

AGENDA

13th Ordinary Council Meeting

11th Council of Litchfield

Tuesday 20 September 2022

Meeting to be held commencing 6:00pm
in Council Chambers at 7 Bees Creek Road, Freds Pass
https://www.youtube.com/channel/UCdM3M5gfh6-wQ0KiL89_2eg/live

Community Forum
will be held from 5:30pm – 6:00pm



Stephen Hoyne
Chief Executive Officer

COVID-19 Statement of Commitment

The Ordinary Meeting of Council will be open to the public and holds a Statement of Commitment to adhere to:

- Physical distancing measures
- Health and hygiene principles



COUNCIL AGENDA

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COUNCIL AGENDA

LITCHFIELD ORDINARY COUNCIL MEETING

Tuesday 20 September 2022

1. Acknowledgement of Traditional Ownership

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

2. Opening of Meeting

An audio & visual recording of this meeting is live streamed to Council's YouTube channel and will remain online for public viewing in accordance with Council's Recording of Council Meetings Policy. By attending this meeting, you confirm you have read and agree to comply by Council's Recording of Council Meetings Policy.

3. Electronic Attendance / Apologies and Leave of Absence

- 3.01 Electronic Attendance
- 3.02 Apologies
- 3.03 Leave of Absence Previously Granted
- 3.04 Leave of Absence Request

4. Disclosures of Interest

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

- 4.01 Elected Members
- 4.02 Staff

5. Confirmation of Minutes

5.01 Confirmation of Minutes

- Ordinary Council Meeting held Tuesday 16 August 2022, 9 pages.

5.02 Council Action Sheet / Business Arising from Previous Meetings



COUNCIL MINUTES

LITCHFIELD COUNCIL MEETING

Minutes of Ordinary Meeting
Council Chambers, Litchfield
Tuesday 16 August 2022

Present	Doug Barden Emma Sharp Rachael Wright Mathew Salter Andrew Mackay Kevin Harlan Mark Sidey	Mayor Deputy Mayor / Councillor South Ward Councillor North Ward Councillor North Ward Councillor Central Ward Councillor Central Ward Councillor South Ward
Staff	Stephen Hoyne Nicky McMaster Maxie Smith Jessica Eves	Chief Executive Officer General Manager Communications & Lifestyle A/General Manager Business Excellence Executive Assistant
Presenters	Rebecca Taylor David Jan James Morgan Kym Lenoble	A/Manager People & Performance Manager Operations & Environment (Electronic) Manager Infrastructure & Assets Manager Communications & Engagement
Guest	Nil	
Public Gallery	One member of public.	
Streamed Online via YouTube: https://www.youtube.com/watch?v=sSy2T5m4ArM		

1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

2. OPENING OF THE MEETING

The Mayor opened the meeting at 5.59pm and welcomed members of the public.

The Mayor welcomed Council's newly appointed Chief Executive Officer, Stephen Hoyne to his first Ordinary Council meeting.

The Mayor advised that an audio and visual recording of the meeting was live streamed to Council's online platform and will remain online for public viewing in accordance with Council's Recording of Council Meetings Policy. By attending the meeting, those present agreed to comply by Council's Recording of Council Meetings Policy.

3. ELECTRONIC ATTENDANCE / APOLOGIES AND LEAVE OF ABSENCE

3.1 Electronic Attendance

Nil.

3.2 Apologies

Nil.

3.3 Leave of Absence Previously Granted

Nil.

3.4 Leave of Absence Request

Nil.

4. DISCLOSURE OF INTEREST

The Mayor advised that any member of Council who may have a conflict of interest, or a possible conflict of interest regarding any item of business to be discussed at a Council meeting or a Committee meeting should declare the conflict of interest to enable Council to manage the conflict in accordance with its obligations under the *Local Government Act 2019* and its policies regarding the same.

4.1 Elected Members

As per Section 115 of the Local Government Act 2019, Mayor Barden disclosed an interest in items:

- 16.02.01 – Breach of Code of Conduct - Findings.

As per Section 115 of the Local Government Act 2019, Deputy Mayor Sharp disclosed an interest in items:

- 16.02.01 – Breach of Code of Conduct - Findings.

As per Section 115 of the Local Government Act 2019, Cr Wright disclosed an interest in items:

- 16.02.01 – Breach of Code of Conduct - Findings.

4.2 Staff

No disclosures of interest were declared.

5. CONFIRMATION OF MINUTES

5.1 Confirmation of Minutes

Moved: Cr Wright

Seconded: Cr Salter

THAT Council confirm the Ordinary Council meeting held 19 July 2022 minutes.

CARRIED (7-0) ORD2022 11-183

5.2 Council Action Sheet / Business Arising from Previous Meetings

Moved: Cr Wright

Seconded: Cr Mackay

THAT Council receive and note the Action List.

CARRIED (7-0) ORD2022 11-184

6. PETITIONS

Nil.

7. DEPUTATIONS AND PRESENTATIONS

Nil.

8. PUBLIC QUESTIONS

8.1 Mark Lowe – 295 Goode Road Humpty Doo

Question:

councillors executive, Under an FE 262 directive from the Fire service I have cleared a 4 mtr break on the inside of our southern boundary fence at 295 Goode rd, lot 11 solar village. in my view the narrow track bordered by bushland and dry grass immediately adjacent to it on Goode rd. does not meet that standard. Is council willing and able to implement the same standards we are held accountable to, subject to a massive fine for non compliance I might add. The creation of a 4mtr trafficable break adjacent to our fence in addition to complying with the regulations would also allow ourselves and PFES safe access to our property. Is council able to do this?

Answer:

The item was taken on notice.

8.2 Brad George – 225 Strangways Humpty Doo

- Do Council records show that Council was aware of the clearing of 25000m2 of native vegetation in 2016 and what the purpose was of that clearing?
- Do Council records show that Council enquired if consent approvals were required for clearing native vegetation beyond approvals given for the area up to the existing Waste Transfer Station boundary fence line?

If yes, was consent required and if it was required was it sought from the DCA and supplied?

- If no, was consent required?
- Do Council records show that the land was cleared under the direction of Power and Water, Ostojic, Council or is it unknown who authorised the clearing of 25000m2 of native vegetation?
- Was the native vegetation cleared legally?
- Does Council have the ability to ignore the CP Zoning of the southern most portion of 225 Strangways without considering the amenity for residents of Pine Forrest Estate, The Grange on Stuart, Hayball and Strangways?
- Is Council aware that it is bound by the Australian Code for the Transport of Dangerous Goods by Road & Rail (ADG Code)?
- Is Council aware that by allowing trucks to use 225 Strangways Road it is facilitating large multicomination vehicles to traverse rural roads without issuing permits or setting approved travel routes?
- Is Council aware that it has not sought or been granted exemptions, determinations and classifications by the Competent Authorities Panel that allow it operate at variance to the Australian Dangerous Goods Code?
- Is Council aware that it is bound by the transport and storage rules set out in The Bituminous Materials Safety Guide?
- Is Council aware that Strangways Road and Spencely Road do not meet the specifications for two lane rural roads used by large multicomination vehicles under the Normal Design Domain nor the Extended Design Domain as set out in the Australian Road Design Standards.
- Why hasn't the Council ever consulted with the residents of Pine Forrest Estate, The Grange on Stuart, Hayball and Strangways about the operation of the part of 225 Strangways that is being used as a project load out and unfit for service trailer parking area?
- Has Council formally sought legal advice if it is liable under any legislation for damage to person, property or the environment for activities that it permits to occur on this land?
- Has Council had a WHS risk assessment completed on this portion of 225 Strangways and if so will it publish that assessment?

Answer:

The item was taken on notice.

9. ACCEPTING OR DECLINING LATE ITEMS

Nil.

10. NOTICES OF MOTION

10.01 Tourism Town Asset Grant 2022/2023 – Signage

Moved: Mayor Barden

Seconded: Cr Mackay

THAT Council:

1. approve an application to be developed and submitted to the Tourism Town Asset Grant Program for a project up to \$100,000 for welcome signage, requiring a co-contribution from Litchfield Council of up to \$25,000; and
2. source quotes for the development of the signs and investigate opportunities to use in-kind support for the installation to reduce the cash component of the grant funding from Council.
3. approve funding of up to \$25,000 to be sourced from either Council's financial reserves or from savings found during Budget Review 1 if the Tourism Town Asset Grant application is successful.

CARRIED (7-0) ORD2022 11-185

11. MAYORS REPORT

Moved: Mayor Barden

Seconded: Cr Sidey

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

CARRIED (7-0) ORD2022 11-186

12. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

Nil.

13. WORK TEAM PRESENTATION

Nil.

14. OFFICERS' REPORTS

14.01 Business Excellence

14.01.01 Litchfield Council Finance Report – July 2022

Moved: Cr Harlan

Seconded: Deputy Mayor Sharp

THAT Council note the Litchfield Council Finance Report – July 2022.

CARRIED (7-0) ORD2022 11-187

14.01.02 People, Performance and Governance Monthly Report – July 2022

Moved: Cr Sidey
Seconded: Cr Wright

THAT Council note the People, Performance and Governance report for July 2022.

CARRIED (7-0) ORD2022 11-188

14.01.03 DRAFT FIN06 Rates Concession Policy

Moved: Deputy Mayor Sharp
Seconded: Cr Wright

THAT Council adopts FIN06 Rates Concession Policy, as at Attachment A, and authorises the Chief Executive Officer to make any minor editorial adjustments.

CARRIED (6-1) ORD2022 11-189

14.01.04 DRAFT GOV20 Committees Policy

Moved: Cr Salter
Seconded: Cr Sidey

THAT Council adopt GOV20 Committees Policy, as at Attachment A, and authorise the Chief Executive Officer to make any minor editorial adjustments.

CARRIED (6-1) ORD2022 11-190

14.02 Council Leadership & Community Services

14.02.01 Going Green Rebate Program Proposal

Moved: Deputy Mayor Sharp
Seconded: Cr Harlan

THAT Council:

1. approve an increase of \$5,000 in the 2022-2023 Community Grant Scheme budget, to be funded from the Cash for Cans Reserves; and
2. consider the continuation of the Going Green Rebate Program in subsequent annual budgets.

LOST (3-4)

14.02.02 Youth Strategy and Action Plan 2022 – 2025

Moved: Cr Mackay
Seconded: Cr Sidey

THAT Council:

1. endorse the Draft Youth Strategy and Action Plan 2022-2025; and
2. approve the Chief Executive Officer to make minor editorial changes if required.

CARRIED (7-0) ORD2022 11-191

14.02.03 Litchfield Council 2022 Community Survey

Moved: Cr Sidey
Seconded: Deputy Mayor Sharp

THAT Council receive and note the Litchfield Council 2022 Community Survey Report.

CARRIED (7-0) ORD2022 11-192

14.02.04 Freds Pass Sport and Recreation Reserve Water Leak Funding Request

Moved: Cr Mackay
Seconded: Cr Harlan

THAT Council:

1. approve funding of \$20,000 for new infrastructure to secure continued water supply to the cricket club and surrounding areas; and
2. authorise \$20,000 to be sourced from Council's financial asset reserves.

AMENDMENT

Moved: Deputy Mayor Sharp
Seconded: Cr Salter

THAT Council lay Item 14.02.04 Freds Pass Sport and Recreation Reserve Water Leak Funding Request on the table until the September 2022 Ordinary meeting to allow staff to obtain further financial information from Freds Pass Sport and Recreation Reserve committee.

The amendment became the motion which was put and carried.

CARRIED (5-2) ORD2022 11-193

14.03 Infrastructure and Operations

14.03.01 Summary Planning and Development Report – July 2022

Moved: Cr Harlan
Seconded: Deputy Mayor Sharp

THAT Council:

1. receive the Summary Planning and Development Report July 2022; and
2. note for information the responses provided to relevant agencies within Attachments A-E to this report.

CARRIED (7-0) ORD2022 11-194

15. OTHER BUSINESS

15.01 - Firebreaks on Council Reserves

Cr Mackay raised recent discussions with a resident in Humpty Doo that held concerns that Council does not maintain firebreaks on Council reserves.

Cr Mackay requests a report be provided to the Strategic Discussion and Briefing Session providing a summary of how Council manages unmaintained Council reserves.

15.02 – Fred's Pass Rural Markets Engagement Update

Cr Harlan provided a summary of discussions that occurred with locals whilst at the Freds Pass Rural Markets.

Elected Members requested that a Shared Path Plan completed by Cardno be circulated to Elected Members.

15.03 - NT WorkSafe Septic Tanks Safety Alert

Cr Harlan requested a written confirmation from Council staff confirming all Litchfield Council reserve septic tanks have been checked and secured after receiving a NT WorkSafe Safety Alert.

15.04 – Request for Footpaths Around Litchfield Schools

Deputy Mayor Sharp raised a matter on behalf of a resident with safety concerns with no footpath available on Bees Creek Road in the vicinity of Bees Creek School and Deputy Mayors concerns of limited footpaths around schools.

16. CONFIDENTIAL ITEMS

Moved: Deputy Mayor Sharp
Seconded: Cr Harlan

THAT pursuant to Section 99(2) of the *Local Government Act 2019* and Regulation 51(1) of the *Local Government (General) Regulations* the meeting be closed to the public to consider the following Confidential Items:

16.01 Breach of Code of Conduct – Findings

This item is considered 'confidential' pursuant to Section 99(2) and 293(1) of the *Local Government Act 2019* and Section 51 of the *Local Government (General) Regulations 2021*:

(f) subject to subregulation (2) – information in relation to a complaint of a contravention of the code of conduct.

CARRIED (7-0) ORD2022 11-195

The meeting was closed to the public at 7:42pm.

Reopening on Meeting to the Public

Moved: Cr Mackay
Seconded: Cr Harlan

THAT pursuant to Section 99(2) of the *Local Government Act 2019* and Regulation 51 of the *Local Government (General) Regulations* the meeting be re-opened to the public.

CARRIED (4-0) ORD2021 11-196

The meeting moved to Open Session at 7:56pm.

17. CLOSE OF MEETING

The Chair closed the meeting at 7:56pm.

18. NEXT MEETING

Tuesday 20 September 2022.

MINUTES TO BE CONFIRMED

Tuesday 20 September 2022.

.....
Mayor
Doug Barden

.....
Chief Executive Officer
Stephen Hoyne

5.02 - Business Arising from the Minutes

		In Progress		
		Ongoing		
		Completed		
Resolution	Resolution	Meeting Date	Officer	Status
11-060	Preparation of Business Case for Kerbside Collection and Associated Waste Operations THAT Council provides in-principle support for the preparation of a business case for kerbside collection which will include investigation into current waste operations with recommendations for improvements/alterations, subject to a Council resolution as part of the next budget review to allocate funding for the preparation of the business case.	16/11/2021	GMIO	Complete Draft business case was presented at the September Strategic Discussion and Briefing Session. Report was discussed and noted by Council.
11-074	Drafting Instructions – Litchfield Public Places By-laws THAT Council endorse the draft table of By-law Instructions, at Attachment A, subject to minor editorial changes by the Chief Executive Officer.	14/12/2021	GMCL	Ongoing Draft instructions sent to Division of Local Government and Regional Development. Response received that Litchfield Council instructions are in a queue for when a drafter is available.
11-010	Report from Library Shared Services Model Consultancy THAT Council: <ol style="list-style-type: none"> 1. receive and note the Litchfield Council Public Library Services Business case consultancy report from the Atria Group; and 2. agree to the relocation of the library service from Taminmin College to Coolalinga Shopping Centre or an alternative publicly accessible location by the end of financial year of 2022/2023, subject to acceptable relocation quotes, funding arrangements and community feedback. 	18/01/2022	GMCL	Ongoing

11-052	<p>Telstra Tower Bronzewing Avenue</p> <p>THAT Council:</p> <ol style="list-style-type: none"> 1. receive and note the update in the report; 2. acknowledges the hard work undertaken by the Howard River Park Community Association; 3. note the resident's disappointment with Telstra's community engagement consultancy process; 4. assist Telstra in finding an alternative site and request the interim Chief Executive Officer to investigate the option of terminating the lease with Telstra; and 5. notify the Development Consent Authority of Council's resolution. 	15/03/2022	GMIO	<p>Ongoing</p> <p>Advised Telstra of Council's resolution. Waiting on Telstra's response regarding a suitable alternate site.</p> <p>Correspondence received from Telstra regarding a site on Crown Land adjacent to Hicks Road and Gunn Point Rd intersection. Council has provided support for the newly proposed site.</p>
11-094	<p>Road Opening William Road, Berry Springs</p> <p>THAT Council:</p> <ol style="list-style-type: none"> 1. proceed with the road opening process for William Road, across Lot 2790, Hundred of Cavenagh from the existing William Road to Lot 1603, Hundred of Ayers; and 2. authorise all appropriate documents to be signed and common seal affixed by the Mayor and Chief Executive Officer for the opening of the road, as required. 	19/04/2022	GMIO	<p>Complete</p> <p>LTO form common seal affixed.</p>
11-095	<p>Girraween Road Speed Limit Review</p> <p>THAT Council:</p> <ol style="list-style-type: none"> 1. receive and note the report; 2. acknowledge and thank the community for their responses, noting 86.01% were in support of returning the speed limit to 80km/hr; 3. acknowledge and thank the stakeholders for their responses, noting that they were not in support of returning the speed limit to 80km/hr; 4. maintain the existing 70km zone from approximately 300m from the Coolalinga roundabout to the Azure Court intersection; and 5. authorise the Chief Executive Officer to investigate funding opportunities through grants, including Black Spot Funding to undertake works to increase the speed limit to 80km/hr. 	19/04/2022	GMIO	<p>Complete</p> <p>Project will be added to Infrastructure Priority List.</p>

Power Road Safety Upgrade THAT Council: <ol style="list-style-type: none"> 1. approve the proposed budget increase of \$156,604.63 (excl GST) to enable the completion of the Power Road Safety Upgrade project. 2. reallocates \$156, 604.63 (excl GST) from Municipal Plan Program - Buildings to Power Road Safety Upgrade. 3. Council instruct the Chief Executive Officer to undertake a full investigation into the procurement and contract management process in relation to the awarding of the Power Road contract and subsequent management thereof with scope of the investigation to be agreed with the Mayor. 						
SCM2022 2021	11-			10/05/2022	GMIO	In progress 1. and 2. Complete.
Public Access to a Portion of Humpty Doo Waste Transfer Station THAT Council: <ol style="list-style-type: none"> 1. lay Item 14.03.04 Public Access to a Portion of Humpty Doo Waste Transfer Station on the table until the August 2022 meeting, pending Council holding a stakeholder meeting with affected businesses and industry. 2. Staff investigate options for meeting NT EPA requirements. 						
ORD2022 11-147				21/06/2022	GMIO	In Progress Stakeholders have failed to submit a case for retention of the site as a commercial vehicle parking option. Proposal to proceed with fencing of the allotment to exclude unauthorised parking.

