

### Mission

East Arnhem Regional Council is dedicated to promoting the power of people, protection of community and respect for cultural diversity in the East Arnhem Regional Council. It does this by forming partnerships, building community capacity, advocating for regional and local issues, maximising service effectiveness and linking people with information.

### **Core Values**

Human Rights
Equality
Independence
Community
Work Confidence
Equity
Respect

### AGENDA FOR THE ORDINARY MEETING OF COUNCIL

20 October 2021

### **EAST ARNHEM REGIONAL COUNCIL**

Notice is hereby given that an Ordinary Meeting of the East Arnhem Regional Council will be held at the Nhulunbuy Office on Wednesday, 20 October 2021 at 9am.

Agendas and minutes are available on the Council website www.eastarnhem.nt.gov.au and can be viewed at the Council's public office.

Dale Keehne
Chief Executive Officer

### **Anindilyakwa Ward**

- Constantine MAMARIKA
- Gordon WALSH

### **Birr Rawarrang Ward**

- Jason MIRRITJAWUY
- Robert YAWARNGU

### **Gumurr Gattjirrk Ward**

- Gilbert ALIMANKINNI
- Lapulung DHAMARRANDJI

### **Gumurr Marthakal Ward**

- Evelyna DHAMARRANDJI
- David DJALANGI
- Kaye THURLOW

### **Gumurr Miwati Ward**

- Djuwalpi MARIKA
- Yirrmal MARIKA
- Banambi WUNUNGMURRA

### **Gumurr Miyarrka Ward**

- Jason BUTJALA
- Bobby WUNUNGMURRA

### **TABLE OF CONTENTS**

ITEM		SUBJECT	AGE NO
1	MEE	TING OPENING	
2	ATT	ENDANCE	
	2.1	Elected Members Attendance	6
3	DEC	LARATION OF REGISTERED INTEREST REGISTER	
	3.1	Declaration of Registered Interest	14
4	PRE	VIOUS COUNCIL MINUTES	
	4.1 4.2	Minutes of the Council Meeting held 20 - 22 September 2021	
5	PRE Nil	SIDENT AND COUNCILLOR REPORTS	
6		EF EXECUTIVE OFFICER REPORTS	
O	6.1		21
	6.2	Adoption of Annual Report including Financial Statements 2020-21 CEO Report	
7	TEC	HNICAL AND INFRASTRUCTURE SERVICES REPORTS	
	7.1	East Arnhem Regional Council Tender and Request for Quotation Assessment	
	7.2	Weighting Criteria Waste and Environmental Services	
	7.3	AACAP Youth Centre Update	96
8	COM	MUNITY DEVELOPMENT REPORTS	
	8.1	Community Development Update	103
9	COR	PORATE SERVICES REPORTS	
	9.1 9.2 9.3	Finance and Corporate Services Report	142
10	LOC	AL AUTHORITIES	
	10.1	Local Authority Action Listing from LA Meetings	149
11	MINU	UTES OF LOCAL AUTHORITIES AND COUNCIL COMMITTEES	
	Nil		
12	CON	IFIDENTIAL REPORTS	
	12.1	Rescind Council Resolution RFT133-2105 Lot 3 Milyakburra Installaton of Replacement Perimeter Fencing	

ORDINARY COUNCIL 20 OCTOBER 2021

The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(i) of the Local Government (General) Regulations. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

### 12.2 LGANT

The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(iv) of the Local Government (General) Regulations. It contains information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.

### 12.3 Request for Rates Concession

The report will be dealt with under Section 99 of the Local Government Act and Section 49 (b) of the Local Government (General) Regulations. It contains information about the personal circumstances of a resident or ratepayer.

### 12.4 Request for Rates Concession

The report will be dealt with under Section 99 of the Local Government Act and Section 49 (b) of the Local Government (General) Regulations. It contains information about the personal circumstances of a resident or ratepayer.

### 12.5 Rates and Debtors

The report will be dealt with under Section 99 of the Local Government Act and Section 49 (b) of the Local Government (General) Regulations. It contains information about the personal circumstances of a resident or ratepayer.

### 12.6 FIN0003

Internal Audit Services

The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(i) of the Local Government (General) Regulations. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

### 12.7 Variation 01

RFT15245-2104

Lot 245 Milingimbi

Supply and Installation of Security Screens and Fences

The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(i) of the Local Government (General) Regulations. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

### 12.8 New Remote Engagement Program - Discussion Paper August 2021

The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(i) of the Local Government (General) Regulations. It contains information that would, if publicly disclosed, be

ORDINARY COUNCIL 20 OCTOBER 2021

likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

12.9 Variation 01

RFT1879-2102

Lot 79 Yirrkala

Oval Shade Shelters Installation

The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(i) of the Local Government (General) Regulations. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

12.10 Children and Family Intensive Support Program - Partnership

The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(i) of the Local Government (General) Regulations. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

12.11 Sustainability of East Arnhem and Possible Anindilyakwa Regional Local Government Councils

The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(iv) of the Local Government (General) Regulations. It contains information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.

- 13 GUEST SPEAKERS
- 14 GENERAL BUSINESS
- 15 LATE ITEMS
- 16 CORRESPONDENCE
- 17 COUNCILLOR QUESTION TIME
- 18 DATE OF NEXT MEETING
- 19 MEETING CLOSE

### **ATTENDANCE**

**ITEM NUMBER** 2.1

**TITLE** Elected Members Attendance

**REFERENCE** 1535230

AUTHOR Nawshaba Razzak, Corporate Planning & Policy Officer

### **SUMMARY:**

This report is to table, for the Council's record, any absences, apologies and requests for leave of absence received from the Council Members and what absences that the Council gives permission for.

The report author does not have a conflict of interest in this matter (Section 179 of the Act).

### **RECOMMENDATION**

### **That Council:**

- (a) Notes the absence of << Cr. Name>> .
- (b) Notes the apology received from << Cr. Name>> .
- (c) Notes << Cr. Name/s>> are absent with permission of the Council.
- (d) Determines <<Cr. Name/s>> are absent without permission of the Council under Section 47(1)(o) of the Act.

### **ATTACHMENTS**:

1 2021 - 2022 Attendance and Apologies Register for Meetings.docx





### **Ordinary Council Meeting**

Attendance

Absent with permission

Absent without permission

Not Required

Councillor	20.09.2021	20.10.2021	20.09.2021   20.10.2021   08.12.2021   16.02.2022   20.04.2022	16.02.2022	20.04.2022	15.06.2022
	Nhulunbuy					
Kaye Thurlow	٧					
David Djalangi	٧					
Evelyna Dhamarrandji	×					
Constantine Mamarika	٧					
Gordon Walsh	٧					
Gilbert Alimankinni	٧					
Lapulung Dhamarrandji	٨					
Jason Mirritjawuy	٨					
Robert Yawarngu	٨					
Jason Butjala	٨					
Bobby Wunungmurra	X					
Banambi Wunungmurra	٧					
Djuwalpi Marika	٨					
Yirrmal Marika	<					



### **Special Committee Meeting**

Absent with permission

Absent without permission

Not Required

Councillor			
Kaye Thurlow			
David Djalangi			
Evelyna Dhamarrandji			
Constantine Mamarika			
Gordon Walsh			
Gilbert Alimankinni			
Lapulung Dhamarrandji			
Jason Mirritjawuy			
Robert Yawarngu			
Jason Butjala			
Bobby Wunungmurra			
Banambi Wunungmurra			
Djuwalpi Marika			
Yirrmal Marika			





### **Audit Committee Meeting**

Attendance

Absent with permission X

Absent without permission

Not Required

Councillor	07.10.2021			
	Darwin			
Gordon Walsh	٧			
Gilbert Alimankinni	٧			
Jason Butjala	٨			
External Members			,	
Clare Milikins	٨			
Greg Arnott	٧			





Page 9 Attachment 1

Yirrmal Marika

## 2021 - 2022 Attendance and Apologies Register for Meetings

### **Finance Committee Meeting**

Attendance

Absent with permission X

Absent without permission

Not Required

Councillor	17.11.2021	17.11.2021   19.01.2022   16.03.2022   18.05.2022	16.03.2022	18.05.2022
Kaye Thurlow				
David Djalangi				
Evelyna Dhamarrandji				
Constantine Mamarika				
Gordon Walsh				
Gilbert Alimankinni				
Lapulung Dhamarrandji				
Jason Mirritjawuy				
Robert Yawarngu				
Jason Butjala				
Bobby Wunungmurra				
Banambi Wunungmurra				
Djuwalpi Marika				



