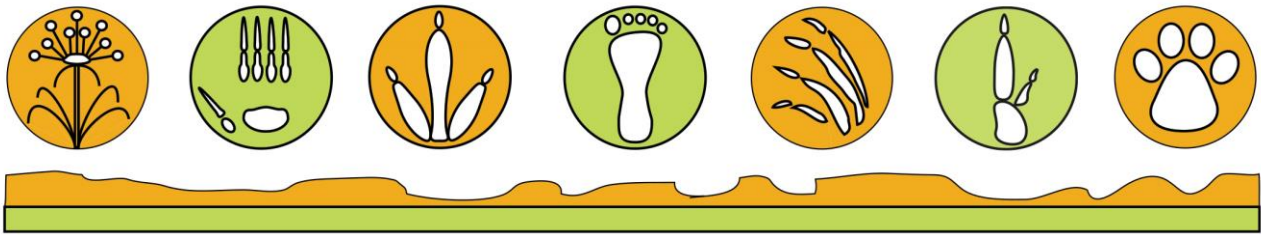


BARKLY REGIONAL COUNCIL



AGENDA SPECIAL COUNCIL MEETING

MONDAY, 24 APRIL 2023

Barkly Regional Council's Special Council Meeting will be held in Council Chambers, 41 Peko Road, Tennant Creek on Monday, 24 April 2023 at 1500hrs (3:00pm).

Russell Anderson

Acting Chief Executive Officer

OUR VISION

We strive to be responsive, progressive, sustainable council which respects, listens and empowers the people to be strong.

The Way We Will Work

We will make it happen!

We will be engaged and have regular opportunities to listen.

We will have strong policy and budgets to ensure our programs and services are progressive and sustainable.

Respect is shown in everything we do and we have acceptance of all cultures in the Barkly Region and their practices through a culturally competent Council.

We are a responsible Council.

We will be a responsive Council.

We want to empower local decision making.

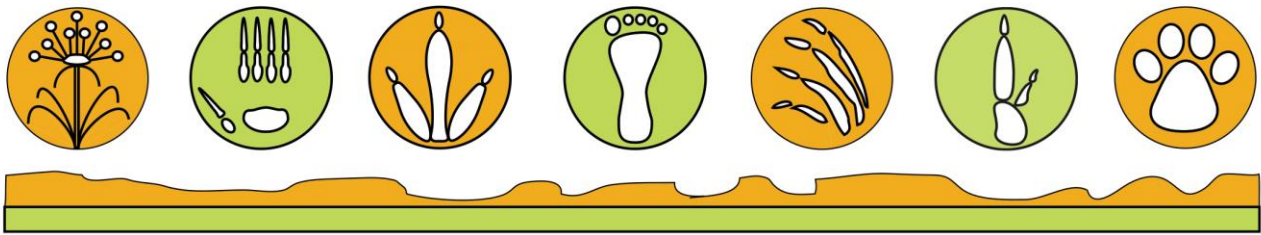
We want to ensure that our services are sustainable and that our region has a standard consistent level of services.

We want to be able to sustain our environment – our communities, our physical places, our people and our organisational culture.

We will aggressively pursue additional funding from both levels of government to improve the standard of living of people across the region.

We need to be realistic, transparent and accountable.

BARKLY REGIONAL COUNCIL



ACKNOWLEDGEMENT TO COUNTRY

We acknowledge the Traditional Owners of Warumungu, Mudberra, Jingili, Wakaya, Wambaya, Waanyi, Walpiri, Warlmanpa, Alyawarr, Anmatyerre and Kaytetye Country on which Barkly Regional Council live and work, and recognise their continuing connection to land, waters and culture. We pay our respects to the ancestors and elders of these lands, past, present and emerging.

May we continue to work together to
Deliver sustainable outcomes through a process
Based on mutual respect and understanding.

COUNCIL PRAYER

Our Lord Jesus Christ, we trust you will guide and bless this meeting of the Barkly Regional Council. We pray that you will ensure that all discussions and decisions made today are just and fair as they will affect all people within the Barkly Region. We also pray for your guidance to ensure that all our dealings are appropriate to all those whom we represent and will reflect an equitable and honest approach to the issues to be discussed today.

Amen

AGENDA

ITEM	SUBJECT	PAGE NO
1	OPENING AND ATTENDANCE	
1.1	Elected Members Present	
1.2	Staff Members Present	
1.3	Visitors Present	
1.4	Apologies and Leave of Absence	
1.5	Absent Without Apology	
1.6	Disclosure of Interest	
1.7	Review of Disclosure of Interests Register	
2	CONFIRMATION OF PREVIOUS MINUTES	
	<i>Nil</i>	
3	ACTIONS FROM PREVIOUS MINUTES	
	<i>Nil</i>	
4	ADDRESSING THE MEETING	
	<i>Nil</i>	
5	QUESTIONS FROM MEMBERS OF THE PUBLIC	
	<i>Nil</i>	
6	MAYOR'S REPORT	
	<i>Nil</i>	
7	CHIEF EXECUTIVE OFFICER REPORTS	
	<i>Nil</i>	
8	CORPORATE SERVICES DIRECTORATE REPORTS	
	<i>Nil</i>	
9	INFRASTRUCTURE DIRECTORATE REPORTS	
	<i>Nil</i>	
10	COMMUNITY DEVELOPMENT DIRECTORATE	
	<i>Nil</i>	
11	LOCAL AUTHORITY REPORTS	
	<i>Nil</i>	
12	COMMITTEE REPORTS	
	<i>Nil</i>	
13	NOTICES OF MOTION	
	<i>Nil</i>	
14	RESCISSION MOTIONS	
	<i>Nil</i>	

15 OPERATIONS

Nil

16 GENERAL BUSINESS

16.1 Finance Report - End of March 2023	5
16.2 Update of Council Policies.....	12

17 CORRESPONDENCE

Nil

18 THE REGIONAL COUNCIL'S PROPOSED REGIONAL PLAN

Nil

Next Meeting Date

19 CLOSE OF MEETING

GENERAL BUSINESS

ITEM NUMBER 16.1
TITLE Finance Report - End of March 2023
REFERENCE 380421
AUTHOR Liza Taylor, Senior Administrative Officer

RECOMMENDATION

That Council receive and note the financial report attachment

SUMMARY:

The attachments show the monthly finance report for March 2023.