Proposed Place Names – PA2015.0768 Subdivision Cyrus Road

THAT Council:

1. Support the proposed place names as per the below list:

	Preferred	Alternate
Road One	Paradise Way	<i>Wilderness Way</i>
Road Two	Stairway Drive	<i>Ascend Drive</i>
Road Three	Nirvana Place	<i>Serenity Place</i>

ORD2022
11-172

2. provide a letter of support to the applicant and NT Place Names so that the developer may continue the process of approval for road names;
3. proceed with the road opening process across Lot 2790, Hundred of Cavenagh from the existing William Road to Lot 1603, Hundred of Ayers; accepting the name chosen for 'Road Two';
4. authorise all appropriate documents to be signed and common seal affixed by the Mayor and Chief Executive Officer for the opening of the road including receiving of land through the Land Titles Office.

19/07/2022 GMIO

In Progress

Minutes confirmed from July meeting. LTO forms common seal affixed. Letter to place names sent pending acceptance of proposed names as to whether the process can be completed.

Road Opening Closing Meade Road, Darwin River

THAT Council:

1. proceed with the road closing and opening process for Meade Road, across affected land parcels, Lot 500 Section 773 Hundred of Cavenagh, Lot 585 Section 765 Hundred of Cavenagh (Meade Road, west of Letchford Road) for the purpose of providing the land owner the opportunity to continue conservation efforts;
2. authorise all appropriate documents to be signed and common seal affixed by the Mayor and Chief Executive Officer for the closing and opening of the road, as required; and
3. note that this is an administrative process only and there is no commitment by Council to construct the road.

ORD2022
11-173

19/07/2022 GMIO

In Progress

Confirmed minutes received. Correspondence to be sent to Crown and applicant.

ORD2022 11-185	Tourism Town Asset Grant 2022/2023 – Signage THAT Council: 1. approve an application to be developed and submitted to the Tourism Town Asset Grant Program for a project up to \$100,000 for welcome signage, requiring a co-contribution from Litchfield Council of up to \$25,000; and 2. source quotes for the development of the signs and investigate opportunities to use in-kind support for the installation to reduce the cash component of the grant funding from Council. 3. approve funding of up to \$25,000 to be sourced from either Council's financial reserves or from savings found during Budget Review 1 if the Tourism Town Asset Grant application is successful.	16/08/2022	GMCL	Complete Application submitted.
ORD2022 11-188	DRAFT FIN06 Rates Concession Policy THAT Council adopts FIN06 Rates Concession Policy, as at Attachment A, and authorises the Chief Executive Officer to make any minor editorial adjustments.	16/08/2022	GMBE	Complete Policy register updated and policy available on Council's website.
ORD2022 11-190	DRAFT GOV20 Committees Policy THAT Council adopt GOV20 Committees Policy, as at Attachment A, and authorise the Chief Executive Officer to make any minor editorial adjustments.	16/08/2022	GMBE	Complete Policy register updated and policy available on Council's website.
ORD2022 11-191	Youth Strategy and Action Plan 2022 – 2025 THAT Council: 1. endorse the Draft Youth Strategy and Action Plan 2022-2025; and 2. approve the Chief Executive Officer to make minor editorial changes if required.	16/08/2022	GMCL	Complete
ORD2022 11-193	Freds Pass Sport and Recreation Reserve Water Leak Funding Request THAT Council lay Item 14.02.04 Freds Pass Sport and Recreation Reserve Water Leak Funding Request on the table until the September 2022 Ordinary meeting to allow staff to obtain further financial information from Freds Pass Sport and Recreation Reserve committee.	16/08/2022	GMCL	In Progress Report included in September OCM agenda.

OB	<p>Firebreaks on Unmaintained Council Reserves</p> <p>Cr Mackay raised recent discussions with a resident in Humpty Doo that held concerns that Council does not maintain firebreaks on Council reserves.</p> <p>Cr Mackay requests a report be provided to the Strategic Discussion and Briefing Session providing a summary of how Council manages unmaintained Council reserves.</p>	16/08/2022	MOE	<p>In Progress</p> <p>Confidential report included in September OCM agenda.</p>
OB	<p>NT WorkSafe Septic Tanks Safety Alert</p> <p>Cr Harlan requested a written confirmation from Council staff confirming all Litchfield Council reserve septic tanks have been checked and secured after receiving a NT WorkSafe Safety Alert.</p>	16/08/2022	MOE	<p>In Progress</p> <p>Site inspection of all Council facilities septic tank lids has been completed, with one lid at Livingstone Reserve being found to require replacement.</p>



COUNCIL AGENDA

LITCHFIELD ORDINARY COUNCIL MEETING

Tuesday 20 September 2022

6 Petitions

7 Deputations and Presentations

8 Public Questions

9 Accepting or Declining Late Items

10 Notices of Motion

11 Mayors Report

11.01 Mayor's Report



COUNCIL REPORT

Agenda Item Number: 11.01
Report Title: Mayor's Monthly Report
Author & Recommending Officer: Doug Barden, Mayor
Meeting Date: 20/09/2022
Attachments: Nil

Executive Summary

A summary of the Mayor's attendance at meetings and functions representing Council for the period 12 August 2022 to 12 September 2022.

Summary

Date	Event
12 August 2022	Litchfield Development Consent Authority Meeting
13 August 2022	Official Opening Ceremony – Litchfield Horse & Pony Club
15 August 2022	Meeting with Resident - No Name Road Humpty Doo
16 August 2022	Community Forum
16 August 2022	Litchfield Ordinary Council Meeting
18 August 2022	Deputy Mayor Sharp and Cr Sidey attended on Mayor Barden's Behalf - Vietnam Veterans Day Commemoration Service
21 August 2022	Cr Sidey officiated on Mayor Barden's Behalf - City of Palmerston Seniors Fortnight Closing Ceremony
23 August 2022	Darwin, Palmerston and Litchfield Regional Economic Growth Committee
23 August 2022	INPEX Australia Stakeholder Function (Networking Function)
24 August 2022	Meeting with Chief Minister & Local Government Councils RE: Antisocial Behaviour
24 August 2022	LGANT Re-Brand Launch
25 August 2022	Local Government Sports, Arts & Culture Symposium
26 August 2022	Taminmin Community Library Intergenerational Programs with ABC Filming
26 August 2022	Diplomatic Reception - Celebrating 77th Anniversary of Indonesian Independence Day
27 August 2022	Pitch Black Open Day 2022
28 August 2022	Berry Springs Markets – Meeting with the Community
28 August 2022	Southport Progress Association Inc. Annual General Meeting
30 August 2022	Meeting with Advance Civil Engineering RE: Girraween Lagoon Subdivision
31 August 2022	Media – ABC Head Honcho Interview

Date	Event
31 August 2022	Risk Management & Audit Committee Meeting
1 September 2022	Meeting with Resident - 290 Lowther Road
2 September 2022	Investiture Ceremony – Australia Day Honours & Awards List and the 2022 Queens Birthday Honours & Awards List
6 September 2022	Strategic Discussion & Briefing Session
7 September 2022	Virtual Meeting - Event Funding Program Information Session <ul style="list-style-type: none"> - Community Event Funding - Event Development Funding - Mass Participation Event Funding - Major Event Funding
7 September 2022	LGANT - NT Social Outcomes Framework, the Story of Our Children and Young People
7 September 2022	Rotary Club of Litchfield/Palmerston Meeting
12 September 2022	Exercise Kakadu 2022 Official Reception

Recommendation

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



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Tuesday 20 September 2022

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

12 Reports from Council Appointed Representatives

Date	Meeting	Representative
31 August 2022	Risk Management and Audit Committee Meeting	Cr Sidey Cr Salter

RECOMMENDATION

THAT Council note the verbal update provided by the representative of the:

- Risk Management and Audit Committee Meeting held on 31 August 2022;



COUNCIL AGENDA

LITCHFIELD ORDINARY COUNCIL MEETING

Tuesday 20 September 2022

13	Work Team Presentation
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Nil



COUNCIL AGENDA

LITCHFIELD ORDINARY COUNCIL MEETING

Tuesday 20 September 2022

14 Officers Reports

14.01 Business Excellence

- 14.01.01 Litchfield Council Finance Report August 2022
- 14.01.02 People Performance and Governance Monthly Report August 2022
- 14.01.03 Risk Management & Audit Committee Meeting Minutes- 31 August 2022

14.02 Council Leadership & Community

- 14.02.01 Draft Reconciliation Action Plan
- 14.02.02 Howard Park & Knuckey Lagoon Recreation Reserve Committee Meeting Minutes
- 14.02.03 Freds Pass Sport and Recreation Reserve Water Leak Funding Update

14.03 Infrastructure & Operations

- 14.03.01 Summary Planning and Development Report August 2022
- 14.03.02 Public Access to a Portion of Humpty Doo Waste Transfer Station
- 14.03.03 Berry Springs Waster Transfer Station Operating Hours
- 14.03.04 Humpty Doo Waste Transfer Station Asbestos Remediation Project



COUNCIL REPORT

Agenda Item Number:	14.01.01
Report Title:	Litchfield Council Finance Report – August 2022
Author and Recommending Officer:	Maxie Smith, Acting General Manager Business Excellence
Meeting Date:	20/09/2022
Attachments:	A: Litchfield Council Finance Report – August 2022

Executive Summary

This report presents the Litchfield Council Finance Report for 31 August 2022. The report now reflects the NT Government mandated format.

The Balance Sheet and Financial Reserves figures are subject to change as the end of the financial year is finalised. The closing balance of cash reserves is expected to increase due to uncompleted capital works. However, both the increased reserves and the related capital expense will be carried forward to 2022/23.

Operational Income reflects the entire year of rates levied. As expenses are incurred over the year, the current surplus position will gradually decrease.

Rates outstanding continue to decrease compared to the same time last year as staff actively work in this space to reduce overall rates debtors.

Recommendation

THAT Council note the Litchfield Council Finance Report for 31 August 2022.

Background

Detailed financial information is presented on the following pages.

Links with Strategic Plan

Performance - An Effective and Efficient Organisation

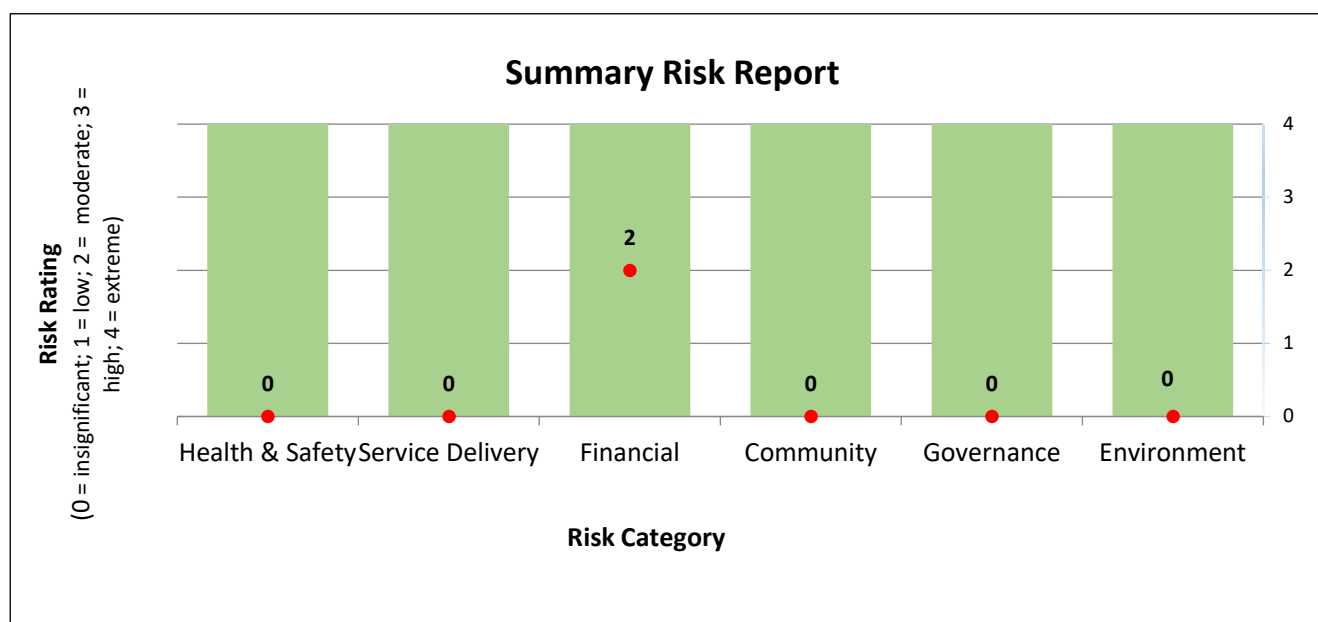
Legislative and Policy Implications

This report complies with the *Local Government Act 2019*, Local Government (General) Regulations 2021, Division 7, Financial Matters, Department of the Chief Minister and Cabinet - Form: Monthly Financial Reports, Council's policies, and Australian Accounting Standards.

Financial Implications

Nil.

Risks



Financial

The Council's current revenue levels fall short of funding the required asset renewal expenditure. As a result, there are long-term financial sustainability challenges concerning the renewal and upgrade of existing assets, including buildings, roads, and irrigation infrastructure. Therefore, council continues to discuss avenues to increase investment in this area.

Community Engagement

Not applicable.

**LITCHFIELD
COUNCIL**

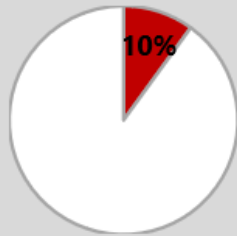


Finance Report

August 2022

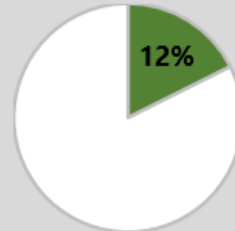
Aug 2022

DASHBOARD REPORTING



Asset Sustainability Ratio

Capital Expenditure
Actuals \$0.537m
Target – 46%



Rates Outstanding

\$1.9m Outstanding
Target– 18% (\$2.4m and less)

\$ 14.1m

OPERATIONAL REVENUE

\$19.9m Budget – 71% Target Achieved

\$ 1.9m

CAPITAL REVENUE

\$1.7m Budget

\$ 2.5m

OPERATIONAL EXPENSES

\$16.8m Budget – 15% Spent

\$ 0.537m

CAPITAL EXPENSES

\$6.4m Budget

\$11.6m*

OPERATING SURPLUS

Budget \$3.1m

\$1.4m*

CAPITAL SURPLUS

Budget (\$4.6m)

RATIOS

10% Asset Sustainability
Target 46% and more

12% Rates Outstanding
Target less than 18%

69% Own Source Revenue Ratio
Target 96% and more

9.72 Current Ratio
Target 1 and more

0 Debt Service Ratio
Target less than 1

Current Cash Investments

\$19.3m

0 of 20

Budgeted Capital
Programs 2022/23
\$0.268m Spent (4.19%)

3 of 21

Carry Forward Programs
from 2021/22-\$0.268m
Spent (33.63%)

\$16.8m

Forecast Cash
Reserves June 2022



Not Achieved



Achieved



Budgeted to be Achieved



Achieved



Achieved

*June 2022 period is still open therefore the surplus/deficit results will change once the year-end finalized

STATEMENT 1. COMPARISON ACTUAL PERFORMANCE AGAINST BUDGET

The consolidated Financial Statements, including Thorak Regional Cemetery operations, are presented in the prescribed format required by Department of the Chief Minister and Cabinet - Form: Monthly Financial Reports.

Year to Date budget figures represent two-twelfth of the annual budget.

