020

Balance sheet presented is in draft format and is subject to changes as the preparation of Financial Statements for 30 June 2020 are still underway. Revised accounting standards from AASB 1058 and AASB16 are expected to impact the overall result of the balance sheet and the movements in the Accumulated Surplus for 30 June 2020.

	31-Jul-20	31-Aug-20	Movement
CURRENT ASSETS			
Cash & Cash Equivalents	2,077,021	801,037	(1,275,984)
Trade and Other Receivables	1,775,328	12,234,678	10,459,349
Other Financial Assets	20,111,023	19,911,023	(200,000)
Other Current Assets	117,860	0	(117,860)
TOTAL CURRENT ASSETS	24,081,233	32,946,737	8,865,504
NON-CURRENT ASSETS			
Infrastructure, Property, Plant & Equipment	299,273,630	299,273,630	0
Other Non-Current Assets	4,538,930	4,538,930	0
TOTAL NON-CURRENT ASSETS	303,812,560	303,812,560	0
TOTAL ASSETS	327,893,793	336,759,297	8,865,504
CURRENT LIABILITIES			
Trade and Other Payables	763,844	560,442	(203,402)
Current Provisions	693,355	697,810	4,455
TOTAL CURRENT LIABILITIES	1,457,199	1,258,252	(198,947)
NON-CURRENT LIABILITIES			
Non-Current Provisions	402,070	402,070	0
TOTAL NON-CURRENT LIABILITIES	402,070	402,070	0
TOTAL LIABILITIES	1,859,269	1,660,322	(198,947)
NET ASSETS	326,034,523	335,098,975	9,064,452
EQUITY			
Accumulated Surplus	8,451,360	17,515,812	9,064,452
Asset Revaluation Reserve	294,301,835	294,301,835	0
Other Reserves	23,281,329	23,281,329	0
TOTAL EQUITY	326,034,524	335,098,976	9,064,452

SECTION 2

OPERATING POSITION BY DEPARTMENT

The 2020/21 rates and charges have been applied to properties and recognised in Council's accounts for the month of August, which is reflected in revenue for August. The Surplus position is subject to decrease as operating expenses are incurred as the year progresses.

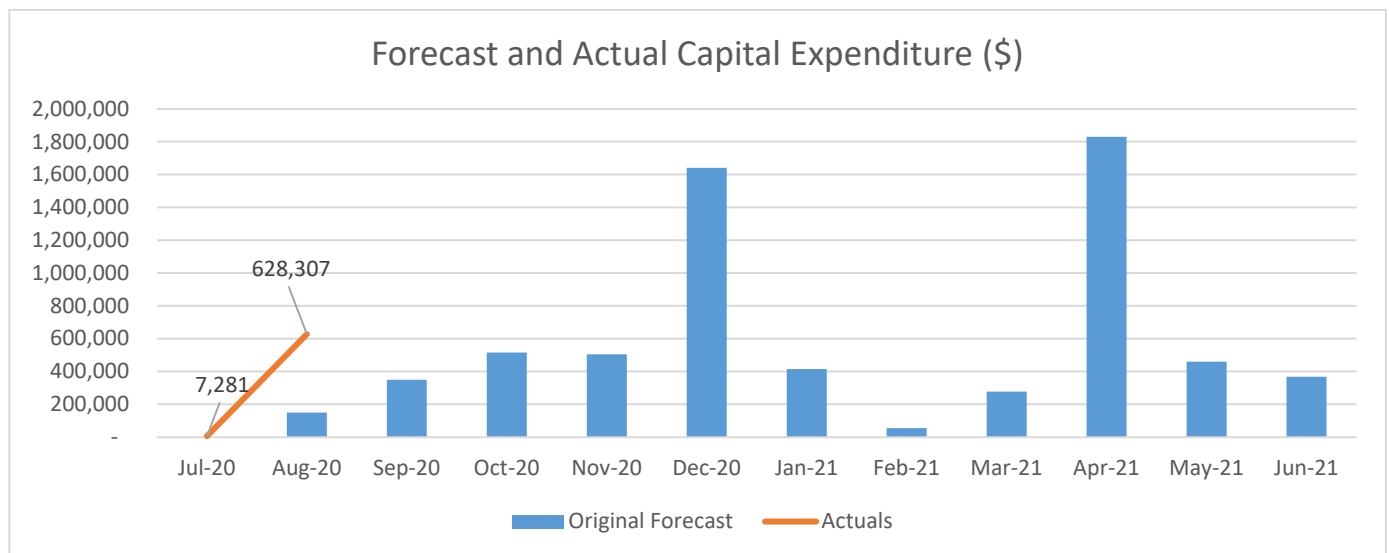
Note. This does not include Thorak Regional Cemetery.

	2020/21 Budget	2020/21 YTD Actuals	% of Budget
REVENUE			
Council Leadership	0	0	0%
Corporate	0	0	0%
Finance & Customer Service	9,047,699	7,995,925	88%
Infrastructure & Assets	2,924,174	328,828	11%
Planning & Development	53,040	0	0%
Waste Management	3,162,705	2,975,677	94%
Community	78,000	12,305	16%
Community – Library	419,953	6,704	2%
Mobile Workforce	0	0	0%
Regulatory Services	125,400	11,483	9%
TOTAL REVENUE	15,810,972	11,330,922	72%
EXPENSES			
Council Leadership	1,065,068	130,123	12%
Corporate	610,392	49,707	8%
Information Services	614,000	43,420	7%
Finance & Customer Service	1,615,906	240,261	15%
Infrastructure & Assets	2,745,312	374,657	14%
Planning & Development	701,502	9,293	1%
Waste Management	3,131,132	309,741	10%
Community	1,452,426	328,751	23%
Community – Library	419,953	64,392	15%
Mobile Workforce	1,289,009	88,720	7%
Regulatory Services	402,716	65,130	16%
TOTAL EXPENSES	14,047,416	1,704,196	12%
OPERATING RESULT	1,763,556	9,626,726	546%

CAPITAL BUDGET POSITION

The table below compares capital revenue and expenditure to budget by the end of August 2020. Budgeted Capital Revenue excludes funding received under the SCALE funding and funding receivable under the LRCI program.

	2020/21 Budget	2020/21 Actuals	YTD	% of Budget
REVENUE				
Infrastructure & Assets	1,520,525	0		0.0%
Planning & Development	0	3,031		0.0%
Mobile Workforce	0	0		0.0%
Community	300,000	0		0.0%
Regulatory Services	0	0		0.0%
Waste Management	0	0		0.0%
TOTAL REVENUE	1,820,525	3,031		0.2%
EXPENSES				
Infrastructure & Assets	5,743,518	547,439		9.5%
Planning & Development	75,000	0		0.0%
Waste Management	230,000	0		0.0%
Mobile Workforce	0	0		0.0%
Thorak Cemetery	80,000	0		0.0%
Community	377,000	88,149		23.4%
Regulatory Services	60,000	0		0.0%
TOTAL EXPENSES	6,565,518	635,588		9.7%
CAPITAL RESULT	(4,744,993)	(632,557)		13.3%



Capital Project	Scheduled Start Date	Scheduled End Date	Project Budget (\$)	August-2020 Year to Date Actuals (\$)	Project Stage	On Time	On Budget	Budget Spent %	Status update for projects not on time or not on budget
2020-21 budgeted Capital Works projects									
Productive Roads - Mango Roads	Jul-20	Jun-21	2,450,000	0	Project Commencement	Yes	Yes	0%	
Drainage Renewal and Upgrade	Aug-20	Jun-21	560,000	0	Project Initiation	Yes	Yes	0%	
Vehicle Replacement	Aug-20	Jun-21	280,000	0	Project Initiation	Yes	Yes	0%	
Shared Path Program	Aug-20	Jun-21	100,000	0	Project Initiation	Yes	Yes	0%	
Pathway Renewal	Aug-20	Jan-21	80,000	0	Project Initiation	Yes	Yes	0%	
Gravel Surface Renewal	Aug-20	Jun-21	300,000	0	Project Initiation	Yes	Yes	0%	
Road Seal Renewal	Jul-20	Dec-20	945,000	0	Project Planning	Yes	Yes	0%	
Street Lighting Replacement	Aug-20	Jun-21	10,000	0	Not Started	Yes	Yes	0%	
Road Safety Upgrades	Aug-20	Sep-21	463,518	0	Project Initiation	No	Yes	0%	Due to site complexities, project completion date has been extended. \$378,000 of project budget to be carried forward to 2021-2022. Approval for project extension currently underway.
Thorak Cemetery Asset Renewal	Aug-20	Jun-21	20,000	0	Project Planning	Yes	Yes	0%	
Thorak Cemetery Vehicle Replacement	Aug-20	Jun-21	60,000	0	Project Initiation	Yes	Yes	0%	
Waste Vehicle Replacement	Sep-20	Jun-21	170,000	0	Project Initiation	Yes	Yes	0%	
Reserve Building Renewal & Compliance	Sep-20	Jun-21	20,000	0	Not Started	Yes	Yes	0%	
Reserve Playground Renewal	Sep-20	Jun-21	12,000	0	Not Started	Yes	Yes	0%	
Fred's Pass Upgrade	Jul-20	Jun-21	300,000	0	Not Started	Yes	Yes	0%	
Knuckey Lagoon Building works	Sep-20	Jun-21	45,000	0	Project Initiation	Yes	Yes	0%	
Council Administration Building Renewal	Oct-20	Feb-21	20,000	0	Not Started	Yes	Yes	0%	

Capital Project	Scheduled Start Date	Scheduled End Date	Project Budget (\$)	August-2020 Year to Date Actuals (\$)	Project Stage	On Time	On Budget	Budget Spent %	Status update for projects not on time or not on budget
Driveway Surface and Culvert Renewal	Oct-20	Jun-21	40,000	0	Not Started	Yes	Yes	0%	
Kerb Renewal and Upgrade	Oct-20	Jun-21	10,000	0	Not Started	Yes	Yes	0%	
Pavement Renewal	Aug-20	Sep-21	485,000	0	Not Started	Yes	Yes	0%	
Mira Square Development	Oct-20	Jun-21	75,000	0	Not Started	Yes	Yes	0%	
Dog Pound Upgrade	Apr-21	Jun-21	60,000	0	Not Started	Yes	Yes	0%	
Waste Transfer Station Renewal	Aug-20	Jun-21	50,000	0	Project Initiation	Yes	Yes	0%	
Waste Strategy	Sep-20	Jun-21	10,000	0	Project Initiation	Yes	Yes	0%	
Carry over Capital Works projects from 2019-20 budget*									
Pavement Renewal - Whitewood Road	Started in 2019-20	Jun-20	7,742	0	Completed	No	Yes	0%	
Roads to Recovery Capital Works - Whitewood Road, Howard Springs	Started in 2019-20	Jun-20	296,902	0	Project Closure	No	Yes	0%	Scheduled completion Sep-2020
Pavement Renewal - Stevens Road	Started in 2019-20	Jun-20	473,159	0	Project Delivery	No	Yes	0%	Scheduled completion Oct-2020
BlackSpot – Girraween and Hillier Road	Started in 2019-20	Jun-20	355,428	54,793	Project Delivery	No	Yes	15%	Scheduled completion Oct-2020
Shoulder Widening - Pioneer Norm Lane	Started in 2019-20	Jun-20	299,607	218,370	Project Delivery	No	Yes	73%	Scheduled completion Oct-2020
Whitstone Road Sealing	Started in 2019-20	Jun-20	376,555	88,699	Project Closure	No	Yes	24%	Scheduled completion Oct-2020
Smart Controls for LED lighting	Started in 2019-20	Jun-20	22,820	0	Project Delivery	No	Yes	0%	Scheduled completion Oct-2020
LED streetlighting	Started in 2019-20	Jun-20	136,923	65,555	Project Delivery	No	Yes	48%	Scheduled completion Oct-2020
Council office – automatic doors all ability access	Started in 2019-20	Jun-20	4,000	3,750	Project Planning	No	Yes	94%	Scheduled completion Oct-2020
Brougham Road - January Monsoonal Damage	Started in 2019-20	Jun-20	20,000	780	Project Closure	No	Yes	4%	Scheduled completion Oct-2020
Mango Roads Stage 1 - 2019-20	Started in 2019-20	Jun-20	89,941	0	Project Delivery	Yes	Yes	0%	

Capital Project	Scheduled Start Date	Scheduled End Date	Project Budget (\$)	August-2020 Year to Date Actuals (\$)	Project Stage	On Time	On Budget	Budget Spent %	Status update for projects not on time or not on budget
FPSRR Equine Facilities Upgrade	Started in 2019-20	Dec-20	240,000	59,010	Project Delivery	Yes	Yes	64%	
FPSRR Cricket Club Change Rooms	Started in 2019-20	Dec-20	95,000	0	Project Closure	Yes	Yes	0%	
FPSRR Roads and Carpark Upgrades	Started in 2019-20	Dec-20	34,000	2,000	Project Closure	Yes	Yes	0%	
FPSRR Building Certification	Started in 2019-20	Dec-20	50,000	0	Project Delivery	Yes	Yes	6%	
FPSRR Project Management	Started in 2019-20	Dec-20	44,277	6,000	Project Delivery	Yes	Yes	2%	
SCALE Grant funding Capital Works projects*									
Humpty Doo Village Green Playground	Jul-20	Sep-20	80,000	168	Project Planning	Monitor	Yes	0%	Playground has been ordered by contractor however is not expected to arrive in Darwin until mid-October.
Shared Path Plan Safety Program	Jul-20	Sep-20	150,000	504	Project Planning	Monitor	Yes	0%	Engineered design was required for each of the four components of this project.
Berry Springs Hall electrical upgrades	Jul-20	Sep-20	50,000	168	Project Planning	Monitor	Yes	0%	Upon inspection of the site, further electrical upgrades were required in order to meet compliance.
Livingstone Recreation Reserve Playground	Jul-20	Sep-20	70,000	0	Project Initiation	Monitor	Yes	0%	Playground has been ordered by contractor however is not expected to arrive in Darwin until mid-October.
Digital Whiteboards	Jul-20	Sep-20	39,100	0	Project Delivery	Yes	Yes	0%	
IT remote work set up	Jul-20	Sep-20	27,300	0	Project Initiation	Monitor	Yes	0%	Depending on IT equipment delivery

Capital Project	Scheduled Start Date	Scheduled End Date	Project Budget (\$)	August-2020 Year to Date Actuals (\$)	Project Stage	On Time	On Budget	Budget Spent %	Status update for projects not on time or not on budget
Entrance Signage to the Municipality	Jul-20	Sep-20	40,000	0	Project Initiation	Monitor	Yes	0%	Approvals to be sought from DIPL for access to put signs in their road reserves, need design templates for approvals. Construction will be based on feedback from DIPL.
Mira Square Development	Jul-20	Sep-20	60,000	0	Project Initiation	Monitor	Yes	0%	Council has submitted an application to Crown Land for a portion of the land in Southport. In response to the application Council received notification the process for assessing and granting of any Crown land is estimated to take 4-6 months.
LRCI Grant funding Capital Works projects*									
Resealing of Wells Creek, Mocatto, Townend and Redcliff road	Aug-2020	Jun-2021	1,183,429	-	Project Initiation	Yes	Yes		

**Un-budgeted capital works include projects carried over from the 2019-20 year and grant funded projects under the SCALE and LRCI program which are not budgeted in the 2020-21 budget. These projects will be proposed to be included in the 2020-21 as part of the budget review process.*

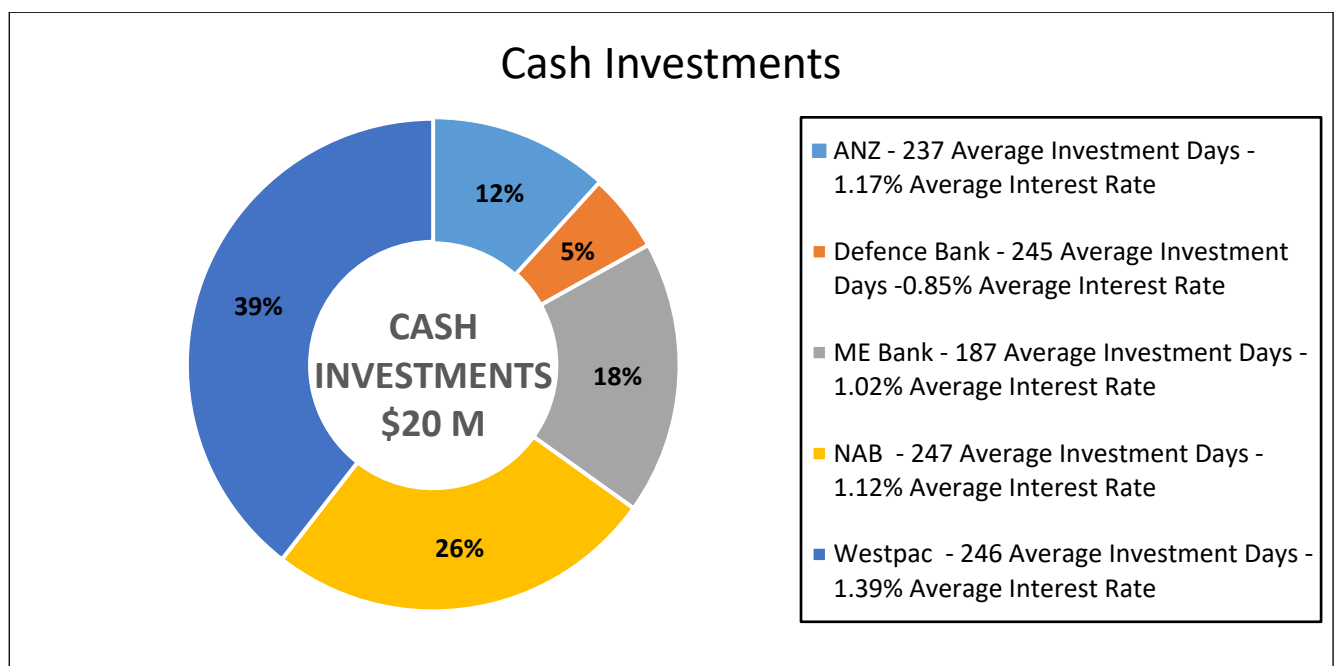
SECTION 3

CASH ON HAND & INVESTMENTS

Investment Schedule as at 31 August 2020

Council invests cash from its operational and business maxi accounts to ensure Council is receiving the best return on its cash holdings.

