



WEST ARNHEM REGIONAL COUNCIL AGENDA

**SPECIAL COUNCIL MEETING
FRIDAY, 3 JANUARY 2025**



WEST ARNHAM REGIONAL COUNCIL

Notice is hereby given that a Special Meeting of the West Arnhem Regional Council will be held in Council Chambers Jabiru on Friday 3 January 2025 at 1:00 pm.

Andrew Walsh
Chief Executive Officer

Code of Conduct: The Local Government Act 2019

As stipulated in Schedule 1 of the Act, the Code of Conduct for Members is as follows:

1. *Honesty and Integrity:* A member must act honestly and with integrity in performing official functions.
2. *Care and diligence:* A member must act with reasonable care and diligence in performing official functions.
3. *Courtesy:* A member must act with courtesy towards other members, council staff, electors and members of the public.
4. *Prohibition on bullying:* A member must not bully another person in the course of performing official functions.
5. *Conduct towards Council staff:* A member must not direct, reprimand, or interfere in the management of, council staff.
6. *Respect for cultural diversity and culture:* A member must respect cultural diversity and must not therefore discriminate against others, or the opinions of others, on the ground of their cultural background.
A member must act with respect for cultural beliefs and practices in relation to other members, council staff, electors and members of the public.
7. *Conflict of interest:* A member must avoid any conflict of interest, whether actual or perceived, when undertaking official functions and responsibilities.
If a conflict of interest exists, the member must comply with any statutory obligations of disclosure.
8. *Respect for confidences:* A member must respect the confidentiality of information obtained in confidence in the member's official capacity.
A member must not make improper use of confidential information obtained in an official capacity to gain a private benefit or to cause harm to another.
9. *Gifts:* Members must not solicit, encourage or accept gifts or private benefits from any person who might have an interest in obtaining a benefit from the council.
A member must not accept a gift from a person that is given in relation to the person's interest in obtaining a benefit from the council.'
10. *Accountability:* A member must be prepared at all times to account for the member's performance as a member and the member's use of council resources.
11. *Interests of municipality, region or shire to be paramount:* A member must act in what the member genuinely believes to be the best interests of the municipality, region or shire.
In particular, a member must seek to ensure that the member's decisions and actions are based on an honest, reasonable and properly informed judgment about what best advances the best interests of the municipality, region or shire.
12. *Training:* A member must undertake relevant training in good faith.

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	ACKNOWLEDGEMENT OF COUNTRY AND OPENING OF MEETING.....	4
2	PERSONS PRESENT.....	5
3	APOLOGIES AND ABSENCES	5
	3.1 Apologies, Leave of Absence and Absent Without Notice.....	5
4	ACCEPTANCE OF AGENDA	6
	4.1 Acceptance of Agenda	6
5	DECLARATION OF INTEREST OF MEMBERS OR STAFF	7
	5.1 Disclosure of Interest of Members or Staff.....	7
6	ACTION REPORTS.....	10
	6.1 WARC Delegations Manual	10
7	PROCEDURAL MOTIONS.....	26
	7.1 Closure to the Public for the Discussion of Confidential Items.....	26
8	CONFIDENTIAL ITEMS	28
	8.1 Chief Executive Officer Report.....	28
	8.2 Employment Contract.....	29
	8.3 Bank Authorisations.....	30
	8.4 Proposed Lease Termination - Lot 660 Maningrida	31
9	DISCLOSURE OF CONFIDENTIAL RESOLUTIONS AND RE-ADMITTANCE OF THE PUBLIC.....	32
10	NEXT MEETING	32
11	MEETING DECLARED CLOSED	32

Acknowledgement of Country

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

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

WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 3 JANUARY 2025

Agenda Reference:	3.1
Title:	Apologies, Leave of Absence and Absent Without Notice
Author:	Jasmine Mortimore, Governance Advisor

SUMMARY

This report is to table, for Council's record, any apologies, and requests for leave of absence received by Council's Chief Executive Officer from Elected Members, as well as record any absence without notice for the Special Council meeting held on 3 January 2025.

RECOMMENDATION

THAT COUNCIL:

1. Notes the absence of ...
2. Notes the apology received from

COMMENT

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

LEGISLATION AND POLICY

Section 47(o) of the *Local Government Act 2019*.

Council's Scheduling and Conduct of Meetings (Elected, Local Authority and Council Committee Members) Policy.

STRATEGIC IMPLICATIONS

This report is aligned to the following pillars and goals in the *Regional Plan and Budget*:

PILLAR 6 FOUNDATIONS OF GOVERNANCE

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

Goal 6.3 Council and Local Authorities

Excellence in governance, consultation administration and representation

ATTACHMENTS

Nil

WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 3 JANUARY 2025

Agenda Reference:	4.1
Title:	Acceptance of Agenda
Author:	Jasmine Mortimore, Governance Advisor

SUMMARY

Agenda papers are presented for acceptance at the Special Council meeting held on 3 January 2025.