Table 1.1 Monthly Income and Expenditure Statement

	YTD Actuals \$	YTD Budget \$	YTD Variance \$	Annual Budget \$
OPERATING INCOME				
Rates	13,695,486.49	2,290,124.00	(11,405,362.49)	13,740,744.00
Charges	52,076.00	36,500.00	(15,576.00)	219,000.00
Fees and Charges	303,644.57	302,423.00	(1,221.57)	1,814,538.00
Operating Grants and Subsidies	42,874.00	629,399.00	586,525.00	3,776,394.00
Interest / Investment Income	79,734.11	53,833.33	(25,900.78)	323,000.00
Other Income	23,736.52	15,216.67	(8,519.85)	91,300.00
TOTAL OPERATING INCOME	14,197,551.69	3,327,496.00	(10,870,055.69)	19,964,976.00
OPERATING EXPENDITURE		-		
Employee Expenses	1,171,347.90	1,257,040.33	85,692.43	7,542,242.00
Materials and Contracts	1,243,816.64	1,401,066.17	157,249.53	8,406,397.00
Elected Member Allowances	20,434.42	24,265.08	3,830.66	291,181.00
Elected Member Expenses	33,156.70 ¹	7,299.00	(25,857.70)	43,794.00
Council Committee & LA Allowances	-	-	-	-
Council Committee & LA Expenses	-	833.33	833.33	5,000.00
Depreciation, Amortisation and Impairment	1,398,333.33	1,398,333.33	-	8,390,000.00
Interest Expenses	-	-	-	-
Other Expenses	88,493.39	92,329.50	3,836.11	553,977.00
TOTAL OPERATING EXPENDITURE	3,955,582.38	4,181,166.75	225,584.37	25,232,591.00
OPERATING SURPLUS / DEFICIT	10,241,969.31	(853,670.75)	(11,095,640.06)	(5,267,615.00)

Table 1.2 Monthly Operating Position

	YTD Actuals \$	YTD Budget \$	YTD Variance \$	Annual Budget \$
BUDGETED OPERATING SURPLUS / DEFICIT	10,241,969.31	(877,935.83)	(11,119,905.14)	(5,267,615.00)
Remove NON-CASH ITEMS				
Less Non-Cash Income	-	-	-	-
Add Back Non-Cash Expenses	1,398,333.33	1,398,333.33	-	8,390,000.00
TOTAL NON-CASH ITEMS	1,398,333.33	1,398,333.33	-	8,390,000.00
Less ADDITIONAL OUTFLOWS				
Capital Expenditure	537,772.26	1,069,571.50	531,799.24	6,417,429.00
Borrowing Repayments (Principal Only)	-	-	-	-
Transfer to Reserves	-	-	-	-
Other Outflows	-	-	-	-
TOTAL ADDITIONAL OUTFLOWS	(537,772.26)	(1,069,571.50)	(531,799.24)	(6,417,429.00)
Add ADDITIONAL INFLOWS				
Capital Grants Income	1,960,287.00	288,904.83	(1,671,382.17)	1,733,429.00
Prior Year Carry Forward Tied Funding	-	-	-	-
Other Inflow of Funds	-	-	-	-
Transfers from Reserves	-	260,269.17	260,269.17	1,561,615.00
TOTAL ADDITIONAL INFLOWS	1,960,287.00	549,174.00	(1,411,113.00)	3,295,044.00
NET OPERATING POSITION	13,062,817.38	24,265.08	(13,038,552.30)	-

¹ LGANT-Subscription paid for FY22/23

Operating Position By Department

Finance and Waste Management income represents a high percentage of total yearly income due to rates and waste charges levied in full in July 2022.

	2022/23 YTD Actuals	2022/23 Budget	% of Budget
REVENUE	\$	\$	
Council Leadership	30.00	-	-
Corporate	12,375.71 ²	-	-
Information Services	-	-	-
Finance & Customer Service	10,632,451.20	11,532,687.00	92.19%
Infrastructure & Assets	21,190.58	2,937,012.00	0.72%
Waste Management	3,171,653.10	3,308,034.00	95.88%
Community	56,446.06	113,700.00	49.64%
Community - Library	2,766.18	407,392.00	0.68%
Mobile Workforce	-	-	-
Regulatory Services	52,380.50	219,750.00	23.84%
Thorak Cemetery	248,258.36	1,446,401.00	17.16%
TOTAL REVENUE	14,197,551.69	19,964,976.00	71.11%
EXPENSES			
Council Leadership	176,455.99	1,256,942.00	14.04%
Corporate	131,296.50	745,778.00	17.61% ³
Information Services	59,719.70	700,789.00	8.52%
Finance & Customer Service	593,222.69 ⁴	1,581,650.00	37.51%
Infrastructure & Assets	426,265.46	3,417,467.00	12.47%
Waste Management	350,109.89	3,263,000.00	10.73%
Community	378,451.50	2,128,173.00	17.78% ⁵
Community - Library	55,055.12	683,022.00	8.06%
Mobile Workforce	131,448.90	1,305,261.00	10.07%
Regulatory Services	89,254.66	660,665.00	13.51%
Thorak Cemetery	165,968.64	1,069,846.00	15.51%
TOTAL EXPENSES	2,557,249.05	16,812,593.00	15.21%
OPERATING RESULT	11,640,302.64	3,152,383.00	369.25%

² Insurance claim received for workers' compensation

³ Increase relates to advertising cost on positions vacant

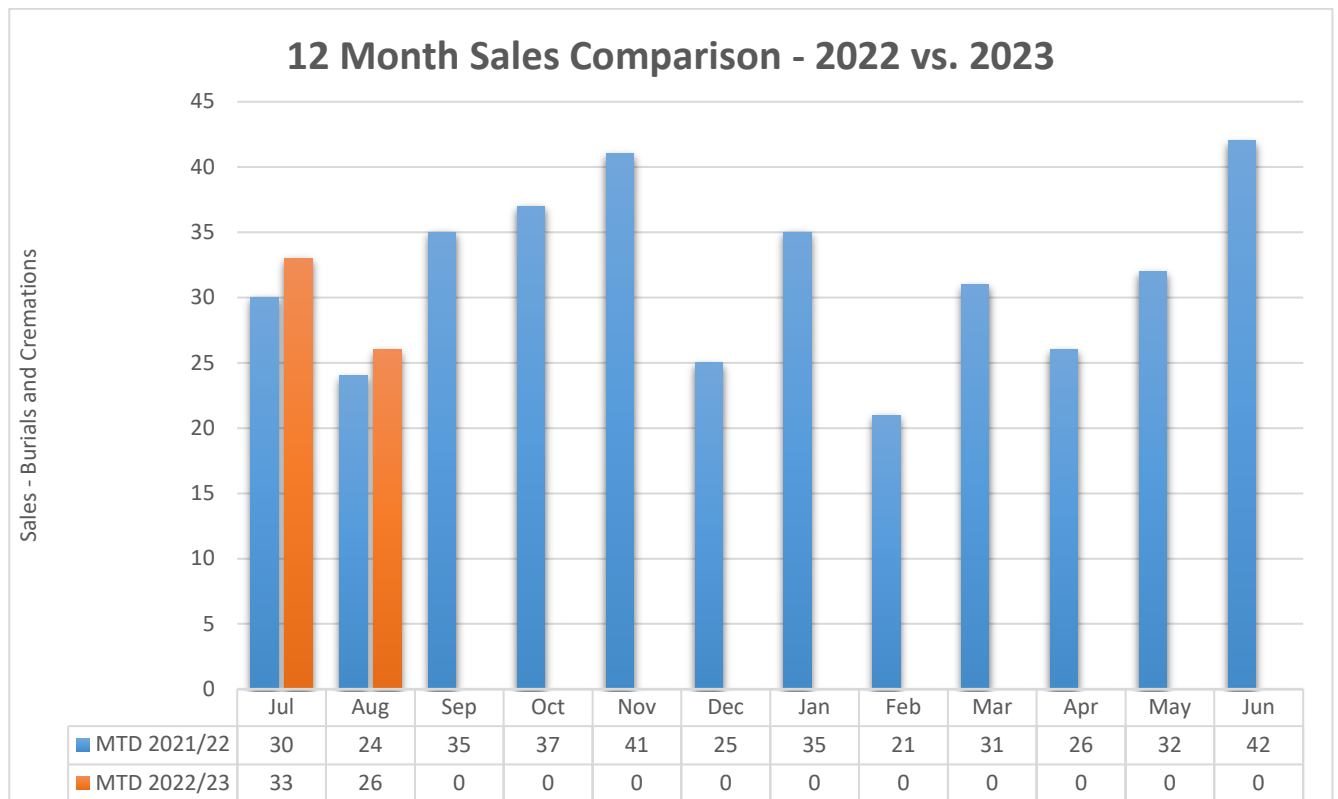
⁴ Includes full year insurance payments

⁵ Includes first quarter (Jul-Sep) payments to reserves associations

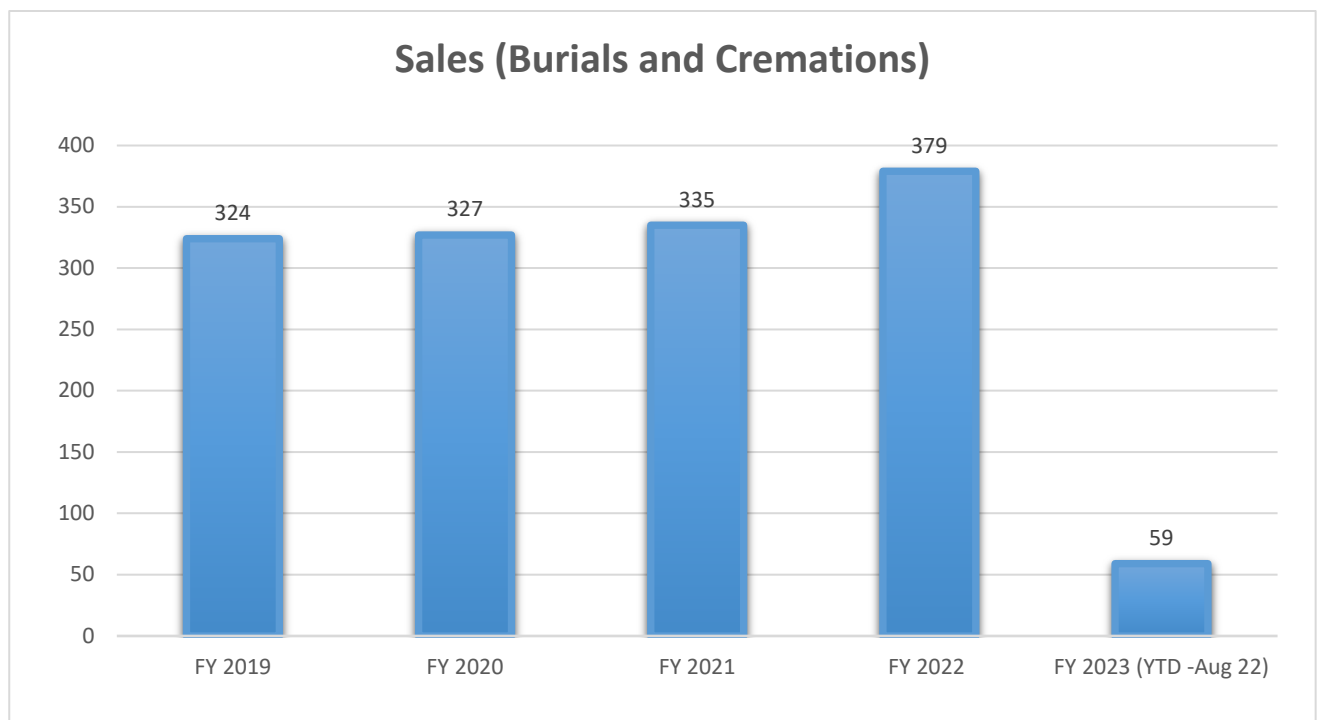
Thorak Regional Cemetery Sales

To date, Thorak Regional Cemetery has completed 26 interments and cremations, an increase of 2 from the same time last year.

Below is a comparison by month against last year:



Below present, a sales comparison over the last five years, average over the five years including 2023 year to date is 284.80.

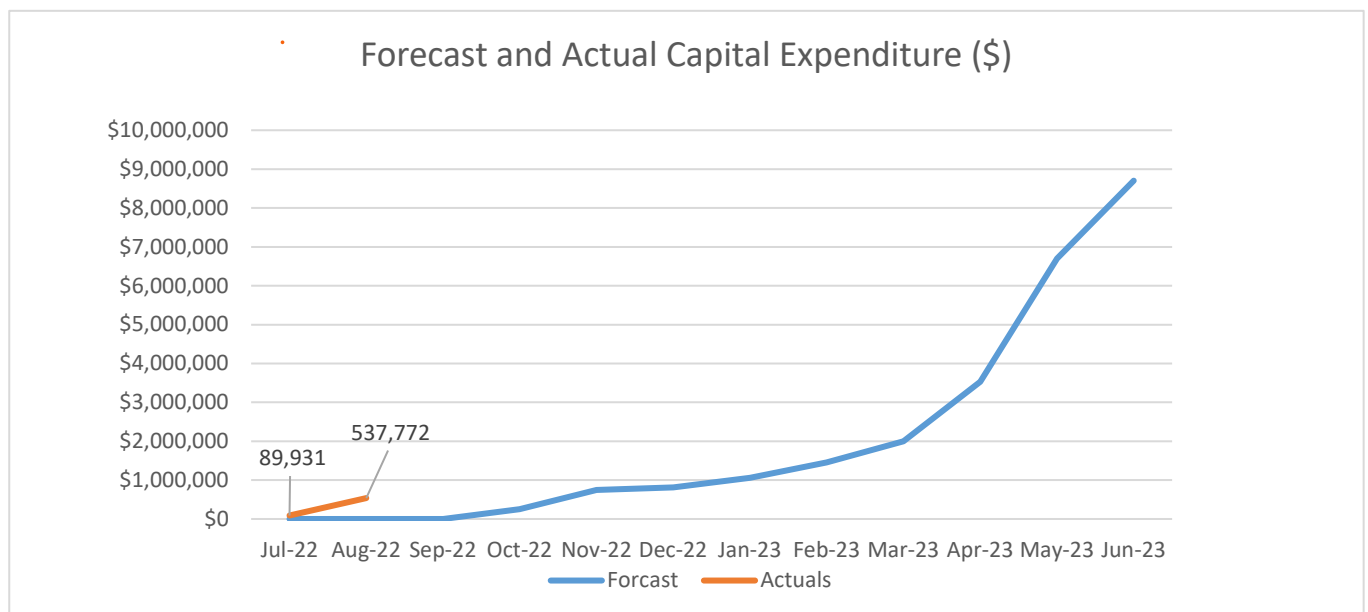


STATEMENT 2. CAPITAL EXPENDITURE AND FUNDING

Table 2.1 By class of infrastructure, property, plant and equipment

The table below compares capital revenue and expenditure to budget. Expenses will increase as projects progress.

CAPITAL EXPENDITURE	YTD Actuals \$	YTD Budget \$	YTD Variance \$	Annual Budget \$
Land and Buildings	168,315.20	53,000.00	(115,315.20)	318,000.00
Infrastructure (including roads, footpaths, park furniture)	369,457.06	914,904.83	545,447.77	5,489,429.00
Plant and Machinery	-	101,666.67	101,666.67	610,000.00
Fleet				
Other Assets (including furniture and office equipment)	-	-	-	-
Leased Land and Buildings	-	-	-	-
Other Leased Assets	-	-	-	-
TOTAL CAPITAL EXPENDITURE	537,772.26	1,069,571.50	531,799.24	6,417,429.00
TOTAL CAPITAL EXPENDITURE FUNDED BY:				
Operating Income (amount allocated to fund capital items)	-	-	-	-
Capital Grants	1,767,777 ⁶	288,904.83	(1,478,872.17)	1,733,429.00
Transfers from Cash Reserves	-	-	-	-
Borrowings	-	-	-	-
Sale of Assets (including trade-ins)	-	-	-	-
Other Funding	192,510.00 ⁷	-	-	-
TOTAL CAPITAL EXPENDITURE FUNDING	1,960,287.00	288,904.83	(1,478,872.17)	1,733,429.00



⁶ Grant funds received from LRCI

⁷ Developer Contribution payments received for subdivisions

Project Stage Descriptions

The below details the different stages of capital progress and the activities related to each step.