Date Invested	Invested Amount (\$)	Days Invested	Invested with	Interest Rate	Due Date	Expected return to Maturity Date (\$)
10/01/2020	1,100,000.00	235	Westpac	1.70%	1/09/2020	12,039.73
14/01/2020	2,027,813.70	245	Westpac	1.63%	15/09/2020	22,186.50
7/02/2020	1,500,000.00	242	ANZ	1.56%	6/10/2020	15,514.52
19/02/2020	1,051,938.09	244	Westpac	1.57%	20/10/2020	11,040.45
11/03/2020	1,012,672.88	238	NAB	1.30%	4/11/2020	8,584.14
24/03/2020	1,011,153.43	231	NAB	0.90%	10/11/2020	5,759.42
11/03/2020	1,000,000.00	251	NAB	1.30%	17/11/2020	8,939.73
7/04/2020	1,552,315.46	238	Westpac	1.40%	1/12/2020	14,170.73
6/05/2020	1,000,000.00	251	ME Bank	1.35%	12/01/2021	9,283.56
13/05/2020	1,000,000.00	258	Westpac	1.10%	26/01/2021	7,775.34
1/06/2020	1,000,000.00	253	Westpac	0.95%	9/02/2021	6,584.93
1/06/2020	2,000,000.00	267	NAB	0.97%	23/02/2021	14,191.23
2/06/2020	1,500,000.00	280	ME Bank	1.05%	9/03/2021	12,082.19
21/07/2020	1,010,668.50	245	Defence Bank	0.85%	23/03/2021	5,766.35
4/08/2020	1,020,558.90	30	ME Bank	0.65%	31/08/2020	545.23
18/08/2020	800,000.00	231	ANZ	0.77%	6/04/2021	3,898.52
TOTAL INVESTMENTS	\$19,587,121					\$158,363



FINANCIAL RESERVES

Table showing forecasted reserve balance for 30 June 2021.

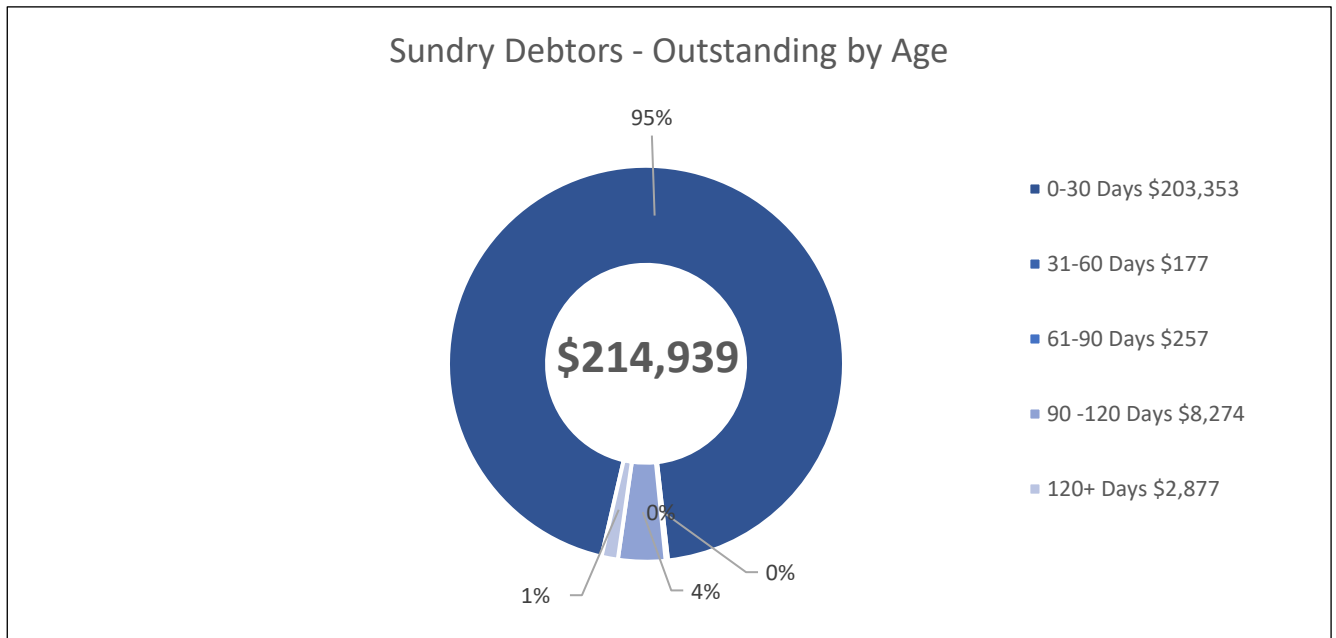
	Forecasted Balance* at 1 July 2020 (\$)	Net Increase/(Decrease) During the year (\$)	Forecasted Balance at 30 June 2021 (\$)
Developer Contribution Reserve	406,052	(403,500)	2,252
Unexpended Grants and Contributions	3,831,520	0	3,831,520
Asset Reserve	10,072,629	(2,299,511)	7,773,118
Waste Management Reserve	4,296,158	(198,427)	4,097,731
Election Reserve	100,000	0	100,000
Disaster Recovery Reserve	500,000	0	500,000
Strategic Initiatives Reserve	500,000	0	500,000
TOTAL	19,706,359	(2,901,438)	16,804,921

**Forecasted Balance amount as at the 1st of July 2020 is expected to change subject to audited financial statements for 30 June 2020 which will impact closing balances as at 30 June 2021.*

SECTION 4

DEBTORS

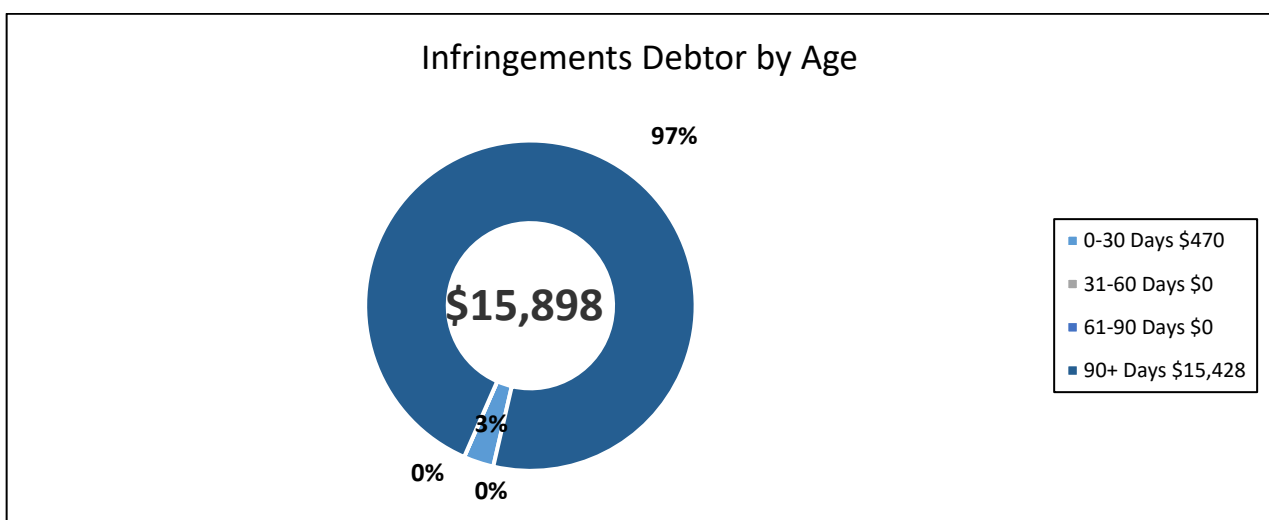
Total Debtors as at 31 August 2020 is \$214,939. The largest debtor is NT Concession and Recognition Unit for the rates pension concession.



In line with Council procedures aged debts are being pursued and depending on requirement will be forwarded to debt collection agencies. One outstanding debt more than 120 days is under consideration for debt write off.

FINES AND INFRINGEMENTS

As at 31 August 2020, Council has 65 infringements outstanding with a balance of \$15,898. Council in accordance with its debt recovery procedures is in the process of recovering the outstanding debt. Outstanding debt exceeding 90 days have been forwarded to the Fines Recovery Unit (FRU) and is awaiting payment.



OUTSTANDING RATES

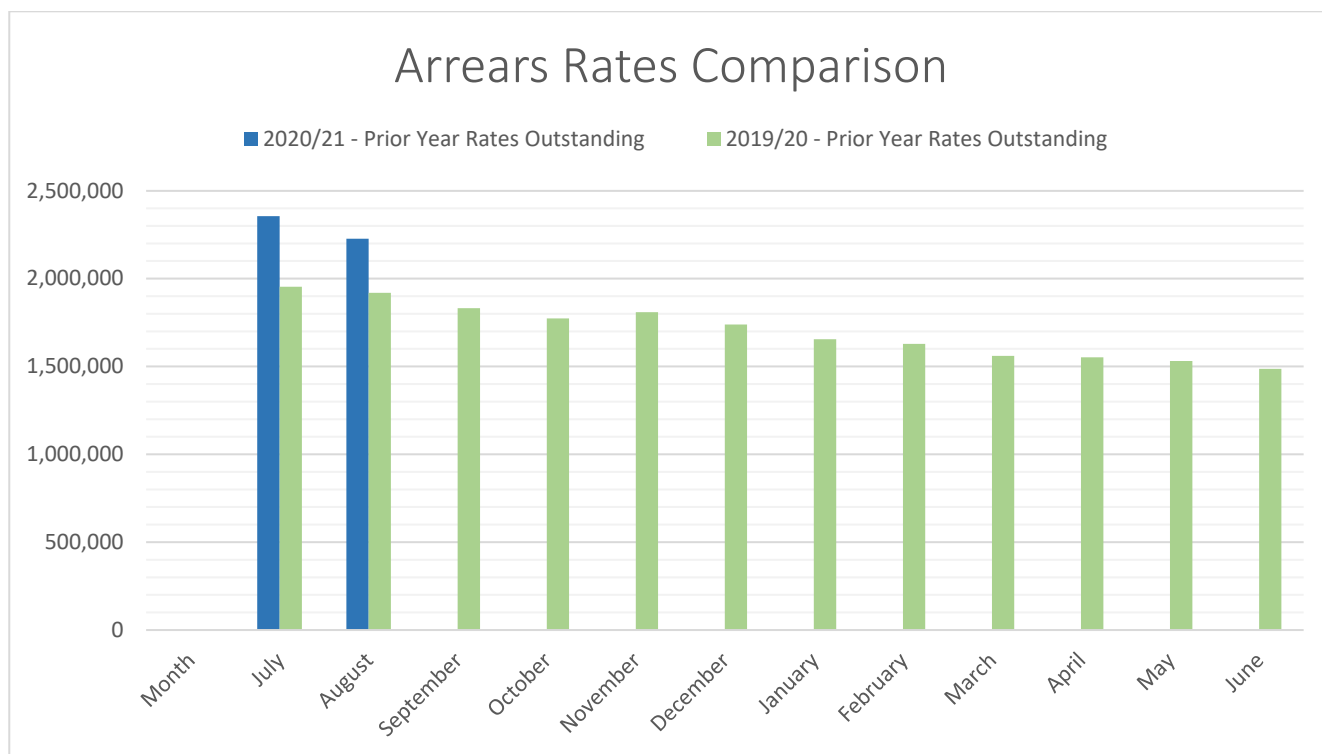
PRIOR YEAR RATES

The below table illustrates the split of prior year outstanding rates. Prior year rates as at 31 August 2020 are \$2.2 million, this is an increase of 23% compared to prior year August 2019.

Council is prioritising rates collection and will be taking steps to ensure to promote awareness among ratepayers on obligations and implications of unpaid Rates and Charges. This is done with view to ensure rates collectible remains at acceptable levels and as Council fulfills its Municipal Plan targets to remain financially sustainable.

The graph below compares prior year rates between 2020-21 and 2019-20 financial years.

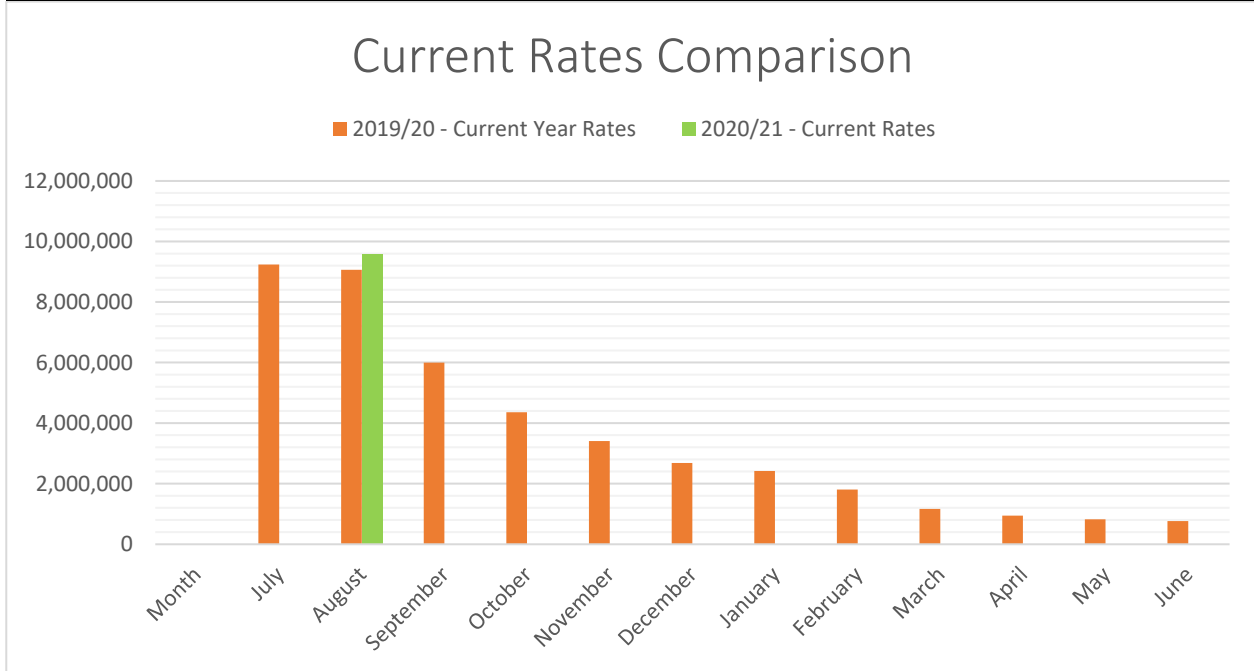
	Beginning 2020/21 Prior Years Outstanding (\$)	Previous Month (July 2020) (\$)	Current Month (August 2020) (\$)	Monthly Variance (\$)
COMMERCIAL	89,301	89,301	87,806	(1,495)
GAS PLANT	29.92	29.92	29.92	
HORTICULTURE	0	0	70,581	70,581
MINING	107,229	107,229	104,170	(3,059)
NON-RATEABLE MINING	8,802	8,802	9,191	389
NON-RATEABLE WASTE	27,378	27,378	27,540	162
PASTORAL	0	0	0	
RURAL RESIDENTIAL	2,071,264	1,966,232	1,771,488	(194,744)
URBAN RESIDENTIAL	155,687	155,687	155,374	(313)
TOTAL	2,459,691	2,354,659	2,226,179	(128,479)



CURRENT YEAR RATES

The below table illustrates the split of current year outstanding rates:

	Previous Month (July 2020) (\$)	Current Month (August 2020) (\$)	Variance (\$)	Due Dates
Instalment 1	0	3,078,544	0	30 September 2020
Instalment 2	0	3,212,966	0	30 November 2020
Instalment 3	0	3,295,537	0	28 February 2021
TOTAL	0	9,587,047	0	



SECTION 5

FINANCE KEY PERFORMANCE INDICATORS (KPI)

Council's 2020/21 Municipal Plan includes the following KPIs for the Finance area to meet; these are listed and reported on in the table below.