### **CEO Review Committee Meeting**

Councillor				
Gilbert Alimankinni				
Lapulung Dhamarrandji				
Banambi Wunungmurra				





Attendance

Absent with permission

**Absent without permission** 

**Not Required** 

## 2021 - 2022 Attendance and Apologies Register for Meetings

# Groote Archipelago Local Decision Making Agreement Committee Meeting



Attendance

Absent with permission

Absent without permission

**Not Required** 

## 2021 - 2022 Attendance and Apologies Register for Meetings

### Yolngu Region Local Decision Making Partnership Meeting

Councillor				
David Djalangi				
Gordon Walsh				
Lapulung Dhamarrandji				
Robert Yawarngu				
Jason Butjala				
Banambi Wunungmurra				
Djuwalpi Marika				



cast Arnhem

### **DECLARATION OF REGISTERED INTEREST REGISTER**

**ITEM NUMBER** 3.1

TITLE Declaration of Registered Interest

REFERENCE 1535544

AUTHOR Nawshaba Razzak, Corporate Planning & Policy Officer

### **SUMMARY:**

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

### **GENERAL**

Sections 114 and 115 Local Government Act.

### **REGISTER**

The Declaration of Interest is attached with this report.

The report author does not have a conflict of interest in this matter (Section 179 of the Act).

### **RECOMMENDATION**

That Council notes the Conflict of Interest and Related Parties Register.

### **ATTACHMENTS:**

1 Declaration of Interest.pdf

### **Declaration of Interest Register**



Member's Names/ Families Names	Relationships	Entity Name	Connection to Entity
		Banambi Wunungmurra	
		Miwatj Health	Director
		Kaye Thurlow	
		Northern Territory's Grants Commission	Representative
		Northern Territory Place Names Committee	Member
		David Djalangi	
R Guywanga	Wife		
Kenisha Gumbula	Granddaughter	NAAJA	Employee
L Gumbula	Granddaughter		
		Evelyna Dhamarrandji	
Geoffrey Gurwanawuy Grandfather	∖Grandfather	Arnhem Land Progress Association	Director
Dassy Gondarra	Grandmother	Shepherdson College	СГО
		Gordon Walsh	
Gordon Walsh		Warningakalinga Aboriginal Corporation	Director
Andrew Walsh	Son	EARC	Director Community Development
Marianne Walsh	Wife	Groote Eylandt Aboriginal Trust	Employee
Erin Walsh	Daughter In Law	Arnhem Land Progress Association - Community Development	Employee
		Lapulung Dhamarrandji	
		Arnhem Land Progress Association	Director
		Manapan Furniture	Chair
		Milingimbi School Council	Chair
		Rulku Milingimbi Hostel	Committee Member
		APLA Remuneration Committee	Board member
		Gattjirrk Yolngu Committee	Director
		ALPA Milingimbi Store Committee	Chair
Jo Djakala	Brother	East Arnhem Regional Council	Previous Elected Member

																				Wesley Bandi Wunun Brother	murra	Bobby Wunungmurra				Member's Names/ Families Names
																					Brother					Relationships
NLC	ALPA	Jason Butjala		ALPA	Robert Yawarngu	Anindilyakwa Rangers	Groote Eylandt Bickerton Island Enterprise	Constantine Mamarika		ALPA	Gilbert Alimankinni		Yirrmal Marika	Alcohol Management	Yirrkala Housing	Miwatj Health	Rirratjingu Aboriginal Corporation	Northern Land Council	Djuwalpi Marika	Yolngu Business Enterprise (2), EARC	Arnhem Land Progress Association	LGANT, Northern Land Council	Bobby Wunungmurra	ALPA Milingimbi Store Committee	Jason Mirritjawuy	Entity Name
Director	Director			Director		Employee	Director			Coordinator				Director	Director	Director	Director	Director		Director	Director	Director, Director		Chair		Connection to Entity

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### **CONFIRMATION OF PREVIOUS COUNCIL MINUTES**

**ITEM NUMBER** 4.1

TITLE Minutes of the Council Meeting held 20 - 22

September 2021

REFERENCE 1535487

**AUTHOR** Nawshaba Razzak, Corporate Planning & Policy Officer

### **RECOMMENDATION**

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

### **ATTACHMENTS**:

1 Ordinary Council 2021-09-20 [1696] Minutes.DOCX





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### **Core Values**

Respect
Professionalism
Human Dignity
Organisational Growth
Equity
Community

### MINUTES FOR THE FIRST MEETING OF COUNCIL

<u>20 – 22 September 2021</u>

**MEETING OPENING:** 10:33AM, 20 SEPTEMBER 2021

### In Attendance:

Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Constantine Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra, and Robert Yawarngu

East Arnhem Regional Council Officers:

Dale Keehne – CEO and Michael Freeman – Corporate Services Manager

Minute Taker - Nawshaba Razzak, Corporate Planning and Policy Officer

Observer - Joe Djakala

Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Constantine Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu took the Declaration of Office.

### **Attendance**

### 2.1 DECLARATION OF MEMBERSHIP OF COUNCIL

### SUMMARY:

This report is to table, for the Council's record, any absences, apologies and requests for leave of absence received from the Council Members and what absences that the Council gives permission for.

This report is to also provide the process for each elected member to acknowledge their role as an elected member, the code of conduct, and sign their declaration.

### 034/2021 RESOLVED (Jason Mirritjawuy/Jason Butjala)

### **That Council:**

- (a) Notes the absence of Crs Evelyna Dhamarrandji, Djuwalpi Marika, Yirrmal Marika and Bobby Wunungmurra.
- (b) Notes the apologies received from Crs Evelyna Dhamarrandji, Djuwalpi Marika, Yirrmal Marika and Bobby Wunungmurra.
- (c) Determines Crs Evelyna Dhamarrandji, Djuwalpi Marika, Yirrmal Marika and Bobby Wunungmurra are absent without permission at this first day of the Council meeting under Section 47(1)(o) of the Act.
- (d) Expresses its dissatisfaction that Crs Evelyna Dhamarrandji, Djuwalpi Marika, Yirrmal Marika and Bobby Wunungmurra did not attend this very important meeting today of the new Council.

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David

Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon

Walsh, Banambi Wunungmurra and Robert Yawarngu

Against: Nil

### 5.1 EXPRESSION OF THANKS

### SUMMARY:

This report provides an opportunity to acknowledge retiring elected members of the previous Council.

### 035/2021 RESOLVED (Lapulung Dhamarrandji/Jason Butjala)

That Council adjourns the meeting until 9AM, Wednesday, 22 September 2021.

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David

Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon

Walsh, Banambi Wunungmurra and Robert Yawarngu

Against:

### **MEETING RESUMED AT 8:46AM, 22 SEPTEMBER 2021**

### In Attendance:

Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Constantine Mamarika (joined at 10:12AM), Djuwalpi Marika, Yirrmal Marika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu.

East Arnhem Regional Council Officers:

Dale Keehne - CEO, Shane Marshall - Director Technical and Infrastructure Services, Andrew Walsh - Director Community Development and Michael Freeman - Corporate Services Manager

Minute Taker - Nawshaba Razzak, Corporate Planning and Policy Officer

Observer - Yananymul Mununggurr

### Crs Djuwalpi Marika, Yirrmal Marika took their Declaration of Office

### **MOTION**

036/2021 RESOLVED (Gilbert Alimankinni/Lapulung Dhamarrandji)

Crs Evelyna Dhamarrandji, Bobby Wunungmurra are absent without permission at this first meeting of the Council under Section 47(1)(o) of the Act.

Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David Djalangi, Djuwalpi Marika, Yirrmal Marika, Jason Mirritjawuy, Kaye Thurlow, For:

Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu

Against: Nil

### **MOTION**

### 037/2021 RESOLVED (Gilbert Alimankinni/David Djalangi)

### The meeting breaks at 9:13AM

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David

Djalangi, Djuwalpi Marika, Yirrmal Marika, Jason Mirritjawuy, Kaye Thurlow,

Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu

Against: Ni

### **MOTION**

### 038/2021 RESOLVED (Lapulung Dhamarrandji/Jason Mirritjawuy)

### The meeting resumes at 10:12AM

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David

Djalangi, Constantin Mamarika, Djuwalpi Marika, Jason Mirritjawuy, Kaye

Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu

Against: Nil

Cr Constantine Mamarika joined the meeting at 10:12AM

### **MOTION**

### 039/2021 RESOLVED (Gilbert Alimankinni/Robert Yawarngu)

### Cr Yirrmal Marika left the meeting and he is absent without permission.

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David

Djalangi, Constantin Mamarika, Djuwalpi Marika, Jason Mirritjawuy, Kaye

Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu

Against: Nil

### 5.2 DECLARATION OF INTERESTS

### SUMMARY:

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

### 040/2021 RESOLVED (Gordon Walsh/Constantine Mamarika)

### That Council notes the Conflict of Interest and Related Parties Register process.

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David

Djalangi, Constantin Mamarika, Djuwalpi Marika, Jason Mirritjawuy, Kaye

Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu

Against: Nil

### **MOTION**

041/2021 RESOLVED (Constantine Mamarika/Jason Mirritjawuy)

### The meeting breaks at 10:39AM

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David

Djalangi, Constantin Mamarika, Djuwalpi Marika, Jason Mirritjawuy, Kaye

Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu

Against: Ni

### **MOTION**

042/2021 RESOLVED (Gordon Walsh/Constantine Mamarika)

### The meeting resumes at 11:07AM

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David

Djalangi, Constantin Mamarika, Djuwalpi Marika, Jason Mirritjawuy, Kaye

Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu

Against: Nil

### 5.3 APPOINTMENT OF PRESIDENT AND DEPUTY PRESIDENT SUMMARY:

To appoint a President and Deputy President.

043/2021 RESOLVED (Lapulung Dhamarrandji/Robert Yawarngu)

That Council appoint Cr Banambi Wunungmurra as President for this term of Council.

That Council appoint Cr Gordon Walsh as Deputy President for a term of two years.

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David

Dialangi, Constantin Mamarika, Diuwalpi Marika, Jason Mirritiawuy, Kaye

Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu

Against: Nil

### **Previous Council Minutes**

### 4.1 MINUTES OF THE COUNCIL MEETING HELD 20 AUGUST 2021

044/2021 RESOLVED (Gordon Walsh/Kaye Thurlow)

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

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David

Djalangi, Constantin Mamarika, Djuwalpi Marika, Jason Mirritjawuy, Kaye

Thurlow, Gordon Walsh, Banambi Wunungmurra and Robert Yawarngu

Against: Nil

Cr Djuwalpi Marika left the meeting, the time being 11:16 AM

### **CHIEF EXECUTIVE OFFICER REPORTS**

### 6.1 MEMBERSHIP OF COMMITTEES

### SUMMARY:

This report is to appoint members to committees.

### 045/2021 RESOLVED (Lapulung Dhamarrandji/Jason Mirritjawuy)

1. THAT Council appoints the Finance Committee of:

**Gumurr Miwatj Ward:** 

Primary – Cr Djuwalpi Marika

Alternate - Cr Yirrmal Marika, Cr Banambi Wunungmurra

**Gumurr Miyarrka Ward:** 

Primary - Cr Jason Butjala

Alternate - Cr Bobby Wunungmurra

**Anindilyakwa Ward:** 

Primary - Cr Constantine Mamarika

Alternate - Cr Gordon Walsh

**Birr Rawarrang Ward:** 

Primary - Cr Jason Mirritijawuy

Alternate - Cr Robert Yawarngu

**Gumurr Gattjirrk Ward:** 

Primary - Cr Gilbert Alimankinni

Alternate - Cr Lapulung Dhamarrandji

**Gumurr Marthakal Ward:** 

Primary - Cr Evelyna Dhamarrandji

Alternate - Cr Kaye Thurlow, Cr David Djalangi

With the alternate members being another Councillor.

- 2. THAT Council appoints Crs Gordon Walsh, Gilbert Alimankinni and Jason Butjala to the Audit Committee.
- 3. THAT Council appoints the President, Crs Gilbert Alimankinni and Lapulung Dhamarrandji to the CEO Review Committee.
- 4. THAT Council appoints the President or the Deputy President, Crs Constantine Mamarika, Kaye Thurlow and Jason Butjala to the Groote Archipelago Local Decision Making Agreement Committee.
- 5. THAT Council appoints the President, Deputy President and the following Councillors to the Yolngu Region Local Decision Making Partnership:

Gumurr Miwatj Ward: Cr Djuwalpi Marika Gumurr Miyarrka Ward: Cr Jason Butjala Birr Rawarrang Ward: Cr Robert Yawarngu

Gumurr Gattjirrk Ward: Cr Lapulung Dhamarrandji

Gumurr Marthakal Ward: Cr David Djalangi

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David

Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon

Walsh, Banambi Wunungmurra and Robert Yawarngu

Against: Nil

### 6.2 LOCAL AUTHORITY MEMBERSHIP

### **SUMMARY:**

This report is to confirm membership of Local Authorities.

### 046/2021 RESOLVED (Gilbert Alimankinni/Jason Mirritjawuy)

That Council appoints the following Councillors to each Local Authority:

Angurugu - Crs Gordon Walsh and Constantine Mamarika

Galiwin'ku – Cr Evelyna Dhamarrandji

Gapuwiyak – Cr Bobby Wunungmurra Gunyangara - Cr Banambi Wunungmurra

Milingimbi – Crs Lapulung Dhamarrandji and Gilbert Alimankinni

Milyakburra - Crs Gordon Walsh and Constantine Mamarika

Ramingining – Crs Jason Mirritjawuy and Roibert Yawarngu

**Umbakumba - Crs Gordon Walsh and Constantine Mamarika** 

Yirrkala - Cr Yirrmal Marika

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David

Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon

Walsh, Banambi Wunungmurra and Robert Yawarngu

Against: Nil

### **MOTION**

### 047/2021 RESOLVED (Gordon Walsh/Constantine Mamarika)

The meeting breaks for lunch at 12:12PM

For: Crs Gilbert Alimankinni, Jason Butjala, Lapulung Dhamarrandji, David

Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon

Walsh, Banambi Wunungmurra and Robert Yawarngu

Against: Nil

### MOTION

### 048/2021 RESOLVED (Kaye Thurlow/Gordon Walsh)

The meeting resumes at 1:06PM

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin

Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi

Wunungmurra and Robert Yawarngu

Against: Nil

Cr Jason Butjala left the meeting with permission, the time being 01:06 PM

### 6.3 MEETING SCHEDULE OF COUNCIL

### SUMMARY:

This report is to set the schedule of ordinary meetings for the term of Council.

049/2021 RESOLVED (Gordon Walsh/Constantine Mamarika)

That Council set the schedule of ordinary meetings to be the third Wednesday of February, April, June, August, October, and the second Wednesday of December.

That Council set the schedule of Finance Committee meetings to be the third Wednesday of months which do not have an ordinary meeting of Council.

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin

Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi

Wunungmurra and Robert Yawarngu

Against: Nil

### 6.4 ADOPTION OF POLICIES

### SUMMARY:

This report is to consider certain required policies at the commencement of the Council term.

### 050/2021 RESOLVED (Robert Yawarngu/Gilbert Alimankinni)

### That Council adopts the following policies:

- 1. Casting vote policy
- 2. Confidential information and business policy
- 3. Extra meeting allowance policy
- 4. Other reasonable expenses and non-monetary benefits policy (elected members)
- 5. And Council resolves to:
  - (a) revoke all previous delegations of the Council in force immediately before the date of this resolution; and
  - (b) delegate powers and functions under the *Local Government Act 2019* to the Finance Committee, CEO and others specified in the Delegation Manual, in the manner, to the extent and subject to any conditions or limitations specified in the Manual.

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin

Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi

Wunungmurra and Robert Yawarngu

Against: Nil

### 6.5 ELECTED MEMBERS TRAINING

### SUMMARY:

This report is to present a training opportunity for elected members.

051/2021 RESOLVED (Constantine Mamarika/Jason Mirritjawuy)

That Council approve the attendance of all elected members who wish to attend the two day LGANT Symposium in October 2021, with the approval of the extra meeting allowance for each day attended, and travel/accommodation/enrolment costs to be met from Professional Development Allowances.