ATTACHMENTS:

1   Finance report for the month ended March 2023 updated.pdf



BARKLY REGIONAL COUNCIL
ABN 32 171 281 456

MONTHLY FINANCE REPORT FOR THE MONTH OF MARCH 2023

STATEMENT OF FINANCIAL POSITION (UNAUDITED)

BALANCE SHEET AS AT 31 MARCH 2023	YTD Actuals \$ 000	Note Reference*
ASSETS		
Cash and cash equivalents	\$ 6,999.70	(1)
Trade and Other Receivable	\$ 4009.45	(2)
Inventories	\$ 22.00	
TOTAL CURRENT ASSETS	\$ 11,031.15	
Property, Plant and Equipment	\$ 38,945.00	(3)
TOTAL NON-CURRENT ASSETS	\$ 38,945.00	
TOTAL ASSETS	\$ 49,976.15	
LIABILITIES		
Trade and Other Payables	\$ 192.40	(4)
Current Provisions	\$ 940.00	(5)
TOTAL CURRENT LIABILITIES	\$ 1,132.40	
Provisions	\$ 417.00	(6)
TOTAL NON-CURRENT LIABILITIES	\$ 417.00	
TOTAL LIABILITIES	\$ 1,549.40	
NET ASSETS	\$ 48,426.75	
EQUITY		(7)
Asset Revaluation Reserve	\$ 23,054.00	
Accumulated Surplus	\$ 25,372.75	
TOTAL EQUITY	\$ 48,426.75	

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

	YTD Actuals \$000	YTD Budget \$000	YTD Variance \$000	Annual Budget \$000
OPERATING INCOME				
Rates and Statutory Charges	\$ 3,814.92	\$ 3,922.00	\$ 107.08	\$ 5,229.00
Grants, Subsidies and Contribution	\$ 12,525.50	\$ 17,669.00	\$ 5,143.50	\$ 23,558.00
Fees and Charges	\$ 1,893.68	\$ 2,639.00	\$ 745.32	\$ 3,518.00
Interest / Investment Income	\$ 8.27	\$ 9.00	\$ 0.73	\$ 11.00
Reimbursements	\$ 12.00	\$ 19.00	\$ 7.00	\$ 26.00
Other Income	\$ 1,083.12	\$ 217.00	\$ 866.12	\$ 289.00
TOTAL OPERATING INCOME	\$ 19,337.48	\$ 24,475.00	(5137.52)	\$ 32,631.00
OPERATING EXPENDITURE				
Employee and Councillors Expenses	\$ 10,203.58	\$ 11,672.00	1,468.42	\$ 15,563.00
Materials and Contracts	\$ 6,909.00	\$ 7,327.00	418.00	\$ 9,769.00
Other Expenses (includes Finance Cost)	\$ 4.00	\$ 53.00	\$ 49.00	\$ 56.00
Depreciation, Amortisation and Impairment	\$ 1,907.00	\$ 1,907.00	-	\$ 2,543.00
TOTAL OPERATING EXPENDITURE	\$ 19,023.58	\$ 20,959.00	\$ 1,935.42	\$ 27,931.00
OPERATING SURPLUS / DEFICIT	\$ 313.90	\$ 3,516.00		\$ 4,700.00

Key Revenues in the Month of March 2023

DOH	\$ 405,223.00
Rates and Waste Charges	\$180,677.08

Key expenses in the month of March 2023

Contractors - Structural	\$138,872
ICT Software, Licenses and Packages	\$75,240
Consulting Fees	\$27,762

Note 1: Cash and cash equivalents

As at 31st March 2023, the Council's cash and cash equivalent balances amounted to \$6.9m. A breakdown of the Council's cash and cash equivalent balances are as follows:

Cash in Hand and at Bank

Transaction Account - ANZ				\$3,727,072.52
Trust account - WBC				\$3,077,061.95
Transaction Account - WBC				\$187,565.81
Petty Cash				-
				<u>6,991,700.28</u>

Cash Investments	Interest Rates	
Term Deposit-WBC	1.25%	3,000,000.00

Note 2: Trade and Other Receivables

The Council's trade receivables balance at 31st March was \$1,175,644.72 of which \$421,341.09 was more than 90 days old.

The Council's rates and charges balance at 31st March 2023 was \$2,833,809. Council collected \$180,670 from Rates payer during the month of March.