<p>ASSET SUSTAINABILITY RATIO</p> <p>120% ——— 90% ——— 60% ——— 30% ——— 0% ———</p> <p>19/20 20/21</p> <p>Actual Budget - 60% Benchmark - Minimum 90% Benchmark - Maximum 120%</p>	<p>OUTSTANDING RATES RATIO</p> <p>30% ——— 25% ——— 20% ——— 15% ——— 10% ——— 5% ——— 0% ———</p> <p>19/20 20/21</p> <p>Actual Budget - Less than 15% Benchmark - Less than 10% Best Practice - Less than 5%</p>	<p>OWN SOURCE OPERATING REVENUE COVERAGE RATIO</p> <p>120% ——— 100% ——— 80% ——— 60% ——— 40% ——— 20% ——— 0% ———</p> <p>19/20 20/21</p> <p>Actual Budget - 60% Benchmark - Minimum 60% Benchmark - Maximum 100%</p>	<p>CURRENT RATIO (LIQUIDITY RATIO)</p> <p>28.00 ——— 26.00 ——— 24.00 ——— 22.00 ——— 20.00 ——— 18.00 ——— 16.00 ——— 14.00 ——— 12.00 ——— 10.00 ——— 8.00 ——— 6.00 ——— 4.00 ——— 2.00 ——— 0.00 ———</p> <p>19/20 20/21</p> <p>Actual Budget - More than 1</p>	<p>DEBT SERVICE RATIO</p> <p>1.0 ——— 0.5 ——— 0.0 ———</p> <p>19/20 20/21</p> <p>Actual Budget - Less than 1</p>
Indicates if Council is replacing or renewing existing assets in a timely manner as the assets are used up.	Identifies if Council is collecting rates and charges in a timely manner and the effectiveness of debt recovery efforts.	This ratio measures the degree to which Council relies on external funding to cover its operational expenses.	Identifies Council's ability to meet its short-term financial commitments as and when they fall due.	Indicates Council's ability to repay loans.

KPI	Explanation
Asset Sustainability Ratio	<p>A ratio of 90% indicates Council is replacing assets in a timely manner as assets reach their end of useful life. A ratio of less than 90% over the long-term indicates a build-up Infrastructure Backlog*.</p> <p>Council's Asset Sustainability ratio for month of August is a timing issue as most of the capital projects are in 'planning' and 'project initiation' stages and expenditure are expected to increase during the year. Many projects are not scheduled to start later during the year. It is expected by June 2021 the ratio will reach 47% based on current forecasts. This result falls short of the Municipal Plan target of 60% and is also well below the Local Government Benchmark of 90%.</p>
Outstanding Rates Ratio	<p>Whilst there is no Standard local government benchmark, an industry benchmark of 5% for City Councils and 10% for Regional Councils is considered best practice and is used by many jurisdictions across Australia.</p> <p>Council's Outstanding Rates Ratio of 20% as at August sits unfavourably high than the maximum budgeted target of 15%. Council is currently in the process of reviewing its overall approach to rates collections and will be taking steps to ensure education and awareness and strategies are in place to ensure rates collectible remains below target levels.</p>
Own Source Revenue Ratio	<p>This ratio indicates Council's ability to pay for its operational expenditure through its own revenue sources** and is therefore considered more self-reliant and less dependent on grants. In other words, the higher the ratio the less Council must rely on external grants to provide services to the community. A ratio of 40% to 60% is considered as a basic level, between 60% to 90% is considered intermediate level and more than 90% is considered advanced level.</p> <p>Council's Own Source Operating Revenue Coverage ratio of 46% for August relates to timing of Revenues and Expenses and is expected to reach 47% which falls short of the Municipal Plan target of 60%.</p>
Current Ratio (Liquidity Ratio)	<p>A ratio of greater than 1 is required to provide assurance that Council has enough funds to pay its short-term financial commitments.</p> <p>Council's Current Ratio of 26.18 for August sits favourably against the Municipal Plan target and benchmark of 1. This ratio indicates Council is well placed in the short term to fulfill its short-term liabilities as and when they fall due.</p>
Debt Service Ratio	<p>Council has no debt and therefore fully meets the Municipal Plan Target of 1 and less than 1.</p>

*Infrastructure back-log refers to capital replacement (renewal) cost not spent to bring assets to a satisfactory condition.

** Own Source Revenue refers to revenue raising capacity excluding all external grants, that is, through rates, charges, user fees, interest income, profit on disposal of assets etc.



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 16 September 2020

15 Officers Reports

- 15.1 September 2020 Summary Planning and Development Report
- 15.2 Appointment of Deputy Mayor
- 15.3 CEO Monthly Report
- 15.4 SCALE Funding Extensions
- 15.5 Draft GOV15 Complaints Handling Policy
- 15.6 Draft FIN02 Rating Policy – Review of Application of Special Rate
- 15.7 Mango Madness Festival
- 15.8 Humpty Doo Bowls Club request for grant funding
- 15.9 Summary of Findings – Local Government Disciplinary Committee



COUNCIL REPORT

Agenda Item Number:	15.01
Report Title:	September 2020 Summary Planning and Development Report
Author:	Wendy Smith, Manager Planning and Regulatory Services
Recommending Officer:	Daniel Fletcher, Chief Executive Officer
Meeting Date:	16/09/2020
Attachments:	A: Letter of Comment on PA2020/0218 B: Letter of Comment on PA2020/0237 C: Letter of Comment on PA2020/0240 D: Letter of Comment on PA2020/0204

Executive Summary

The purpose of this report is to provide to Council a summary of planning and development applications received, and comments provided, for the period of 1 August 2020 to 31 August 2020.

The following is a summary of all planning and development applications received and comments provided during the noted period.

Type of Application	No. Applications
Development Applications	4
Mining Applications	0
Sale, Lease, or Occupation of Crown Land Applications	0
Liquor Licence Applications	0
Water Licence Applications	0
Clearances for Development Conditions	3
Stormwater/Driveway Plan Reviews	10
Works Permits	16

Letters of comment for the noted applications are provided for information in the attachments to this report.

Recommendation

THAT Council:

1. receive the September 2020 Summary Planning and Development Report; and
2. note for information the responses provided to relevant agencies within Attachments A-D to this report.

Background

DEVELOPMENT APPLICATIONS

The *NT Planning Act* requires that all Development Applications within Council's municipality be advertised to Council for comment. Council assesses whether the application meets Council's requirements for roads, drainage, and waste collection and comments on the expected impact of the proposal on the amenity of Council's residents.

The following is a summary of all Development Applications received and comments provided during the noted period.

Council Outcome on Development Applications	No. Applications
Development applications supported, subject to normal Council conditions	X
Development applications supported, subject to specific issues being adequately addressed	X
Development applications not supported/objected to for reasons related to Council issues	X
Development applications objected to for reasons not directly related to Council issues	X
Note: Additional detail is provided below on all development applications.	

For all development applications, should the applications be approved by the consent authority, the applications may be subject to Council's normal Development Permit conditions in regard to areas of Council authority, including, but not necessarily limited to, access and stormwater drainage.

Development Applications supported, subject to normal Council conditions

The table below describes the Development Applications that are supported by Council.

Application Number, Address, and Attachment Reference	Purpose and Summary
PA2020/0218 Lot 131 (6) Ganley Court, Howard Springs, Hundred of Bagot	<p>Shed Addition to an Existing Single Dwelling with a Reduced Side Setback</p> <p>The application proposes a reduced side setback of 1.5m (10m required) for 15m of the 100 length of the property boundary. The neighbouring property owners have submitted a letter of support for the proposal and NTPFES have noted that the 4m firebreak requirement can be waived in this instance. Under the NT Planning Scheme 2020, the structure is considered to not have an adverse impact on the streetscape and to minimise adverse effects of building massing on neighbouring properties. There should be no overlooking concerns nor issues with breeze penetration. A request has been made for a stormwater management plan to ensure drainage</p>

	is appropriately managed. It is considered that the proposed shed can be supported.
PA2020/0237 Section 7451 (14) Mander Road, Holtze, Hundred of Bagot	Subdivision to Create Two Lots (Boundary Realignment) This application proposes to relocate a boundary line at the site of the Cellarbrations liquor store in Holtze. The proposal will ensure that all land belonging to each parcel is consolidated on the same respective sides of an internal road. The subdivision is entirely administrative and there are no Council concerns with the proposal.
PA2020/0240 Lot 10 (200) Trippe Road North, Humpty Doo, Hundred of Strangways	Subdivision to Create Four Lots This proposed subdivision has been previously approved and fully constructed; however, the previously issued Development Permit expired before the developer received all final clearances from all agencies. The new internal road and all required infrastructure has been completed to Council's satisfaction. There are no concerns with the subdivision proceeding as originally approved.

Development Applications supported, subject to specific issues being adequately addressed

The table below describes the Development Applications that are supported by Council only if the specific issues outlined are adequately addressed.

Application Number, Address, and Attachment Reference	Purpose and Summary	Specific Issues to be Addressed
PA2020/0204 Section 2284 (175) Bees Creek Road, Bees Creek, Hundred of Strangways	Education Establishment with Ancillary Accommodation The subject site is located in Zone FD (Future Development) and is a site used for training for the National Critical Care and Trauma Response Centre (NCCTRC).The application proposes to construct a new training centre building and ancillary accommodation on the site.	While the proposed use is suitable in the subject zone and as an expansion of an existing use on the site, there remain a number of concerns with the proposal as currently presented. Additional information is required to ensure that there will be no conflicts with the driveway access of the site and a currently proposed new road across Bees Creek Road from the subject site. There are a number of design concerns with the site proposal that require additional information to be able to ascertain whether the site will be able to suitably function

		as proposed. To address these amenity concerns, more information is required on availability of toilets for overnight guests, appropriate car parking spaces within the site and availability of a loading bay to service the use.
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ASSESSMENT OF PLANS/REPORTS/DRAWINGS FOR CLEARANCE OF DEVELOPMENT PERMIT CONDITIONS

Council reviews plans, reports, and drawings as part of the process to clear conditions on Development Permits to ensure that the proposals meet Council requirements and will not have adverse effects upon neighbouring properties or Council assets. Examples of include driveway crossover plans, stormwater drainage plans, environmental management reports, traffic impact assessments, and infrastructure designs. The following table notes the number of requests for assessment received by Council for clearance of conditions for plans/ reports/drawings during the noted period.

No. Requests for Assessment of Plans/Reports/Drawings for Clearance of Development Permit Conditions
3

STORMWATER DRAINAGE AND/OR DRIVEWAY CROSSOVER APPLICATIONS FOR BUILDING CERTIFICATION

Council reviews stormwater drainage plans and driveway crossovers for structures requiring building certification to ensure that the proposals meet Council requirements and will not have adverse effects upon neighbouring properties or Council assets. The following table notes the number requests for assessment for building certification that Council received during the noted period.

No. Building Certification Applications
10

WORKS PERMIT APPLICATIONS

Council reviews Works Permit applications for all works undertaken by external parties within Council's road reserve to ensure the works meet Council requirements and will not have adverse effects upon the public using the road reserve or Council assets. The following table notes the number of Works Permit applications received by Council during the noted period.

No. Works Permit Applications
16

Links with Strategic Plan

A Great Place to Live - Development and Open Space

Legislative and Policy Implications

Not applicable to this report

Risks



Community Engagement

Not applicable to this report



7 August 2020

Development Assessment Services
Department of Infrastructure, Planning and Logistics
GPO Box 1680
Darwin NT 0801

RE: Letter of Comment Development Application

PA2020/0218

**Lot 131 (6) Ganley Court, Howard Springs, Hundred of Bagot
Shed Addition to an Existing Single Dwelling with a Reduced Side Setback**

Thank you for the Development Application referred to this office on 22/07/2020, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

Council supports the granting of a Development Permit with the following comments:

- a) The proposal has few adverse effects of building massing when viewed from the street.
- b) The solid shed wall to the neighbouring property avoids overlooking of adjoining properties.
- c) The proposal is somewhat compatible with a similar structure on the neighbouring site; however, the structure on the neighbouring site is set farther back from the site boundary than the 1.5m requested by the subject application. While the neighbouring property owners have provided a letter of support for the application, the effects of building massing and breeze penetration on the neighbouring property are unclear.

Should the application be approved, the Council requests the following condition(s) be included as Condition(s) Precedent in any Development Permit issued by the consent authority:

- a) Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater, and its discharge

into Litchfield Council's stormwater drainage system, shall be submitted to and approved by Litchfield Council.

Should the application be approved, the following condition(s) pursuant to the *Planning Act* and Council's responsibility under the *Local Government Act* are also recommended for inclusion in any Development Permit issued by the consent authority:

- a) The kerb crossovers and/or driveways to the site are to meet the technical standards of Litchfield Council. The owner shall remove disused crossovers; provide footpaths/cycleways, as required by Litchfield Council; collect stormwater and discharge it to the drainage network; and undertake reinstatement works; all to the technical requirements and satisfaction of Litchfield Council, at no cost to Litchfield Council.
- b) No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and public street, to the satisfaction of Litchfield Council.
- c) Any developments on or adjacent to any easements on site in favour of Council shall be carried out to the requirements and satisfaction of Litchfield Council.

Should the application be approved, the following notes are recommended for inclusion in any Development Permit issued by the consent authority:

- a) Litchfield Council's current Fees and Charges may apply to the above conditions. Additional information can be found at www.litchfield.nt.gov.au.
- b) A *Works Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.
- c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under an Interim Development Control Orders 29 and 30.

If you require any further discussion in relation to this application, please contact **Litchfield Council's Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully



Rodney Jessup
Project Engineer



13 August 2020

Development Assessment Services
Department of Infrastructure, Planning and Logistics
GPO Box 1680
Darwin NT 0801

RE: Letter of Comment Development Application

PA2020/0237

**Section 7451 (14) Mander Road, Holtze, Hundred of Bagot
Subdivision to Create Two Lots (Boundary Realignment)**

Thank you for the Development Application referred to this office on 31/07/2020, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

Council supports the granting of a Development Permit for the following reasons:

- a) The application is for a minor boundary realignment that will not result in any lots being under the required minimum lot size for the zone.
- b) There are not expected to be any negative effects upon the amenity of the surrounding neighbourhood as a result of the proposal.
- c) There are not expected to be any negative effects upon Council infrastructure as a result of the proposal.

Should the application be approved, the following condition(s) pursuant to the *Planning Act* and Council's responsibility under the *Local Government Act* are also recommended for inclusion in any Development Permit issued by the consent authority:

- a) Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/cycle corridors, and streetscaping shall be to the technical requirements and approval of Litchfield Council, with all approved works constructed at the developer's expense.

Note: Design drawings shall be approved by Litchfield Council prior to construction of the works.