For:

Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi

Wunungmurra and Robert Yawarngu

Against:

Nil

### 6.6 COUNCIL INVOLVEMENT IN CLOSING THE GAP - NORTHERN TERRITORY IMPLEMENTATION PLAN

### SUMMARY:

Council is asked to consider how it can best support the involvement of it and other councils in the Closing the Gap Northern Territory Implementation Plan.

### 052/2021 RESOLVED (Lapulung Dhamarrandji/Gilbert Alimankinni)

That Council propose a motion to the LGANT General Meeting on 4 November 2021, that LGANT consult with all member councils on the most effective way to involve them in the Closing the Gap Northern Territory Implementation Plan process. The Consultation should include consideration of the involvement of some or all of the Regional and Municipal Members of the LGANT Executive, and/or a Steering Committee of nominated Council representatives, with appropriate support from the LGANT CEO, Council CEO's and senior officers.

For:

Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi

Wunungmurra and Robert Yawarngu

Against:

Nil

### **DECISION TO MOVE TO CLOSED SESSION**

### RECOMMENDATION:

Members of the press and public be excluded from the meeting of the Closed Session and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld. This action is taken in accordance with Section 65(2) of the Local Government Act, 2013 as the items lists come within the following provisions:-

### 053/2021 RESOLVED (Lapulung Dhamarrandji/Kaye Thurlow)

The meeting moves to closed session at 2:15PM

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin

Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi

Wunungmurra and Robert Yawarngu

Against: Nil

- **12.1 Minutes of the Confidential Council Meeting held 20 August 2021 -** The report will be dealt with under Section 99 of the Local Government Act and Section 49 (d) of the Local Government (General) Regulations. It contains information subject to an obligation of confidentiality at law, or in equity.
- **12.2 LGANT -** The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(iv) of the Local Government (General) Regulations. It contains information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.
- 12.3 Milingimbi Mechanical Workshop Potential Employee Fraud Involving Cash and Alternate Account Payments from Community members. The report will be dealt with under Section 99 of the Local Government Act and Section 49 (f) of the Local Government (General) Regulations. It contains information in relation to a complaint of a contravention of the code of conduct..
- **12.4 Fleet Report -** The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(i) of the Local Government (General) Regulations. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

### 12.5 RFT133-2105

### Lot 3 Milyakburra

**Installation of Replacement Perimeter Fencing -** The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(i) of the Local Government (General) Regulations. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

### 12.6 FT2122.03 2nd Round

**Supply of Utility Vehicles -** The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(i) of the Local Government (General) Regulations. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

### 12.7 FT2122.04 2nd Round

**Supply of Tipper Trucks -** The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(i) of the Local Government (General) Regulations. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

### 12.8 T21-203419.1

**Gunyangara New Pedestrian Pathways and Crossings -** The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(i) of the Local Government (General) Regulations. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

### 12.9 RFT15245-2104

Lot 245 Milingimbi - Supply and Installation of Security Screens and Fences - The report will be dealt with under Section 99 of the Local Government Act and Section 49 (c)(i) of the Local Government (General) Regulations. It contains information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

### **RESUMPTION OF MEETING**

054/2021 RESOLVED (Gilbert Alimankinni/Robert Yawarngu)

That the decisions of Closed Session be noted as follows:-

The awarding of tenders from items 12.5 to 12.9 inclusive are published on the website.

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin

Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi

Wunungmurra and Robert Yawarngu

Against: Nil

### **MOTION**

055/2021 RESOLVED (Lapulung Dhamarrandji/Constantine Mamarika)

### The meeting breaks at 3:27PM

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin

Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi

Wunungmurra and Robert Yawarngu

Against: Nil

### **MOTION**

056/2021 RESOLVED (Kaye Thurlow/Gordon Walsh)

### The meeting resumes at 3:41PM

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin

Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi

Wunungmurra and Robert Yawarngu

Against: Nil

### TECHNICAL AND INFRASTRUCTURE SERVICES REPORTS

### 7.1 EAST ARNHEM REGIONAL COUNCIL TENDER AND REQUEST FOR QUOTATION ASSESSMENT WEIGHTING CRITERIA

### **SUMMARY:**

This report is tabled for Council to review the current Assessment Weightings Criteria for Tender and Request for Quotations, for the Procurement of Goods and Services.

### 057/2021 RESOLVED (Gordon Walsh/Jason Mirritjawuy)

### That Council moves this report to the October Council Meeting

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin

Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi

Wunungmurra and Robert Yawarngu

Against: Nil

### **Corporate Services Reports**

### 9.1 FINANCE AND CORPORATE SERVICES REPORT

### SUMMARY:

This report is tabled to provide the Finance Report for the period ended the 31 August 2021 for its approval.

### 058/2021 RESOLVED (Jason Mirritjawuy/Lapulung Dhamarrandji)

That Council approves the Finance Report with Human Resources information for the period ended the 31 August 2021.

For: Crs Gilbert Alimankinni, Lapulung Dhamarrandji, David Djalangi, Constantin

Mamarika, Jason Mirritjawuy, Kaye Thurlow, Gordon Walsh, Banambi

Wunungmurra and Robert Yawarngu

Against: Nil

### **Questions from Councillors**

### 059/2021 RESOLVED (Kaye Thurlow/David Djalangi)

Councillor Kaye Thurlow raised that Lot 479 (A, B, C) in Buthan does not have sufficient street lights and requested this to be looked at.

The Council decides that the question be added to the action list.

### **DATE OF NEXT MEETING**

20 October 2021

### **MEETING CLOSE**

The meeting ended at 4:20PM

This page and the preceding 12 pages are the minutes of the First Meeting of Council held on 20 - 22 September 2021, and are to be confirmed on the Ordinary Council Meeting of 20 October 2021.



### **CHIEF EXECUTIVE**

**ITEM NUMBER** 6.1

TITLE Adoption of Annual Report including Financial

Statements 2020-21

**REFERENCE** 1533063

AUTHOR Michael Freeman, Corporate Services Manager

### **SUMMARY:**

Adoption of Annual Report and Financial Statements.

### **BACKGROUND**

The Local Government Act requires Council to prepare each year an Annual Report and Annual Financial Statements that have been audited by the external Auditor.

Once adopted, these must be provided to the Minister for Local Government by 15 November each year.

### **GENERAL**

A draft version was considered by the Audit Committee on 7 October 2021 and 18 October 2021 so that members could have input into the financial statements. The committee also met with the external auditors at that meeting so that they could be advised of any matters that the auditors wish to bring to the attention of the committee. The Audit Committee considerations are attached.

The Annual Report and Financial Statements are provided as a supplementary attachment to this agenda.

### **RECOMMENDATION**

That Council adopt the Annual Report and Financial Statements for 2020-2021.

### **ATTACHMENTS:**

The Annual Report and Financials are provided as a supplementary attachment to this agenda.



### **CHIEF EXECUTIVE**

**ITEM NUMBER** 6.2

TITLE CEO Report 1535196

**AUTHOR** Dale Keehne, Chief Executive Officer

### SUMMARY:

This is a report of key broad issues in addition to those covered in other parts of the meeting agenda.

### **GENERAL**

The traditional ceremony to mark the commencement of the newly elected Council and the important leadership responsibility of all Councillors, was a very special event for our Aboriginal Community Controlled Council.

I welcome and look forward to working with and under the direction of the new Council. I was very encouraged by the commitment and dedication already shown by Councillors at our first Council meeting, including the nomination of Councillors to the various committees and working groups of Council.

I and am confident this will help further strengthen the role of Council working for all communities.

There are range of significant matters for Council to consider at this meeting, and I look forward to working those through with my fellow management team, and gaining your direction on them.

The report author does not have a conflict of interest in this matter (Section 179 of the Act).

### **RECOMMENDATION**

That Council notes the CEO Report.

### **ATTACHMENTS:**

There are no attachments for this report.



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### **TECHNICAL AND INFRASTRUCTURE SERVICES**

**ITEM NUMBER** 7.1

TITLE East Arnhem Regional Council Tender and Request

for Quotation Assessment Weighting Criteria

REFERENCE 1520361

**AUTHOR** Tanya Rann, Procurement Officer

### **SUMMARY:**

This report is tabled for Council to review the current Assessment Weightings Criteria for Tender and Request for Quotations, for the Procurement of Goods and Services.