RECOMMENDATION

THAT COUNCIL accept the agenda papers as circulated for the Special Council meeting held on 3 January 2025.

LEGISLATION AND POLICY

Section 92(1) *Local Government Act 2019*.

Council's Scheduling and Conduct of Meetings (Elected, Local Authority and Council Committee Members) Policy.

STRATEGIC IMPLICATIONS

This report is aligned to the following pillars and goals in the *Regional Plan and Budget*:

PILLAR 6 FOUNDATIONS OF GOVERNANCE

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

Goal 6.3 Council and Local Authorities

Excellence in governance, consultation administration and representation

Goal 6.5 Planning and Reporting

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

ATTACHMENTS

Nil

WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 3 JANUARY 2025

Agenda Reference:	5.1
Title:	Disclosure of Interest of Members or Staff
Author:	Jasmine Mortimore, Governance Advisor

SUMMARY

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

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

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

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

RECOMMENDATION

THAT COUNCIL receive the declarations of interest as listed for the Special Council meeting held on 3 January 2025.

LEGISLATION AND POLICY/STATUTORY ENVIRONMENT

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

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

Council's Scheduling and Conduct of Meetings (Elected, Local Authority and Council Committee Members) Policy.

STRATEGIC IMPLICATIONS

This report is aligned to the following pillars and goals in the *Regional Plan and Budget*:

PILLAR 6 FOUNDATIONS OF GOVERNANCE

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

Goal 6.4 Risk Management

The monitoring and minimisation of risks associated with the operations of Council.

ATTACHMENTS

1. Declaration of Interest Register Elected Members [5.1.1 - 2 pages]



Declaration of Interest Register		
Elected Members	Declared Interest	Connection
Mayor James Woods	Local Government Association Northern Territory (LGANT)	Board Member
	Malala Health Clinic	Staff Member, Board Member
	Maningrida AFL Committee	Committee member
	Maningrida Emergency Response Group	Unit Officer
	Bawinanga Aboriginal Corporation	Board Member
	Maningrida Housing Reference Group	Member
	Traditional Credit Union	Director
Deputy Mayor Elizabeth Williams		
Cr Ralph F Blyth	Warnbi Aboriginal Corporation	Executive Officer
	Wark Aboriginal Corporation	Director
	Red Lily Health Board	Alternative Director / Board Member
Cr Mickitja Onus	Energy Resources Australia (ERA)	Staff Member
Cr Gabby Gumurdul	Gunbalanya Economic Development Aboriginal Corporation	Director
	Gunbalanya Sports and Social Club	Member
Cr Donna Nadjamerrek	National Indigenous Australians Agency (NIAA)	Indigenous Engagement Officer for Gunbalanya, Minjilang and Warruwi.
	Injalak Aboriginal Corporation	Member
	Adjumarllarl Aboriginal Corporation	Member
Cr Otto Dann	Northern Land Council (NLC)	Board Member
	Adjumarllarl Aboriginal Corporation	Member
Cr James Marrawal		
Cr Henry Guwiyul		
Cr Jacqueline Phillips	JP Cultural Solutions	Director
	Northern Land Council (NLC)	Board Member
	Bawinanga Aboriginal Corporation	Chair
	Maningrida Housing Reference Group	Member
	Maningrida Homelands School Company	Board Member
Cr Jermaine Namanurki	Malala Health Centre	Staff Member

✉ PO Box 721, Jabiru NT 0886 ● info@westarnhem.nt.gov.au 🌐 www.westarnhem.nt.gov.au



Jabiru (Head Office)
☎ 08 8979 9444

Gunbalanya
☎ 08 8970 3700

Maningrida
☎ 08 8979 6600

Warruwi
☎ 08 8970 3600

Minjilang
☎ 08 8970 3500



Cr Monica Wilton	Maningrida Homelands School Company	Deputy Chair
	Maningrida School	Teacher / Language and Cultural Team

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WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 3 JANUARY 2025

Agenda Reference:	6.1
Title:	WARC Delegations Manual
Author:	Jocelyn Nathanael-Walters, Director of Finance

SUMMARY

This report is to seek approval for the Council to adopt a revised delegations manual.

RECOMMENDATION

THAT COUNCIL:

1. Received and noted the report titled *WARC Delegations Manual*; and
2. Approved the revised Delegations Manual.

BACKGROUND

Council is required to have a delegation's manual in accordance with the *Local Government Act 2019*. The delegation's manual delegates powers and functions from Council to the Chief Executive Officer, and from the Chief Executive Officer to other staff.