- b) All existing or proposed easements or reserves required for the purposes of stormwater drainage, roads, access or for any other purpose, shall be made available free of cost to, and in favour of, Litchfield Council and/or neighbouring property owners.

Should the application be approved, the following notes are recommended for inclusion in any Development Permit issued by the consent authority:

- a) Litchfield Council's current Fees and Charges may apply to the above conditions. Additional information can be found at www.litchfield.nt.gov.au.
- b) A *Works Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.
- c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Clause 6.7 of the NT Planning Scheme.

If you require any further discussion in relation to this application, please contact **Litchfield Council's Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully



Rodney Jessup
Project Engineer



3 September 2020

Development Assessment Services
Department of Infrastructure, Planning and Logistics
GPO Box 1680
Darwin NT 0801

RE: Letter of Comment Development Application

PA2020/0240

**Lot 10 (200) Trippe Road North, Humpty Doo, Hundred of Strangways
Subdivision to Create Four Lots**

Thank you for the Development Application referred to this office on 21/08/2020, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

Council supports the granting of a Development Permit for the following reasons:

- a) The subdivision was previously approved, and all Council infrastructure has been fully constructed to Council's satisfaction.
- b) There are not expected to be any negative impacts upon the amenity of neighbouring properties as a result of the proposal.

Should the application be approved, the following condition(s) pursuant to the *Planning Act* and Council's responsibility under the *Local Government Act* are also recommended for inclusion in any Development Permit issued by the consent authority:

- a) A monetary contribution is required to be paid to Litchfield Council in accordance with its development contribution plan.
- b) Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/cycle corridors, and streetscaping shall be to the technical requirements and approval of Litchfield Council, with all approved works constructed at the developer's expense.

- c) All existing or proposed easements or reserves required for the purposes of stormwater drainage, roads, access or for any other purpose, shall be made available free of cost to, and in favour of, Litchfield Council and/or neighbouring property owners.

Should the application be approved, the following notes are recommended for inclusion in any Development Permit issued by the consent authority:

- a) Litchfield Council's current Fees and Charges may apply to the above conditions. Additional information can be found at www.litchfield.nt.gov.au.
- b) A *Works Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.
- c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under NTG Interim Development Control Order 29.

If you require any further discussion in relation to this application, please contact **Litchfield Council's Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully



Hasan Karatas
Development Engineer



7 August 2020

Development Assessment Services
Department of Infrastructure, Planning and Logistics
GPO Box 1680
Darwin NT 0801

RE: Letter of Comment Development Application

PA2020/0204

**Section 2284 (175) Bees Creek Road, Bees Creek, Hundred of Strangways
Education Establishment with Ancillary Accommodation**

Thank you for the Development Application referred to this office on 17/07/2020, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

Council supports the granting of a Development Permit for the following reasons:

- a) An education establishment use is suitable as a potential use in Zone FD (Future Development) and the assumed parameters under which the proposed education establishment will operate appear suitable for the subject site. However, additional information is recommended to be requested below to ensure that the use is established and continues to operate over time in an environment suitable to rural residential neighbours.

The noted support is only given provided the following issues are adequately addressed:

- a) Stormwater Drainage – Should the applicant's site plans demonstrate that all proposed new and existing structures and hardstand areas (including all sealed areas) on the site are more than 30m from any site boundary, there would not be expected to be any adverse effects upon stormwater drainage. Should any subsequent plans be submitted for the development that show development within 30m of a site boundary, the following Condition Precedent will be required: **Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into Litchfield**

Council's stormwater drainage system shall be submitted to and approved by Litchfield Council.

- b) Driveway Access – Council has concerns regarding the number of individuals the proposed facility is designed to accommodate for training and the method of vehicular access to the site for those attendees.

The development proposal's plans illustrate a training facility that will service 50 trainees, plus staff (with a facility room to accommodate approximately 10 people). Additional information should be provided on how individuals will access the site and how the use of the site will be constrained to ensure compliance with the measures proposed.

Currently the application implies that all individuals using the site will be coming together in one or two mini-buses and no other access to the site is expected. Thus, only two bus parking spaces are provided for the entire site.

Should trainees be local, it would be logical that they would be accessing the site through private vehicles. Further, it would be expected that the trainers would likely be local and driving to the site separately to those individuals accessing the site with the mini-buses (likely flying into the area for training).

At a minimum, it is likely that additional car parking would be required to be set aside for some limited private vehicle use.

Further, should the proposal be that no trainees are expected to access the site in private vehicles, this should be part of conditions on any Development Permit issued for the site.

Council has concerns that issuing a Development Permit for an education establishment to be utilised as a training facility, with no permit conditions, will allow the site to be used a training facility for other uses outside those noted in this application, potentially as an attempt to further utilise the site as an ideal training facility in the rural area. Thus, Council would have concerns if the site was able to be utilised for other non-trauma care uses that may result in vehicle access by the up to 60 individuals for which the site is designed.

Should a Development Permit be issued for the site as an education establishment without any restrictions on vehicle access, Council will require the following condition on the permit: **Prior to endorsed drawings, a Road Safety Audit, prepared by a suitability certified traffic auditor, shall be approved by Litchfield Council.**

This measure must take into account the new intersection currently under design at the site of 176 A Bees Creek Road, which is approximately 45m south of the existing driveway for the subject site. Council has concerns that the changes to the road design may require relocation of the existing driveway on Lot 175 Bees Creek Road if

that driveway needs to service approximately 60 private vehicles accessing the site for a course.

- c) There are a number of areas related to the layout of the development on site and the facilities provided on site where additional information should be required in order to determine potential effects on the amenity of both nearby existing residents and the users of the site.
- i. Council supports the provision of a defined and marked car parking area for the site; the car parking area would not be required to be sealed but dust suppression measures should be employed. Ad hoc parking around the site is not acceptable for a proper education establishment use.
 - ii. It is unclear whether a loading bay would be required to service the education establishment, particularly with the inclusion of a commercial kitchen space.
 - iii. Plans provided should clearly illustrate the number of demountable structures on the site.
 - iv. The suitability of site facilities to service site users is unclear, noting the following:
 - a. A commercial kitchen is included, and there are 20 accommodation units. As the trainees are proposed to be limited to travelling together on mini-buses, it can be assumed that meals are consumed on site but no dining area is provided.
 - b. The provision of 20 accommodation units on site sharing two toilets and two showers is questioned. It is understood from discussions with the proponent that there may be other ablution facilities on site 50m through the bush from the accommodation. The suitability of this arrangement is questioned.

Should the application be approved, the Council requests the following condition(s) be included as Condition(s) Precedent in any Development Permit issued by the consent authority:

- a) An Operational Environmental Management Plan (OEMP) that addresses the day to day waste management requirements for the use shall be prepared to the satisfaction of Litchfield Council. The use must at all times be conducted in accordance with the plan.

Should the application be approved, the following condition(s) pursuant to the *Planning Act* and Council's responsibility under the *Local Government Act* are also recommended for inclusion in any Development Permit issued by the consent authority:

- a) The kerb crossings and/or driveways to the site are to meet the technical standards of Litchfield Council. The owner shall remove disused crossings; provide footpaths/cycleways, as required by Litchfield Council; collect stormwater and discharge it to the drainage network; and undertake reinstatement works; all to the technical requirements and satisfaction of Litchfield Council, at no cost to Litchfield Council.

- b) No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and public street, to the satisfaction of Litchfield Council.
- c) Any developments on or adjacent to any easements on site in favour of Council shall be carried out to the requirements and satisfaction of Litchfield Council.

Should the application be approved, the following notes are recommended for inclusion in any Development Permit issued by the consent authority:

- a) Litchfield Council's current Fees and Charges may apply to the above conditions. Additional information can be found at www.litchfield.nt.gov.au.
- b) A *Works Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.
- c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Interim Development Control Order 29.

If you require any further discussion in relation to this application, please contact **Litchfield Council's Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully



Rodney Jessup
Project Engineer



COUNCIL REPORT

Agenda Item Number:	15.2
Report Title:	Appointment of Deputy Mayor
Author & Recommending Officer	Daniel Fletcher, Chief Executive Officer
Meeting Date:	16/09/2020
Attachments:	Nil

Executive Summary

The Local Government Act requires the appointment of a Deputy Mayor to be decided at the first meeting of Council after a general election.

The following appointments have since occurred for a 12-month term:

September 2017 – Councillor Sayers-Hunt

September 2018 – Councillor Sayers-Hunt

September 2019 – Councillor Simpson

Council now needs to consider the appointment of the Deputy Mayor for the next 12 months.

At the meeting the Mayor will call for nominations.

Recommendation

THAT Council appoint Councillor as Deputy Mayor for a twelve-month term, ending at the Ordinary Council meeting held in September 2021.

Background

At its first meeting following the 2017 Local Government General Election Council appointed the position of Deputy Mayor for a 12-month period, in accordance with the Local Government Act and Council's EM01 Elected Members policy.

All Councillors are eligible to nominate to the position of Deputy Mayor.

Links with Strategic Plan

A Well-Run Council - Good Governance

Legislative and Policy Implications

The Local Government Act and Council's EM01 Elected Members policy both refer to the appointment of the Deputy Mayor:

The Local Government Act Section 43 (2) states:

The role of the deputy principal member of a council is to carry out any of the principal member's functions when the principal member:

- (a) delegates the function to the deputy; or*
- (b) is absent from official duties because of illness or for some other pressing reason; or*
- (c) is on leave.*

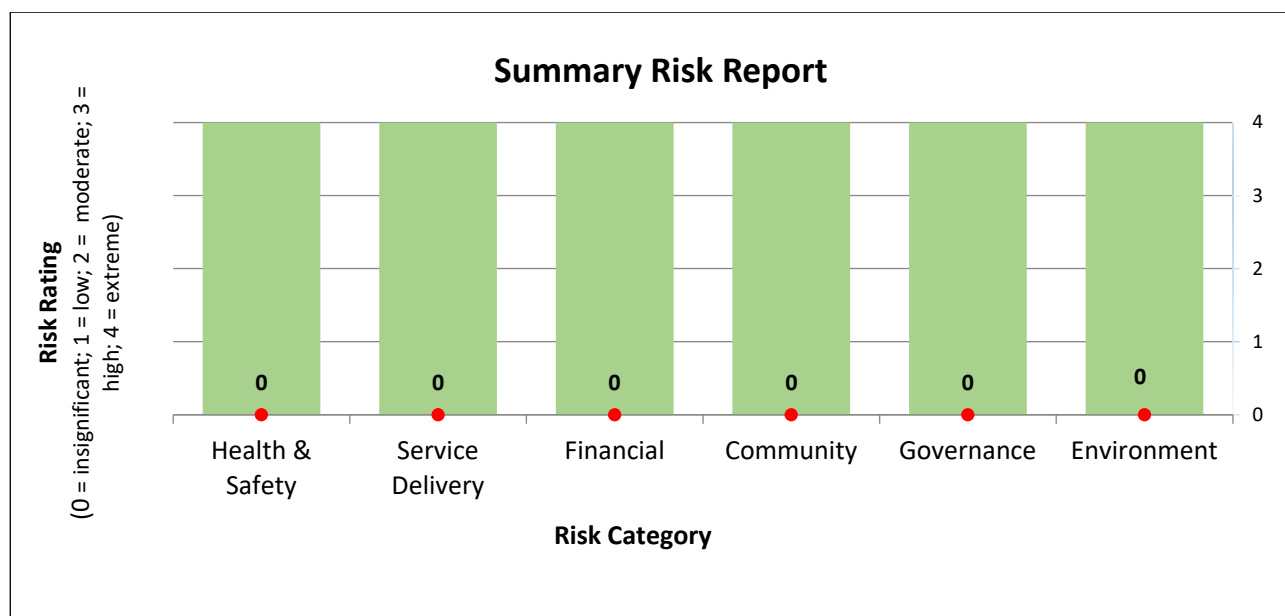
Section 46(2) of the Local Government Act states:

The deputy principal member is appointed for a term of office ending at the conclusion of the next general election or a lesser term fixed by the council when it makes the appointment.

Council's EM01 Elected Members policy s 4.3.4 states:

The Deputy Mayor shall be appointed for a period of twelve months, with the appointment being conducted at the first meeting of Council to be held after each general election and again each year thereafter. The method of appointment is to be determined by Council, and voting is to be by a show of hands unless otherwise determined by Council.

Risks



Community Engagement

Nil.



COUNCIL REPORT

Agenda Item Number:	15.3
Report Title:	Chief Executive Officer Monthly Report
Author & Recommending Officer:	Daniel Fletcher, Chief Executive Officer
Meeting Date:	16/09/2020
Attachments:	Nil

Executive Summary

This report provides Council with key staffing information, relevant measures of financial sustainability and workplace health and safety information.

Summary

To deliver the Municipal Plan 2020/21 Key Performance Indicators it is important that appropriate staffing resources are in place and financial sustainability measures are being met. This report provides a monthly update to ensure that both staffing and budget measures are in accordance with the Council approved staffing plan and budget.

Recommendation

THAT Council note the Chief Executive Officer monthly report for August 2020.

Background

The Litchfield Council strongly values our people, financial sustainability and good governance. This report being presented monthly will ensure that important information is presented to understand any trends occurring and for the organisation to understand the factors influencing staff and finances.

Links with Strategic Plan

A Well-Run Council - Good Governance

Legislative and Policy Implications

Nil

Risks

Nil

Financial Implications

Nil

Community Engagement

N/A

CEO MONTHLY REPORT August 2020

People

Internal Appointments

Position	Department	Commenced	Permanent/Temporary
Waste Manager	Operations & Environment	24 August 2020	Temporary

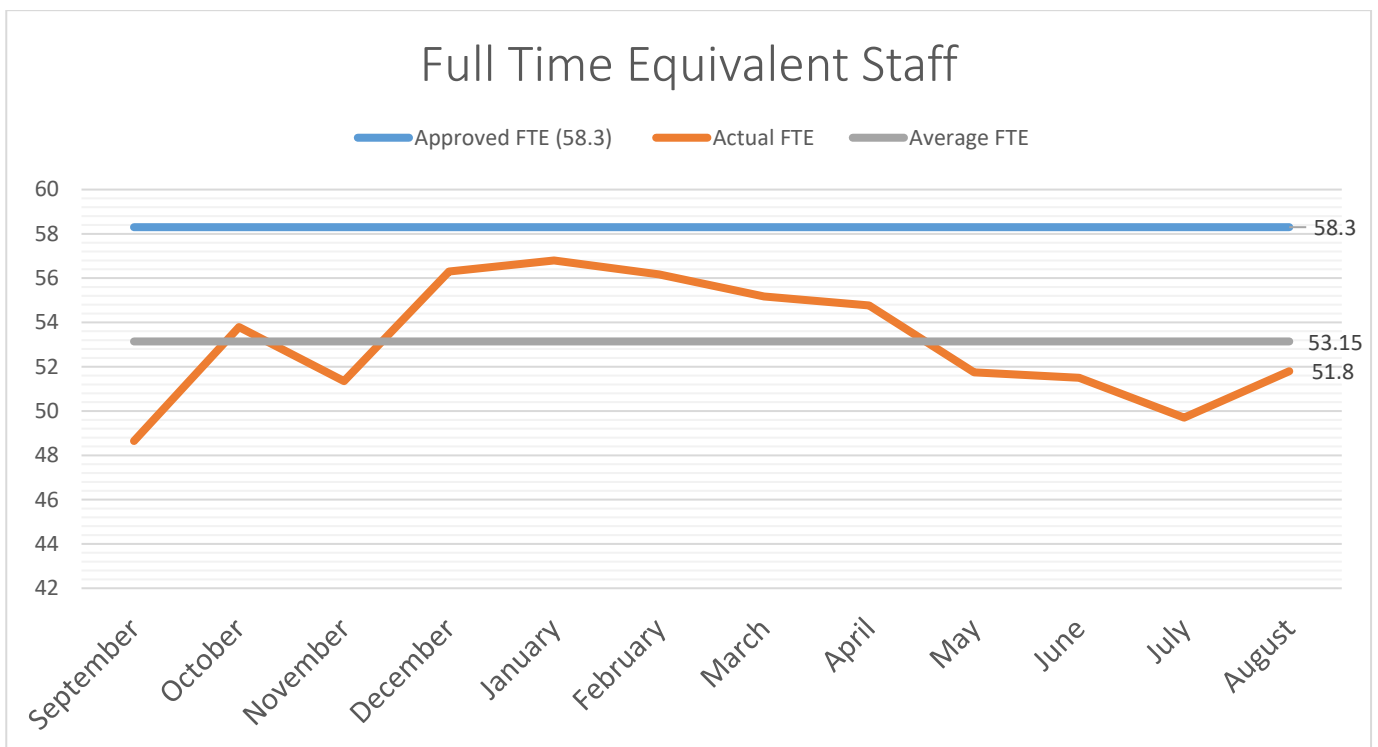
External Appointments

Position	Department	Commenced	Permanent/Temporary
Nil			

Resignations / Terminations

Position	Department	Commenced	Permanent/Temporary
Ranger	Planning & Regulatory Services	2 September 2019	Permanent
WTS Plant Operator	Operations & Environment	1 January 2012	Permanent