### **GENERAL**

In conjunction with our Procurement Policy, which will be amended and updated and presented to Council at the next Council Meeting, it is recommended the current method for assessing Request for Tender and nominated Request for Quotations be reviewed.

Our Procurement Policy promotes a Value for Money approach to purchasing activities. This approach includes the consideration of both price and non-price factors, when evaluating Tender and Quotation submissions. The objective of this approach is to select a supplier that would result in the best outcome for Council or Council's broader strategic outcomes.

The following assessment criteria is what is currently used to evaluate Tenders and Request for Quotations:-

### **Set Assessment Criteria**

Local Benefit
 Past Performance
 Capacity
 Cost
 Minimum
 (Minimum)
 Cost
 (Minimum)

TOTAL 80%

The below additional Nominated Assessment Criteria can be used as required to make up 100%, or increase the above Set Assessment Criteria to make up the 100%

Scope Specific
 Timeliness
 Innovation
 As Required
 As Required

See table below for breakdown of each assessment criteria.

	QUALITATIVE CRITERIA	WEIGHTING
1	Local Benefit  Enhancement of industry and business capability in the region.  Improved capacity and quality in supply and service response.  Proposed level of usage of apprentices and trainees.  Number of Indigenous Territorian employees within the organisation and to be employed in delivery of the Contract.  Proposed level of usage of local Indigenous enterprise.	MINIMUM 25%
2	Past Performance Contracts with the Principal or with of a similar scope and size. Previous disputes and claims; provide details of how disputes were managed.	MINIMUM 15%

	QUALITATIVE CRITERIA	WEIGHTING
	Relationship management.	
	Safe and fair workplace record.	
3	Capacity Ability to carry out the works;  a) demonstrated managerial and key personnel expertise b) technical expertise c) knowledge of best practice methods or products d) use of performance/quality/workplace health and safety management systems/processes in relation to the proposed Contract e) resource availability, ie. equipment, vehicles, plant tools Number and value of Contracts in progress. Legal action pending. Financial capacity – provide financial statements for the past 2 financial years if requested.	MINIMUM 15%
4	Scope Specific Environmental requirements Technical Requirements Specific Expertise and Experience	As Required %
5	<u>Timeliness</u> Demonstrate ability to meet the completion/delivery time Completion/delivery time offered by Tenderer	As Required <mark>%</mark>
6	Innovation New technology Alternate Solutions	As Required %
7	Cost The Tendered Price Schedule submitted as part of the Return will be used to assess this criterion.	MINIMUM 25%

Below is our Master Tender Evaluation Matrix Spreadsheet, which is used to score Tenderers Submissions against each criteria along with their weighting percentages.

The report author does not have a conflict of interest in this matter (Section 179 of the Act).

MASTER SCORESHEET Scorecard for														Ordina
Tender Number and Project														ry Coun
														cil
Insert Score out of 10 in Blue sectors - Weighted Score and Totals will automatically fill														
		Tenderer 1		Tenderer 2		Tenderer 3		Tenderer 4		Tenderer 5		Tenderer 6		
Selection Criteria	Weighting	Score	Weighted											
Insert appropriate criteria and alter weightings to suit		(Out of 10)		(Out of 10)		(Out of 10)		(Out of 10)		(Out of 10)		(Out of 10)		
Compliance Criteria	N/A	>		>		Y		<b>*</b>		<b>*</b>		>		
•														
Local Benefit	25%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Past Performance	15%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
		c c	G		9		0		0		c c	0	0	
Capacity	15%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Scope Specific	%0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
F		0.0	00	00	0	0.0	00	00	0	00	0.0	00	0	
	%0	2.0	2.0	0.0	2.0	0.0	2.0	2.0	2.0	0.0	0.0	0.0	0.0	
Innovation	%0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
														2
Cost	25%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	:0 O
Total Scoring	%08		0.0		0.0		0.0		0.0		0.0		0.0	ctobe
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Rank			1		1		1		1		1		1	)21

### **RECOMMENDATION**

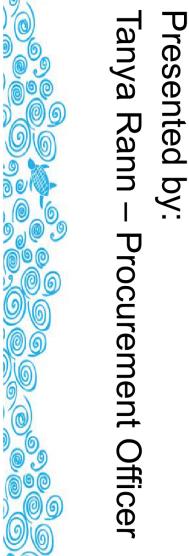
### **That Council:**

Reviews and approves the proposed Tender Assessment Weighting Criteria and Percentages, for future market procurement for Tier 2 over \$50,000.00, Tier 3 and 4 procurement opportunities.

- ATTACHMENTS:
  1 FINAL Procurement Workshop\_v2.pdf
- 2 VFT Assessment Framework (industry July).pdf

### Procurement Policy







- What is Procurement?
- Regulations Local Government (Accounting)
- Procurement Policy
- Procurement Management InfoXpert
- Weighting Options and Assessments
- **Procurement Policy Application**





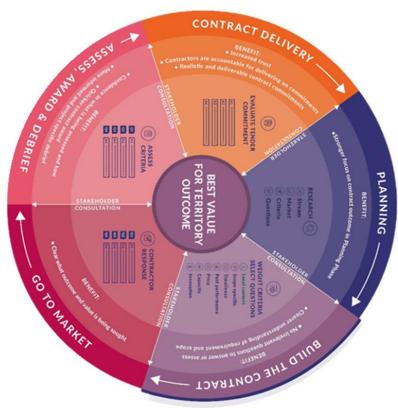
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# What is Procurement?

Procurement and supply management involves buying the goods and services that enable an

organisation to

operate.







### (Accounting) Regulations 2014 **Local Government**



The Act requires Council to:

- Maintain policies and procedures in relation to the purchase of goods and services;
- Obtain quotations and tenders for the provision of supplies.





# How can Procurement Help?



Promote transparency and accuracy

Accountability

Compliance



Accessibility for Audits

Provide guidance to EARC employees



# Procurement Policy Objectives ( Space )



#### VALUE

Promote value for money with probity and accountability

RISK Reduce the risk of fraud or error in procurement activities

### ENVIRONMENTAL

policies Advance Council's economic, social and environmental

#### OPPORTUNITY

to Council businesses that comply with relevant legislation to supply Provide reasonable opportunity for competitive local

#### COMPLIANCE

Promote compliance with relevant legislation



#### (cont)

#### **AWARENESS**

Promote awareness among the Council employees regarding their role, responsibility and authority







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# **Probity in Procurement**



Dictionary as **'honesty and decency'** and in the Webster's Dictionary as *'uprightness in one's* Probity is defined in the Oxford English dealings, integrity

official has the duty to adopt processes, practises activities is expanded to mean that every public honesty and integrity and protect the public and behaviours that enhance and promote The use of the term probity in public sector service

- When Things Go Wrong
- Reputation Personal & Organisational
- Loss of job
- Financial







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### Policy Inclusions

## What is included in the Policy?

Purchase of:

- Goods and assets,
- Equipment and related services,
- Consultancy services,
- Construction contracts and
- Service contracts (including maintenance).

## Who must follow the Policy?

All Councillors and Council employees engaged in purchasing and procurement or who have the responsibility for procurement decisions







# Role and Responsibilities

Council Employees

Understand and follow the Policy



### **Procurement Function**

employees can follow the Policy Provide guidance and a framework so





Tier 3	Tier 2	- -	Tior 1	Procurem ent Tier
Greater than \$100,000	\$5,000 - \$100,000	\$1,000 - \$5,000	\$0 - \$1,000	Estimated Cost of Total Expenditure (inc GST)
Procurement by Tender	Procurement by Quotation	Procurement By Quotation	Procurement By Quotation	Procurement Procedure
Procurement Officer	Requesting Officer or Procureme nt Officer	Requesting Officer	Requesting Officer	Issuing Officer*
Public Tender	Obtain at least 3 Written Quotations NOTE – Attach Quotations received to your Purchase Order - If 3 Quotations are NOT received, please attach evidence of emails or documents proving that 3 or more suppliers or contractors were contacted	Obtain at least 1 Written Quotation NOTE - Attach quotation to your Purchase Order	Obtain at least 1 Verbal Quotation NOTE - do not create a Purchase Order for a bulk amount	Procurement Process
Council Resolution	As per Delegated Authority	As per Delegated Authority	As per Delegated Authority	Authority to Purchase

\*The Issuing Officer is employee who seeks pricing and

# **Purchasing Principles**



Purchasing Principles can help an organisation to reduce costs, help maintain quality and manage level of risks to its supply chain. For example:-

## Value for Money (Territory)

Good Quality, Good Price and Good Outcomes

# Open and Effective Competition

supply opportunities - Provides ALL suppliers with fair and equitable access to government

## **Environmental Protection**

and environment Procuring goods or services that have a reduced impact on human health

# Risk Management and Internal Control System

other information is reliable and that the company complies with the relevant Ensures that the company's operations are effective, that financial and regulations and operating principles.