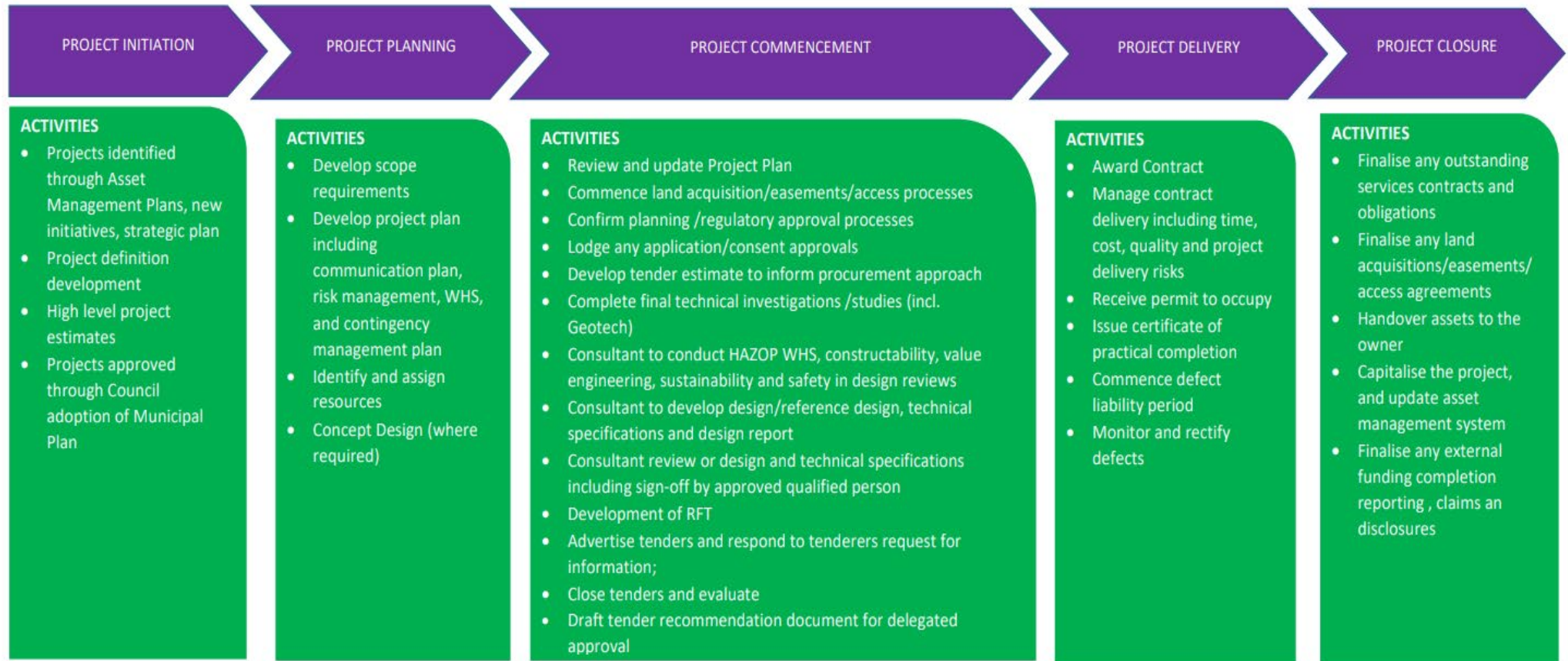


Table 2.2 Quarterly Report on Planned Major Capital Works

2022/2023 CAPITAL PROJECTS												
Class of Assets	Municipal Plan Program	Total Prior year(s) Actuals \$	FY 22/23 YTD Actuals \$	Total Actuals \$	Total Approved Budget \$	Total yet To Spend \$	Budget Spent %	Scheduled Completion Date	Project Stage	On Time	On Budget	Status Update For Projects Not on Time or Not on Budget
Roads	Road Seal Renewal	-	-	-	1,000,000.00	1,000,000.00	0.00%	May-23	Project Planning	Yes	Yes	Roads identified for reseal will be as per Priority list. The Priority list will be reconfirmed post 2022 road seal inspections.
Roads	Pavement Renewal	-	-	-	533,429.00	533,429.02	0.00%	May-23	Project Planning	Yes	Yes	Consultant SMEC are undertaking a Road Pavement Assessment to determine extent of repair and inform Design Work. Due Week 1 Sept.
Roads	Forward Design of Road Projects	-	-	-	250,000.00	250,000.00	0.00%	Nov-22	Project Planning	Yes	Yes	Road safety Intersection Upgrades: Intersection Assessments; Assess critical intersections across the municipality and develop a matrix to inform prioritisation for upgrading. Includes Streetlighting upgrades. / Pioneer Road - Power Road Intersection upgrade: Design Work Only - SOW is to relocate a Power and water asset, rehabilitate pavement, provide upgrade devices as per Road Safety audit conducted/ Mala Plains - Mulgara Road drainage Upgrade Flood mitigation: Upgrade existing floodway and pavement rehabilitation on Mala Plains Road, Upgrade drainage at intersection and increase size of drains on Mulgara to cater for required storm events. Hillier Road Shared Path Program: Develop conceptual Design shared pathway program which will connect with the future network. Estimate will inform 10-year Program.
Roads	Gravel Surface Renewal	-	-	-	300,000.00	300,000.00	0.00%	Apr-23	Project Planning	Yes	Yes	Roads identified for gravel re-sheeting will be as per Priority list. The Priority list will be reconfirmed post 2022 road inspections. Execution to be completed with Period Contractor

Class of Assets	Municipal Plan Program	Total Prior year(s) Actuals \$	FY 22/23 YTD Actuals \$	Total Actuals \$	Total Approved Budget \$	Total yet To Spend \$	Budget Spent %	Scheduled Completion Date	Project Stage	On Time	On Budget	Status Update For Projects Not on Time or Not on Budget
Roads	Gravel Road Sealing	-	-	-	1,250,000.00	1,250,000.00	0.00%	Jun-23	Project Planning	Yes	Yes	Complex Design - Requires land acquisition. Had a meeting with Landowner. He is keen with proposal to move forward. Waiting for quote from valuers to do the valuation.
Roads	Road Safety Upgrades	-	268,835.28	268,835.28	500,000.00	231,164.72	53.77%	May-23	Project Planning	Yes	Yes	100% design received - Need to be assessed as estimate is approx. \$3.2M
Roads	Road Safety Upgrades - (other)	-	-	-	100,000.00	100,000.00	0.00%	Jan-23	Project Planning	Yes	Yes	Budget Allocated for school safety upgrades. School safety audit has been carried out by Cardno and reviewed by Council pending Corrective Action Report.
Roads	Road Safety - Intersection Upgrades	-	-	-	250,000.00	250,000.00	0.00%	Apr-23	Project Planning	Yes	Yes	Budget allocated for Power Road - Pioneer Road intersection upgrades. SOW is to Relocate a Power Pole, rehabilitate pavement, provide upgrade devices as per Road Safety audit conducted
Roads	Road Safety Upgrades - Shoulder Widening	-	-	-	100,000.00	100,000.00	0.00%	Apr-23	Project Planning	Yes	Yes	Priority list to be developed which will be completed in 2022, which will inform a 2023 Program.
Drainage	Drainage Renewal	-	-	-	200,000.00	200,000.00	0.00%	Nov-22	Project Planning	Yes	Yes	Priority List - Jarvis Road: WRM have delivered flood assessment and options to resolve. Options to be reviewed to determine best approach. / Priority List - Elizabeth Valley - Horsnell Road Intersection: WRM engaged to deliver flood assessment and options to resolve.
Drainage	Drainage Upgrade - Floodways	-	-	-	350,000.00	350,000.00	0.00%	May-23	Project Planning	Yes	Yes	Budget is part of a Carry Forward Project as per line 60. As per Carry Forward - RFQ21-297 Girraween Road Safety Upgrades - Byrne have submitted 75% of the Design.
Drainage	Drainage Upgrade - Flood Mitigation	-	-	-	350,000.00	350,000.00	0.00%	Jun-23	Project Planning	Yes	Yes	WRM Water & Environmental completing Flood modelling and option analysis Risk: Complex and expensive execution for minimal benefit. Note: May need project phases over the next few years, based on budget.

Class of Assets	Municipal Plan Program	Total Prior year(s) Actuals \$	FY 22/23 YTD Actuals \$	Total Actuals \$	Total Approved Budget \$	Total yet To Spend \$	Budget Spent %	Scheduled Completion Date	Project Stage	On Time	On Budget	Status Update For Projects Not on Time or Not on Budget
Buildings	Council Administration Building Renewal	-	-	-	80,000.00	80,000.00	0.00%	Feb-23	Project Planning	Yes	Yes	AC Assessment completed. SOW developed. Three quotes to be sourced.
Buildings	Thorak Cemetery Asset Renewal	-	-	-	83,000.00	83,000.00	0.00%	TBC	Project Planning	Yes	Yes	TRC AMP needs updating. As per current AMP works to be scheduled are painting of crematorium, new concrete beams for section F, repair of the concrete water tank, upgrade of turf in section F, existing irrigation upgrades and replacement of water bubbler. Quotes are being sought with works to be scheduled once quotes finalised., cashflow projections being determined. Forecasting Pending.
Buildings	Waste Transfer Station Renewal	-	-	-	35,000.00	35,000.00	0.00%	TBC	Project Planning	Yes	Yes	Replacement signage for WTS - Using to renew/revamp signage (consideration of electronic variable message board for HS and HD plus updating analogue board at BSWTS). Forecasting Pending. Replacement of compactor rails Forecasting Pending. Quotes in progress
Community	Freds Pass Reserve Asset Renewal	-	-	-	40,000.00	40,000.00	0.00%	TBC	Project Planning	Yes	Yes	Working with Freds Pass Sport Recreation Reserves and the 10 Year Master Plan (2018-2027) to identify renewal works required immediately
Community	Reserves Asset Renewal	-	-	-	40,000.00	40,000.00	0.00%	TBC	Project Planning	Yes	Yes	Identify works require across Council's recreation reserves based on Known Issues
Community	Reserve Building Renewal & Compliance	-	-	-	40,000.00	40,000.00	0.00%	TBC	Project Planning	Yes	Yes	Working with Asset management to identify works required to bring non-compliant building to the standards.
Fleet	Plant/Vehicle Replacement	-	-	-	610,000.00	610,000.00	0.00%	TBC	Project Planning	Yes	Yes	Based on the AMP. 8 fleet vehicles scheduled for replacement. 6 ordered and review of capacity requirements to be undertaken prior to ordering final two. Budget figure is inclusive of cemetery and waste vehicles /Replacement tractor ordered for backhoe. Expected delivery early 2023. Quotes in progress for replacement Iseki / PO created and

Class of Assets	Municipal Plan Program	Total Prior year(s) Actuals \$	FY 22/23 YTD Actuals \$	Total Actuals \$	Total Approved Budget \$	Total yet To Spend \$	Budget Spent %	Scheduled Completion Date	Project Stage	On Time	On Budget	Status Update For Projects Not on Time or Not on Budget
												machine ordered) serial No provided by supplier. Expect Delivery Feb 2023
Admin	Capitalisation of Salaries	-	-	-	306,000.00	306,000.00	0.00%	Jun-23	Ongoing	Yes	Yes	Finance Team - EOY Settlement
	Subtotal	-	268,835.26	268,835.26	6,417,429.00	6,148,593.74	4.19%					

CARRY FORWARDS FROM 2021/2022

Class of Assets	Municipal Plan Program	Total Prior year(s) Actuals \$	FY 22/23 YTD Actuals \$	Total Actuals \$	Total Approved Budget \$	Total yet To Spend \$	Budget Spent %	Scheduled Completion Date	Project Stage	On Time	On Budget	Status Update
Buildings	Buildings	-	11,235.20	11,235.20	113,395.37	102,159.80	9.91%	Nov-22	Delivery	No	Yes	Central Air conditioner replacement - Contract awarded. Unit has arrived but contractor has Covid. Due to commence the coming weeks. Garden Upgrade - In progress Disability Access: Installation of Sliding Glass Entry Doors at Litchfield Council Office.
Drainage	Drainage Renewal and Upgrades	-	-	-	157,500.00	157,500.00	0.00%	Jun-22	Discontinued	No	Yes	Decision was made not to upgrade, but to repair under maintenance budget.
		-	-	-	80,000.00	80,000.00	0.00%	TBC	Delivery	Yes	Yes	Floodway signage purchased with maintenance budget 2020\2021 MWF will install signs since the Floodway Identification and assessment has been completed which was awarded to Cardno now Stantec Pty Ltd.
		332,681.82	-	332,681.82	300,000.00	(32,681.82)	110.89%	Jun-22	Completed	Yes	Yes	Brougham Road Completed.

Class of Assets	Municipal Plan Program	Total Prior year(s) Actuals \$	FY 22/23 YTD Actuals \$	Total Actuals \$	Total Approved Budget \$	Total yet To Spend \$	Budget Spent %	Scheduled Completion Date	Project Stage	On Time	On Budget	Status Update
								Jun-22	Delivery	Yes	Yes	This is one of the Project which investigated by WRM Water & Environmental Pty Ltd Consultant. Flood modelling and option analysis received. Complex and expensive execution for minimal benefit. May need project phases. Over the next few year.
Pathways	Shared Pathway Program	4,241.41	-	4,241.41	20,000.00	15,758.59	21.21%	Jun-22	Delivery	Yes	Yes	RFQ22-320 Feasibility Study for shared path has been awarded Cardno now Stantec Pty Ltd and is underway. Project to be rolled over to 2022/2023
Pathways	Pathway Renewal	93,761.84	-	93,761.84	180,000.00	86,238.16	52.09%	Jun-22	Completed	Yes	Yes	Pathway completed.
Roads	Forward Planning & Design	80,381.85	35,066.80	115,448.65	350,000.00	234,551.35	32.99%	Jun-22	Delivery	Yes	Yes	Guys Creek Road Design - 60% Design Complete - ON HOLD Pending Land Acquisition Elizabeth Valley Road Floodway upgrade - To be released Thorngate Road Pavement Rehab - Awaiting agreement between defence and Council Whitewood Road Widening at Wadham Lagoon -100% of Design Complete. Various arterial roads intersection upgrades - To be released

Class of Assets	Municipal Plan Program	Total Prior year(s) Actuals \$	FY 22/23 YTD Actuals \$	Total Actuals \$	Total Approved Budget \$	Total yet To Spend \$	Budget Spent %	Scheduled Completion Date	Project Stage	On Time	On Budget	Status Update
Roads	Road Seal Renewal	351,098.81	-	351,098.81	1,921,154.85	1,570,056.04	18.28%	Sep-22	Delivery	No	Yes	Phase 1 Completed Phase 2 - Completed LRCI Phase 2 - Reseal Various Roads identified via condition-based Priority list - Tenders been awarded to Downer Edi Works Pty Ltd. Works will commence First week of Sept. Note: Works to be completed before Sept 2022 as per LRCI commitment (\$ 1611,662.43 to spend)
Roads	Gravel Road Sealing	64,088.16	-	64,088.16	500,000.00	435,911.84	12.82%	Jun-22	Project Initiation	No	Yes	60% design received to review pending due to Land Acquisition Conflict Design - Requires Land Acquisition from Lot 239 - 8062.3 m2 and Lot 1747 - 106.1 m2 Try to contact landowners but they are not available.
Roads	Productive Roads - Mango Roads	137,568.58	-	137,568.58	300,000.00	162,431.42	45.86%	Jun-22	Delivery	Yes	Yes	Road has been opened to traffic. Defects period expires 2 yrs. form handover date. Council contribution to project funding to be offset against preliminary design being negotiated with DIPL.
Roads	Road Safety Upgrades	163,800.97	53,115.00	216,915.97	579,545.00	362,629.03	37.43%	Apr-23	Planning	Yes	Yes	75% Design review submission. RFQ is being drafted. Seek Approval to re-obtain remaining funding BR1.
Buildings	Mira Square Development	-	-	-	150,000.00	150,000.00	0.00%	Oct-22	Delivery	No	Yes	Erection of Pre-fab frame work is in progress.
Buildings	Thorak Cemetery	68,530.36	-	68,530.36	80,000.00	11,469.64	85.66%	TBC	Delivery	Yes	Yes	Complete. But incorrect coding on some items require journals.

Class of Assets	Municipal Plan Program	Total Prior year(s) Actuals \$	FY 22/23 YTD Actuals \$	Total Actuals \$	Total Approved Budget \$	Total yet To Spend \$	Budget Spent %	Scheduled Completion Date	Project Stage	On Time	On Budget	Status Update
Community	Waste Transfer Station Renewal	65,525.25	-	65,525.25	80,000.00	14,474.75	81.91%	TBC	Delivery	Yes	Yes	Works completed.
Buildings	Reserve Building Renewal and compliance	-	-	-	20,000.00	20,000.00	0.00%	TBC	Planning	No	Yes	Audit details received - review in progress.
Buildings	Mira Square development	14,926.86	163,980.00	178,906.86	225,000.00	46,093.14	79.51%	Sep-22	Delivery	No	Yes	Erection of Pre-fab frame work is in progress.
Fleet	Waste Vehicle Replacement	98,214.30	-	98,214.30	355,000.00	256,785.70	27.67%	TBC	Delivery	Yes	Yes	PO has been raised pending backhoe.
Buildings	Community Hall	63,437.90	-	63,437.90	100,000.00	36,562.10	63.44%	Jan-22	Discontinued	No	Yes	Project funding has been allocated to LCRI Reseal various Roads.
Community	Thorak Cemetery - Irrigation Grant	86,875.00	5,540.00	92,415.00	153,805.00	61,390.00	60.09%	TBC	Delivery	Yes	Yes	Fully grant funded project, delays due to weather wet season and contractors secured other work. Negotiations currently being undertaken for works to be completed EOM September 2022.
Community	Water Fountain McMinns Lagoon	11,748.00	-	11,748.00	12,240.00	492.00	95.98%	May-22	Completed	Yes	Yes	Opening to be scheduled.
Fleet	Replacement Cage on Ranger Vehicle	32,315.40	-	32,315.40	40,000.00	7,684.60	80.79%	Mar-22	Completed	Yes	Yes	Replacement cage installed.
Mobile Workforce	Two spray Tank units (replacement)	-	-	-	25,000.00	25,000.00	0.00%	TBC	Delivery	Yes	Yes	MWF weed spraying units. Purchase orders complete.
Community	Humpty Doo Village Green irrigation	-	-	-	20,000.00	20,000.00	0.00%	TBC	Delivery	Yes	Yes	Delays due to wet season. Extension requested for finalisation.
		1,669,169.51	268,937.00	1,938,133.51	5,762,640.22	3,764,506.34	33.63%					

STATEMENT 3. MONTHLY BALANCE SHEET

BALANCE SHEET AS AT 31 AUG 2022	YTD Actuals \$	Note Reference*
ASSETS		
Cash at Bank		(1)
Tied Funds	19,322,404.30	
Untied Funds	2,034,695.74	
Accounts Receivable		
Trade Debtors	295,739.46	(2)
Rates & Charges Debtors	15,419,549.48	
Other Current Assets	128,201.51	
TOTAL CURRENT ASSETS	37,200,590.49	
Non-Current Financial Assets	10,295,259.70	
Property, Plant and Equipment	401,241,283.77	
TOTAL NON-CURRENT ASSETS	411,536,543.47	
TOTAL ASSETS	448,737,133.96	
LIABILITIES		
Accounts Payable	1,149,258.48 ⁸	(3)
ATO & Payroll Liabilities	(126,967.26) ⁹	(4)
Current Provisions	620,254.00	
Accruals	2,185,629.04 ¹⁰	
Other Current Liabilities	-	
TOTAL CURRENT LIABILITIES	3,828,174.26	
Non-Current Liabilities		
Non-Current Provisions	357,946.00	
Other Non-Current Liabilities	-	
TOTAL NON-CURRENT LIABILITIES	357,946.00	
TOTAL LIABILITIES	4,186,120.26	
NET ASSETS	444,551,013.70	
EQUITY		
Asset Revaluation reserve	407,924,331.15	
Reserves	21,261,607.72	
Accumulated Surplus	15,365,074.83	
TOTAL EQUITY	444,551,013.70	

⁸ Includes security deposits and Thorak Cemetery Exclusive rights payments received in advanced

⁹ GST receivables for the month of Aug-22

¹⁰ Includes overpaid rates payment \$1.1m

Note 1 : Details of Cash and Investments Held

Investment Schedule

Council invests cash from its operational and business maxi accounts to ensure Council is receiving the best return on its cash holdings. Councils Investment Policy – FIN14 instates controls regarding the credit quality on the entire portfolio.