Rates and Refuse charges

Balance as at 01/03/2023	\$3,014,479
Less: Cash received in March	<u>\$180,670</u>
Balance as at 31/03/2023	<u>\$2,833,809</u>

Note 3: Summary of Fixed assets including WIP

Fixed assets	Amount
Property, Plant and Equipment (Inc. other assets)	\$ 40,852,000
Less, Depreciation	\$1,907,000
	<u><u>\$38,945,000</u></u>

Note 4: Trade and Other Payables

The Council's trade payables balance at 31st March 2023 was \$192,419.31

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

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

	Current	Past Due 1-30 Days	Past Due 31-60 Days	Past Due 61-90 Days	Past Due 90+ Days	Total
Trade Creditors	\$191,395.22	-	\$1024.09.00	-	-	\$192,419.31
Percentage	99%	0%	1%	0%	0%	100%

Statement on Australian Tax Office (ATO) and Payroll Obligations

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

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

Superannuation

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

Council contributes 10.50 percent of employees ordinary time earnings into their selected/default super account. Some employees of the Council receive an additional superannuation contribution as part of their agreed remuneration package. Superannuation payments are due to be remitted on Monthly basis.

Note 5: Current Provisions

Current Provision - LSL	\$ 130,798.69
Annual Leave (Staff) Provision	\$ 809,201.31
	\$ 940,000.00

Note 6: Provision

Non-Current Provision - LSL	\$ 417,000.00
	\$ 417,000.00

Note 7: Below is breakdown of Equity.

Equity	Amount
Accumulated Surplus/Deficit	\$ 25,372.75
Asset Revaluation Reserve	\$ 23,054.00
	\$ 48,426.75

Corporate credit cards

The Council has a credit card facility of \$47,000 credit limit.

For the month of March 2023 there was an aggregate spend of \$32,796.60.

Masked Card Number	Amount
4564-80XX-XXXX-6044	\$ 32,796.60
	\$ 32,796.60

- Mayor's Credit card: Nil.
- CEO's Credit card: Nil

Note 9: Ratios (Key Indicators).

Liquidity Test (Working Capital Ratio)	Amount in \$'000
Current Assets:	\$ 11,031.15
Current Liabilities:	\$ 1,132.40
Current Liquidity Ratio:	9.74
2022 Liquidity Ratio:	4.80

Certification by the CEO to the Council

That, to the best of the CEO's knowledge, information and belief:

- (1) The internal controls implemented by the council are appropriate; and
- (2) The council's financial report best reflects the financial affairs of the council.

CEO Signed

Date Signed

GENERAL BUSINESS

ITEM NUMBER 16.2
TITLE Update of Council Policies
REFERENCE 380422
AUTHOR Liza Taylor, Senior Administrative Officer

RECOMMENDATION

That Council receive and approve changes to the attached Barkly Regional Council policies.

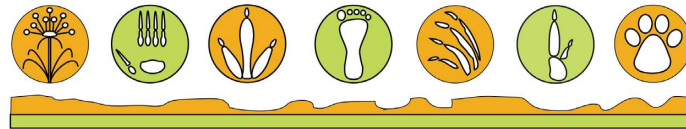
SUMMARY:

Barkly Regional Council's procedures are at time for renewal. Current attachments are the Delegation Manual & Procurement Policy

ATTACHMENTS:

- 1   CP83 DELEGATION MANUAL.pdf
- 2   CP28 Procurement Policy without check list.docx

BARKLY REGIONAL COUNCIL



Delegation Manual 2023–2028

Delegations Manual 2023-2028

Approved: OC

Review Date: By Term

Contents

DELEGATIONS OF AUTHORITY

NT Local Government Act	5
1. Background and General Principles	5
Policy	5
Purpose of this document.....	5
Principles	5
Personal Delegations	5
Committee and Local Authority Delegations	6
2. DEFINITIONS.....	6
Positions	6
3. Budget.....	6
4. CEO Delegations.....	7
5. Human Resource Delegations	7
Staff: Salary, Conditions, Packages and Contracts.....	7
Staff: Position Descriptions	7
Staff: New Positions, Advertisements, Selection, Appointment and Probation	8
Staff: Dismissal and Redundancy	8
Staff: Leave.....	9
Staff: Training and Conference Attendance	9
Staff: Staff Travel	10
Staff: Performance Management	10
Staff: Industrial Relations	11
6. Contracts	11
Contracts: Contracts, Agreements and Submissions.....	11
7. Legal	12
Legal: Legal Matters	12
8. Governance	13
Governance: Common Seal	13
9. Policies and Procedures.....	13
Policies and Procedures: Policies and Procedures.....	13
10. Documents, Correspondence and Minutes	13
Documents: Public Statements, Media and Comments on Strategic Issues.....	13

Public Relations: Correspondence	14
Public Relations: Agendas and Minutes	15
11. Complaints	15
Complaints: Complaints	15
12. Financial Delegations	16
Financial: Budgets	16
Financial: Bad Debts	16
Financial: Cheques	16
Financial: Operational Investment	17
Financial: Petty Cash	17
Financial: Rates debts	17
Financial: Members Expenses (Council and Local Authority Members)	17
Financial: Salaries and Deductions	18
Financial: Disposal of Property	18
. Elections	18
Elections: By Elections and General Elections	18
13. Delegation Schedule	19
Delegation Schedule	19