# **Purchasing Principles Cont.**



# Accountability, Ethical Behaviour and Fair

suppliers, Council employees Integrity and Professionalism. behave with Impartiality, Fairness, Independence, Openness, MUST when communicating and negotiating with

Council employees must **NOT** engage in corrupt behaviours such as:

#### Canvassing

- Which means during a tender process, any prospective supplier or or canvass support from an employee of Council, at any time. A rejected.
- Influence or Inducement of Partic Release of Confidential Information
- Partic CORRUPTION

nvolved in such activity will result in their tender being





# **Purchasing Principles Cont.**



### Conflict of Interest

When an employee is in a position to ACUTAL, PERCEIVED or POTENTIAL. interests; financial, personal or business. be influenced by their A Conflict of Interest can be private

If there is a Conflict of Interest you should declare this asap to your

employee or worst still losses of jobs. confidence in Council and may end up in reputation damages to the the integrity of the procurement process, erode public and market If a Conflict of Interest is not declared or managed properly, it can damage Director or CEO.





### Payment of Accounts



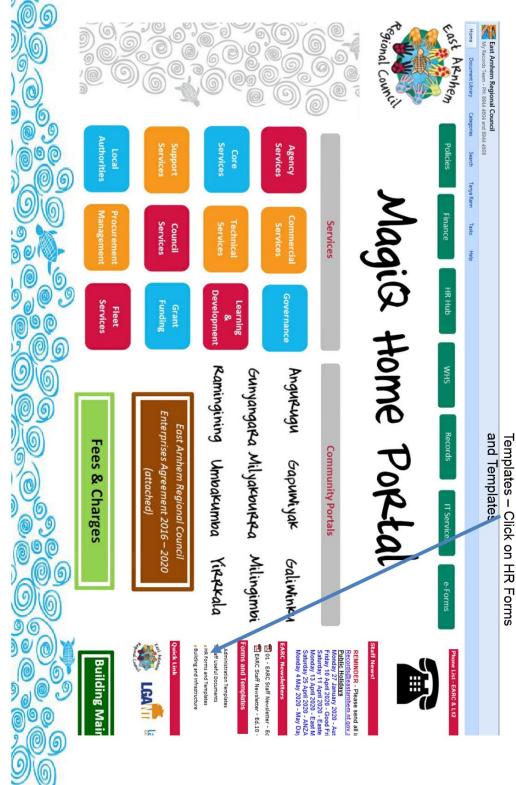
#### Example of Conflict of Interest Forms for Staff Members and Councillors I disclose a Conflict of Interest pursuant to Section 73 &/or Section 74 of the Local Government Act 2012, in the following matter before the CEO & this meeting of the: Conflict of Interest Declaration (Local Government Act 2012) EAST ARNHEM REGIONAL COUNCIL





### Staff Member **Location of Conflict of Interest Form**

 RHS Under Forms and From Home Page of Magiq Docs





Choose OTHER FORMS – Form will then be listed (see below)

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# **Conflict of Interest Example**

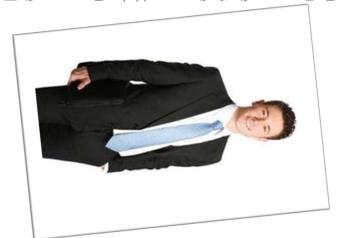


Steve is a qualified accountant, who also has a personal cleaning firm which he owns and manages. Steve's cleaning firm won a cleaning Contract with a State-Owned Corporation and then Steve began working at the same Corporation as an Accountant.

In his acceptance letter, Steve informed his new manager that he was a non-financial director of the cleaning firm and that in this position he was not involved with its cleaning contract and therefore no conflict of interest.

After four years, Steve got a new manager, who became aware that Steve's cleaning company was performing cleaning work for their agency. The manager quizzed Steve, who repeated that he was a non-financial director with no active Involvement.

Three years later Steve completed two declarations stating that he had no secondary employment. For seven years the firm performed cleaning work for the organisation, and in his capacity as an accountant Steve eventually began to authorise payment of the cleaning invoices.



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# Conflict of Interest Example Outcome



obtained up to \$500,000 in direct financial benefits from It. he played a key role in the operations of the cleaning company and It was found that Steve had deliberately misrepresented his Interests, for

identify Steve's conflict of interest. Steve's managers had made the mistake of missing an opportunity to

Both managers took Steve at his word that he was a non-financial director and did not investigate further. Both manager could have performed basic Australian Securities and investments Commission (ASIC) checks on Steve's company.





### What Went Wrong?



contact with a company that was a regular supplier to the agency Through his work at a government agency, an officer had frequent

include social contact at lunches and dinners This contact changed from formal business meetings and started to

supported and negatively about the other tenders the evaluation process spoke favourably about the company he along with other tenderers put in a tender. The officer was part of the team who prepared the scope of work, was on the evaluation panel A tender was called by the agency for services, and the provided the company assistance with tender documents and during company

with regard to his favoured company and convinced by him to amend the wording of the evaluation report The other tender evaluation members were influenced by the officer



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### Gifts and benefits

hospitality or other benefits from current You cannot accept gifts, extensive

What to do if I receive a gift? or prospective suppliers

CEO and surrender the gift to Council disclose to your supervisor, Director or If the gift cannot be returned or refused,







## Other Policy Inclusions

- Workplace Health & Safety
- Travel and Accommodation
- Credit card purchases
- Motor Vehicle and Machinery Acquisition
- Petrol cards
- Payment in advance



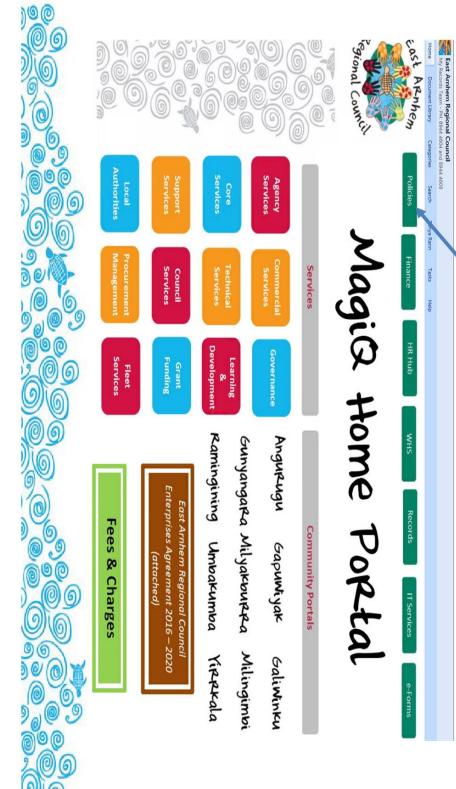




# **Location of EARC Policies**



All EARC Policies can be found from the HOME PAGE of Magiq Docs



### **Purchase Orders**

delegated authority) after the quotation or tender procedures have been completed purchases (with exemptions relating to Fuel Purchase orders **MUST** to be issued for all Cards and Credit Cards Purchases as per



Attachment 1 Page 61

Purchase Order

shutterstock.com · 487416538

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### **Order Splitting**

A single order / quote is split into smaller orders to;

- Avoid Council policies or procedures
- Bringing requisitions or Purchase Orders below the accounting regulation thresholds





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# Local Government Exemptions



supplies consisting of, or related to: Quotations are not required for the provision of

- the purchase of land; or
- a consultancy or other professional services

travel and accommodation.