The following changes to the current Delegations Manual, adopted by Council on 23 October 2024 [OCM308/2024], are proposed:

1. Tidy up officer titles – remove 'General' in title for Manager Technical Services
2. Finance area (line 9): make clear expenditure approval is only for own division or team's staff reimbursement
3. Finance area (line 11): add LA Project Funding Expenditure (for operation and capital) to be approved by the relevant LA and Council – subject to funding guidelines. This is to reflect a previous Council resolution [OCM20/2023] which was made prematurely (before the NT government's LA review was complete, and the guidelines were updated to allow LA's to make their own expenditure decision independent of Council)
4. Finance area (line 25): allow DCCS to approve bond refunds
5. Finance area (line 26): remove journal limits except for the Finance Officer and increase the Accountant's limit to reflect work needs
6. People & Capability (lines 78 & 79): split international and interstate travel approval and allow DCCS to approve interstate travel up to \$5,000 to meet work needs
7. Contracts (line 91): allow the CEO, and Council, to accept a late tender for supply of goods and services
8. Contracts (line 92): correct the delegation by removing the CEO from accepting a tender and making clear the Council must accept the tender from those submitted
9. Contract (line 106): recognise the Council has the authority to purchase legal advice and/or expertise.

COMMENT

The power to delegate Council's powers is under section 40 of the *Local Government Act 2019*, which states:

- (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 and charges 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 to 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 or 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).
- (6A) Despite subsection (2), a council, as the responsible entity for a public cemetery or a community cemetery, may only delegate the powers and functions of the responsible entity under the Burial and Cremation Act 2022 to a local government subsidiary.
- (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.

LEGISLATION AND POLICY

Local Government Act 2019

Delegations Manual

FINANCIAL IMPLICATIONS

The Council is responsible for managing its resources.

STRATEGIC IMPLICATIONS

This report is aligned to the following pillars and goals of the *Regional Plan and Budget*:

PILLAR 6 FOUNDATIONS OF GOVERNANCE

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

Goal 6.1 Financial Management

Provision of strong financial management and leadership which ensures long term sustainability and growth.

Goal 6.2 Records

Delivery of storage and retrieval of records processes which support efficient and transparent administration.

Goal 6.3 Council and Local Authorities

Excellence in governance, consultation administration and representation.

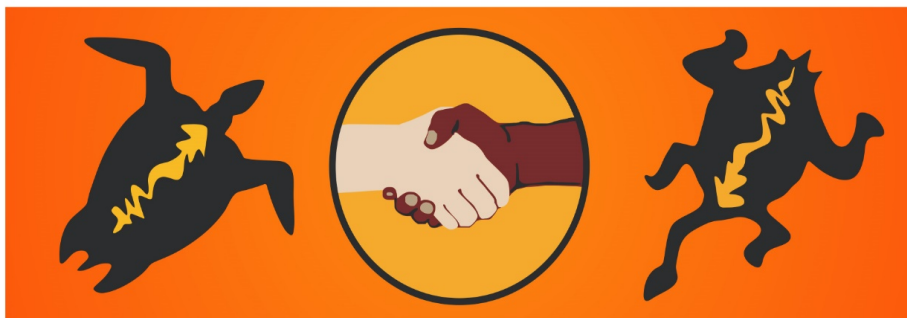
Goal 6.4 Risk Management

The monitoring and minimisation of risks associated with the operations of Council.

ATTACHMENTS

1. Draft WARC Delegations Manual v3 3 [6.1.1 - 13 pages]

WEST ARNHEM



REGIONAL COUNCIL

DELEGATIONS MANUAL

West Arnhem Regional Council - Delegation Manual

Contents	Page
Purpose of this document	3
Protocols	3
Principles	3
Acronyms	4
Delegation Council to CEO	5
Delegation by Activity and Authority Level	
Finance	6
People & Capability	9
Contracts	11
Governance	12
Public Relations	13
Complaints	13

West Arnhem Regional Council - Delegation Manual

Purpose of this Document

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

This document is designed to provide clarity and ease of reference to understand the processes and accountability for administrative functions and levels of decision making across the organisation.

Protocols

The following protocols govern the use of delegated authority. It is the responsibility of the officer exercising delegated authority to be aware of any restrictions on the exercise of that authority and to comply with the restrictions.

- Any exercise of delegated authority is subject to compliance with
 - a) any relevant provisions of the Local Government Act 2019 and regulations;
 - b) any other legislative requirements;
 - c) the relevant provisions of any Council By-law; or
 - d) any applicable policy approved by Council.
- **Delegated authority are not to be exercised where a conflict of interest exists** or where it may be perceived to exist.
- Delegation by the Council to the CEO does not prevent Council itself either from acting itself or revoking or varying the delegation at any time.
- Delegation by the CEO likewise does not preclude the CEO from acting or revoking or varying the delegation at any time.
- Delegation requires judgment. It is not appropriate to exercise delegated authority in all circumstances and some decisions, which may be contentious or attract high public interest or where no clear policy guidelines exist, should be referred to the CEO or Council as appropriate.
- At all times officers exercising delegated authority are required to act reasonably.