DELEGATIONS OF AUTHORITY
NORTHERN TERRITORY LOCAL GOVERNMENT ACT 2019
CHAPTER 4 – DIVISION 2 - SECTION 40 - DELEGATION

- (1) A Council may delegate its powers and functions.
- (2) A delegation may be made to:
 - (a) The CEO; or
 - (b) A Council committee; or
 - (c) A local authority; or
 - (d) A local government subsidiary.
- (3) Despite subsection (1):
 - (a) the power to impose rates cannot be delegated; and
 - (b) if power to incur financial liabilities is delegated - the council must, by resolution, fix reasonable limits on the delegate's authority; and
 - (c) a delegation cannot duplicate or derogate from the CEO's functions (including delegated functions); and
 - (d) subject to subsections (4) and (5), power to enter into a transaction on conditions that are not arm's length conditions cannot be delegated; and
 - (e) subject to subsections (4) and (5), power to make a decision that requires a council resolution cannot be delegated; and
 - (f) if power to enter into a contract is delegated – the contract must be below the threshold value.
- (4) A Council may delegate the CEO the following:
 - (a) The power to enter into a transaction on conditions that are not arm's length conditions if the transaction will provide a community benefit;
 - (b) The power to waive a fee for service (wholly and partly) under section 289(4) if the waiver will provide a community benefit.
- (5) A delegation under subsection (4) must be in accordance with the regulations and any guidelines that the Minister may make.
- (6) A council must, within the first 6 months of its term, determine, by resolution, the threshold value for a contract for subsection (3)(f).
- (7) In this section:
Arm's length conditions means the conditions that might be expected to operate between commercial entities dealing wholly independently with one another in comparable circumstances.

Policy

Barkly Regional Council – Delegation Policy – CP83

1. Background and General Principles

Policy

The Council is committed to service delivery across the organisation within the parameters of a formalised delegation of authority framework.

Purpose of this document

The Delegation's Manual is intended to provide clear and easy to understand processes and accountability, for administrative functions and levels of decision making across the organisation.

Principles

This document will be reviewed each term or unless otherwise required with a view to improving its utility and relevance to the organisational structure of the Council.

- This document operates as delegated authority by the Council for the CEO.
- This document operates as delegated authority by the Council for Committees and Local Authorities.
- This document operates as delegated authority by the CEO for all other staff.

Personal Delegations

- Delegations can be exercised by a person more senior than the person specified in the document, where the more senior person has a line management role which includes responsibility for the person holding the delegation.
- It is not permissible for a person to delegate any aspect of their authorisation to a person in a less senior position. However, provision can be made for people to "Act Up" into a position of greater authority than they are usually employed, for all key or specified areas of delegation.
- It is possible for a person in a less senior position to be appointed to "Act" in the capacity of a more senior position eg. during periods of absence by a staff member from the workplace, thereby assuming some or all of the delegated level of responsibility as prescribed by this document of that position.
- It is the responsibility of the person exercising the delegation to ensure funding is available in the delegation, within their annual budget. Alternatively written proof of above-budget income e.g. extra funding, to cover the above-budget expenditure should be obtained and a copy sent to their senior line manager.
- The delegations are hierarchical in the sense that a delegate's formal line supervisor may exercise the same level of authority as the delegate and such a supervisor may also withdraw or restrict a delegation held by a subordinate member of staff. Except for any delegations made by Council.
- The CEO has authority to exercise any staff delegation outlined in this document.
- In exercising delegations' staff are required to comply with legislation, industrial awards, contracts or agreements and Council approved policies, procedures and Code of Conduct.
- The delegations listed in this document should be understood in the context of the relevant staff position descriptions and Council Policy.
- It is the responsibility of the person exercising the delegation to advise their senior line manager of significant developments even if made within delegation and ensure appropriate records are kept.
- The position has delegation not the person.
- Outsourced positions do not have delegation rights within the organisation.

- A delegate should not exercise their delegation to approve a recommendation that personally benefits them.
- Unless specifically delegated, it should be assumed that no delegation exists.

Committee and Local Authority Delegations

- The Committee or Local Authority is delegated as an entity and no specific delegation is allocated to an individual unless specifically identified within the delegation.
- Unless specifically delegated, it should be assumed that no delegation exists.
- The CEO has authority to exercise any staff delegation outlined in this document.
- This document anticipates open and regular communication and information flow between the various levels of delegation, and consultation where necessary with Council staff.

2. DEFINITIONS

Positions

- **Council:** The collective group of members elected to serve the community in accordance with the Local Government Act and Regulations (as amended) and acting within that role.
- **Committee:** A formally constituted committee under the Section 26 of the *Local Government Act 2019*.
- **Local Authority:** A formally constituted Local Authority under section 77 of the *Local Government Act 2019*.
- **Mayor:** The principal member of the Council as defined by Section 58 *Local Government Act 2019*.
- **Chief Executive Officer:** (referred to as 'CEO') The person appointed by and responsible to the Council for the day-to-day management of the affairs of Barkly Regional Council. (The CEO's authority extends to the Acting CEO in the CEO's absence).
- **Director:** A person appointed as Director and who has overall responsibility for specified functions as per the organisational structure.
- **Regional Managers:** A person appointed as a Regional Manager is responsible for a program that is delivered across the Council. They are responsible to the CEO for the delivery of programs they provide.
- **Managers (Operational and Program):** A person appointed as a manager is either responsible for Council operations within a community or a function within Council Area. They are responsible to a director for the services and functions they provide.
- **Coordinators:** A person appointed as a coordinator of one of the Council Program Delivery Areas. They are responsible to a manager for the services delivered within their area.
- **Staff:** Employees of the Council not otherwise identified.
- Note: Any decision on where staff roles fit in the above definitions will be made by the CEO, based on a recommendation from the appropriate Director.
- **Tender Committee:** Comprises of the Directors and relevant Managers.

3. Budget

All amounts referred to in this document are exclusive of GST.