Consultancy or other
consultancy
consultancy or other
consultancy
consultancy or other
consultancy
consul

# **EARC Internal Exemption Forms**

( Space Space

Tier 2 Purchases Over \$5,000

- policy. impossible to comply with the procurement provide flexibility where it is impractical or Procurement Exemptions are established to
- off by both the Procurement Officer and relevant completed, reasoning for Exemption and signed Activities, and an Exemption Form must be Director These Exemptions are only available for Tier 2



# **Example of an Exemption**



A Commercial Oven for one of our Aged Care (beyond economical repair) and needs to be replaced asap. Centres in Community has been deemed BER

essential to provide our Aged Care Clients with nature to replace the Oven, as this is equipment is based supplier for Commercial and Industrial Arafura Catering are the only Northern Territory purchase the Oven meals, an exemption form would be completed to Catering Equipment, and due to the urgent



# **Exemption Form Location**



Management Tab From the HOME PAGE of MAGIQ DOCS – click on the Procurement

Procurement Management

Note - Exemption Forms need to be signed off by the Procurement Under Tier 2 Column click on Exemption Form

before any Purchases can be made. Officer and Relevant Director (always remember to attach the Quote)



## **Collective Procurement**



collectively carry out procurement activities Collective Procurement is when two or more groups

Advantages include:

- more competitive prices;
- better levels of service
- better quality of goods & services or,
- sustainability of supplies, bulk or quantity discounts





# Supply Agreements: Panels



- A panel of suppliers for a specific good or service
- Panel suppliers must be elected via a quotation or tender process
- Panels are by rates or prequalification



## EARC currently have the below Procurement Panel Arrangements in place:-

- Air Charter Panel 5 Charter Companies
- 2. Freight Panel Seaswift ONLY
- 3. Mechanical Panel All 9 Communities



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# Supply Agreements: Panels



Advantages of Panels:

- Greater buying power
- Reduction in overall price
- Fairness and equity in procurement activities
- Better guidance to Council officers in where to source goods/services
- An equal level of quality of goods/services across Council.



# Quotation and Tender Weighting Options

## Territory Assessment Criteria

evaluating our Request for Quotations and Request for Tender Submissions There are seven standard assessment criterias used for

- Local Benefit SET 25% (Minimum)
- Past Performance **SET**15% (Minimum)
- Capacity **SET**15% (Minimum)

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- Timeliness **NOMINATED** As Required
- Scope Specific **NOMINATED** As Required
- Innovation **NOMINATED** As Required
- Cost **SET** 25% (Minimum)

"NOMINATED" criterias above can be used as required to make up 100% or increase the above SET Critera to make up 100%





#### VFT Assessment Framework (separate attached Presentation)



## **Procurement Planning**



Council will ensure that the procurement activities are sufficiently planned in advance unless it is an

This is to ensure the activity is undertaken per the emergency purchase

needs of Council and within the Policy.





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### and Templates Procurement Policy, Procedures



### Procurement Policy

Click on **Policies** from Home Page of InfoXpert, Click on is Policy No 75. under Council Approved Policies the Procurement Policy Current Versions of Council Approved Policies and

## Procedures and Templates

From the Home Page of InfoXpert, Under Services will list all the procedures and templates for Tier 1, 2 and on the Yellow *Procurement Management* Square. Click This

Procurement



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- Summary
- Understand the Policy and your responsibilities
- Review the Procurement Procedures
- Plan your Procurement



Unsure?

Ask the Procurement Offic⊌.





## Value for Territory

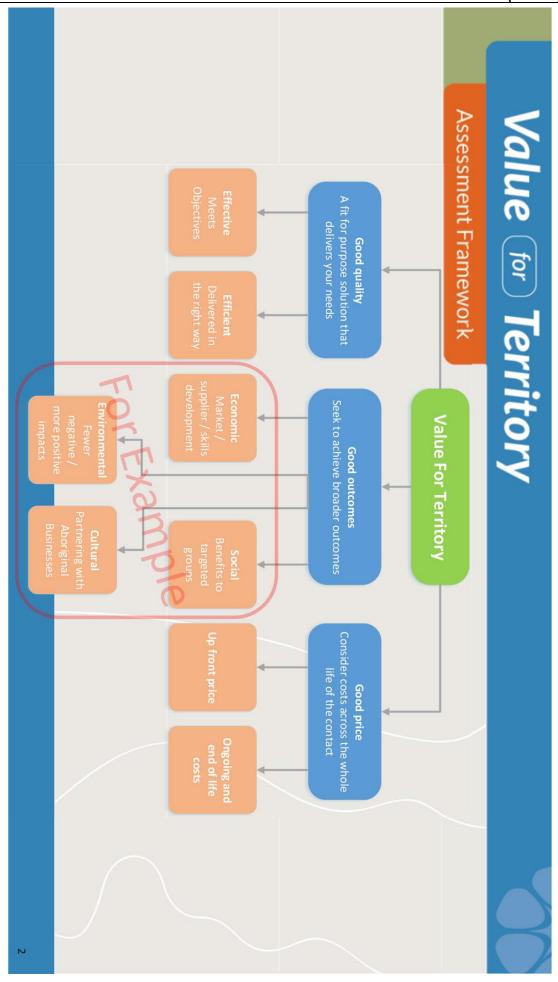
Assessment Framework

# ndustry Consultation

Julie Jenkins, Executive Director Business

more Territory businesses to win work and participate in the 'The Value for Territory Assessment Framework will increase assessment process clear, simple, fair and objective to help transparency in public procurement to make the tender supply chain'





## Value for Territory

### Assessment Framework

How will the Framework operate?

delivering fit for purpose procurements by:

A framework is being designed to increase the focus on

- Increasing the consideration of the **outcome** and **value for Territory** being sought through the procurement across the procurement lifecycle Focusing on clearly **defining** the information required from tenderers to ensure best **value for Territory** is achieved in the each specific tender
- Improving the ability for tender commitments to be delivered in the contract due to improved fit for purpose considerations in each procurement