Principles

- 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 e.g. 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 delegations, within their annual budget.** Alternatively written proof of above budget income e.g. extra funding, to cover the above budget expenditure should be obtained.
- 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. With the exception of any delegations made by Council.
- In exercising delegations staffs, including the CEO, are required to comply with legislation, industrial awards, contracts or agreements and Council approved policies, procedures, and code of conduct.

West Arnhem Regional Council - Delegation Manual

- 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** except where legislation requires an individual person is to have the delegation (for example Banking legislation requires the authorised officer to be an individual person).
- **A delegate will not exercise their delegation to approve a recommendation that personally benefits them.**
- Unless specifically delegated, it should be assumed that no delegation exists.

This document operates as delegated authority by the Council.

Acronyms

Full Title	Abbreviated Title	Full Title	Abbreviated Title
West Arnhem Regional Council	WARC or Council	Local Authority	LA
Mayor / Deputy Mayor	M/DM	Chief Executive Officer	CEO
Director Finance	DF	Director Community and Council Services	DCCS
Manager Technical Services	MTS	Human Resources Manager	HRM
Finance Manager	FM/Man	Business Development Manager	BDM/Man
Community Services Support Manager	CSSM/Man	Communications & Public Relations Coordinator	PRC
Council Services Manager	CSM	Management Accountant	MA
Positions with Advisor title	Adv	Positions with Coordinator title	Coor
Travel & Executive Administration Officer	EA	Operation Support Administration Assistant	EA
Finance Officer / Accountant	FO / ACC	Senior Council Services Manager	SCSM

West Arnhem Regional Council - Delegation Manual

Delegation Council to CEO and staff

In order to provide for the expedient exercise and performance of its powers and duties and the efficient management of its business, West Arnhem Regional Council resolved to establish the following delegations to the Chief Executive Officer pursuant to Section 40 and 183 of the Local Government Act 2019:

Section	Item Delegated	Limitations
40	Council approves that pursuant to section 40 of the Local Government Act 2019, Council delegates to the Chief Executive Officer all of its powers and functions under the Local Government Act and any other Acts under which Council has powers, duties, authorities and functions including the appointment of Authorised Persons.	With the exception of the following; <ol style="list-style-type: none"> I. Those matters referred to in section 40(3) of the Local Government Act 2019 unless otherwise delegated as per provisions in sections 40(4) to 40(7). II. Where a Council decision or resolution is specifically required (for example section 38(2) requires the use of Common Seal be by Council resolution). III. Where Council has adopted a Council Policy, delegations are limited as set out in the Policy.
40	Council approves that pursuant to section 40 of the Local Government Act 2019, Council delegates to the Chief Executive Officer the power and authority to exercise all or any of the powers of Council under all gazetted Council By-Laws.	
183	<p><u>Authorised persons</u></p> <p>Council approves that pursuant to section 183 of the Local Government Act 2019, Council appoints the Chief Executive Officer as an Authorised person for the purpose of implementing Council's responsibilities under:</p> <ul style="list-style-type: none"> • The <i>Local Government Act 2019</i>; • Council By-laws; • Northern Territory Traffic Act and associated regulations; and • Northern Territory Control of Roads Act. 	

West Arnhem Regional Council - Delegation Manual - Delegation by Activity and Authority Level