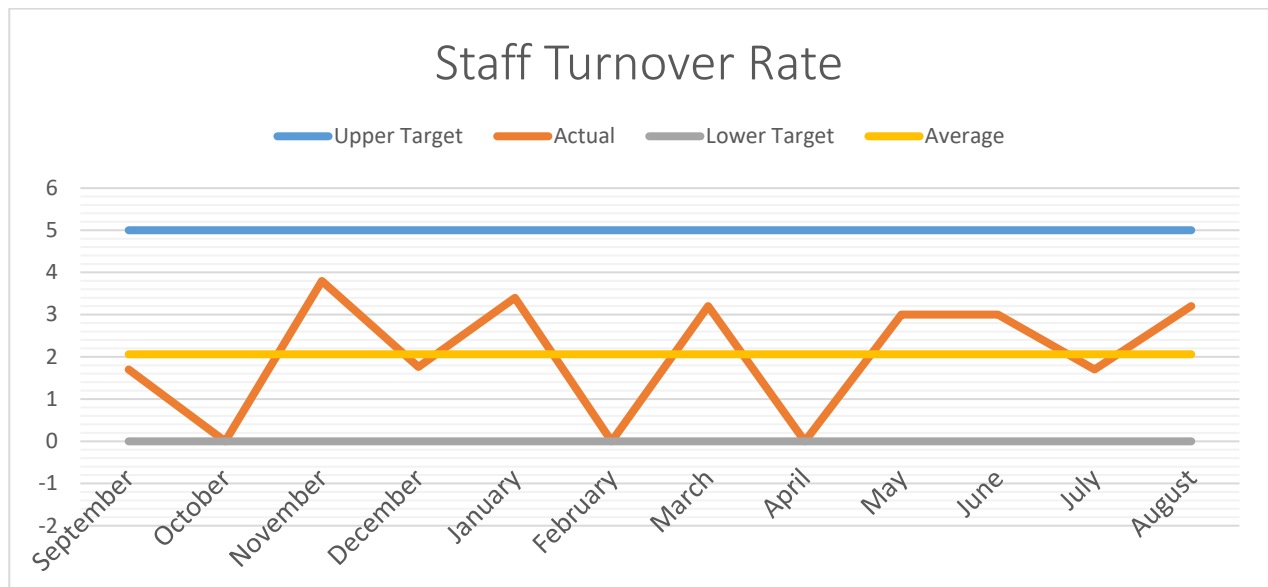
	Approved	Actual	Difference
Full Time Equivalent	50	43	-7
Part-time	0.5	2.8	2.3
Contract	7.8	6	-1.80
Total	58.3	51.8	-8.6



Turnover rate:

The number of staff leaving council employment during the reporting period.

(# staff leaving divided by the total number of people employed multiplied by 100)



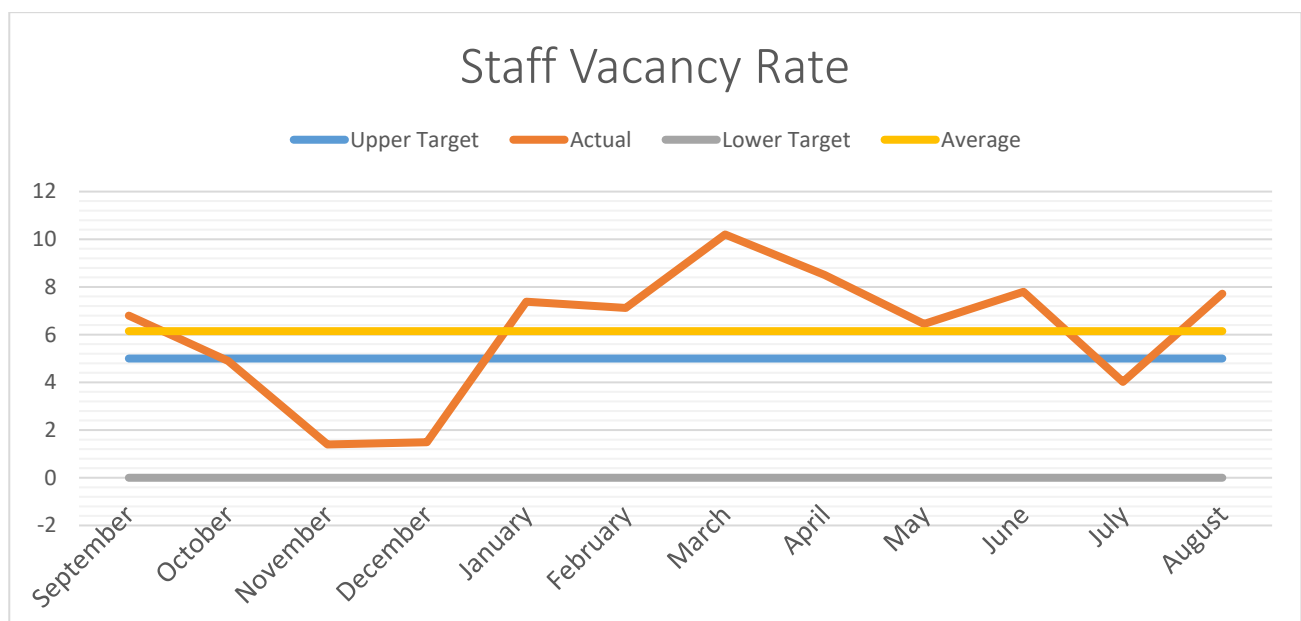
Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Average
1.7%	0%	3.8%	1.76%	3.4%	0%	3.2%	0%	3%	3%	1.7%	3.2%	2.06%

Target Average: Between 0% - 5%

Staff Vacancy Rate:

The number of vacant positions during the reporting period.

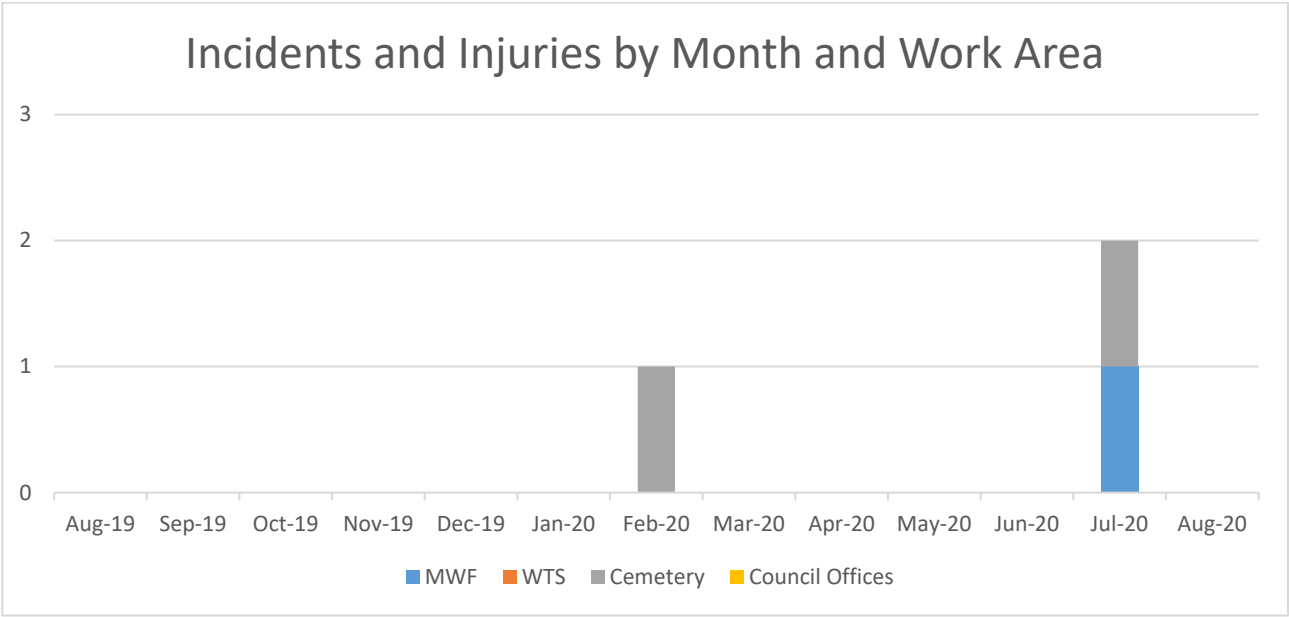
(Vacant positions, divided by total FTE, multiplied by 100)



Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Average
6.8%	4.9%	1.4%	1.49%	7.38%	7.12%	10.2%	8.5%	6.45%	7.8%	4.02%	7.72%	6.15%

Target: 0% - 5%

Workplace Health and Safety



Nil workplace incidents were recorded during August 2020.

Finance

RELEVANT MEASURES OF FINANCIAL SUSTAINABILITY

Indicator	Preliminary Actual	Current Budget	Previous Month	Current Month	Target	Forecast				
	19/20	20/21	Jul-20	Aug-20		21/22	22/23	23/24	24/25	25/26
Operating Surplus Ratio	-51.5%	-59.5%	-898%	68%	0-10%	-102%	-96%	-92%	-87%	-83%
Net Financial Liabilities Ratio	-88.6%	-99.5%	-1838%	-192%	<60%	-110%	-97%	-86%	-72%	-60%
Asset Sustainability Ratio	52%	47%	1%	11%	>60%**	38%	35%	36%	34%	35%
Current Ratio	5.9:1	5.08:1	16.53:1	26.18:1	>1.0:1**	4.58:1	4.24:1	3.95:1	3.53:1	3.16:1
Rates and Annual Charges Outstanding Ratio	12.0%	18.3%	21%	20%	<15%**	17.1%	16.5%	14.9%	13.4%	12%
Own Source Revenue Coverage Ratio	48%	49%	10%	46%	>40%**	49%	51%	52%	54%	55%

** Target as set in Strategic Plan 2018-2022.

Target		
Within Range	Moderate	Outside Range

Note: current month Jul-20 data is out of range due to the rates income not levied in July.

Operating Surplus Ratio

Measures the extent to which revenues raised cover operational expenses only or are available for capital funding purposes or other purposes.

Calculation: Net operating result divided by total operating revenue, expressed as a % (excluding capital revenue or expenses).

Target: between 0% and 10%

Council's should be aiming to achieve as a minimum a balanced operating position to ensure that revenues received are sufficient to fund operations and capital replacement works.

Net Financial Liabilities Ratio

Measure the extent to which the net financial liabilities of Council can be repaid from operating revenues.

Calculation: (total liabilities less current assets) divided by total operating revenue, expressed as a %.

Target: Less than 60%

Asset Sustainability Ratio

This ratio reflects the extent to which the assets managed by Council are being replaced as they reach the end of their useful lives. This ratio is calculated by measuring the annual expenditure on the renewal and rehabilitation of Council's assets against the annual depreciation charge. It is a measure of whether Council is reinvesting in existing assets to ensure that they meet required levels of service for the community.

Calculation: Capital expenditure on the replacement of infrastructure assets (renewals) divided by depreciation expense, expressed as a %.

Target: Greater than 90%

Current Ratio

This ratio presents Council's ability to meet debt payments as they fall due. It should be noted that Council's externally restricted assets will not be available as operating funds and as such can significantly impact Council's ability to meet its liabilities.

Calculation: Current assets divided by current liabilities

Target: Greater than 1.0:1

Rates and Annual Charges Outstanding

This measure shows the amount of outstanding rates owed to council against the rates incomes received represented as a percentage.

Calculation: Rates and Charges outstanding divided by the Rates and Charges Income.

Target: Not greater than 5%

Strategic Plan 2018-2022 KPI - Smaller than 15%

Own Source Revenue Coverage Ratio

Indicates Council's ability to fund operational expenditures through funding sourced by its own revenue-raising efforts.

Calculation: Total own sourced revenue divided by total operating expenditure including depreciation.

Target: >40%

Strategic Plan 2018-2022 KPI - Greater than 60%



COUNCIL REPORT

Agenda Item Number:	15.4
Report Title:	SCALE Funding Extension
Author:	Jessica Watts, Community Development Officer
Recommending Officer:	Silke Maynard, Director Community and Corporate Services
Meeting Date:	16/09/2020
Attachments:	A: SCALE Funding Guidelines

Executive Summary

On 28 April 2020 Council received notification of a Special Community Assistance and Local Employment (SCALE) funding opportunity offered by the NT Government. This funding is to directly support Councils in the Northern Territory to provide business continuity, job creation and retention and other community initiatives directly related to COVID-19.

As per the SCALE funding guidelines, this grant must be fully expended by 30 September 2020, however Council may request an extension from the Department of Local Government, Housing and Community Development.

This report outlines the expected project completion times and request for extension.

Recommendation

THAT Council:

1. Note the following SCALE funding projects will be finalised in line with the funding timeline of 30 September 2020:
 - a. 50km Feast Web series,
 - b. Sanitation Public facilities,
 - c. Digital Whiteboards,
 - d. Signage for public facilities,
 - e. Business Continuity IT set up,
 - f. McMinns Lagoon Reserve signage,
 - g. Active Recreation Program;
2. Approve a request for the extension of the SCALE funding to be 31 December 2020 for the following projects:
 - a. Berry Springs Reserve Community hall upgrades,
 - b. Humpty Doo Village Green Playground upgrades,
 - c. Livingstone Reserve Playground upgrades,
 - d. Shared Path Plan safety program,
 - e. Entrance Signage to the Municipality;
3. Approve a request for the extension of the SCALE funding project of Mira Square Development to be 31 May 2021; and

4. Authorise the Chief Executive Officer to lodge the request for extension for the SCALE funding with the Department of Local Government, Housing and Community Development.

Background

On 30 April 2020 Council received a letter from Executive Director of Local Government and Community Development. This letter offered Council \$560,700 in funding under the newly established SCALE program. This funding is repurposed Special Purpose Grants for 2019-2020.

As per the funding guidelines, this grant was to be expended by 30 September 2020. That said, it was also outlined that Council can apply for an extension of the funding beyond the due date.

Following this, at the Meeting of 20 May 2020, Council approved 13 projects to be funded by the SCALE funding. In line with the funding guidelines, these projects support business continuity, job creation and retention and other community initiatives directly related to COVID-19. These projects were selected based on their current level of project maturity.

Since the approval of the SCALE funded projects, Council has completed several of the projects, with the remaining well underway, however they are expected to be delayed beyond 30 September 2020.

Due to the anticipated delays in projects it is therefore requested for Council to approve a request for the extension date for different projects as per the table below.