Counter Party	Date Invested	Invested Amount	Interest rate	Maturity Date	Days Invested	Institution Totals	% Counter party	Expected return to Maturity Date
Bendigo (S&P A2)	2/05/2022	1,000,000.00	2.15%	10/01/2023	253	2,000,000.00	10.35%	14,902.74
Bendigo (S&P A2)	10/08/2022	1,000,000.00	3.40%	4/04/2023	237			22,076.71
Commonwealth (S&P A1+)	9/02/2022	2,000,000.00	0.56%	26/10/2022	259	8,822,404.30	45.66% ¹¹	7,947.40
Commonwealth (S&P A1+)	22/02/2022	2,000,000.00	0.61%	8/11/2022	259			8,656.99
Commonwealth (S&P A1+)	5/04/2022	322,404.30	1.25%	13/01/2023	283			3,124.67
Commonwealth (S&P A1+)	11/05/2022	1,000,000.00	2.54%	24/01/2023	258			17,953.97
Commonwealth (S&P A1+)	11/05/2022	1,000,000.00	2.64%	7/02/2023	272			19,673.42
Commonwealth (S&P A1+)	24/05/2022	1,000,000.00	2.62%	21/02/2023	273			19,596.16
Commonwealth (S&P A1+)	5/07/2022	1,500,000.00	3.48%	21/03/2023	259			37,040.55
NAB (S&P A1+)	24/11/2021	1,500,000.00	0.48%	6/09/2022	286	8,500,000.00	43.99%	5,641.64
NAB (S&P A1+)	8/12/2021	1,500,000.00	0.57%	20/09/2022	286			6,699.45
NAB (S&P A1+)	21/01/2022	1,000,000.00	0.61%	12/10/2022	264			4,412.05
NAB (S&P A1+)	10/03/2022	1,000,000.00	0.85%	22/11/2022	257			5,984.93
NAB (S&P A1+)	29/04/2022	1,000,000.00	1.79%	6/12/2022	221			10,838.08
NAB (S&P A1+)	29/04/2022	1,000,000.00	1.85%	20/12/2022	235			11,910.96
NAB (S&P A1+)	22/06/2022	500,000.00	3.37%	7/03/2023	258			11,910.41
NAB (S&P A1+)	23/08/2022	1,000,000.00	3.59%	18/04/2023	238			23,408.77
TOTAL INVESTMENTS		19,322,404.30				19,322,404.30	100%	231,778.90
% of Total Investment Portfolio	A1 & A1+ (max 100%)	90%		A2 (max 60%)	10%		100%	

Total Investments/ Tied Funds	\$ 19,322,404.30	Total Year to date Investments Earnings	\$ 48,129.14
General Bank Funds	\$ 2,033,420.74		
Council Till and Petty Cash float	\$1,275.00		
Total all Funds	\$ 21,357,100.04		

¹¹ Withdrawal of recent term deposit changes councils Counterparty credit framework percentage and makes the organisation non-compliant by 0.66%. This will be corrected when the next investment comes due in mid-Sept.

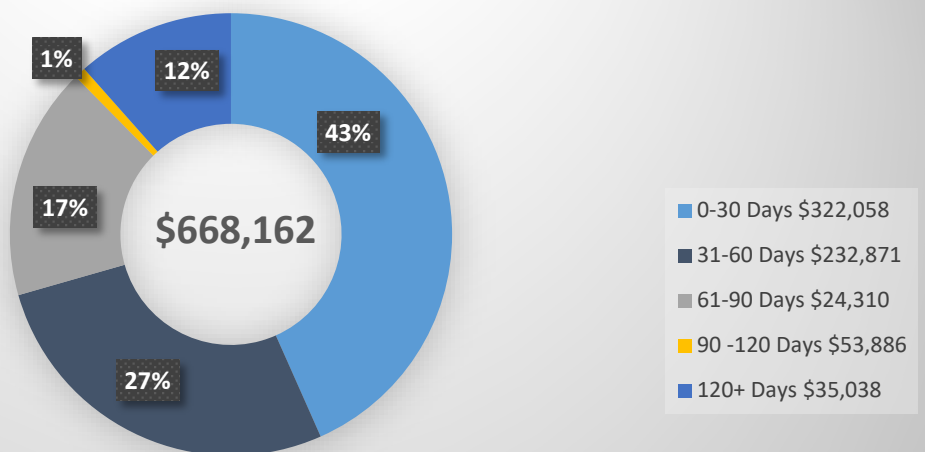
Note 2: Statement of Trade Debtors

Total Debtors as of 31 Aug 2022 is \$668,162. Sundry debtor of \$422,625.25 includes \$190,800 related to NT concession, \$182,374 relates to invoice raised for development contribution fee and \$50,233 relates to a regulatory services order. Currently, the amount of \$1,746 is outstanding for more than 90 days. Being the on charge of legal fees relating to regulatory services order and statutory charges placed over properties. The remaining \$308.54 relates to sundry debtors. Follow-up is continuing to settle the outstanding.

Fines and Infringements - Council has one hundred and eighty-one (181) infringements outstanding with a balance of \$41,796, a decrease of \$1,989 from July. Seven (7) are newly issued, eight (8) have received reminders, and one hundred and sixty-six (166) are with the Fines Recovery Unit (FRU) .

Age of Trade Debtors:	Current	Past Due 1-30 Days	Past Due 31-60 Days	Past Due 61-90 Days	Past Due 90+ Days	Total
Sundry Debtor	182,374.03	190,884.84	(3,000.00)	50,620.38	1,746.00	422,625.25
Cemetery	5,088.00	40,321.33	24,445.22	-	-	69,854.55
Waste	-	416.90	-	20.00	296.61	733.51
Recreation Reserves	1,862.55	653.54	850.75	784.19	11.93	4,162.96
GST Receivable	128,989.67	-	-	-	-	128,989.67
Infringements	3,744.00	594.00	2,014.00	2,461.00	32,983.55	41,796.55
Total	322,058.25	232,870.61	24,309.97	53,885.57	35,038.09	668,162.49¹²

Trade Debtors - Outstanding by Age



¹² Includes GST receivable from note 3 and difference between Balance Sheet Note 2 and above: An issue in Authority calendar; 31082022 recognise as period 3.

Note 3: Statement of Trade Creditors

Age of Trade Creditors:	Current	Past Due 1-30 Days	Past Due 31-60 Days	Past Due 61-90 Days	Past Due 90+ Days	Total
General	37,104.65	-	-	-	-	37,104.65
Cemetery	3,792.33	-	-	-	-	3,792.33
Total	40,896.98	-	-	-	-	40,896.98

Note 4: Statement on Australian Tax Office, Payroll and Insurance Obligations

Age of Trade Creditors:	Current	Past Due 1-30 Days	Past Due 31-60 Days	Past Due 61-90 Days	Past Due 90+ Days	Total
GST Creditor	16.74	-	-	-	(250.60)	(233.86)
Payroll- Superannuation	-	-	-	-	-	-
Total	16.74	-	-	-	(250.60)	(233.86)

Financial Reserves 2022

	2020/21 Actuals \$	2021/2022 Net Movement \$	2021/22 Budget \$
Externally Restricted			
Developer Contribution Reserve	256,908.00	(27,443.00)	229,465
Unexpended Grants / Contributions	0.00	0.00	0.00
Unexpended Capital Works	641,694.00	(641,694.00)	0.00
Total Externally Restricted Reserves	898,602.00	(669,137.00)	229,465
Asset Reserve	12,154,043.00	(2,259,894.61)	9,894,148.39
Waste Management Reserve	4,840,323.00	(512,705.66)	4,327,617.34
Thorak Regional Cemetery Reserve	1,009,037.00	271,648.74	1,280,685.74
Election Reserve	100,000.00	0.00	100,000.00
Disaster Recovery Reserve	500,000.00	100,000.00	600,000.00
Strategic Initiatives Reserve	500,000.00	(100,000.00)	400,000.00
ICT Reserve	0.00	0.00	0.00
Total Internally Restricted Reserves	19,103,403.00	(2,500,951.53)	16,602,451.47
TOTAL RESERVES	20,002,005.00	(3,170,088.53)	16,831,916.47

Outstanding Rates

Prior Year Rates

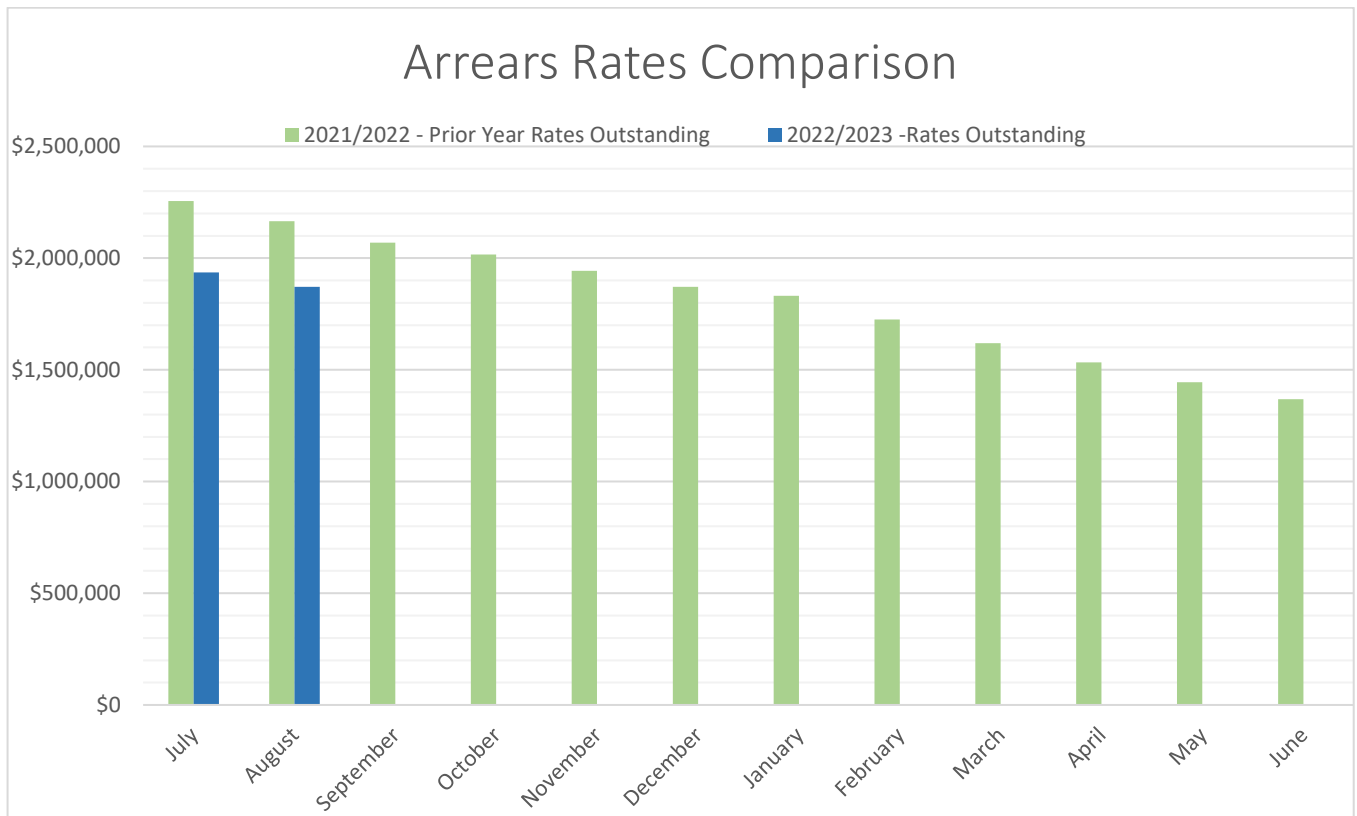
The below table illustrates the split of prior year outstanding rates, currently at \$1.9 million.

Council is prioritising rates collection and taking steps to promote awareness among ratepayers on obligations and implications of unpaid Rates and Charges, ensuring rates collectible remains at acceptable levels as Council fulfils its Municipal Plan targets to remain financially sustainable.

The table below shows the balance of the prior year rates as at the beginning of the financial year, last month and the current month.

	End of 2021/22 Prior Years Rates Outstanding (\$)	Previous Month (July 2022) (\$)	Current Month (August 2022) (\$)
COMMERCIAL	27,166.09	31,667.34	32,021.39
GAS PLANT	40.67	824.06	834.85
MINING	122,287.31	136,024.35	136,972.12
HORTICULTURE AGRICULTURE	64,689.41	78,038.72	77,829.20
NON-RATEABLE GENERAL	16,870.81	17,400.47	30,474.18
NON-RATEABLE WASTE	31,713.64	33,878.88	34,095.20
PASTORAL	-	-	-
RURAL RESIDENTIAL	879,468.74	1,364,469.52	1,325,506.65
URBAN RESIDENTIAL	226,316.31	273,343.65	264,321.70
TOTAL	1,368,552.98	1,935,646.99	1,902,055.29
Arrears LESS Legal	1,146,232.20	1,713,326.21	1,679,734.51

The graph below compares prior year rates between 2021/22 and 2022/23 financial years.



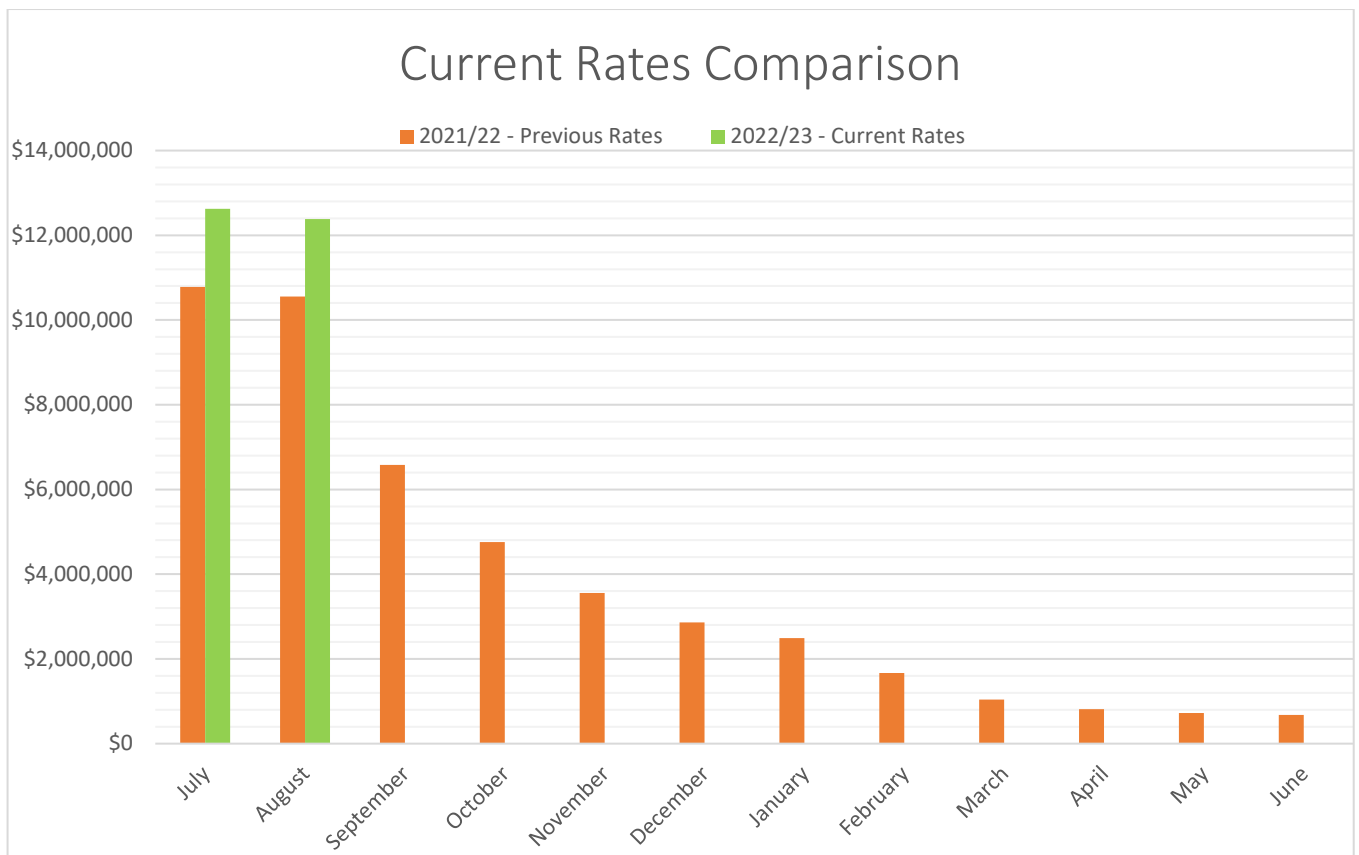
Current Year Rates

The below table illustrates the split of current year outstanding rates. Current year rates levied total \$13.6m. The below figure of \$12.6m takes into account some accounts that are in credit.

The table below shows the movement in current year rates compared to last month.