	Area	Function	Activity												
				Council	CEO	DF	DCCS	HRM	MTS	CSM	EA	Man	Coor/ Adv	SCSM	
1	Finance	Budgets	Approve Draft Budget to be forwarded to Council		✓										
2	Finance	Budgets	Approve Budget	✓											
3	Finance	Budgets	Authority to override all delegations & make expenditure decisions to ensure approved budgets can be achieved		✓										
4	Finance	Budgets	Authority to recommend to Council unbudgeted expenditure		✓										
5	Finance	Budgets	Authority to approve unbudgeted expenditure and re-allocation	✓											
6	Finance	Budgets	Authorise variations to the annual operational and capital budgets	✓											
7	Finance	Operational Expenditure (excluding Software)	Approve operational expenditure for services under direct control, within approved service budget and /or funding agreement & subject to any restrictions outlined in this document.		✓	100k	100k	10k	10k	10k	10k	10k	10k	10k	10k
8	Finance	Software Expenditure	Approval to purchase software		✓										
9	Finance	Operational Expenditure	Approve own division or team's staff reimbursement	M/DM	✓	5k	5k	2k	2k	2k	2k	2k			2K
10	Finance	Operational Expenditure	Approve In kind support for external organisations (this includes, venue hire, vehicles, materials etc.)	✓	✓	5k	5k		1k	1k	1k				1K
11	Finance	LA Project Funding Expenditure (Operational / Capital)	Approve the relevant LA's LAPF expenditure (subject to funding guidelines)	Relevant LA ✓											
12	Finance	Capital Expenditure	Authorised to acquire/replace items of equipment included in approved capital budgeting and /or funding agreement	✓	✓	100k	100k		10k						10k
13	Finance	Capital Expenditure	Approval of progress payments where expenditure has already been authorised.		✓	100K	100k		10k			10k			10k
14	Finance	Capital Expenditure	Authorised to acquire/replace items of equipment not included in approved capital budget	✓											
15	Finance	Capital Expenditure (land or bldgs.) / Asset Control	Approval sale, dispose, purchase, or acquisition of land or buildings (pursuant to s267 of the Local Government Act 2019 and the Minister's Guideline 4: Assets)	✓											

West Arnhem Regional Council - Delegation Manual - Delegation by Activity and Authority Level

	Area	Function	Activity	Council	CEO	DF	DCCS	HRM	MTS	CSM	EA	Man	Coor/ Adv	SCSM	
16	Finance	Capital Expenditure (asset>\$5k) / Asset Control	Approve the sale, trade-in or dispose (excluding transfer from Council) of an asset (excluding land or buildings) either recorded or not recorded in the Financial Asset Register for an asset valued over \$5,000.00.	✓	✓										
17	Finance	Capital Expenditure / Asset Control	Approval of development of new buildings	✓											
18	Finance	Borrowings	Approval to enter a loan agreement on behalf of the Council – i.e. subject to the borrowing provisions in the <i>Local Government Act 2019</i>	✓											
19	Finance	Asset Control	Approve the transfer of any assets to or from Council (pursuant to s267 of the Local Government Act 2019 and Minister’s Guideline 4: Assets)	✓											
20	Finance	Taxation	Approval for payment of taxation payments including GST		✓	✓	✓	✓					FM		
21	Finance	Salaries	Approval for payment of all payroll related transactions (For staff positions comprising salaries, PAYG tax remittal, payroll tax, superannuation payments, transfer of employee payroll deductions to authorised entities and PAYG payments)		✓	✓	✓	✓					FM		
22	Finance	Invoicing	Authority to invoice for organisation		✓	✓							FM/ MA		
23	Finance	Invoicing	Authority to invoice for division		✓	✓	✓		✓				FM/ MA		
24	Finance	Invoicing	Authority to invoice for services		✓	✓	✓	✓	✓	✓			✓	✓	
25	Finance	Credits and Refunds	Authority to approve the issue of a credit, cancellation reimbursement, refund for overpayment or return of bond		✓	✓	Bond Refund						FM 1K		
26	Finance	Journals	Approve and post journals created by third parties (journals cannot be created and posted by the same person)		✓	✓	✓						FM/ MA ✓	FO 10k	ACC ✓
27	Finance	Customers / Suppliers	Add, delete or amend Customer or Supplier accounts		✓	✓							FM		
28	Finance	Investment	Approve investment of funds in term deposits		✓	✓							FM		
29	Finance	Investment	Approve investment of funds in other than term deposits	✓											
30	Finance	Investment	Approve draw down of investment funds for deposit into operational accounts		✓	✓							FM		

West Arnhem Regional Council - Delegation Manual - Delegation by Activity and Authority Level