- **Council Budget:** (referred to as 'the budget') The annual budget resolved by the Council.
- **Service Budget:** (referred to as 'service budget') A service/program component of the annual budget, for which a manager or coordinator has been delegated responsibility and control.
- **Staffing Plan:** The staffing plan approved by the Council in the annual regional plan and budget

4. CEO Delegations

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Appointment of Acting Chief Executive Officer for a period of absence of the Chief Executive Officer in accordance with the <i>Local Government Act 2019</i> – Section 165 (3a) (3b)	The CEO must be satisfied that the person appointed as Acting CEO is suitably qualified for the position The CEO must advise the Mayor and the Council when an appointment is made	CEO

5. Human Resource Delegations

Staff: Salary, Conditions, Packages and Contracts

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Set and approve salaries within total budget	For all staff	CEO
Set and approve salary	For CEO	Council
Set and approve salary	For all staff For CEO	CEO Council
Set and approve annual salary increments and any higher duties payments	For all staff For CEO	CEO Council
Approve/sign staff contracts	For all staff For CEO	CEO Council
Approve conditions of employment	For all staff	CEO
Approve a staff member accepting outside employment or consultancies, additional to and separate from their normal duties within Council.	For all staff For CEO	CEO Council

Staff: Position Descriptions

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Approve all new position descriptions and changes to existing position descriptions	For all staff For CEO	CEO Council
Approve all new position titles and changes to existing position titles	For all staff	CEO
Approve the deletion of	For all staff	CEO

positions		
Staff: New Positions, Advertisements, Selection, Appointment and Probation		
FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Approve requests for filling positions within approved structure (within budget)	For all staff	CEO
	For CEO	Council
Approve new staff positions or modifications to existing organisational structure (within budget)	For all staff	CEO
Identify and approve new staff positions outside of the existing organisational chart (within budget)	For all new staff positions	CEO
Recommend appointment to staff positions	For all staff	Manager
	For Managers / Coordinators	Directors
	For Directors	CEO
Appoint staff to positions	For all staff	CEO
	For CEO	Council
Confirm successful completion or otherwise of new staff probationary periods	For all staff	Directors
	For Directors / Managers / Coordinators	CEO
	For CEO	Council

Staff: Dismissal and Redundancy

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Decisions to make a staff member redundant	For all staff	CEO
Approve the offer and acceptance of redundancy for all staff	For all staff	CEO
Decisions to dismiss a staff member	For all staff	CEO

Staff: Leave

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Approve staff annual leave	For staff	Manager
	For Manager	Director
	For Director	CEO
	For CEO	Mayor
Approve staff long service leave	For staff and Managers	Director
	For Director	CEO
	For CEO	Mayor
Approve staff special leave (as defined in EBA)	For staff	Manager
	For Manager	Director
	For Director	CEO
	For CEO	Mayor
Approve staff leave without pay under two weeks	For staff	Manager
	For Manager	Director
	For Director	CEO
	For CEO	Mayor
Approval staff leave without pay over two weeks	For all Staff	CEO
	For CEO	Mayor

Staff: Training and Conference Attendance

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Approve fee assistance for staff study within budget	For all Staff	CEO
Approval of attendance at external training courses/conferences including travel costs- the training activity must form part of the annual staff training and development plan	For all Staff	CEO

Staff: Staff Travel

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Approve travel outside of the NT	For all Staff	CEO
	For CEO	Mayor
Approve travel outside of Australia	For all Staff	CEO
	For CEO	Mayor
Approve travel costs for attendance at training courses / conference within budget	For all Staff	CEO

Staff: Performance Management

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Appraise performance of staff	For staff	Director
	Managers	Directors
	Directors	CEO
	CEO	Mayor
Management of unsatisfactory staff performance	For staff	Immediate Manager
	Managers	Directors
	Directors	CEO
	CEO	Mayor
Intervene in management of any unsatisfactory staff performance where divisional concerns are identified	For staff	Immediate Manager
	Managers	Directors
	Directors	CEO
	CEO	Mayor
Intervene in management of any unsatisfactory staff performance where organisational concerns are identified	For all senior staff	CEO
Intervene in management of any unsatisfactory staff performance where Council concerns are identified	For CEO	Council
Issuing formal warnings	For all staff	CEO

Staff: Industrial Relations

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Authority to consult with Councils external advisors, on industrial relations / human resource matters.	For all staff	Director of Corporate Services, CEO
Authority to purchase industrial relations / human resource advice and or expertise.	For staff	Director of Corporate Services, CEO

6. Contracts**Contracts: Contracts, Agreements and Submissions**

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Approve the lease of new premises, sub leases of existing premises and lease renewals	Within Budget	CEO through resolution of Council
Cancel existing land / building leases	All types	CEO
Approve appointment of insurers details of contract and payment of premiums	Within Budget	CEO
Authorise appointment of external consultants that have been provided for in the approved Council Budget	Total value of contract is less than \$10,000 Total value of contract is more than \$10,000, but less than \$50,000 Total value of contract is more than \$50,000	Directors CEO Council
Subject to recommendation from CEO Performance Review	For matters relating to recruitment of CEO or CEO performance management.	Mayor
Approve the sale, purchase and development of land	All types/values	Council
Approve tenders and contracts with suppliers of goods and services.* *In accordance with <i>Local Government (General) Regulations 2021</i>	Less than \$100,000 Over \$100,000	CEO Council
Authority to invite formal tenders for supply of goods or	more than \$10,000 and less than \$100,000	Directors

services		
Formation of tender committee for opening and evaluation of tenders	All values/types	CEO
Authority to approve successful tender for supply of goods or services	All values/types	Council
Approve the commencement of funding submissions or tendering activity to be undertaken.		CEO
Authority to negotiate agreements and contracts	up to 1 year and \$10,000	Directors
	Over 1 year and \$10,000	CEO
Authority to sign agreements, contracts or tenders obtained (unless common seal required).	Total value less than \$10,000	Directors
	Total value more than \$10,000 but less than \$100,000	CEO
	Total value more than \$100,000	Council
Authority to sign funding Grant agreements (income)	Existing annual program funding	CEO
	New program funding grants up to \$500,000	CEO
	New program funding grants less than \$1m	Council
	Capital grants more than \$1m	Council – document to be endorsed by Council including legal review