	Previous Month (July 2022) (\$)	Current Month (August 2022) (\$)	Variance (\$)	Due Dates
Instalment 1	4,047,263.24	3,966,168.47	81,094.77	30-Sep-22
Instalment 2	4,236,436.28	4,149,743.86	86,692.42	30-Nov-22
Instalment 3	4,339,458.39	4,267,577.16	71,881.23	28-Feb-23
TOTAL	12,623,157.91	12,383,489.49	239,668.42	

The graph below compares annual rates between 2021/22 and 2022/23.



Accounts Payable Report

Cheque No.	Payee	Description	Amount (\$)
1326.273-01	BENDIGO BANK (INVESTMENTS)	Term Deposit - Maturity Date: 04 Apr 23	450,000.00
1329.67-01	JARDINE LLOYD THOMPSON PTY LTD	Insurance Renewals for JLT Insurance Discretionary Trust & NT Litchfield Council Discretionary Trust 22 / 23	322,883.15
1327.1583-01	A1 PLANT AND CIVIL	Driveway and Drainage Repairs and Guard Rail Repairs - Various Locations Litchfield Council Municipality	221,959.41
1329.2262-01	ADASROOFING & CONSTRUCTION	Construction of Mira Square Road - New Community Building	180,378.00
1329.1583-01	A1 PLANT AND CIVIL	Driveway and Drainage Repairs and Guard Rail Repairs - Various Locations Litchfield Council Municipality	157,584.84
1324.409-01	F & J BITUMEN SERVICES PTY LTD	Roads Reseal - Various Locations, Litchfield Council Municipality	73,759.40
1331.280-01	CITY OF DARWIN	Aug 2022 - Waste Transfer from HS, BS and HD Waste Stations to Shoal Bay Receiving Station	65,201.96
1327.1884-01	WESTPAC BANK - QUICK SUPER ACCOUNT	WBC Quick Super Payment- Cyc 1 Pay 02 WE: 10 Aug 22	55,602.19
1331.374-01	AUSTRALIAN TAXATION OFFICE (ATO)	PayG Payable Pay 4 (22/23) - Cycle 1 WE: 25 Aug 22	53,579.00
1329.2440-01	STANTEC AUSTRALIA PTY LTD	RFQ21-298 - Litchfield Whitewood Road	52,468.02
1327.374-01	AUSTRALIAN TAXATION OFFICE (ATO)	PayG Payable Pay 3 (22/23) - Cycle 1 WE: 10 Aug 22	49,362.00
1331.1583-01	A1 PLANT AND CIVIL	Driveway and Drainage Repairs and Guard Rail Repairs - Various Locations Litchfield Council Municipality	48,968.04
1329.70-01	LOCAL GOVERNMENT ASSOCIATION NT	LGANT - Annual Membership Subscriptions 22 / 23	33,721.16
1331.514-01	VEOLIA ENVIRONMENTAL SERVICES	Jul 2022- Waste Transfer from HD, BS and HS Waste Stations to Shoal Bay Receiving Station	33,316.26
1324.1583-01	A1 PLANT AND CIVIL	Driveway and Drainage Repairs and Guard Rail Repairs - Various Locations Litchfield Council Municipality	31,121.79
1330.67-01	JARDINE LLOYD THOMPSON PTY LTD	Insurance Renewals for JLT Insurance Discretionary Trust & NT Litchfield Council Discretionary Trust 22 / 23 - Thorak	28,076.80
1331.770-01	HAYS SPECIALIST RECRUITMENT (AUST) PTY LTD	Recruitment	25,080.00
1331.1884-01	WESTPAC BANK - QUICK SUPER ACCOUNT	WBC Quick Super P/ment- Cyc 1 Pay 04 WE: 23 Aug 22	24,421.66
1331.2386-01	NO PROBLEMS JUST SOLUTIONS PTY LTD	Professional Surveying Services - Traffic Management, Potholing & Rectification of Roads	24,002.00
1329.638-01	TOP END HYDRAULIC SERVICES PTY LTD	Maintenance of Compactor - RFQ-11388	23,888.68
1324.162-01	CIVICA PTY LTD	Authority Program - Licence Fee	18,461.30
1327.577-01	ARJAYS SALE & SERVICE PTY LTD	Guard Rail Repairs - Finn Road	17,182.00
1324.2348-01	D OMEGA CIVIL CONSTRUCTIONS	Driveway Upgrades - Various Locations, Litchfield Council Municipality	16,753.00
1327.2348-01	D OMEGA CIVIL CONSTRUCTIONS	Driveway Upgrades - Various Locations, Litchfield Council Municipality	15,318.60
1324.2415-01	SMEC	Litchfield Council Pavement Repairs - Various Locations Litchfield Council Municipality	15,303.20
1324.2474-01	LITCHFIELD RATEPAYER	Rates Refund	12,960.58

Cheque No.	Payee	Description	Amount (\$)
1329.2482-01	LITCHFIELD RATEPAYER	Rates Refund	12,906.26
1329.1890-01	CLARE CONSTRUCTION & CIVIL PTY LTD	Clear and Clean Drains/Culverts - Various Locations Litchfield Council Municipality	12,375.00
1327.162-01	CIVICA PTY LTD	Authority Program - Licence Fee	12,063.43
1331.1564-01	FOURIER TECHNOLOGIES PTY LTD	Onsite Tech Support Fourier	11,183.34
1324.2466-01	POATINA PTY LTD	Rates Refund	11,082.80
DD120822	WESTPAC CARDS & DIRECT DEBITS	Jul 2022 - Credit Card Purchases Litchfield Council Officers	10,991.21
1324.926-01	JACANA ENERGY	Apr / Jun 2022 - Unmetered Streetlighting Various Locations Litchfield Council Municipality	10,941.46
1329.849-01	WEX AUSTRALIA (PUMA CARD)	Jul 2022 - Litchfield Council Fuel Account	9,511.71
1327.1068-01	MR D S BARDEN	July 2022 - Elected Member Allowances	8,108.97
1324.1829-01	PACESETTER SERVICES PTY LTD	Authority - CVR Assistance and Training	7,920.00
1329.1646-01	TROPPO GARDENS	Council Office Landscape Upgrade - Rear Garden	7,590.00
1324.1361-01	BENTLEY MCGUINNESS MEDIA PTY LTD	Media Training for Elected Members and Travel	7,400.00
1324.867-01	ALL ASPECTS RECRUITMENT & HR SERVICE	Temp Staff - Waste Station WE: 27 Jul 22	6,708.34
1325.2024-01	CROSS SOLUTIONS	Landscape and Irrigation -Thorak Cemetery	6,094.00
1332.2188-01	GTG IRRIGATION & LANDSCAPING PTY LTD	Irrigation Repairs - Thorak Cemetery	6,061.50
1328.2049-01	AJ SECURITY DARWIN	Jul 2022 - Security Open and Lock Up Thorak Cemetery	5,524.64
1328.183-01	CHRIS'S BACKHOE HIRE PTY LTD	Jul 2022 - Grave Preparation Thorak Cemetery	5,148.00
1327.867-01	ALL ASPECTS RECRUITMENT & HR SERVICE	Temp Staff - Waste Station WE: 29 Jun 2022	5,088.83
1324.2473-01	LITCHFIELD RATEPAYER	Rates Refund	4,935.93
1327.2039-01	ROUSSOS LEGAL ADVISORY	Legal Advice for Workplace Matter	4,504.50
1332.314-01	DARWIN FUNERAL SERVICES	Darwin Funeral Services - Cremation and Collection	4,500.00
1327.87-01	TOP END LINEMARKERS PTY LTD	Provision for Traffic Control - Thorak Cemetery	4,003.60
1331.2073-01	AIRCON RESCUE NT PTY LTD	Aircon Diagnose and Repairs	3,993.00
1329.1851-01	DIVERSIFIED (AUST) PTY LTD	AV Chambers Project - Additional Microphone	3,780.41
1324.2440-01	STANTEC AUSTRALIA PTY LTD	Jul 2022- Litchfield Schools RSA	3,767.50
1331.757-01	WILLOUGHBY & ASSOCIATES PTY LTD	Investigation of Code of Conduct	3,723.50
1331.867-01	ALL ASPECTS RECRUITMENT & HR SERVICE	Temp Staff - Waste Station WE: 17 Aug 2022	3,697.11

Cheque No.	Payee	Description	Amount (\$)
1331.78-01	POWER & WATER CORPORATION	Jul - Aug 2022 - Water for Litchfield Council	3,292.66
1330.314-01	DARWIN FUNERAL SERVICES	Darwin Funeral Services - Cremation and Collection	3,220.00
1329.1564-01	FOURIER TECHNOLOGIES PTY LTD	Jul 2022 - Upgrade RAM in Host Servers	3,144.46
1329.506-01	TURBO'S TYRES	Servicing and Tyres for Mobile Workforce Machines and Mowers	3,127.16
1324.1253-01	CRAIG BURG DORF	Repairs and Maintenance to Cat 428F Howard Spring Waste Transfer Station	3,077.01
1327.2478-01	MR P O'LEARY	Refund of Overpayment	3,000.00
1324.924-01	OUTBACK TREE SERVICE	Tree Maintenance - KLRR - Vehicle Clearance	2,970.00
1329.78-01	POWER & WATER CORPORATION	Jun / Jul 2022 - Water for Howard Spring Waste Transfer Station	2,900.62
1327.2252-01	MRS E SHARP	July 2022 - Elected Member Allowances	2,828.95
1327.1253-01	CRAIG BURG DORF	Repairs and Maintenance to Cat 428F BSWTS	2,583.49
1329.926-01	JACANA ENERGY	Jul 2022- Electricity for HSWTS Lot 1916	2,329.87
1327.2249-01	MS R A WRIGHT	July 2022 - Elected Member Allowances	2,277.30
1327.498-01	MR M I G SALTER	July 2022 - Elected Member Allowances	2,277.30
1330.1412-01	HAPPIER ENDING FUNERALS	Refund of Overpayment of INV: 8295	2,189.00
1325.2316-01	KYAM ELECTRICAL PTY LTD	Supply and Installation of Ceiling Fans at Thorak Cemetery	2,178.00
1327.2239-01	MR M SIDEY	July 2022 - Elected Member Allowances	2,057.30
1327.1581-01	SALARY PACKAGING AUSTRALIA	Salary Sacrifice for LC Employees WE: 10 Aug 2022	2,005.94
1331.1581-01	SALARY PACKAGING AUSTRALIA	Salary Sacrifice for LC Employees WE: 24 Aug 2022	2,005.94
1331.1329-01	AERTEX GROUP PTY LTD	Jul 2022 - Brougham Road Signage & Delineation Hire	2,002.00
1324.639-01	CAPTOVATE PTY LTD	Jul 2022 - Digital Marketing Service Level Agreement	2,000.00
1327.639-01	CAPTOVATE PTY LTD	Aug 2022 - Digital Marketing Service Level Agreement	2,000.00
1329.708-01	PARADISE LANDSCAPING	Various Tree Work at Litchfield Council Municipality	1,980.00
1327.14-01	AUSTRALIA POST	Dog Registration Renewal Letters Postage	1,950.28
1331.2169-01	KILLARA SERVICES (NETRONIX PTY LTD)	Aug 2022 - Cleaning Litchfield Council Offices and Thorak Cemetery Office and Chapel	1,902.09
1331.367-01	BUNNINGS GROUP LIMITED	Consumable Hardware Items - Reserves	1,816.97
1327.2481-01	TERRITORY SPORTSMEDICINE	Ergonomic Assessment Programme	1,815.00
1329.867-01	ALL ASPECTS RECRUITMENT & HR SERVICE	Temp Staff - Waste Station WE: 10 Aug 202	1,794.17

Cheque No.	Payee	Description	Amount (\$)
1327.2270-01	TYRECYCLE PTY LTD	Removal & Recycling of Tyres at Various Waste Transfer Stations	1,777.31
1329.794-01	TOP END R.A.C.E.	Reactive Street Light Maintenance - Various Litchfield Council Locations	1,770.18
BPAY284	DEPARTMENT OF INFRASTRUCTURE, PLANNING AND LOGISTIC	Cost Recovery for Urgent Traffic Control	1,709.95
1330.926-01	JACANA ENERGY	Jul 2022- Electricity for KLRR Lot 2734	1,638.30
1327.2238-01	MR K R HARLAN	July 2022 - Elected Member Allowances	1,617.30
1331.1141-01	NORTHERN GROUND MAINTENANCE (ANNACAM INDUSTRIES)	Jul 2022 - Mowing Service KLRR	1,595.00
1329.367-01	BUNNINGS GROUP LIMITED	Consumable Hardware Items - Waste Station	1,576.60
1327.2253-01	MR A MACKAY	July 2022 - Elected Member Allowances	1,567.30
1329.1728-01	BRAINIUM LABS	Annual Fee - Website Hosting 22 / 23	1,560.00
1329.1088-01	TALENT PROPELLER	Advertising for Manager People and Performance	1,540.00
1327.170-01	NTRS (NT RECYCLING SOLUTIONS)	Jul 2022 - Recycling Collected HD, BS and HS Waste Stations & Litchfield Council	1,526.29
1327.1324-01	JKW LAW PRACTICE PTY LTD	Legal Advice - Waste Transportation - Litchfield Council	1,485.00
1327.512-01	SELTHER SHAW PLUMBING PTY LTD	Repair to Toilet Damage at HPRR	1,450.69
1331.2395-01	MAITAI SERVICES (TAMINMIN CANTEEN)	Catering Services for Litchfield Council Programmes	1,428.00
1327.1471-01	RICOH AUSTRALIA PTY LTD	Jun 2022 - MWF & Waste Photocopier Consumables	1,398.91
1327.194-01	EXPERT CLEANING SYTEMS NT	July 2022 - Cleaning HDVG	1,329.70
1332.941-01	EVERLON BRONZE	Thorak - Plaque for Thorak Cemetery Customer	1,326.05
1331.1047-01	REMOTE AREA TREE SERVICES PTY LTD	Tree Maintenance Works - Various Locations of Litchfield Council	1,320.00
1327.1847-01	HUMPTY DOO HORTICULTURAL SERVICES	Jun / Jul 2022 - Grounds Maintenance HDVG	1,305.00
1327.51-01	SOUTHERN CROSS PROTECTION PTY LTD	Jun 2022 - Patrol Service for HDWTS & Litchfield Council Office	1,266.21
1328.926-01	JACANA ENERGY	Jun 2022- Electricity for KLRR Lot 2734	1,218.73
1327.1674-01	FRESH START - FOR CLEANING	HPRR Cleaning WE: 05 Aug 2022	1,211.25
BPAY286	DEPARTMENT OF INFRASTRUCTURE, PLANNING AND LOGISTIC	22 / 23 Subscription NTG Digital Spatial Data	1,208.33
1329.1471-01	RICOH AUSTRALIA PTY LTD	Jul 2022 - Photocopier Consumables Taminmin Library	1,193.77
BPAY283	DEPARTMENT OF ATTORNEY GENERAL & JUSTICE	Aug 2022 - FRU Fines Enforcement Fee	1,166.00
1327.130-01	MOBILE LOCKSMITHS	Call Out for Additional Key Cut at HDVG	1,149.50
1329.1231-01	CROWN EQUIPMENT PTY LTD	Repairs and Maintenance of Forklift at HDWTS	1,119.68

Cheque No.	Payee	Description	Amount (\$)
1324.2472-01	LITCHFIELD RESIDENT	Refund of Overpayment	1,096.00
1332.2089-01	ELGAS LTD	Weekly Gas Delivery WE: 08 Jun 2022	1,095.22
1327.1394-01	DIAL BEFORE YOU DIG AUSTRALIA	July 22 / 23- Membership Fees	1,076.54
1327.2480-01	MR KEVAN MCRAE	Refund of Overpayment	1,044.00
1328.2089-01	ELGAS LTD	Weekly Gas Supply - Thorak Cemetery WE: 27 Jul 2022	1,022.52
1328.1695-01	MICHAEL RILEY - FULL MOBILE MECHANIC	JCB - Repairs And Maintenance	1,019.43
1331.1152-01	LANE COMMUNICATIONS	Ezybill DL - Dog Renewals - 22 / 23	994.64
1329.1674-01	FRESH START - FOR CLEANING	KLRR Cleaning WE:10 Aug 2022	945.00
1331.1552-01	COMICS NT	Assorted Books for Taminmin Library Content	945.00
1330.2089-01	ELGAS LTD	Weekly Gas Supply - Thorak Cemetery WE: 03 Aug 2022	944.50
1328.2477-01	ECO-TREAT SOLUTIONS PTY LTD	Hire of Truck - Septic Tank - Thorak Cemetery	925.00
1329.512-01	SELTOR SHAW PLUMBING PTY LTD	Call Out for Valve Test at HPRR, HDVG & KLRR	924.00
1327.2188-01	GTG IRRIGATION & LANDSCAPING PTY LTD	Repairs to Irrigation at Howard Spring Recreational Reserve	907.50
1327.1611-01	AMAZING DRUMMING MONKEYS	School Holiday Activity for Taminmin Library	825.00
1331.926-01	JACANA ENERGY	Jul / Aug 2022 - Electricity for HSWTS Lot 4431 & 2177	728.54
1329.31-01	TOP END SIGN SALES	Signage for Dangerous Dog Warning	715.00
1325.158-01	NT ELECTRICAL GROUP	Replacement of Valve on Incinerator Thorak Cemetery	660.00
1329.1858-01	BUSH TO BEACH	Taminmin School Holiday Program Activity	640.00
1327.508-01	EASA	Jul 2022 - EAP Counselling Sessions	625.58
1328.132-01	AIRPOWER NT PTY LTD	Kubota Service - JC72318 - 100hr	615.87
1331.2164-01	SCOUT TALENT PTY LTD	Jul 2022 - E-Learning Monthly Subscription	595.98
1331.1674-01	FRESH START - FOR CLEANING	HPRR Cleaning WE: 21 Aug 2022	585.00
1329.1008-01	OUTBACK BATTERIES PTY LTD	Replacement Battery for Isuzu D-Max V	584.00
1327.506-01	TURBO'S TYRES	Service Litchfield Council Isuzu D-Max V	555.17
1327.2271-01	NT COMPRESSED AIR	Repairs on-site at HDWTS & HSWTS to Machine Air Compressed	528.00
1331.874-01	VTG WASTE & RECYCLING	Aug 2022 - HDVG, KLRR & HPRR VTG Waste Collection	521.37
1332.1412-01	HAPPIER ENDING FUNERALS	Transportation of Deceased to Thorak Cemetery	498.00