	Area	Function	Activity	Council	CEO	DF	DCCS	HRM	MTS	CSM	EA	Man	Coor/ Adv	SCSM
31	Finance	Petty Cash	Authority to set up, close and reimburse petty cash floats up to \$3,000.		✓	✓	✓					FM/ MA		
32	Finance	Banking	Authority to alter, open or close bank accounts		✓	✓								
33	Finance	Banking	Approve EFT payments & sign cheques pursuant to s22 of the Local Government (General) regulations 2021.		✓	✓	✓					FM/ MA	ACC	
34	Finance	Banking	Authorise by resolution the persons authorised to sign cheques and make electronic disbursements	✓										
35	Finance	Credit Cards	Approve the issuing & revocation of Credit Cards for the CEO & Mayor (up to \$20,000 limit)	✓										
36	Finance	Credit Cards	Approve the issuing & revocation of Credit Cards for staff (up to \$20,000 limit)		✓	✓	✓							
37	Finance	Invalid Debts	Correct Administrative errors (subject to a Council Report).	\$50k+	\$50k	\$5k								
38	Finance	Debts (including rates and charges)	Approve debt (including rates and charges) recovery payment terms & approve commencement of recovery action, i.e. refer debt collection to collection agent	\$50k+	\$50k	\$20k								
39	Finance	Bad Debts	Approve write-offs of bad debts subject to a Certification by the CEO being provided to Council, pursuant to s28 of the Local Government (General) Regulations 2021.	✓										
40	Finance	Rates and Charges Concessions	Approve waiver and deferment of rates and charges, subject to s251 of the Local Government Act 2019.	✓										
41	Finance	Interest Accrued	Approve waiver of interest accrued	\$20k+	\$20k	\$5k								
42	Finance	Other Losses (Asset)	Approve write off of an asset that has been misappropriated, destroyed, damaged beyond economical repair or cannot be found subject to a Certification by the CEO being provided at a Council Meeting pursuant to s28 of the Local Government (General) Regulations 2021.	✓										
43	Finance	Other Losses	Approve reporting to the NT Police a loss or damage of money or an asset attributed to fraud, theft, misappropriated or commission of an offence where loss of money exceeds \$500 or loss or damage to an asset/s exceeds \$2,000.00		✓									
44	Finance	Other Losses (Money)	Approve write off money that has been misappropriated or cannot be found subject to a Certification by the CEO being	✓										

West Arnhem Regional Council - Delegation Manual - Delegation by Activity and Authority Level

	Area	Function	Activity	Council	CEO	DF	DCCS	HRM	MTS	CSM	EA	Man	Coor/ Adv	SCSM
			provided to Council pursuant to s28 of the Local Government (General) Regulations 2021.											
45	People & Capability	Staffing Budget	Approval of Staffing Budget	√										
46	People & Capability	Timesheets	Approve Staff Timesheets		√	√	√	√	√	√		√	√	√
47	People & Capability	Organisational Chart	Approve Organisational Chart		√									
48	People & Capability	New Staff	Advertisement and appointment of staff in CEO approved Organisational Chart (for staff in area of responsibility) refer updated recruitment process		√									
49	People & Capability	New Staff	Appointment of temporary staff/labour hire staff for positions not included in Organisational Chart (in consultation with CEO for a max. 3 month period)		√									
50	People & Capability	New Staff	Approve backfilling of leave and higher duties for direct reports	M/DM for CEO	√									
51	People & Capability	Conditions of Employment	Set and approve salary, package & contract for CEO	√										
52	People & Capability	Conditions of Employment	Set and approve salary & package guidelines for all staff		√									
53	People & Capability	Conditions of Employment	Set and approve annual salary increments and any higher duties payments for organisation		√									
54	People & Capability	Conditions of Employment	Set and approve annual salary increments and any higher duties payments for department (subject to advice from Director).		√									
55	People & Capability	Conditions of Employment	Approve/sign staff letters of offer & contracts		√									
56	People & Capability	Conditions of Employment	Approve conditions of employment for all staff		√									
57	People & Capability	Conditions of Employment	Approve a staff member accepting secondary employment or consultancies, additional to and separate from their normal duties with Council (in consultation with C	M/DM for CEO	√									
58	People & Capability	Conditions of Employment	Approve staff adjusted time for direct reports or own division		√	√	√							

West Arnhem Regional Council - Delegation Manual - Delegation by Activity and Authority Level

	Area	Function	Activity											
				Council	CEO	DF	DCCS	HRM	MTS	CSM	EA	Man	Coor/ Adv	SCSM
59	People & Capability	Probation	Confirm successful completion of new staff probationary periods		✓	✓	✓	✓	✓	✓		✓		✓
60	People & Capability	PDs	Approve new or existing Position Descriptions and subsequent changes	For CEO	✓									
61	People & Capability	PDs	Approve changes to existing position titles		✓									
62	People & Capability	Redundancy	Decision to make staff position redundant & the offer & acceptance of redundancy package		✓									
63	People & Capability	Redundancy	Recommend to CEO redundancy of position or dismissal of staff member		✓	✓	✓							
64	People & Capability	Dismissal	Decision to terminate an employee		✓									
65	People & Capability	Dismissal	Negotiate and sign off on Deed of Release (subject to CEO approval for DF, DCCS, HRM)		✓	✓	✓	✓						
66	People & Capability	Overtime	Approve staff Overtime within budget		✓	✓	✓	✓						✓
67	People & Capability	Leave	Approve staff Annual Leave, Leave Without Pay (2 days or less) personal/carers, compassionate, and Jury Service Leave (10 days or less) for direct reports or own division.	M/DM for CEO	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
68	People & Capability	Leave	Approve staff Annual Leave in advance or in excess of entitlements and cashing out leave		✓									
69	People & Capability	Leave	Approve Leave Without Pay more than 2 days		✓	✓	✓	✓						
70	People & Capability	Leave	Approve staff Long Service Leave (Subject to CEO approval)	M/DM for CEO	✓	✓	✓							
71	People & Capability	Leave	Approve staff Leave Without Pay (over 2 days) including LWOP for study purposes, unpaid Parental and Community Service Leave in consultation with CEO	M/DM for CEO	✓	✓	✓	✓						
72	People & Capability	Leave	Approve Discretionary Leave (includes compassionate leave outside policy)		✓									
73	People & Capability	Leave	Approve domestic violence leave (subject to appropriate sign off – recommendation to the CEO)		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
74	People & Capability	Leave	Approve paid study leave		✓	✓	✓	✓						