Project	Cost	Status	Reason for Delay	Expected Completion Date
50km Feast Web series	\$6,250	Complete	n/a	May-2020
Sanitation Public facilities	\$3,600	Complete	n/a	Jun-2020
Digital Whiteboards	\$39,100	Complete	n/a	Jul-2020
Signage for public facilities	\$3,400	Complete	n/a	Aug-2020
Business Continuity IT set up	\$27,300	Complete	n/a	Aug-2020
McMinns Lagoon Reserve signage	\$8,000	In delivery phase	n/a	Sep-2020
Active Recreation Program	\$23,050	In evaluation phase	n/a	Sep-2020

Project	Cost	Status	Reason for Delay	Expected Completion Date
Berry Springs Reserve Community hall upgrades	\$50,000	In delivery phase	Upon inspection of the site, further electrical upgrades were required in order to meet compliance.	Dec-2020
Humpty Doo Village Green Playground upgrades	\$80,000	In delivery phase	Playground has been ordered by contractor however is not expected to arrive in Darwin until mid-October.	Dec-2020
Livingstone Reserve Playground upgrades	\$70,000	In delivery phase	Playground has been ordered by contractor however is not expected to arrive in Darwin until mid-October.	Dec-2020
Shared Path Plan safety program	\$150,000	In delivery phase	Engineered design was required for each of the four components of this project.	Dec-2020
Entrance Signage to the Municipality	\$40,000	In planning phase	Approvals to be sought from DIPL for access to put signs in their road reserves, need design templates for approvals. Construction will be based on feedback from DIPL.	Dec-2020
Mira Square Development	\$60,000	In the concept and initiation phase	Council has submitted an application to Crown Land for a portion of the land in Southport. In response to the application Council received notification the process for assessing and granting of any Crown land is estimated to take 4-6 months	May-2021

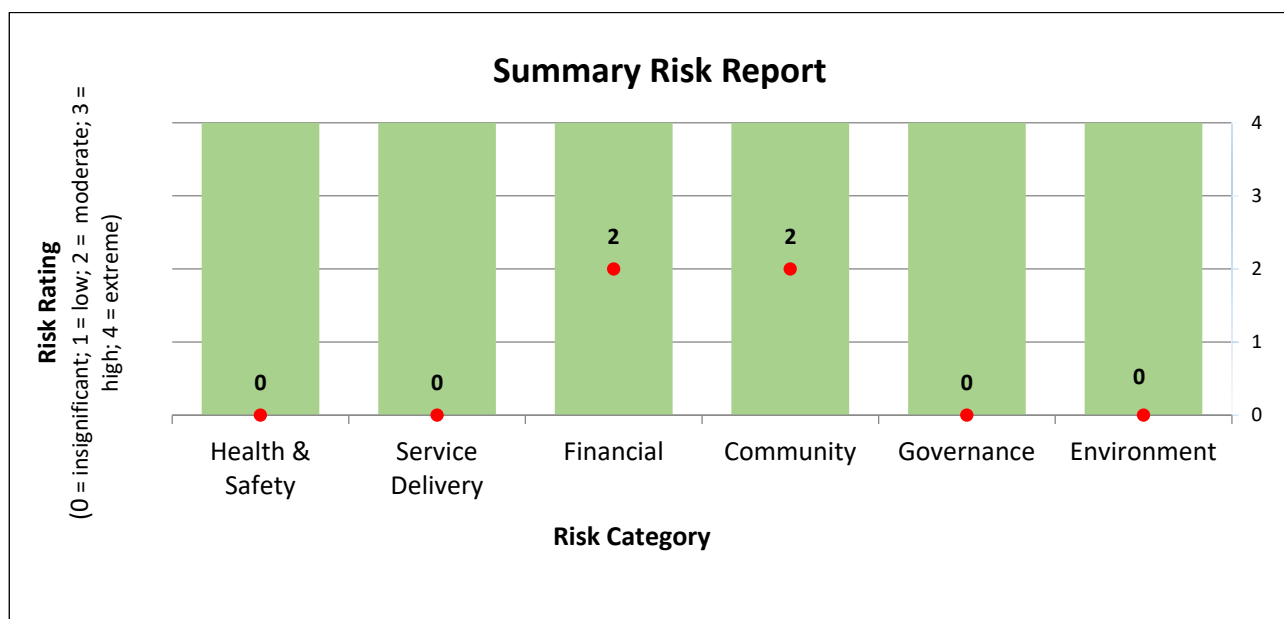
Links with Strategic Plan

A Well-Run Council - Good Governance

Legislative and Policy Implications

Nil

Risks



Financial

As these projects have already commenced, not applying for an extension will mean Council will have to return unspent funds as of 30 September 2020. This will result in several projects at varying stages of completion with no allocated funding to complete them.

Community

These projects have been well advertised to the community, with several of these projects having completed extensive community consultation. Putting a hold on these projects by not extending the funding may result in a negative impact on Council's reputation in the community.

Community Engagement

No community engagement has been completed in relation to the extension of the SCALE funding, however extensive consultation has been undertaken for several of the individual projects comprising:

- Your Say Litchfield surveys for the community to vote on playground equipment to be installed at Humpty Doo Village Green and Livingstone Recreation Reserve;
- Consultation and involved from community groups in the development of signage for McMinns Lagoon Recreation Reserve;
- Discussions with the Southport Progress Association in relation to the development of Mira Square;
- Consultation with the Berry Springs Recreation Reserve Committee to develop the scope for the electrical upgrades at the hall; and
- Planned consultation for the development of the municipality entrance signs.

Funding Guidelines

Special Community Assistance and Local Employment Program

Purpose

The Local Government Special Community Assistance and Local Employment (SCALE) program is managed by the Department of Local Government, Housing and Community Development. The program provides one-off funding to local government councils to support business continuity, job creation and retention and other community initiatives directly related to COVID-19.

Objectives

The objectives of the program are to:

- Support the employment of Territorians.
- Encourage and facilitate partnerships between councils, the Northern Territory Government, Australian Government, business and community sectors to create effective locally-based responses to and recovery from COVID-19.
- Assist in the continued delivery of local government essential services.
- Assist to improve sanitation in council areas and of council assets and infrastructure.
- Assist with engaging local communities in activities that are in accord with the latest COVID-19 government announcements and directives.
- Assist with providing messaging and signage in council areas regarding COVID-19.

Councils are encouraged to partner with local businesses, other councils and LGANT, and other spheres of government to develop effective and innovative locally-based initiatives that strengthen their communities' protection and recovery from COVID-19.

Eligibility

This program is available to Northern Territory local government councils that meet the following criteria:

- Must be a recognised local governing body established under the *Local Government Act 2008*.
- Certify council will resolve to adopt and apply the "Public Benefit Concessions Policy for Commercial Ratepayers" in relation to waiving and deferring rates for commercial ratepayers based on hardship in 2019-20 and 2020-21.

Funding

- The total funding pool is \$7.1 million.
- The SCALE funding will be paid in 2019-20.
- The funding is only payable to municipal, regional and shire councils.

Repurposing Local Authority Project Funding

- Where a regional council has unspent and uncommitted funding under the Local Authority Project Funding (LAPF), this funding may be repurposed to the SCALE program and spent on initiatives in local authority communities, with an intention of expenditure by 30 September 2020, unless approval is granted by the Department.
- Where regional councils choose to redirect LAPF funds into the SCALE program, details of the unspent and uncommitted funding is to be provided to the Department by 30 June 2020.

Note: Where the two year time limit for expenditure under the LAPF program expires on 30 June 2020, councils are encouraged to repurpose funds to the SCALE program. The Department will be exercising the clause in the LAPF funding agreement, regarding the requirement for councils to fully spend funds within two years. The balance of all unspent funds will be requested to be repaid unless approval has been granted by the Department to extend the 30 June 2020 due date.

Repurposing Special Purpose Grants (SPG) and the Strategic Local Government Infrastructure Fund (SIF)

- The balance of unspent and uncommitted funding under either the SPG or SIF programs may be retained by council and repurposed to the SCALE program.
- By 30 June 2020 councils are to report to the Department details of the balance of unspent and uncommitted funding under the SPG and SIF programs to be repurposed to the SCALE program.

Expenditure requirements

- Regional councils must allocate a component of this funding to each of its local authority communities.
- Local authorities' input is to be sought from each local authority on the kinds of initiatives to be delivered in each local authority area. If it is not possible to convene local authority meetings, input from locally-based local authority members is to be obtained where possible.
- Municipal and shire councils are to ensure funding is spent within their respective council areas.

Buy Local requirements

The grant supports the development of business and industry in the Northern Territory and support for **Territory enterprises**.

When using the funds to acquire goods and services, councils are encouraged to acquire those goods and services from a Territory enterprise, unless it can be proven through a competitive process that:

- there are no Territory enterprises willing or able to provide the good or service; or
- the Territory enterprise did not provide best value for money.

A Territory enterprise must satisfy all three elements of the definition:

- Operating in the NT – the enterprise is currently engaged in productive activities (for example, production of goods or delivery of services) within the NT.
- Significant permanent presence – the enterprise maintains an office, manufacturing facilities or other permanent base within the NT.
- Employing NT residents – the enterprise employs Territorians. An enterprise which relies exclusively on transient, interstate / international labour or a fly-in, fly-out workforce will not satisfy this element.

Further information on this condition can be found at:

- nt.gov.au/community/community-grants-and-volunteers/community-grants/about-capital-grants
- nt.gov.au/data/assets/pdf_file/0004/537700/buy-local-plan.pdf

Examples of acceptable purposes for expenditure

The following non-exhaustive list provides examples of the types of expenditure that would be eligible as the expenditure has a connection to COVID-19 measures:

- Assist with employment costs of Territorians to ensure the continued delivery of local government essential services, and / or local job creation / retention.
- To stimulate local economies.
- To purchase materials or equipment to support local government business continuity (e.g. video conferencing equipment to assist with convening meetings).
- To meet the cost of additional cleaning, disinfecting and sanitising of council communal places (this can include the purchasing of cleaning equipment and products from local suppliers).
- To establish washing, sanitising stations or other cleaning facilities for the local community.
- To raise and promote public awareness of COVID-19 in council facilities, ensuring information is consistent with the most up to date Northern Territory Government information.
- To undertake innovative initiatives to engage community members in socially appropriate health and wellbeing activities (e.g. free Wi-Fi or video broadcasting of story times, or online competitions).
- To create and place signage in council areas reminding community members to follow COVID-19 government announcements and advice such as personal distancing and washing of hands regularly.
- To support community-based COVID-19 protection and recovery initiatives.

Examples of unacceptable purposes for expenditure

- Payment of employment or other operating costs already covered under another grant program.
- Reimbursement of costs already incurred by council.
- The purchase of vehicles (passenger carrying / recreational vehicles – 4WDs, troop carriers, utes, buses, quad bikes, etc.).

Process for payment

Local government councils will receive a Letter of Offer from the Department.

The letter will comprise the total grant amount offered and conditions of the grant funding. Councils will need to return the signed acceptance form to the Department of Local Government, Housing and Community Development.

Funds management

- The SCALE grant funding must be fully expended by 30 September 2020. However, councils may request the Department for an extension to this timeframe. Each request will be considered on a case-by-case basis by the Department.
- The balance of unspent funds is to be returned to the Department.
- Funding from the Northern Territory Government must be acknowledged in initiatives delivered under this program.
- The acquittal requirement will require a certification statement that provides information about initiatives undertaken with the funding. Regional councils are to also report on the amount allocated to each local authority area and the types of activities funding was spent on.
- A certification statement is to be laid before a council meeting. A copy of the minutes is to be provided to the Department.
- All projects are to be procured in accordance with the *Local Government Act 2008*, *Local Government (Accounting) Regulations 2008* and the Northern Territory Government “Buy Local” policy, if applicable.

Contact details

If you require further information, please contact:

Donna Hadfield
Manager Grants Program
08 8999 8820

Omor Robin
Grants Officer
08 8999 8576

Email: lg.grants@nt.gov.au



COUNCIL REPORT

Agenda Item Number:	15.5
Report Title:	DRAFT GOV15 Complaints Handling Policy
Author:	Rebecca Taylor, Research and Project Officer (WHS&Risk)
Recommending Officer:	Silke Maynard, Director Corporate and Community Services
Meeting Date:	16/09/2020
Attachments:	A – DRAFT GOV15 Complaints Handling Policy

Executive Summary

This report presents the DRAFT GOV15 Complaints Handling policy to Council for adoption. The newly created policy establishes the framework for handling complaints received by Council.

Recommendation

THAT Council adopt GOV15 Complaints Handling policy.

Background

The Complaints Handling Policy is a newly created council policy that establishes the framework for handling complaints received by Council. Complaints may relate to a Council employee, volunteer worker, Council contractor, a Council decision or a service delivery. This policy does not include complaints regarding elected members. The need for this policy was established through an internal audit process on procurement and the recent approval of the Customer Service Charter.

The policy sets out the commitments of Council in dealing with complaints, the process of internal resolution of a complaint and cooperation with external investigators. It also sets out a definition of unreasonable complainants and how Council will deal with these complainants. Should complainants be dissatisfied with the dealing of a complaint the policy sets out the internal review and external complaint avenues.

The policy ties into the recently adopted Litchfield Council Customer Service Charter and will help Council handle complaints in a responsive and constructive manner, leading to an overall enhanced customer satisfaction. The policy does not detract from a complainant's entitlement to use external complaint avenues.

Links with Strategic Plan

A Well-Run Council - Good Governance

Legislative and Policy Implications

Litchfield Council Customer Service Charter

Risks



Community Engagement

Nil

Complaints Handling **POLICY GOV15**

Name	GOV15 Complaints Handling
Policy Type	Council
Responsible Officer	Governance and Risk Advisor
Approval Date	[Approval Date]
Review Date	[Review Date]

1. Purpose

This policy defines the means by which Council will handle complaints in a responsive and constructive manner, using the defined complaint mechanism as an opportunity to improve organisational processes and decision making resulting in improved administrative practices and enhanced customer satisfaction.

This policy does not detract from a complainant's entitlement to lodge a complaint under public interest disclosure legislation to The Ombudsman NT, the Northern Territory Government's Department of Local Government, Housing and Community Development and /or the Office of the Independent Commissioner Against Corruption (ICAC).

2. Scope

This policy establishes the framework for handling complaints received about the conduct of individuals. A complaint may relate to a Council employee, volunteer worker or Council contractor. A complaint can also relate to a Council decision or service delivery.

The following are not considered as complaints:

- a request for service;
- request for information or explanation requests;
- reports of hazards;
- reports of damaged or faulty infrastructure;
- disputes concerning neighbours; and
- freedom of information requests or reviews.

3. Definitions

For the purposes of this Policy, the following definitions apply:

Act (the)	the <i>Local Government Act</i> .
Code of Conduct	Litchfield Council codes of conduct as they apply to staff.
Complaint	feedback received in person, by telephone, in writing, by facsimile transmission, or by email relating to a Council employee, volunteer worker, Council contractor, a Council decision or Council service delivery.
Council	Litchfield Council.
Reviewable Decision	A decision or order made by Council or an Officer of Council that is designated as reviewable by the Act (or a By-law under the Act) or by resolution of Council.
Unreasonable Complainant	A person who displays unreasonable conduct.
Unreasonable conduct	Any behaviour by a current or former complainant which, because of its nature or frequency, raises health, safety, resource or equity issues for Council and includes: <ul style="list-style-type: none"> • unreasonable persistence with the complaint; • making unreasonable demands; • failing to provide reasonable cooperation; • presenting unreasonable arguments; and/or • displaying unreasonable behaviours.
Unreasonable persistence	An unwillingness or inability to accept reasonable and logical explanations; pursuing and exhausting all available review options when not warranted; demanding a review simply because it is available.
Unreasonable demands	Insisting on outcomes that are not possible or appropriate in the circumstances; issuing instructions and making unreasonable demands about how their complaint should have been handled.

Unreasonable lack of cooperation	providing little or no detail to support a complaint; withholding information or presenting information in an ad hoc manner; acting dishonestly, and/or misquoting others.
Unreasonable arguments	Arguments that are false, inflammatory or defamatory; fail to follow a logical sequence; not supported by evidence or based on theories.
Unreasonable behaviours	Undertaking harassment, acts of aggression, verbal abuse, derogatory, racist or defamatory remarks, rude, confronting and threatening correspondence or behaviour.

4. Policy Statement

From time to time Litchfield Council will receive complaints regarding the behaviour of individuals which, due to their nature, are not seen as "Customer Requests" (which relate more specifically to service requests or works issues).

Complaints may come from members of the public, Elected Members or external agencies such as the Ombudsman. They may relate to a range of issues, from minor matters to serious allegations of misconduct.

4.1. Complaints Overview

Any person may lodge a complaint. Complaints can be lodged in person, by telephone, in writing, by facsimile transmission, or by email. Complaints may be lodged directly to Council and complainants may choose to remain anonymous.

Complainants have a right to make a complaint and expect that they will be afforded a fair and impartial assessment of their complaint.

Council will ensure that it:

- applies the principles of natural justice and procedural fairness;
- deals with complaints impartially;
- handles complaints confidentially;
- is open about the process;
- keeps complainants advised of progress; and
- gives complainants the opportunity to respond and to seek internal review.