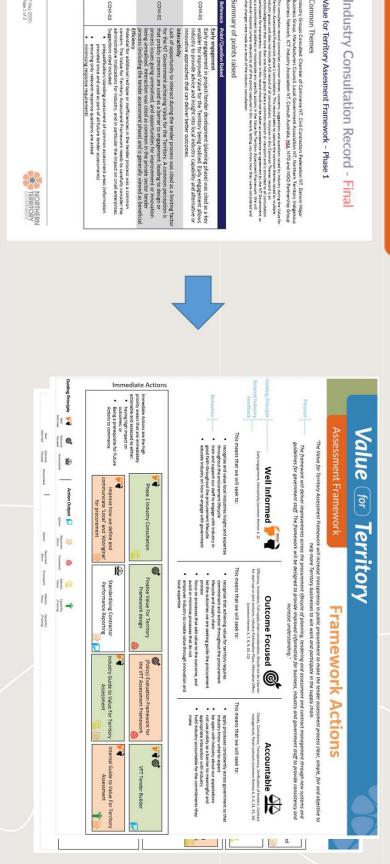
assessment **prior** to going to market



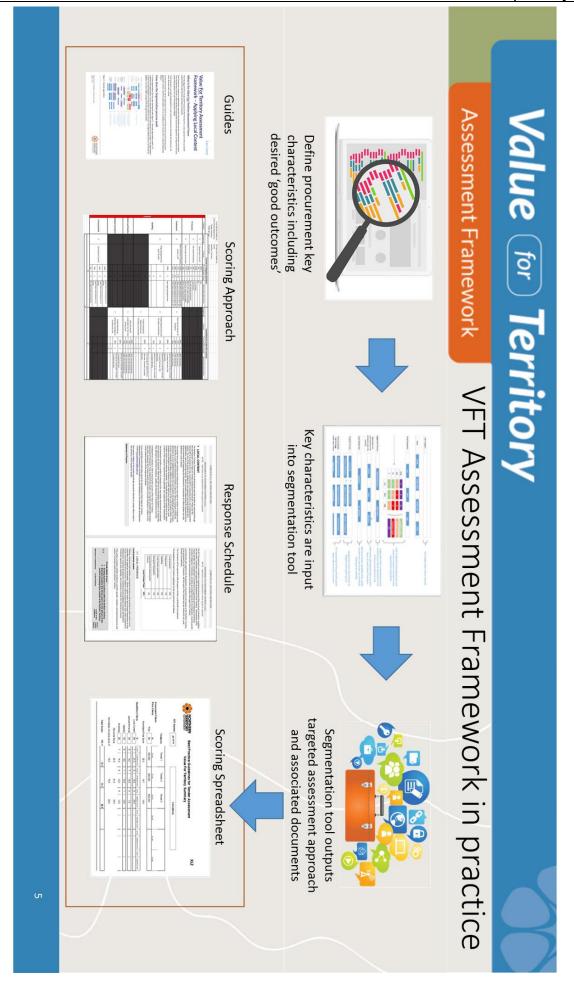
### for Territory

### Assessment Framework

#### **Future Actions**



nary of points raised



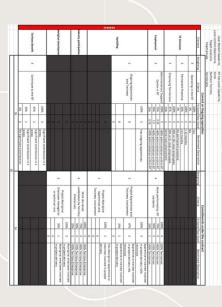
## Value for Territory

Assessment Framework

Local Content Assessment

# Targeted Local Content assessment approach based on key characteristics

- Assessed elements are relevant to the procurement and the desired outcomes
- Based on objective benchmark assessment (eg % of workforce Balances rearward (Business as usual) and forward looking (what will delivering the project that ordinarily reside in the NT) you commit to under the contract) focus based on opportunity
- Assessment complexity scales to the value and risk of the contract (i.e. low value contract have less response requirements)



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## Value (for) Territory

### Assessment Framework

#### assessment criteria Improved guidance provide context to all

Context statements provide guidance to responses all respondents on why the criteria is Government will be looking for in important and what the NT

- statements will highlight their Where target groups have been relevance identified, questions and context
- Questions written in plain English with clear response requirements

## Response Schedule changes

RESPONSES TO ASSESSMENT CRITERIA (cont.)
NOTE: Add lines or an attachment if more space is requ COMPLETE ALL SECTIONS AND RETURN

#### 1 LOCAL CONTENT

ork is focusing on the way Local Content is assessed and is now undergoing limited. The aim of the testing is to validate the new approach and seek feedback from The aim of the testing is to validate the new approach and seek feedback from olders, and in particular industry, before broader implementing the framework across butternents and expanding the framework to incorporate all criteria (phase one only the properties of the properti

The framework includes a number of changes to the way tender assessments are planned and responses are assessed. While these will not be immediately apparent, it is hoped that they will lead to improved consistency, quality and relevance of assessments over time.

enedback from industry is vital to ensuring the success of the Value for Territory sessessment Framework. If you respond to this tender, you may be confacted (after tenders ave been assessed and confract award) and invited to provide teechack in relation to the

you would like more information about the development of the Value for Territory ssessment Framework or would like to provide feedback on the frameworks development.

Any queries relating to this tender specifically should be directed to contact officer noted in the annexure of the request for tender.

COMPLETE ALL SECTIONS AND RETURN

RESPONSES TO ASSESSMENT CRITERIA (cont.)
NOTE: Add lines or an attachment if more space is rec

The NT Government is committed to supporting businesses that use local contractors, suppli-bility and train Territorians, and support the development of the Territory. Assessment of this Commitments with regard to the development of business and industry in the Northern Territor to be archieved by the Contractor, will form part of the Contract and are referred to as Local Benefit Commitments.

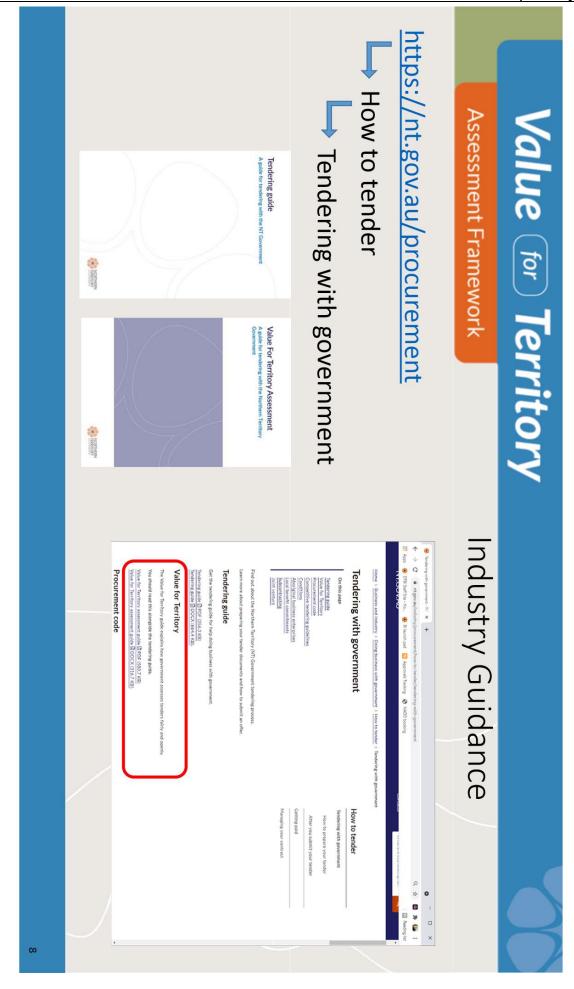
The Contractor will be required to fulfil all aspects of their Local Benefit Commitment

Local Content Total:	Commitment to advancing the Territory	Aboriginal Participation	Local Industry participation	Upskilling	Employment	Local presence
30%	3%	2%	4%	6%	7%	8%

#### 1.1 LOCAL PRESENCE

ong contractors that maintain a permanent presence with proximity to taken has significant advantalgas. Shorter supply chains and increas a furnicomental and economic conditions reduce project delivery risk structure. business development, employment and upstalling increases ones capacity and capability, and contribute to further the Territoriess ones capacity and capability.

e/type of er	-
e/type of establishment	1. Ex 2. Bu
Location/Address	Provide details of your:  1. Existing business locations within the Northern Territory  2. Business locations that will be used in for the delivery of this contract (including those outside of the Northern Territory)
Length of time established	arn Territory e delivery of t hern Territory
Used in contract Delivery	) his



#### By October 2021 all procurements will VFT Assessment Framework will start **Approximately 90 Procurement** from July 2021 being used in procurement planning incorporate VFT Assessment Framework Professionals have been trained Assessment Framework Value (for) Territory System (12 July) Industry Awareness (21 July +) Implementation Path Professionals (9-20 July) NTG Procurement All Procurements October 2021 NTG Agency Awareness & Training (July 26+)

### **/alue** for **Territory**

Assessment Framework

The Road Ahead

Questions?

If you would like to provide more input, let us know Ph: (08) 8999 3840

Procurement.NT@nt.gov.au



TO

### for Territory

### Assessment Framework

# Example without target groups

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30								,	u u				_					4				١		4											Weighting																					
							Project Apprentices and Trainees involvement  Work (by value) undertaken by Territory Enterprises  Project Aboriginal Employee manageria or technical role								NT residents	Work performed by										g Criteria																														
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weighting of 3%

Aboriginal content sub-

Local Content = 30% with an

assessment approach with

**Example Local Content** 

no target identified.

### Assessment Framework

Example with target groups

### for Territory

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	3				Minor contribution in 1 areas	Significant contribution in 1 areas	>10% total ongoing Aboriginal employment	>35% total ongoing Aboriginal employment	>40% total ongoing Aboriginal employment	>50% total ongoing Aboriginal employment															>20% administration within NT	>10% within the region	>40% administration within NT including	>30% within the region	>60% administration within NT including	>50% within the region	Some local employment	20% or 5+ local employees	50% or 10+ local employees	> 12 months in the NT	> 12 months in the region	> 12 months in the Community	Yes, within the NT	Yes, within the region	Yes, within the Community	Benchmark Description	Current or Ongoing operation
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								or recilling love	Employee managerial	Project Aboriginal		IIIvoiveillelit	Aboriginal Buiness Enterprise involvement				Work (by value) undertaken by Territory Enterprises								Work performed by NT residents															Criteria	93
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weighting of 13% (3 of Aboriginal content suk

Aboriginal participatio residents' points requ work performed by N procurement activity. desired outcomes of the

Local Content = 30% w

and remote communit approach with both A

Local Content assessm

participation identified