West Arnhem Regional Council - Delegation Manual - Delegation by Activity and Authority Level

	Area	Function	Activity												
				Council	CEO	DF	DCCS	HRM	MTS	CSM	EA	Man	Coor/ Adv	SCSM	
75	People & Capability	Training	Approve fee assistance for study leave		✓	✓	✓	✓							
76	People & Capability	Training	Approve training & development plans for staff		✓	✓	✓	✓							
77	People & Capability	Training	Approval of attendance at external training courses and conferences		✓										
78	People & Capability	Travel	Approve international travel	M/DM for CEO	✓										
79	People & Capability	Travel	Approve interstate travel (excluding own travel)	M/DM for CEO	✓		\$5k								
80	People & Capability	Travel	Approve budgeted intrastate travel. Unbudgeted intrastate travel requires CEO approval.	M/DM for CEO	✓	✓	✓	✓	✓	✓	✓	✓	✓		
81	People & Capability	Performance Management	Sign off on annual performance review for area of responsibility		✓	✓	✓	✓	✓						✓
82	People & Capability	Performance Management	Management of unsatisfactory staff performance in conjunction with People and Capability		✓	✓	✓	✓	✓	✓			✓		✓
83	People & Capability	Performance Management	Authority to purchase and consult with external advisors, on industrial matters (subject to CEO approval)		✓			✓							
84	Contracts	Leases	Approve the lease of new premises, sub leases, renewals and terminations	✓											
85	Contracts	Professional Services	Authorise appointment of external professional advice and/or services within budget (excluding legal)		\$20k+	\$20k	\$20k								
86	Contracts	Insurance	Approve appointment of insurers, details, of contract and payment of premiums		✓	✓	✓								
87	Contracts	Commercial	Approve commercial agreements for the staff and services of Council within budget		✓	✓	✓								
88	Contracts	Suppliers	Approve contracts with suppliers of goods and services for division (non-legal)		✓	✓	✓	✓							
89	Contracts	Suppliers	Approve contracts with suppliers of goods and services for the organisation (non-legal)		✓										
90	Contracts	Tenders	Authority to invite formal tenders for supply of goods or services for division		✓	✓	✓		✓						
91	Contracts	Tenders	Authority to accept late tenders for supply of goods and services	✓	✓										

West Arnhem Regional Council - Delegation Manual - Delegation by Activity and Authority Level

	Area	Function	Activity	Council	CEO	DF	DCCS	HRM	MTS	CSM	EA	Man	Coor/ Adv	SCSM
92	Contracts	Tenders	Accept a tender (only from those submitted in the tender process per reg.36 of General Regulations)	✓										
93	Contracts	Tenders / Grants Submissions	Approve funding or tender submissions		✓									
94	Contracts	Grant Reporting	Authority to submit performance reports to funding departments/organisations		✓	✓	✓						BDM	Grants
95	Contracts	Negotiate Agreement	Authority to negotiate agreements (other than suppliers) and contracts		✓	✓	✓	✓	✓					
96	Contracts	Signature	Authority to sign agreements (other than suppliers within financial delegation) including MOUs, contracts and tenders		✓	✓	✓	✓	✓					
97	Contracts	Council Seal	Authority to use Seal	✓										
98	Contracts	Contract Management	Authority to make daily operational decisions for direct service delivery in line with relevant contracts		✓	✓	✓	✓	✓	✓		✓		✓
99	Contracts	Contract Management	To approve total variations to contracts during the progress of works to a limit of 5% of the total contract sum in aggregate.		✓	✓	✓							
100	Contracts	Serious Incidents	Reporting serious incidents for Child Care, Crèche, NDIS & Aged Care		✓	✓	✓						MCSS	
101	Governance	Regional Plan	Approve the annual Regional Plan	✓										
102	Governance	Freedom of Information	Authority to sign Freedom of Information (FOI) Notice of Decision		✓	✓								
103	Governance	Disposal of records	Authority to approve the transfer of ownership of records, including to NT Archives		✓									
104	Governance	Disposal of records	Authority to approve the destruction of records under the approved Disposal Schedule		✓									
105	Governance	Legal	Authority to consult with Council's external legal advisors on legal matters (Subject to CEO approval).		✓	✓	✓							
106	Governance	Legal	Authority to purchase legal advice and/or expertise	✓	✓									
107	Governance	Legal	Authority to settle court, legal or any other formal proceedings.	✓	✓									
108	Governance	Policy	Approval of Council Policy for Council and CEO Governance	✓										
109	Governance	Policy	Approval of Council Policy for operations and staff		✓									
110	Governance	Policy	Approval of Service Area Policy within own division, in consultation with CEO		✓									