4.2. Complaint Management Process

Council will manage complaints under the following principles:

- record the complaint and provide a Reference to the complainant;
- acknowledge receipt of the complaint within two business days;
- review and investigate the complaint;
- the investigation will resolve factual issues and consider options for complaint resolution;
- aim to resolve complaints within ten business days, providing reasons for the outcome in a clear and informative manner. More complex complaints may take longer, and complainants will be kept informed of the progress.
- If the complainant is not satisfied with the response, an internal review of the decision will be offered and information about external review options provided.

4.3. Cooperation with External Investigators

All staff will provide the fullest co-operation to all authorised external investigators during the conduct of investigation into complaints against Council.

4.4. Unreasonable Complainant Conduct

Unreasonable complaint conduct can be divided into five categories of conduct:

- Unreasonable persistence
- Unreasonable demands
- Unreasonable lack of cooperation
- Unreasonable arguments
- Unreasonable behaviours

Should a complainant refuse to accept decisions relating to their complaints and consequently become aggressive or verbally abusive, threaten violence, make unnecessary and excessive contact, and/or excessive demands on time and Council resources, they can be defined as being an 'unreasonable complainant'.

To manage the impacts of unreasonable complaint conduct, the Chief Executive Officer, in consultation with relevant staff, can make the decision to record a complainant as an 'unreasonable complainant' and may change or restrict their access to Council services. Should this occur, the complainant will be notified in writing of the decision.

Changing or restricting access to Council services involves limiting or adapting the ways that Council interact with and/or deliver services to complainants by restricting:

- Who they have contact with – e.g. limiting a complainant to a sole contact person/staff member in Council.
- What they can raise with Council – e.g. restricting the subject matter of communications that we will consider and respond to.
- How they can make contact – e.g. limiting or modifying the forms of contact that the complainant can have with us.

4.5. Review of Complaints

A complainant who feels dissatisfied with the handling of their complaint may seek to have the matter reviewed.

Complainants are entitled to one appeal of a decision in relation to their original complaint. The Chief Executive Officer will appoint a Council Officer/s to conduct the review. The officer/s appointed to conduct the review shall not have been involved in managing the original complaint.

At the conclusion of a review the complainant will be advised of the outcome of their appeal by letter signed by the Chief Executive Officer.

If a complainant continues to be dissatisfied after the appeal process, they may seek on their own terms, an external review from an oversight agency.

4.6. External Complaint Avenues

Other avenues exist which are available for the submission of complaints depending on the nature and severity of their complaint.

- Northern Territory Government's Department of Local Government, Housing and Community Development;
- Independent Commissioner Against Corruption (ICAC);
- The Ombudsman NT; and
- The lodging of appeals or requests to a reviewable decision as per the Local Government Act.

5. Associated Documents

FIN03 Procurement
 GOV03 Privacy
 GOV04 Whistleblowing
 HR01 Code of Conduct for Employees
 HR04 Bullying and Harassment
 Litchfield Council Customer Service Charter

6. References and Legislation

Northern Territory Local Government Act
 Northern Territory Independent Commissioner Against Corruption (ICAC) Act
 Northern Territory Ombudsman Act
[Commonwealth Ombudsman – ‘Better practice guide to complaint handling’](#) (ISBN 978 0 9805961 7 5)

7. Review History

Date Reviewed	Description of changes (Inc Decision No. if applicable)
xx-xx-xx	New Policy



COUNCIL REPORT

Agenda Item Number:	15.6
Report Title:	Draft FIN02 Rating Policy – Review of Application of Special Rate
Recommending Officer:	Silke Maynard, Director Community and Corporate Services
Meeting Date:	16/09/2020
Attachments:	A: DRAFT FIN02 Rating Policy

Executive Summary

During the consultation on the Municipal Plan 2020-21 Council has received feedback from ratepayers concerning the application of Special Rates for the sealing of roads. The main concern raised by ratepayers was around the application for properties that have boundary to more than one road and the equality if properties would be liable for more than one application of special rate.

Council therefore reviewed FIN02 Rating Policy that sets the application of Special Rates.

Recommendation

THAT Council adopts FIN02 Rating Policy as attached to this report.

Background

Council has considered in its budget deliberation for 2020-21 the application of a Special Rate for sealing the following roads or sections thereof:

- Mocatto Road;
- Horsnell Road;
- Chibnall Road; and
- Kentish Road.

As part of the consultation on the Draft Municipal Plan 2020-21 Council wrote letters to all properties bordering these roads or sections thereof to inform them of the application of a Special Rate. During this consultation process several property owners outlined concerns that they have previously contributed to other roads being sealed that border onto their relevant property. Furthermore, ratepayers made comment that they were informed that they would only have to pay one Special Rate and were now disputing the application of this Special Rate to their property.

A review in line with Council's current Rating Policy's principle of Equality for rating, has identified that there is no clear property attribute (e.g. access or property address) that will ensure equal application.

It is therefore recommended to establish a two-step verification process to confirm rateability for the Special Rate for the sealing of roads:

1. Is the property bordering the road or section thereof that will be sealed; and /or
2. Has the property previously been charged a Special Rate for the sealing of roads.

Based on the Mango Roads Project and the sealing of the above mentioned roads or sections thereof, the application of this verification will reduce the amount of properties charged a Special Rate and will require Council to increase the transfer of funds from the financial Asset Reserve to cover the cost of the project. Total value of this transfer would be \$111,384.

To ensure consistency the definition of property has been added to the FIN02 Rating Policy. This will ensure that the child of a property can be rated with the Special Rate even though the parent (prior to subdivision) might have been charged a Special Rate.

Links with Strategic Plan

A Well-Run Council - Good Governance

Legislative and Policy Implications

FIN02 Rating Policy was previously updated in February 2020 through Council's extensive consultation process. The amendments are in line with what was proposed by the Community Reference Group. The proposed amendments to the policy do not substantiate a change in Council's application of the Special Rate but will record the application appropriately for transparency and governance purposes.

The proposed FIN02 Rating policy is in line with relevant legislation.

Risks



With the application as outlined in the report the budget 2020-21 will require amendment through the budget review process.

During the budget preparation Council assumed to be charging 64 properties the Special Rate totalling \$297,024 in income.

After review of the properties and application of the proposed policy Council will only be able to charge 40 properties generating \$185,640 of rate income.

The loss of \$111,384 income will need to be balanced by a transfer from the financial Asset Reserve to fund the Mango Roads Project.

With the amendment of the policy the governance risk will be managed as the application of special rates is clarified and documented.

It is noteworthy to mention that applying the sealing of road policy in its current will present challenges for Council in the future. The sealing of roads policy is a by-product of both historical practices and a result of applying the fixed rate methodology to all properties in the municipality. While this practice remains aligned with the principle of equality, it remains inequitable for ratepayers across the diversity of Litchfield municipality.

Community Engagement

The policy review has been triggered through public consultation on the Municipal Plan 2020-21. The proposed amendment to the policy addresses the concerns raised by ratepayers.

DRAFT Rating Policy **FIN02**

Name	FIN02 DRAFT Rating Policy
Policy Type	Council
Responsible Officer	Director Community and Corporate Services
Approval Date	19/02/2020
Review Date	20/02/2024

1. Purpose

The purpose of this policy is to set out Council's approach to rating in the Litchfield Municipality.

2. Scope

This policy applies to all properties within the Municipality.

3. Definitions

For the purposes of this Policy, the following definitions apply:

The Act	<i>Local Government Act Northern Territory</i>
NT Planning Scheme	<i>Northern Territory Planning Scheme</i>
Property	Defined as rates assessment in Council's records

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4. Policy Statement**4.1 Principles**

Rates are a system of taxation and are not reflective of the services, infrastructure or facilities used by any property owner or resident.

Council's Rating policy applies the principles of:

- Administrative simplicity. This principle refers to the costs involved in applying and collecting the tax and how difficult it is to avoid.
- Policy consistency. The principle that rates are internally consistent, and based on transparent, predictable rules that are understandable and acceptable to rate payers.
- Equality for rating is applied to the categories levied as a fixed rate, assuming that these ratepayers have equal capacity to pay and access to Council services, however the principle of equity applies to all other categories.

4.2. Basis for Rates

- 4.2.1. Council applies rates on the basis of zoning.

- 4.2.2. Pursuant to the Act, Council adopts the Unimproved Capital Value method as the basis for determining the assessed value of allotments within the Municipality. The Unimproved Capital Value of land is set by the NT Valuer General.

4.3 Rating Categories

For the purpose of rating, Council applies the following rating categories that differentiate properties by planning zones as set under the *NT Planning Scheme*.

RATING CATEGORY	PLANNING ZONE	PROPERTY PARTICULARS
RURAL RESIDENTIAL	Rural Residential	
	Rural Living	
	Rural	
	Water Management	
	Conservation	
	Specific Use – SL14, SL18	
	Future Development	Excluding: Portion 01872 Hundred of Ayers, Portion 01860 Hundred of Ayer
URBAN RESIDENTIAL	Single Dwelling Residential	
	Multiple Dwelling Residential	
	Medium Density Residential	
	Specific Use- SL11	
HORTICULTURE/AGRICULTURE	Horticulture	
	Agriculture	
COMMERCIAL/INDUSTRIAL	Commercial	
	Service Commercial	
	Tourist Commercial	
	Light Industry	
	General Industry	
	Development	Excluding: NT Portion 07002
	Utilities	
	Railway	
	Community Purpose	
	Organised Recreation	
	Public Open Space	
	Caravan Parks	
	Specific Use – SL1, SL3, SL4, SL5, SL6, SL7, SL8, SL9, SL10, SL12, SL13, SL15, SL17, SL23	

RATING CATEGORY	PLANNING ZONE	PROPERTY PARTICULARS
GAS PLANT	Future Development	Limited to: Portion 01872 Hundred of Ayers, Portion 01860 Hundred of Ayers
	Development	Limited to: NT Portion 07002
MINING TENEMENTS	Conditionally rateable land occupied under a mining tenement	
PASTORAL LEASES	Conditionally rateable land comprising a pastoral lease as defined in the <i>Pastoral Land Act</i>	

- 4.3.1 The *NT Planning Scheme* zones in the groups of Other Zones, Recreation Zones and Infrastructure Zones have been associated to rating categories based on the allowed uses on the property in line with the *NT Planning Scheme*.

4.4 Rates Calculation:

- 4.4.1 In accordance with the *Act* rates are based on differential valuation-based charges calculated as a proportion of the assessed value of each allotment for the following rating categories:
- Commercial/Industrial
 - Gas Plant
 - Mining Tenement
 - Pastoral Leases
- 4.4.2 The Valuation-based charge may be subject to a specified minimum amount.
- 4.4.3 In accordance with the *Act* rates are based on a fixed rate for the following rating categories:
- Rural Residential
 - Urban Residential
 - Horticulture/Agriculture.

4.5 Special Rates

- 4.5.1 Council levies a special rate in accordance with the *Act* and in line with Council's INF05 Sealing of Roads policy to defray the cost of sealing a road, or part thereof.
- 4.5.2 The special rate is a fixed charge to a property and may vary based on the planning zone of the property.

4.5.3 Where a Special Rate is applied, it will be charged to properties ~~with direct road access to~~bordering the relevant road ~~or road section that is being sealed~~.

4.5.4 Properties bordering several roads will only be charged once and not for each road to ensure equal application of the Special Rate.

4.5.54 Council will consider longer payment timeframes for Special Rates considering the additional financial liability on ratepayers.

4.6 Service Charges

4.6.1 Council can declare charges for providing services for the benefit of the land or the occupiers of land.

4.6.2 Council charges properties for the cost of waste disposal services, including the management and operation of waste transfer stations.

4.6.3 Council's Waste Management charge applies to the following rating categories:

- Rural Residential
- Urban Residential
 - Horticulture/Agriculture

4.6.4 Council will, on request consider the application of the Waste Charge to other properties, where residential use can be identified

5. Associated Documents

Litchfield Council Municipal Plan

Litchfield Council Long Term Financial Plan

6. References and Legislation

Northern Territory Local Government Act

Northern Territory Local Government (Administration) Regulations

Northern Territory Local Government (Accounting) Regulations

Australian Accounting Standards

Ministerial Guidelines

Local Government General Instructions

7. Review History

Date Reviewed	Description of changes (Inc Decision No. if applicable)
13 December 2017	New Policy, rescinding LC06

February 2020	Review policy project, resulting in new rating categories a realignment from zonings to categories, addition of Special Rate, Service Charge, Principles. Decision Number 1920/146

DRAFT



COUNCIL REPORT

Agenda Item Number:	15.7
Report Title:	Mango Madness Festival
Author & Recommending Officer:	Daniel Fletcher, Chief Executive Officer
Meeting Date:	16/09/2020
Attachments:	A: NT Mango Industry Association Inc Mango Madness Proposal

Executive Summary

The purpose of this report is to seek approval of Council sponsorship towards the Mango Madness Festival – Sunday 25 October 2020.

Recommendation

THAT Council approve the sponsorship package of \$20,000 for the Mango Madness Festival and partner with the Northern Territory Mango Industry Association to support the event

Background

Representatives from the Northern Territory Mango Industry Association (NTMIA) made a presentation to Council on 5 August 2020 to present the Mango Madness Festival concept to Council and seek sponsorship for the event which will be held Sunday, 25 October 2020.

It was agreed that the NTMIA, through Associated Advertising, would submit a formal proposal to the Chief Executive Officer outlining the key elements of the festival and the sponsorship investment. That proposal has now been finalised and importantly incorporates into the package that the investment from Litchfield Council towards the event specifically be invested in the Litchfield Municipality through businesses and 'lead up' events hosted in Litchfield.

Links with Strategic Plan

Everything You Need - Community Prosperity

Legislative and Policy Implications

Nil.

Risks



Financial:

Given the current economic climate which has been adversely impacted by the COVID-19 pandemic, it has been considered that any sponsorship towards the event be provided through operational savings to the New Initiatives program and re-allocation of funding originally to be used for the My Litchfield platform.

The overall proposed investment of \$20,000 (ex. GST) towards the event does not present a financial risk to the Council and could be viewed as direct support to both the mango industry and businesses throughout the municipality participating in, or supporting, the event.

Community Engagement

N/A



27 August 2020

Daniel Fletcher
Chief Executive Officer
Litchfield Council

Dear Mr Fletcher,

Thank you for the opportunity to meet with you to discuss the inaugural 2020 Mango Madness Festival, taking place on 25th October 2020.

Mangoes represent the largest horticultural produce in the Northern Territory, worth a combined total of approximately \$130 million per annum. The Northern Territory has also now become the largest producer of mangoes nationally, producing 52% of Australia's national crop. **One in four of these mangoes come from the Litchfield area!**

The Mango Madness Festival is a celebration of all things mango which is expected to attract around 4000 visitors. The Festival will include food stalls and tastings showcasing mango inspired food and drinks, entertainment and loads of exciting activities and competitions, educational displays and workshops that the whole family can enjoy.

The key elements of the 2020 Mango Madness Festival include;

- **Mango Madness Festival** – Sunday 25 October 2020
- **Mango Menus** – Top End venues invited to create a mango inspired menu item for the week leading up to the Festival. Local growers have agreed to provide mangoes to participating venues at no cost, and we have secured support from Simon George & Sons who will deliver the mangoes.
- **Activations and media events** – NTMIA will hold two activations and supporting media events to promote the mango industry and local growers, promote the mango inspired menus and grow excitement about the Festival.

Litchfield is the home of Territory mangoes! It is envisaged that in the next few years, the Festival will grow in both size, popularity and recognition, and that it can be held in the Litchfield area, at a large open air venue, such as Fred's Pass, drawing large crowds from the across the Top End to the Litchfield area for a celebration of all things mango. As awareness, momentum and support for the Festival grows, NTMIA would like to grow the event to include a month-long festival of events and activities and school based education programs that promote the Northern Territory as Australia's largest mango growing region.



**Sunday 25
October 2020**
SAVE THE DATE
DARWIN
WATERFRONT

Something juicy is coming. ...
#mangomadnessfestival



Held in the tourist shoulder season in October, it is envisaged that the Mango Festival will grow to become a destination incentive, seeing people travel from across Australia and the world (once COVID restrictions are eased!) to attend the Festival, and then explore the greater Darwin region and enjoy all that Darwin, Litchfield and surrounds have to offer.