Cheque No.	Payee	Description	Amount (\$)
1327.2397-01	TOWING NT (R D FLOATS)	Tow x 3 HDWTS to Grays Online Pinelands	495.00
1325.2089-01	ELGAS LTD	Weekly Gas Delivery for Thorak WE: 20 Jul 2022	472.99
1327.2479-01	LITCHFIELD RESIDENT	Refund of Overpayment	469.00
1327.205-01	SAFeway TEST & TAG (DAVID MILNER)	Test and Tag Equipment - BSWTS, HDWTS & HSWTS	456.50
1331.1274-01	GRACE RECORD MANAGEMENT (AUSTRALIA)	Jul 2022 - Litchfield Council Archive Storage	452.96
1324.1405-01	GROSEY'S CAR DETAILING	Full Detail - Isuzu Mux - Vehicle Handover	450.00
00413304	LITCHFIELD COUNCIL PETTY CASH	Jul 2022 - Reimbursement of Litchfield Council Petty Cash	411.80
1331.1398-01	MERIT CHARTERED ACCOUNTANTS	Professional Charges for Calculation of Termination Payment & PayG	396.55
1327.1211-01	MR G S MAYO	Jul 2022 - Litchfield Council Weekend Pound Clean	360.00
1324.522-01	FARMWORLD NT PTY LTD	Replacement of Electrical Fitting - MWF	357.26
1324.61-01	GREENTHEMES INDOOR PLANT & HIRE	Aug 2022 - Indoor Plant Hire Litchfield Council Offices	338.50
1331.1143-01	WORKPRO (RISK SOLUTIONS AUSTRALIA)	Jul 2022 - Police Check for New Litchfield Council Employees	302.50
1329.2483-01	LITCHFIELD COUNCIL RATEPAYER / RESIDENTS DEPENDENT	Community Grant - NT Rugby Representative U16's Boys	300.00
1327.28-01	RURAL FIRE PROTECTION	Service of Fire Equipment - HSWTS, BSWTS & HDWTS	299.20
BPAY282	ACMA - AUSTRALIAN COMMUNICATIONS & MEDIA AUTHORITY	Jul 2022 - Radio License Renewal	287.00
1329.1040-01	SUPERCHEAP AUTO	Assorted Consumable Products - MWF	272.40
1324.1330-01	PAWS DARWIN LTD	Aug 2022 - Impound Transfer	260.00
1324.560-01	JOBFIT HEALTH GROUP PTY LTD	Pre-Employment Check for New Litchfield Council Employee	256.30
1327.560-01	JOBFIT HEALTH GROUP PTY LTD	Pre-Employment Check for New Litchfield Council Employee	256.30
1329.560-01	JOBFIT HEALTH GROUP PTY LTD	Pre-Employment Check for New Litchfield Council Employee	256.30
1331.560-01	JOBFIT HEALTH GROUP PTY LTD	Pre-Employment Check for New Litchfield Council Employee	256.30
1324.367-01	BUNNINGS GROUP LIMITED	Consumable Hardware Items - Thorak Cemetery	243.21
1331.1335-01	CITY RURAL REFRIGERATION AND APPLIANCES	Repairs to Freezer - MWF	242.00
1327.2378-01	PACK & SEND DARWIN	Taminmin Library Courier Service WE: 30 Jul 2022	240.00
1327.78-01	POWER & WATER CORPORATION	Standpipe Water Cards for MWF Crews	239.61
1329.1566-01	WINC AUSTRALIA PTY LTD	Stationary - Consumables and Fixed Items Litchfield Council	236.85
1327.926-01	JACANA ENERGY	Jun / Jul 2022 - Electricity HDVG Lot 1799	234.08

Cheque No.	Payee	Description	Amount (\$)
1327.663-01	ACCESS HARDWARE (NT) PTY LTD	Service Lock Out at HPRR	231.00
1332.514-01	VEOLIA ENVIRONMENTAL SERVICES	Jul 2022 - Waste Collection Thorak Cemetery	229.42
BPAY285	ACMA - AUSTRALIAN COMMUNICATIONS & MEDIA AUTHORITY	Licence Renewal - HSWTS to Manton Dam Site	219.00
1329.450-01	HUMPTY DOO VETERINARY HOSPITAL PTY LTD	Aug 2022 - De-sexing Voucher Redemption	200.00
1325.752-01	TOTALLY WORKWEAR PALMERSTON	PPE for Thorak Cemetery Employee	198.00
1327.1186-01	ADVANCED SAFETY SYSTEMS AUSTRALIA PTY LTD	Aug 2022 - ASSA Monthly Membership	181.50
1328.941-01	EVERLON BRONZE	Plaque Request for Thorak Cemetery Customer	181.50
1325.85-01	TELSTRA	July 2022 -Thorak & LC Internet, Data and Mobile	176.43
1329.1023-01	AUSLINE ENGINEERING	Fabricate Fork Tines Loader - New Tractor	165.00
1332.928-01	RSEA PTY LTD	PPE- Safety Boot Lace Up - Thorak Employee	159.19
1327.2063-01	QUALITY INDOOR PLANTS HIRE (LEE FAMILY PTY LTD)	May 2022 - Plant Hire Taminmin Library	156.00
1329.565-01	CURBY'S (NT) PTY LTD	Desk Plaque - Stephen Hoyne - CEO	132.70
1327.1697-01	RSPCA	Aug 2022 - Transfer of Impounded Dogs	130.00
1327.874-01	VTG WASTE & RECYCLING	Jul 2022 - Waste Collection Litchfield Council	128.92
1327.367-01	BUNNINGS GROUP LIMITED	Consumable Hardware Items - Thorak Cemetery	124.94
1331.2486-01	LITCHFIELD RESIDENT	Employee Reimbursement for Goods and Services Purchased for Litchfield Council	121.27
1324.1674-01	FRESH START - FOR CLEANING	KLRR Cleaning WE: 27 July 2022	112.50
1329.874-01	VTG WASTE & RECYCLING	Aug 2022 - Waste Collection Litchfield Council	111.10
1324.940-01	ABG PTY LTD	Rego Check for JCB Backhoe SV 3127	110.00
1324.2476-01	LITCHFIELD RESIDENT	Refund for Animal Trap Hire	105.00
1327.828-01	HOWARD SPRINGS VETERINARY CLINIC	Euthanasia and Disposal of Dogs	100.00
1331.1220-01	GIRRAWEE VETERINARY HOSPITAL	Aug 2022 - Redemption of Desexing Voucher	100.00
1328.287-01	HARVEY DISTRIBUTORS	Consumable Thorak Cemetery	91.78
1325.1946-01	REECE PTY LTD	Replacement Tap wear for Thorak Cemetery	80.24
1325.220-01	THE BIG MOWER	Replacement Blades for Thorak Mowers	63.90
1330.851-01	OFFICEWORKS	Stationary Replenishment for Thorak Cemetery	63.89
1324.2469-01	LITCHFIELD RESIDENT	Refund of Key Deposit KLRR	55.10

Cheque No.	Payee	Description	Amount (\$)
1327.2468-01	LITCHFIELD RESIDENT	Refund for Key Deposit	55.10
1329.1294-01	DARWIN LAUNDRIES (CLEAN FUN PTY LTD)	Wash, Dry and Iron Tablecloths	55.00
1327.1344-01	PROSEGUR AUSTRALIA PTY LTD	Collect Council Banking WE: 31 Jul 2022	52.76
1329.1344-01	PROSEGUR AUSTRALIA PTY LTD	Collect Council Banking WE: 07 Aug 2022	52.76
1331.1344-01	PROSEGUR AUSTRALIA PTY LTD	Collect Council Banking WE: 14 Aug 2022	52.76
1324.2475-01	LITCHFIELD RESIDENT	Rates Refund	35.78
1328.130-01	MOBILE LOCKSMITHS	Call Out for Security Gate Key - Thorak Cemetery	33.00
1331.1471-01	RICOH AUSTRALIA PTY LTD	July 2022 - Thorak Cemetery Photocopier	14.23
1327.220-01	THE BIG MOWER	Replacement of Gasket	6.95
		TOTAL	2,382,684.83

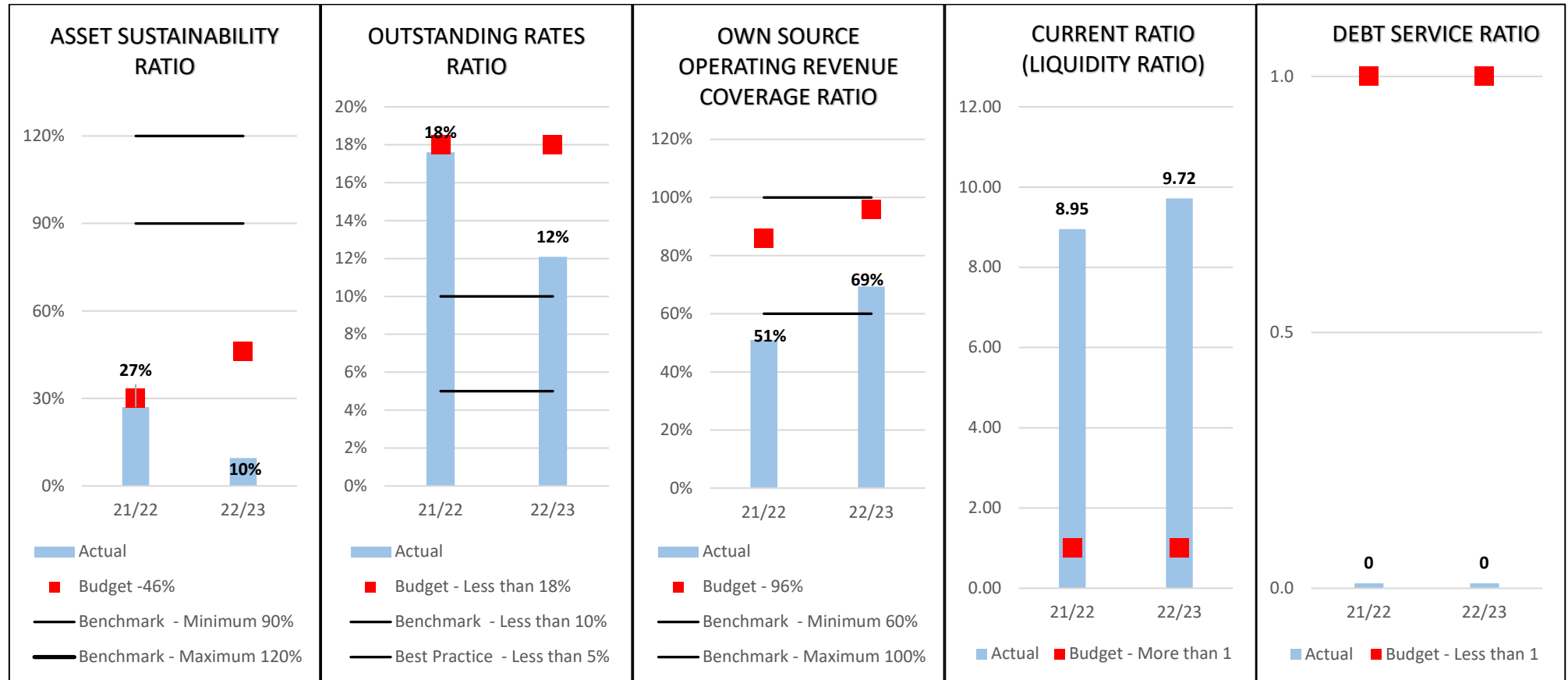
STATEMENT 4. MEMBER AND CEO COUNCIL CREDIT CARD TRANSACTION FOR THE MONTH

Cardholder Name: Stephen Hoyne

Transaction Date	Amount \$	Supplier's Name	Reason for the Transaction
21/08/2022	6.00	Westpac Bank	Credit Card Fee
Total	6.00		

FINANCE KEY PERFORMANCE INDICATORS (KPI)

Council's 2022/23 Municipal Plan includes the following financial KPIs.



Indicates if Council is replacing or renewing existing assets in a timely manner as the assets are used up.	Identifies if Council is collecting rates and charges in a timely manner and the effectiveness of debt recovery efforts.	This ratio measures the degree to which Council relies on external funding to cover its operational expenses.	Identifies Council's ability to meet its short-term financial commitments as and when they fall due.	Indicates Council's ability to repay loans.
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KPI	Explanation
Asset Sustainability Ratio	<p>A ratio of 90% indicates Council is replacing assets in a timely manner as assets reach their end of useful life. A ratio of less than 90% over the long-term indicates a build-up Infrastructure Backlog*.</p> <p>Council's Asset Sustainability ratio of 10% for the month of Aug as most capital projects are in 'planning' and 'project initiation' stages. While this % will increase as expenses are incurred, it is expected that Council will continue to fail to meet the local government benchmark of 90%. Council's asset base is currently valued at \$518 million. The current Long-term Financial Plan shows insufficient levels of revenue to fund long-term infrastructure renewal needs of the Council. The risk exists that Council's current levels of revenue will not be sustainable in the long-term to address a growing back-log of infrastructure replacement needs in future.</p>
Outstanding Rates Ratio	<p>In the absence of a local government industry standard benchmark, a benchmark of 5% for City Councils and 10% for Regional Councils is considered best practice and is used by many jurisdictions across Australia.</p> <p>Council's Outstanding Rates Ratio of 12% indicated council has surpassed its Municipal Plan target is 18%. However, council needs to continue work in this area as a growing outstanding rates ratio increases liquidity risk and places a burden on Council's existing resources.</p>
Own Source Revenue Ratio	<p>This ratio indicates Council's ability to pay for its operational expenditure through its own revenue sources**. The higher the ratio the more self-reliant a Council. In other words, the higher the ratio the less Council must rely on external grants to provide services to the community. A ratio of 40% to 60% is considered as a basic level, between 60% to 90% is considered intermediate level and more than 90% is considered advanced level.</p> <p>Council's budgeted Own Source Operating Revenue Coverage ratio of 96% is above the Municipal Plan target of greater than 60%.</p>
Current Ratio (Liquidity Ratio)	<p>A ratio of greater than 1 is required to provide assurance that Council has enough funds to pay its short-term financial commitments.</p> <p>Council's Current Ratio of 9.72 sits favourably against the Municipal Plan target and benchmark of 1. This ratio indicates Council is well placed to fulfill its short-term liabilities as and when they fall due.</p>
Debt Service Ratio	<p>Council has no debt and therefore fully meets the Municipal Plan Target of less than 1.</p>


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

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

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 ..14 September 2022



COUNCIL REPORT

Agenda Item Number:	14.01.02
Report Title:	People, Performance and Governance Report - August 2022
Author:	Ankit Pansal, Acting Manager People and Performance
Recommending Officer:	Maxie Smith, Acting General Manager Business Excellence
Meeting Date:	20/09/2022
Attachments:	A: People, Performance and Governance Report - August 2022

Executive Summary

This report provides Council with key staffing information, workplace health and safety information and proposed major policy updates and reviews.

This report provides a monthly update to ensure that both staffing and budget measures are in accordance with the Council approved staffing plan and budget. The metrics provided in this report track activity and report full time equivalent (FTE) numbers, retention and Work Health and Safety performance.

Recommendation

THAT Council note the People, Performance and Governance Report for August 2022.

Background

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

The commencement of the *Local Government Act 2019* has brought about many changes to Council policies. Provided below is an ongoing update as Council continues to transition to the new legislation.

Links with Strategic Plan

Performance - An Effective and Efficient Organisation

Legislative and Policy Implications

Nil

Risks



Health & Safety

Public liability issues as a result safety breaches by residents at Council's Waste Transfer Stations. Risk registers, standard operating procedures, and implementation of safety measures (e.g., education, signage etc) are used to reduce hazard during tasks and operations.

Service Delivery

Due to our location, ongoing risks exist around the attraction of qualified staff into critical roles and retention of critical staff needed to deliver Council's business plans. Risks are being managed through the implementation of innovative HR practices to attract and retain talent.

Community Engagement

Not Applicable.

The staffing plan for 2022-2023 allows for 66.22 full-time equivalent staff across four departments. Council's Enterprise Agreement 2020 provides employees with benefits and conditions including an annual pay increase of 1% or CPI capped at 2% whichever is greater. For 2023 a 2% increase applied from July 2022.