West Arnhem Regional Council - Delegation Manual - Delegation by Activity and Authority Level

	Area	Function	Activity												
				Council	CEO	DF	DCCS	HRM	MTS	CSM	EA	Man	Coor/ Adv	SCSM	
111	Governance	Procedure	Approval of Operational Procedure for organisation		✓	✓	✓	✓							
112	Public Relations	Media	Approve the use of Councils name or logo by parties external to Council		✓									PRC	
113	Public Relations	Public Statements	Authorised to release written and verbal public or media statements	M/DM	✓										
114	Public Relations	Public Statements	Approve response to contentious or negative media enquiries		✓										
115	Public Relations	Operational	Authority to respond to operational letters		✓	✓	✓	✓	✓	✓					✓
116	Public Relations	Operational	Authority to respond to all other correspondence other than public statements or strategic issues (non-contentious).		✓	✓	✓	✓	✓						
117	Public Relations	Media / PR	Approve a communication strategy for a project		✓									PRC	
118	Public Relations	Media / PR	Approve media activity	M	✓									PRC	
119	Public Relations	Media / PR	Approve PR activities, signage, corporate style guide		✓									PRC	
120	Public Relations	Website	Approve changes to website		✓									PRC	
121	Public Relations	Social Media	Approve social media posts on Official WARC platforms		✓									PRC	
122	Complaints	Management	Authority to ensure appropriate & timely resolution of a complaint		✓	✓	✓	✓	✓	✓					✓
123	Complaints	Mediation	Authority to purchase mediation advice and or expertise		✓			✓							

WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 3 JANUARY 2025

Agenda Reference:	7.1
Title:	Closure to the Public for the Discussion of Confidential Items
Author:	Jasmine Mortimore, Governance Advisor

SUMMARY

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

LEGISLATION AND POLICY

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

RECOMMENDATION

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

ATTACHMENTS

Nil

WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 3 JANUARY 2025

EXCLUSION OF THE PUBLIC

The information in this section of the agenda is classed as confidential under section 293(1) of the *Local Government Act 2019* and regulation 52 of the *Local Government (Administration) Regulations 2021*.

WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 3 JANUARY 2025

Agenda Reference:	8.1
Title:	Chief Executive Officer Report
Author:	Andrew Walsh, Chief Executive Officer

The Report will be dealt with under Section 293(1) of the Local Government Act 2019 and General Regulation 2021 Part (3) Administration - Division 2 Section 51(1)(a). It contains information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual.

Agenda Reference:	8.2
Title:	Employment Contract
Author:	Jocelyn Nathanael-Walters, Director of Finance

The Report will be dealt with under Section 293(1) of the Local Government Act 2019 and General Regulation 2021 Part (3) Administration - Division 2 Section 51(1)(a). It contains information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual.

Agenda Reference:	8.3
Title:	Bank Authorisations
Author:	Jocelyn Nathanael-Walters, Director of Finance

The Report will be dealt with under Section 293(1) of the Local Government Act 2019 and General Regulation 2021 Part (3) Administration - Division 2 Section 51(1)(d). It contains information subject to an obligation of confidentiality at law, or in equity.

Agenda Reference:	8.4
Title:	Proposed Lease Termination - Lot 660 Maningrida
Author:	Clem Beard, Project Manager Technical Services

The Report will be dealt with under Section 293(1) of the Local Government Act 2019 and General Regulation 2021 Part (3) Administration - Division 2 Section 51(1)(c)(i). It contains information that would, if publicly disclosed, be likely to: cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

Agenda Reference:	9.1
Title:	Disclosure of Confidential Resolutions and Re-admittance of the Public
Author:	Jasmine Mortimore, Governance Advisor

The Report will be dealt with under Section 293(1) of the Local Government Act 2019 and General Regulation 2021 Part (3) Administration - Division 2 Section 51(1)(c)(ii). It contains information that would, if publicly disclosed, be likely to: prejudice the maintenance or administration of the law.

RE-ADMITTANCE OF THE PUBLIC

10 NEXT MEETING

11 MEETING DECLARED CLOSED