Litchfield is home to some of the Territory's largest growers and most sought-after mango varieties. The NT Mango Industry Association is primarily made up of mango growers from the Litchfield area, and collectively they will be donating 10 tonnes of produce to support the Festival, as well as significant time and resources to delivering the event, activations and the mango inspired menus. These include;

- Skliros Produce
- Tous Garden
- Jenkos Mangoes
- NT Quail Mango Farm
- Berry Creek Packing mangoes.
- PACsolutions

NTMIA are seeking support from the Litchfield Council to support this important industry and community event. We would like to offer the below customised partnership package to Litchfield Council for the 2020 Mango Madness Festival;

Direct investment into the Litchfield Region;

- The Festival will strongly feature mango-inspired iconic Territory foods, such as barramundi, buffalo, crocodile and Territory beef, which will be offered for free tastings and purchase. We commit to sourcing the below produce from Litchfield businesses
 - Humpty Doo Barra
 - Beatrice Hill
 - Eva Valley Meats
 - Darwin Crocodile Farm
- The Festival requires a number of prizes for competitions and related activities. We commit to sourcing prizes from the Litchfield area, to support local Litchfield businesses and encourage visitation to the area (For example: Litchfield National Park tourism experiences, dining and short stay experiences from venues/restaurants based in the Litchfield area)



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Promoting Litchfield Council's support of local business and local growers.

- Top End restaurants and pubs are invited to create a mango inspired menu for the week leading up to the Festival (19 – 25 October). Mangoes are being provided free from local growers and Simon George & Sons are delivering them at no cost to participating venues, as our Logistics Partner.

We will:

- Work with Litchfield Council to ensure Litchfield venues are invited to participate and are promoted as a part of MMF promotions
- Provide window decals/stickers for participating Litchfield venues and include Litchfield Council logo on these stickers
- Create dedicated post on MMF Facebook Event to promote participating Litchfield food venues
- Design and create dedicated menu to promote participating Litchfield restaurants to be shared across Litchfield and MMF platforms, and co-branded with Litchfield Council logo

Activation in Litchfield

- There will be two activations / media events in October to promote the Festival and also the Territory's position as Australia's largest mango producer. We will commit to having one activation/media event in the Litchfield area. Council members and staff will be invited to attend and be involved in the pre-planning.

Cross promotion and marketing

- Litchfield Council will have access to 2020 MMF marketing collateral and branding
- Litchfield Council to be provided with **4 family passes** to the Festival which can be used for competition giveaways to Litchfield residents/ratepayers.
- Opportunity to collaborate with Litchfield Council marketing team on other MMF promotional activities.

Additional sponsorship benefits

- Acknowledgement as a '2020 Mango Madness Festival Partner'
- 6 x tickets to attend the festival, plus a special sponsors pack with Mango Festival merchandise and gifts
- 4 x VIP parking



**Sunday 25
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SAVE THE DATE
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Something juicy is coming. ...
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- Council logo prominently displayed on marketing and advertising collateral
- Council logo to appear prominently on event website
- Prominent signage at entrance to event and throughout the event
- Opportunity to display banners, flyers and signboards at event
- Promotion on social media - 3 dedicated posts
- Acknowledgement by MC as being an event partner
- Opportunity for the Mayor (or Council representative) to present prizes and awards on the day – such as for Mango eating competition.

Sponsorship investment: \$20,000 + GST

The NT Mango Industry produces around 60 million mangoes each year – that is the equivalent of 3 Territory mangoes going into every Australian home!

The 2020 Mango Madness Festival aims to;

- Grow awareness of the mango industry's economic contribution to the Northern Territory (\$130 million industry which employs around 2500 people each year)
- Promote the NT's position as Australia's most productive mango region (52% of Australia's Mangoes)
- Create an annual event that stimulates the local economy and tourism in the shoulder season, engages with local venues, retailers, growers and the community and take ownership of being *'The Home of Australian Mangoes'*

We look forward to hearing back from you about partnering with the NT Mango Industry Association to help us create Northern Australia's most iconic mango event!

Kind regards

Natalie Bell
Event Manager
2020 Mango Madness Festival
M: 0419 653 729
E: natalie@associatedadvertising.com.au





COUNCIL REPORT

Agenda Item Number:	15.9
Report Title:	Summary of Findings – Local Government Disciplinary Committee
Author & Recommending Officer:	Daniel Fletcher, Chief Executive Officer
Meeting Date:	16/09/2020
Attachments:	A: Code of Conduct for Elected Members B: Summary of Finding – Simpson v Barden

Executive Summary

The Chief Executive Officer received correspondence on Tuesday 8 September 2020 from the Local Government Disciplinary Committee Secretariat to provide the summary of findings in relation to the matter of Simpson v Barden.

“The CEO of the Litchfield Council is directed to table the approved summary of findings at the next ordinary council meeting of the Litchfield Council, in a portion of the meeting that is open to the public.”

The correspondence also notes that “this summary of findings is provided for transparency and as part of an open process”.

In accordance with the abovementioned direction from the Local Government Disciplinary Committee Secretariat, the summary of findings is attached to be received and noted by Council.

Recommendation

THAT Council receives and notes the attached Summary of Findings from the Local Government Disciplinary Committee, Simpson v Barden.

Background

The Local Government Disciplinary Committee made a decision on 1 July 2020 in regard to a submission received by complainant, Councillor Christine Simpson and the respondent, Councillor Douglas Barden concerning a breach of the Code of Conduct for Elected Members.

The process of the Local Government Disciplinary Committee has now been completed and findings sent to the Council, via the Chief Executive Officer, to be tabled at an Ordinary Council meeting.

Links with Strategic Plan

A Well-Run Council - Good Governance

Legislative and Policy Implications

EM02 Code of Conduct for Elected Members

Risks



Community:
It is considered a ‘moderate’ risk to the community and reputation of Council when breaches of the code of conduct have been established. The summary of the complaint is outlined in the summary of findings.

Governance:
As a breach of Code of Conduct was established and the Chief Executive Officer has been directed to table the Summary of Findings in the open section of the next Ordinary Council meeting.

There are nil additional risks associated with Council receiving and noting the attached Summary of Findings.

Community Engagement

Nil

Code of Conduct for Elected Members **EM02**

Name	EM02 Code of Conduct for Elected Members
Policy Type	Council
Responsible Officer	Chief Executive Officer
Approval Date	13/09/2017
Review Date	12/09/2021

1. Purpose

This Code of Conduct is made pursuant to Section 77 & 78 of the Local Government Act. Its purpose is to govern the conduct of members of the Council.

2. Scope

This Policy applies to all Elected Members of Litchfield Council and governs the conduct of Council and members of Council Committees appointed under section 54 of the Local Government Act.

It is the personal responsibility of Elected Members to ensure that they are familiar with, and comply with, the principals in the Code at all times. Litchfield Council will provide training and education opportunities that will assist its members to meet their responsibilities under the Local Government Act.

The standards in this Code of Conduct are in addition to any statutory requirements of the Local Government Act.

3. Definitions

For the purposes of this Policy, the following definitions apply:

Diligent	having or showing care and conscientiousness in one's work or duties.
Fair	treating people equally without favouritism or discrimination
Honest	free of deceit; truthful and sincere
Integrity	the quality of being honest and having strong moral principles
Prudent	acting with or showing care and thought for the future
Respect	due regard for the feelings, wishes, or rights of others

4. Policy Statement**Statement of General Duties of Elected Members**

The general duties of Elected Members are to act honestly and with reasonable care and diligence in the performance and discharge of official functions and duties. Elected Members should conduct themselves in a way that reflects community trust and confidence in them as individuals and enhances the role and images of local government. They should be well informed about the roles, functions and processes of the council.

Elected Members must not improperly use information acquired or improperly use their position as an Elected Member of Council. Elected Members in fulfilling the various roles and activities of office should focus on:

- Providing community leadership;
- Consulting with and representing the community;
- Contributing to the collective decision making of the Council;
- Setting policies, goals and objectives, and determining strategies to achieve the goals and objectives;
- Collectively monitoring the overall performance of the Council against the stated goals and objectives;
- Ensuring accountability and sound financial management;
- Representing the Council to the community;
- Being aware of the statutory obligations imposed on Elected Members and on Councils;
- Undertaking appropriate professional development activities.

Community Expectations

Local Government is the sphere of government closest to the people of the Northern Territory. The actions and behaviour of Elected Members are likely to be closely monitored by the local community. In performing their roles and functions, the community expects that Elected Members will:

- Behave ethically;
- Deal with all members of the community honestly, fairly and not offend or embarrass individuals or groups;
- Not discriminate against people on the basis of sex, sexuality, marital status, pregnancy, race, cultural background, physical impairment, intellectual impairment or age;
- Be aware of situations that may create a tension between their public and private roles and in such cases, give priority to the public role;
- Ensure that Council mechanisms are in place to deal promptly and efficiently with the handling of community complaints and concerns.

Statement of Commitment

The following Statement of Commitment will be signed by all Elected Members at the beginning of each term of office. It signifies to the community the commitment to abiding by the principals that form the Code of Conduct for Elected Members.

“We the Elected Members of Litchfield Council are committed to discharging our duties conscientiously and to the best of our ability.

In the performance of our community role, we will act with honest, integrity and conduct ourselves in a way that both generates community trust and confidence in us as individuals and enhances the role and image of the Council and local government.

In addition to all legislative requirements, we adopt these Principals as our Code of Conduct, that we will adhere to in the performance of our role.”

Principals

The following principals form the Code of Conduct which Elected Members will abide by in fulfilling the role of Elected Member. They will accompany the statement of commitment to be signed at the beginning of each term of office.

1. An Elected Member must act in a fair, honest and proper manner according to the law.

We, the Elected Members of Litchfield Council, will endeavour to fulfil this principle by:

- *Understanding and giving proper consideration to legal requirements;*
- *Being reasonable, just and non-discriminatory behaviour in all aspects of carrying out our roles and responsibilities;*
- *Ensuring our actions will be undertaken in good faith and not for improper or ulterior motives;*
- *Behaviour that maintains and enhances the image of our Council and does not reflect adversely on the Council;*
- *Adhering to guidelines as to the appropriateness of the acceptance of gifts and gratuities;*
- *Acting impartiality in reaching Council decisions and acceptance of the responsibility associated with that decision;*
- *Being honest and fair with our reimbursements of expenses and usage of Council equipment for official purposes.*

2. An Elected Member must act with reasonable care and be diligent in the performance of his or her duties and responsibilities.

We, the Elected Members of Litchfield Council, will endeavour to fulfil this principle by:

- *Appropriate and proper use of information, balancing the interests of the community against the rights of the individual;*
- *Attendance and participation in Council meetings, apologising or obtaining leave of absence in advance for non- attendance;*
- *Proper consideration of the business of the Council and being informed on the matters for decision;*
- *Fair and equitable treatment of all matters under consideration;*
- *Respect for decisions of the Council;*
- *Careful consideration to the allocation of resources and expenditure;*
- *Being informed of the effectiveness and efficiency of activities and service delivery;*
- *Proper and responsible use of Council resources.*

3. An Elected Member must be fair and honest in their dealings with individuals and organisations and behave in a manner that facilitates constructive communication between the Council and the community.

We, the Elected Members of Litchfield Council, will endeavour to fulfil this principle by:

- *Being honest and fair in dealings with all members of the community;*
- *Courteous and sensitive behaviour that does not discriminate against people;*
- *Being aware of and disclosing any situation that may create a tension between public and private roles;*
- *Respect for elector's opinions and property;*
- *Ensuring not to misuse our position to gain an advantage for ourselves or others;*
- *Recognising that individual Elected Members have no authority to make decisions, direct staff or commit Council resources;*

When representing the Council in the Community, we will:

- *Provide an accurate and fair representation of Council decisions;*
- *Recognise that Elected Members have a duty to respect Council decisions and policy directions;*
- *Conduct ourselves in a manner that will not reflect unfavourably on the Council.*

4. An Elected Member will seek to achieve a team approach in an environment of mutual respect, trust and acceptance of their different roles in achieving the Council's objectives.

We, the Elected Members of Litchfield Council, will endeavour to fulfil this principle by:

- *Mature and constructive working relationships based on mutual trust and respect;*
- *Conducting the relationship between ourselves and Council's employees with courtesy and respect;*
- *Acceptance and respect for the different but complementary roles of the Chief Executive and officers in achieving the Council's objectives;*
- *Demonstration of respect for employees' professional opinion and expertise;*
- *Directing all requests for information from the Council administration to the Council's Chief Executive Officer or nominated delegate/s;*
- *Directing all requests for work or actions by Council staff to the Council's Chief Executive Officer or nominated delegate/s;*
- *Not bullying or harassing Council staff;*

5. An Elected Member will establish a working relationship with fellow Members that recognises and respects the diversity of opinion and achieves the best possible outcomes for the community.

We, the Elected Members of Litchfield Council, will endeavour to fulfil this principle by:

- *Establishing and maintaining a respectful relationship with all Elected Members, regardless of differences of view and opinions;*
- *Not bullying or harassing other Elected Members;*
- *Behaviour that seeks to establish mature and constructive working relationships;*
- *Following Council policies, legislation and by-laws in regard to meeting procedures;*

- *Allowing the right of all points of view to be heard;*
- *Ensuring that personal comments to the media or other public comments on Council decisions and other matters, clearly indicates that it is a private view, and not that of the Council (unless the individual has been specifically authorised by the Council to convey a particular position to the media).*

6. An Elected Member will respect and use in a careful and prudent manner the Information obtained in the course of his or her duties.

We, the Elected Members of Litchfield Council, will endeavour to fulfil this principle by:

- *Not using information obtained as a result of our role for any purpose other than Council business;*
- *Clearly identifying personal comments;*
- *Ensuring that information communicated in relation to the Council or Council decisions is accurate and not misused;*
- *Respect for and maintenance of confidentiality;*
- *Providing accurate information to the Council and to the public at all times.*

5. Associated Documents

Litchfield Council Policies

6. References and Legislation

Northern Territory Local Government Act

7. Review History

Date Reviewed	Description of changes (Inc Decision No. if applicable)
13 September 2017	Updated policy. Decision 17/0003
19 November 2015	Decision 15/0166/02 – new policy

Northern Territory of Australia
 Part 7.4 of the *Local Government Act 2008*
Local Government Disciplinary Committee
 GPO Box 2850, Darwin NT 0801

SUMMARY OF FINDINGS

Details

Date of decision: **1 July 2020**

Complainant: **Councillor Christine Simpson**

Respondent: **Councillor Douglas Barden**

Local government council: **Litchfield Council**

Code of Conduct: **EM02 Code of Conduct for Elected Members (approved 13 September 2017)**

Committee Members

Chair – Lyma Nguyen

Member – Peter Clee

Member – Sue Barnes

Committee Determinations

	Summary of Complaint or Breach	Breaches established	Actions taken
1	Behaviour in the days leading up to the Special Meeting of 3 July 2019		Dismissed
2	Emailing Councillors with threat to resign		Dismissed
3	Inappropriate media engagement		Dismissed
4	Behaviour during public Special Meeting of 3 July 2019		Dismissed
5	Behaviour when Amendment did not overturn Original Motion on 3 July 2019		Dismissed
6	Disrespectful behaviour toward Council staff at Briefing Meeting on 3 July 2019	Principle 4, Point 1.	Administer a reprimand; Impose a fine of 3 penalty units (\$474).
7	Uttering “lying bitch” at complainant on 3 July 2019	Principle 4, Point 1; Principle 5, Point 1; Principle 5, Point 3.	

Northern Territory of Australia
Part 7.4 of the *Local Government Act 2008*
Local Government Disciplinary Committee
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8	Uttering that the Mayor is a “disgrace” during briefing meeting on 3 July 2019	Principle 4, Point 1; Principle 5, Point 1; Principle 5, Point 3.	
9	Uttering “and crying won’t help you” at complainant on 3 July 2019	Principle 3, Point 2; Principle 5, Point 1; Principle 5, Point 3; Principle 5, Point 5.	
10	Sending text to complainant stating “Your nothing but a lying price (sic) of S...” on 3 July 2019	Principle 5, Point 2.	Administer a reprimand; Impose a fine of 10 penalty units (\$1,580).
11	Sending text to complainant stating “You piece of ...” on 3/4 July 2019	Principle 5, Point 1; Principle 5, Point 2; Principle 5, Point 3; Principle 5, Point 5.	



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 16 September 2020

16 Common Seal

17 Other Business

18 Public Questions

19 Confidential Items

19.1 Application to Write Off Charges on Assessment 10071025

20 Close of Meeting