7. Legal

Legal: Legal Matters

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Authority to consult with Council's external advisors, on legal matters.	For all types/values	CEO / Mayor
Authority to purchase, legal advice and/or expertise	For all types/values	CEO / Mayor
Authority to settle court, legal or any other formal proceedings and bind the Council.	For all types/values	Council

Authority to approve expenditure on legal matters, which are outside approved budget.	For all types/values	Council
---	----------------------	---------

8. Governance

Governance: Common Seal

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Approve the use of the Common Seal of Council Resolution Each page of document is to be initialed by either Mayor or CEO.	For Organisation	CEO/Mayor by Council Resolution All pages to be initialed.

9. Policies and Procedures

Policies and Procedures: Policies and Procedures

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Approval of Operational Policies and Procedures	For organisation	CEO
Approval of policies and procedures required adoption by resolution in accordance with NT <i>Local Government Act 2019, including regulations.</i>	For organisation	Council
Research and develop all Council policies	For organisation	Governance and Compliance Manager

10. Documents, Correspondence and Minutes

Documents: Public Statements, Media and Comments on Strategic Issues

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Approve the use of Council's name or logo by parties external to Council.	For all of organisation	CEO
Authority to release public or media statements	For all of organisation	Mayor (CEO in absence of Mayor/Deputy Mayor)
Authority to delegate specific media responses	For all Staff	Mayor (CEO in absence of Mayor/Deputy Mayor)

Authority to respond to ministerial and contentious issues.	For all Staff	Mayor (CEO in absence of Mayor/Deputy Mayor)
---	---------------	---

Public Relations: Correspondence

Correspondence primarily refers to letters but also includes reports, memos, facsimiles, documents and in some cases emails where they are to be used as the official means of communication to parties external to the Council.

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
<p>All correspondence:</p> <ul style="list-style-type: none"> ○ To the Department of Chief Minister and Cabinet (except routine matters) ○ To Government Ministers, Senior Bureaucrats, Heads of Government Departments or Members of Parliament ○ To any Ombudsman ○ To Unions ○ Which constitutes an official “apology” ○ Where the CEO has been in direct contact with the party making the representation and had not referred the reply to a Director or Manager/Coordinator ○ Which is of a contentious nature, or ○ Where formal support of a service, program or agency is provided. 	<p>For all staff</p> <p>The accepted protocol is that staff write letters to staff in other levels of Government with the Mayor writing letters to Ministers and politicians.</p>	<p>CEO (or Mayor as directed by the Council)</p>
<p>Standard and non-standard correspondence that has significant implications within their own Division and/or has the potential to have implication across a number of Divisions</p>	<p>For all staff</p>	<p>Directors</p>
<p>Standard and non-standard correspondence which is part of the normal business activities of the Council and is not contentious.</p> <p>Managers and Coordinators need to consider, in signing off correspondence, whether the CEO, Directors and other Managers and Coordinators may need to be consulted or advised of the correspondence.</p>	<p>For all staff</p>	<p>Managers/Coordinators*</p>

Note: Specific delegation may be given to other staff with the CEO or Director's approval.		
--	--	--

Public Relations: Agendas and Minutes

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Authority to submit Council reports for inclusion in Council agenda papers	For all staff	Directors
Approval of final Council or Committee Agenda for submission to the Council or Committee	For Council and Committee meetings	CEO
Approval for inclusion of "Late Agenda Item"	For Council meetings	CEO
Approval of draft Council or Committee Minutes	For Council and Committee Meetings	Mayor and CEO
Conformation of Council or Committee Minutes Approval of Agenda for submission to Local Authority	For Council and Committee meetings For all Local Authority meetings	Council by resolution of Council CEO
Approval of draft Local Authority Minutes	For all Local Authority Meetings	Local Authority Chairperson
Conformation of Local Authority Minutes	For all Local Authority Meetings	Local Authority Committee by resolution

11. Complaints**Complaints: Complaints**

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Resolution of external complaints not included below	All types	CEO
External complaints about the Chief Executive Officer	All types	Mayor
Internal complaints	All types	CEO
Resolution of complaints against Councillor's and/or Mayor	All types	As per Local Government Act 2019, including regulations.

12. Financial Delegations

Financial: Budgets

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Approve draft budgets to be forwarded to the Council	For divisions	CEO
Approve the budget	For organisation	Council
Authority to override all delegations and make expenditure decisions to ensure approved budgets can be achieved	For organisation	CEO
Authority to recommend to Council unbudgeted expenditure	For organisation	CEO
Authorise variations to the annual operational and capital budgets	For organisation	Council
Approve the issue and withdrawal of corporate credit card	For staff For CEO For Mayor	CEO Council Council
Approve the credit limit on corporate credit cards	For staff For CEO For Mayor	CEO Council Council

Financial: Bad Debts

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Approve debt recovery agreement	No Limit \$5,000	CEO Chief Finance Officer

Financial: Cheques

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Approve change and /or add cheques signatory	For organisation	CEO
Authority to sign cheques and approve EFT bank files	For organisation	Two Cheque signatories in all instances CEO or Senior Accountant and one other: Director of Corporate Services, Director of Council

		Operations, Director of Community Development.
Approval to stop payment on cheques	For organisation	Chief Finance Officer

Financial: Operational Investment

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Approve banking and investment account arrangements including the authorising the opening of new accounts	For organisation	CEO and Director or Chief Finance Officer.
Approve investment of funds	For Organisation	CEO and Director or Chief Finance Officers
Approve drawdown of investment funds for deposit into operational accounts	For organisation	CEO and Director or Chief Finance Officer

Financial: Petty Cash

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Authority to operate, control and reimburse petty cash	\$500	CEO, Directors and all Managers

Financial: Rates debts

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Authority to write off rate debts, the CEO must certify in writing the reasons for writing off the debt as per Regulation 32.	Where principle debt paid and less than \$5.00 remains	CEO has delegated to the Rates Officer
	Not exceeding \$100.00	Chief Finance Officer
	Over \$100.00 to \$1,000.00	CEO
	Over \$1,000.00	Council

Financial: Members Expenses (Council and Local Authority Members)

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Approve Council's Members expenses	For all Council members	CEO
Approve CEO's expenses	CEO	Mayor
Approve Local Authority expenses (Attendance only)	For all Local Authority Members	CEO

Financial: Salaries and Deductions

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Approve staff reimbursement for expenditure on behalf of Council	For staff For Managers/ Coordinators For Directors For CEO	Managers Directors CEO Mayor
Approval for Payroll documents to be uploaded into financial system for payment.	For all staff	Payroll Officer , Director of Operations to review
Approve for payment all payroll related transactions	For all staff comprising group tax remittal, payroll tax settlement, superannuation contribution payments, and transfers of employee payroll deductions to authorised entities and payment of GST and PAYG payments.	CEO and one directors: Director of Corporate Services or Director of Operations or Director of Community Development.

Financial: Disposal of Property

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Authority to dispose of Assets as per Guideline 4, Assets, Section 10.	For disposal of assets up to \$20,000.00 For disposal of assets above \$20,000.00	CEO Council through resolution of Council

. Elections**Elections: By Elections and General Elections**

FUNCTION	Amount and / or Qualification	DELEGATED AUTHORITY
Approval to appoint the Returning Officer for by-elections	All cases	Council
Approval to appoint the Returning Officer general elections	All cases	Council

13. Delegation Schedule**Delegation Schedule**

Delegated Authority	Expenditure within approve budget
CEO	\$500,000
Directors	\$50,000
Mayor	\$10,000
Managers	\$10,000
Executive Assistant	\$5,000
Customer Service Officer	\$2,000

POLICY

TITLE:	PROCUREMENT POLICY		
DIVISON:	COUNCIL		
ADOPTED BY:	COUNCIL		
DATE OF ADOPTION:	MAY 2023	DATE OF REVIEW:	MAY 2028
MOTION NUMBER:			
POLICY NUMBER:	CP28		
LEGISLATIVE REF:	<i>Local Government (General) Regulations 2021, General Instruction 1: Procurement</i>		

THIS POLICY APPLIES TO: All Council Members, CEO, Staff, BRC Contractors

1.0 SUMMARY

1. Introduction

This policy is to outline the requirement of Barkly Regional Council (BRC) regarding Procurement, under Subdivision 1 and 2 of the *Local Government (General) Regulation 2021*.

1.1. Purpose

The Council purchases goods and services as part of its normal operations. *The Local Government (General) Regulation 2021 and General Instruction 1: Procurement*. There are a set of procurement principles that must be applied in every procurement activity.

1.1.2 Enhancement of the capabilities of local enterprises and industries.

Procurement activities support the growth, development and sustainability of local enterprises and industries, including the advancement of local communities.

1.1.3 Employment of Aboriginal people

Procurement activities increase and encourage Aboriginal employment, participation and capability in the local government area and in the Northern Territory, acknowledging the importance of diversity, representation, and the improved social and economic outcomes that result from employment.

1.1.4 Ethical behaviour and fair dealings

Procurement activities instil confidence in business, industry and the public as the probity, accountability and efficacy of the procurement policy framework, including demonstrating high standards of ethical conduct.

1.1.5 Environmental protection and sustainability

Procurement activities promotes the protection of the environment through harm minimisation and sustainable practices, including a proper emphasis on environmentally sustainable development and a proper balance between economic, social, environmental and cultural considerations.



1.1.6 Open and effective competition

Procurement activities foster a competitive and innovative business environment to drive opportunities in the local government area and in the Northern Territory.+

1.1.7 Value for money

Procurement expenditure that delivers procurement outcomes, while meeting the objects of the council or local government subsidiary to promote the social, economic, environmental and cultural well-being of their local communities.

1.2. Policy Objectives

To ensure that Barkly Regional Council complies with the *Local Government (General) Regulations*, and to establish principles to guide the administration in the procurement of goods and services.

2. GENERAL REQUIREMENTS

Council purchasing officers are required to adhere to the following:

- Authorised limits as per the Delegation Manual.
- Any purchase over \$10,000 require a purchasing checklist be completed and approval required.

Purchase Cost (excl. GST)	Procedure
Up to \$10,000	Direct procurement through a quotation
Over \$10,001 but less than \$100,000	Three written quotations to be obtained. If it is not practicable to obtain quotations from 3 possible suppliers, obtain as many as practicable and must record in writing its reasons for not obtaining the 3 quotations
Over \$100,001 but less than \$150,000	Public quotation
Over \$100,000	Tenders are to be obtained through open tender

Under no circumstances are orders to be split so that the total value of the order falls under the amount of the individual's delegated authority or reduce the value of the purchase to a level where written quotations are not mandatory. This would be considered as violating Council's Fraud Protection Plan Policy and could result in deferment of the purchase until an investigation can be completed.

2.1 Good Practices – Obtaining Quotations (regulation 34)

For quotations between \$10 000 and \$100 000 – the responsible officer should endeavour to seek the greatest number of quotations to properly test the market and to be able to select best supplier for council.

- ii. Where it is not practicable to obtain the required written quotations from 3 potential suppliers, then the responsible officer must obtain as many quotations as possible and must record in writing the reasons for not obtaining the required 3 quotations.
- iii. Where reasons in writing are recorded, the follow details are required:
 - a. the attempts made to obtain the minimum 3 quotations;
 - b. why there was no further attempt to obtain the minimum quotations.
 - c.



2.2 Good and Services over \$100,000 but less than \$150,000 (regulation 35)

Where the value of supplies is expected to exceed \$100,000 but less than \$150,000 public quotation can occur instead of Tender.

With Public Quotation, it must be called through public notices in local newspapers, i.e. *Tennant & District Times* and the *NT News*, and a further notice placed on Council's website.

The notice must contain a statement of the successful quotation will be published on the Council's website.

The Council must allow at least 5 business days for receipt of quotations after giving notice.

The Council must only accept a quotation for the provision of supplies from among those that submitted quotations and must record the reason in for accepting the quotation in writing.

If Council accepts a quotation it must accept by written notice to the supplier who submitted the successful quotation and contact each other supplier that submitted a quotation, along with publishing the notice on the Council website. Notice on the website must include the supplier who submitted the successful quotation, the supplies to be provided and the quoted price.

2.3 Good Practices - Weightings

For supplies at a cost of more than \$100 000 – the scope of works documentation must include the predetermined weightings to be applied for the assessment of the public quotations or tenders.

Providing potential suppliers with predetermined weightings assists suppliers in providing quality and competitive public quotations or tenders and ensures that decision-making criteria is transparent.

2.4 Good Practices – Open Period

In determining the length of the open period of public quotations or tenders, past the required 5 business days, the responsible officer should consider:

- (a) the complexity of the supplies being sought – the more complex the scope of works or service, the more time should be given for applicants to provide a public quotation or tender; and
- (b) the ability for potential suppliers to respond within the time desired – the aim is to seek as many quality public quotations or tenders as possible; and
- (c) the timeframe of the project that is being undertaken.

2.4 Tenders by Council (regulation 36)

Council can opt to go to tender for supplies if the amount is over \$100,000, Tender is the only option for supplies that cost more than \$150,000.

2.4.1 Council must call for tenders by public notices in local newspapers, i.e. *Tennant Creek Times* and the *NT News*, and a further notice placed on Council's website.

This notice will include:

- a) a description of the goods or services required;
- b) how a prospective tendered can source specific details of the goods or services required including contact details of the employee handling the tender process;



- a) how tenders should be lodged; and
- b) the tender closing date and time.

All tenders shall be kept confidential until their official opening and marked accordingly.

- 2.4.2 Council must allow 5 business days for the receipt of tenders after giving the notice.
- 2.4.3 Tenders received in response to the notice must be assessed, the tender panel must include at least 3 Council Staff members.
- 2.4.4 The panel is to be convened by the CEO and has the following functions to consider the tenders received in response to the notice and to provide a report in writing, to the CEO in relation to the tenders.
- 2.4.5 The CEO is not to be a panel member.
- 2.4.6 The CEO must provide the report provided by the panel to the Council.
- 2.4.7 The Council may only accept tender for the provisions of supplies from the submitted tenders and after receiving the report from the CEO.
- 2.4.8 If Council accepts the tender for the provision of supplies, Council must;
 - a) accept the tender by written notice to the person who submitted the successful tender; and
 - b) give notice of the successful tender:
 - (i) in writing to each other person who submitted a tender; and
 - (ii) by publishing the notice on the Council's website including who submitted the successful tender, the supplies to be provided and the price.

(For full tender requirements please refer to Local Government (General) Regulations 2021, 36-43.)

2.5 Good practice considerations – tender panels

- I. Depending on the complexity of the supplies being sought, the council CEO may seek the assistance or participation of experts in a tender panel, in addition to the minimum 3 council staff members who must constitute the tender panel.
- II. Conflicts of interests in relation to tender panel members need to be declared, with additional processes put in place to ensure conflicts can be identified for external tender panel members. External parties with a perceived or actual conflict of interest are not to provide advice or be involved as a panel member.
- III. Conflicts of interest held by a potential supplier are to be identified during the tender panel assessment process. If a conflict of interest is identified for a supplier
- IV. whose tender is recommended, the council (or the authorised delegate) must give due consideration as to how the conflict of interest will be managed.

3. CONTRACTS FOR MORE THAN 5 YEARS

- 3.1 In relation to procurement, Council must not enter into a contract for supply that is for a period of more than 5 years, including any option to extend the contract, other than contracts for:
 - a) A lease or licence of land; or
 - b) Waste management, including the collection or transportation of waste; or
 - c) A particular supply approved by the CEO of the Agency under *clause 4.4 of the General Instruction 1: Procurement*.



- 3.2** A contract under *clause 4.1(b) of the General Instruction 1: Procurement*, must not be for a period of more than 10 years.

3. LOCAL BUY

Under Approval of Procurement Entity, Quotations and tenders are not required for a supply if the supply is facilitated through the procurement entity's arrangement with Local Buy Pty Ltd.