PEOPLE AND PERFORMANCE MONTHLY REPORT

August 2022

Internal Appointments

Position	Department	Commenced	Permanent/Temporary
Payroll Officer	Business Excellence	29 August 2022	Permanent Full-time
Sports and Recreation Officer	Community Services	24 August 2022	Permanent Full-time

External Appointments

Position	Department	Commenced	Permanent/Temporary
Ranger	Regulatory Services	11 August 2022	Permanent Full-time
Trainee Ranger	Regulatory Services	29 August 2022	Fixed Term Contract

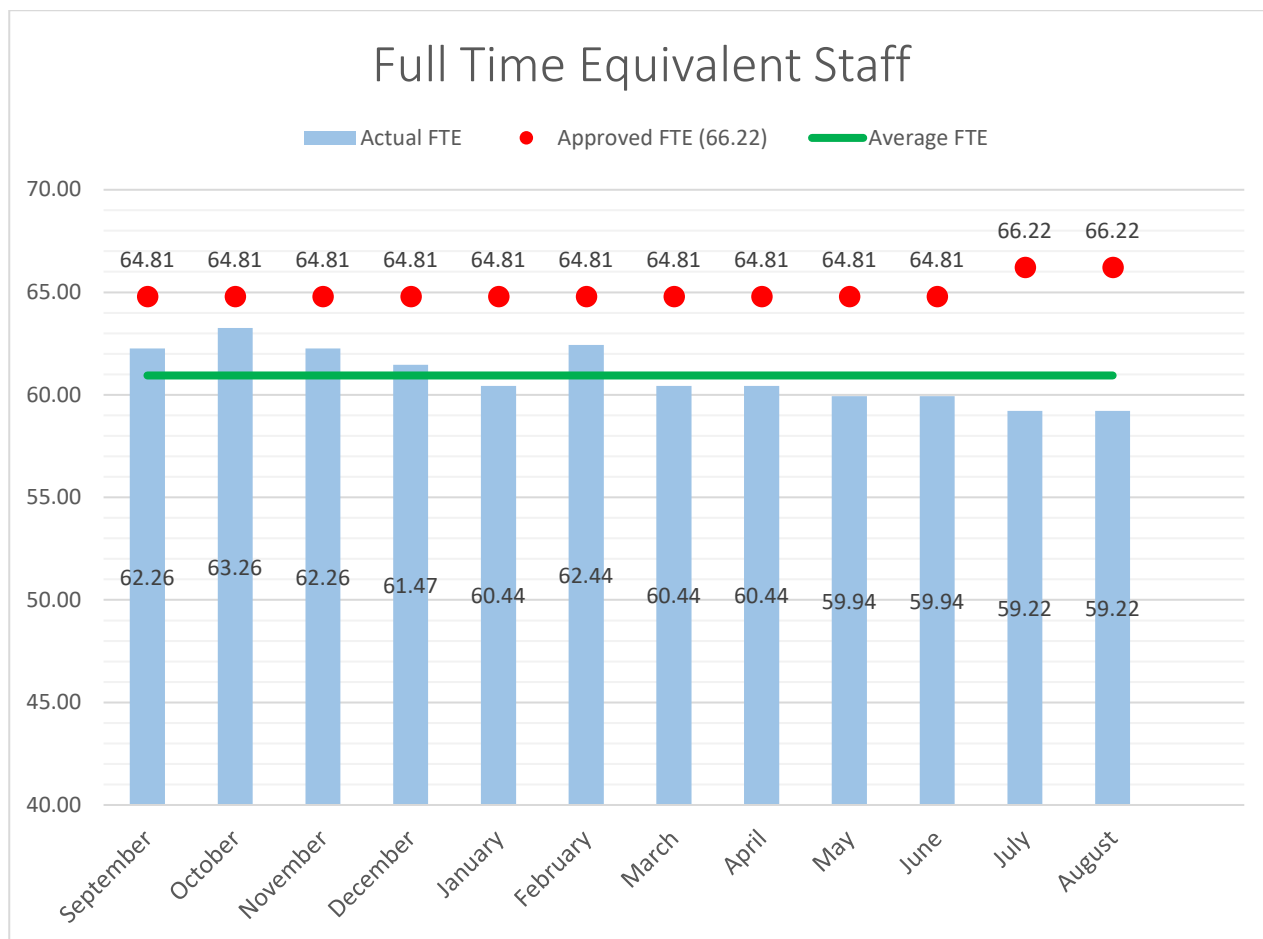
Employment Separation

Position	Department	End date	Permanent/Temporary
Payroll Officer	Business Excellence	22 August 2022	Permanent Full-time
General Manager Business Excellence	Business Excellence	12 August 2022	Fixed Term Contract

	Approved	Actual	Difference
Full Time Equivalent	46.75	42.75	-4
Part-time	7.47	7.47	0
Contract	12	9	-3
Total	66.22	59.22	-7

Recruitment Overview:

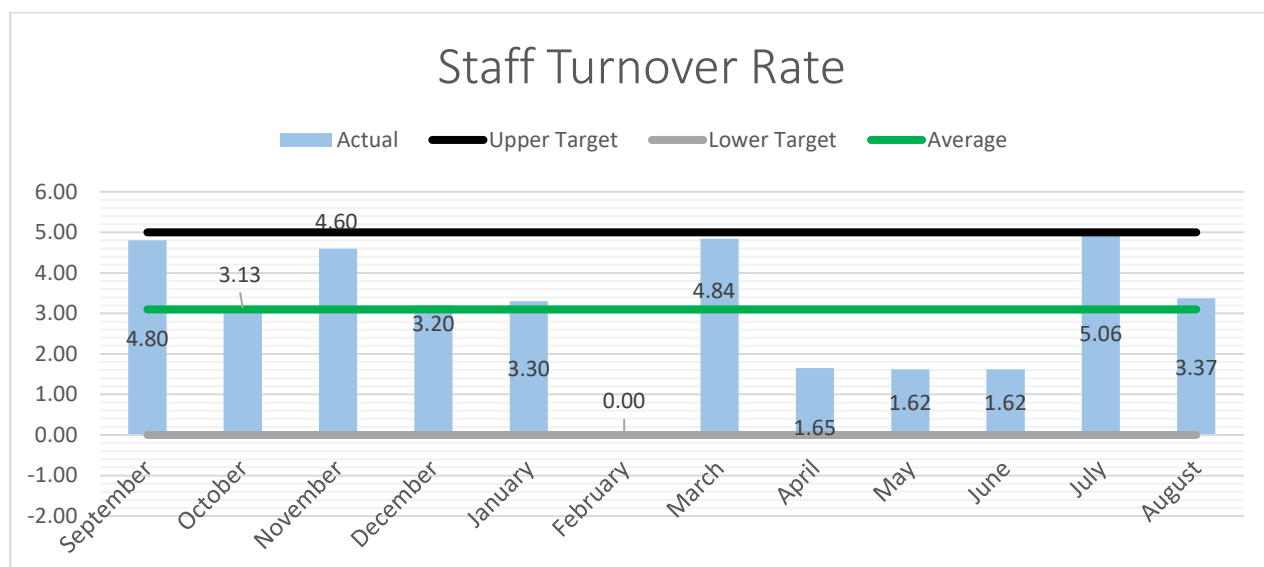
Role	In Progress	Completed
General Manager Business Excellence	✓	
Planning and Development Program Leader	✓	
Works Delivery Program Leader		✓
Manager People and Performance	✓	
Development Engineer	✓	



Turnover Rate:

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

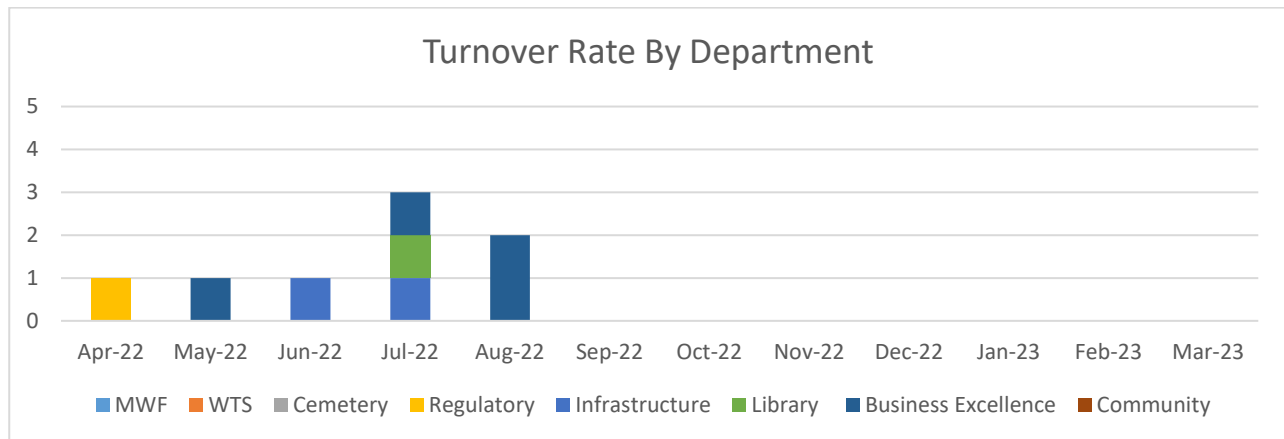
(# staff leaving divided by the total number of people employed (Actual FTE) multiplied by 100)



Sep	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	July	Aug	Average
4.80%	3.13%	4.60%	3.20%	3.30%	0%	4.84%	1.65%	1.62%	1.62%	5.06%	3.37%	3.09 %
3	2	3	5	2	0	4	1	1	1	3	2	2.25

Target Average: Between 0% - 5%

Turnover Rate by Department:

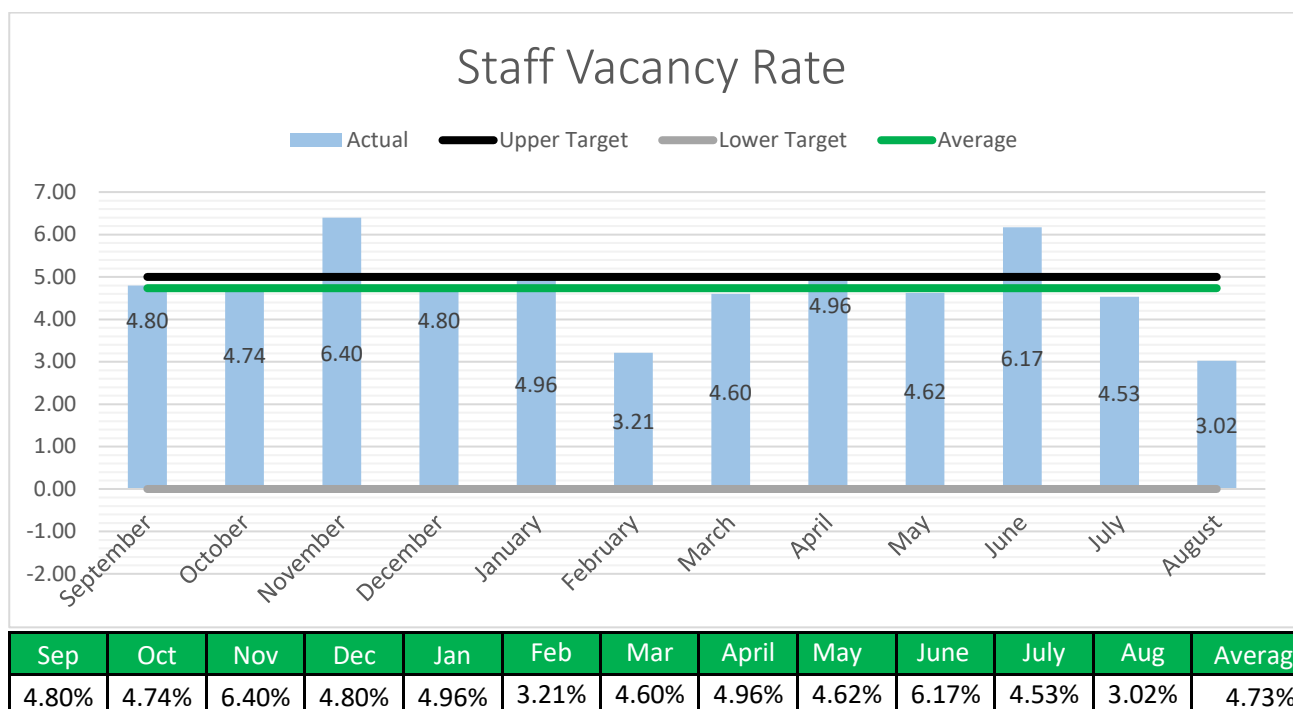


Department	Numbers	Percentage (%)
MWF	0	NA
WTS	0	NA
Cemetery	0	NA
Regulatory	0	NA
Infrastructure	0	NA
Library	0	NA
Business Excellence	2	3.37
Community	0	NA
Total	2	3.37%

Staff Vacancy Rate:

The number of vacant positions during the reporting period.

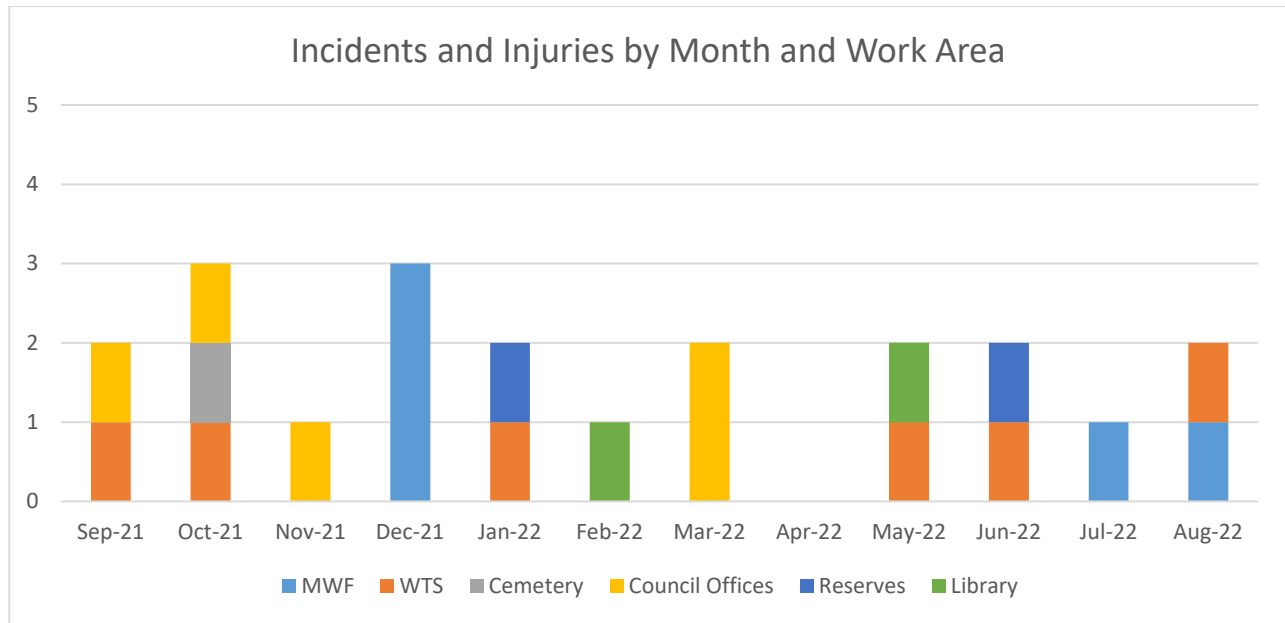
(Vacant positions, divided by total FTE, multiplied by 100)



Sep	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	July	Aug	Average
4.80%	4.74%	6.40%	4.80%	4.96%	3.21%	4.60%	4.96%	4.62%	6.17%	4.53%	3.02%	4.73%

Target: 0% - 5

Workplace Health and Safety:



Two workplace health and safety incidents were recorded in August 2022.

Incident 1: A Mobile Workforce employee received a minor cut to their hand when operating a circular saw. First aid was administered onsite by the supervisor. The injured employee recommenced their duties that same day, thus no LTI has been recorded. Preventative measures have been put in place to help avoid a reoccurrence of similar incidents.

Incident 2: A Waste Transfer Station employee received a minor injury to the thumb on their left hand when closing a door. The employee was taken to a GP for a medical review. Employees have been reminded that injuries can occur when doing everyday activities and that care should be taken at all times.

Governance

The *Local Government Act 2019* (Act) commenced on 1 July 2021. The following regulations, guidelines and general instructions have been made under the Act:

Regulations	Local Government (Electoral) Regulations 2021
	Local Government (General) Regulations 2021
Guidelines	Guideline 1: Local Authorities
	Guideline 2: Appointing a CEO
	Guideline 3: Borrowing
	Guideline 4: Assets
	Guideline 5: Budgets
	Guideline 6: Annual Report
	Guideline 2A: Council member allowances (Guideline was re-made under section 71(2) of <i>Local Government Act 2008</i> and is continued in force as a transitional arrangement in accordance with section 353 of the <i>Local Government Act 2019</i> .)
General Instructions	General Instruction 1: Procurement
	General Instruction 2: Annual Financial Statement
Approved Forms	Monthly financial report form

Below is a list of existing policies due for review during the 2022/2023 period. These policies will be presented to Council in due course.

Policies	
INF03 Roadside Memorials and Roadside Monuments	COM07 Youth
GOV03 Privacy	GOV04 Whistleblowing
INF05 Sealing of Roads	INF07 Street and Public Lighting
INF02 Driveway Crossovers	GOV12 Land Acquisition Policy



COUNCIL REPORT

Agenda Item Number:	14.01.03
Report Title:	Risk Management Audit Committee Open Minutes – 31 August 2022
Author:	Rebecca Taylor, Policy and Governance Program Leader
Recommending Officer:	Maxie Smith, Acting General Manager Business Excellence
Meeting Date:	20/09/2022
Attachments:	A: RMAC Unconfirmed Open Minutes 31 August 2022

Executive Summary

The purpose of this report is to provide an update to Council on the Risk Management Audit Committee (RMAC).

Recommendation

THAT Council receive and note the Risk Management Audit Committee unconfirmed open minutes from 31 August 2022 meeting, as at Attachment A.

Background

In accordance with Section 101(4) of the *Local Government Act 2019*, the minutes for RMAC meetings are required to be tabled at the following Council meeting.

Links with Strategic Plan

Performance - An Effective and Efficient Organisation

Legislative and Policy Implications

Local Government Act 2019, Section 101(4).

Risks



Nil identified.

Community Engagement

Not applicable.

RISK MANAGEMENT & AUDIT COMMITTEE

MINUTES

LITCHFIELD COUNCIL COMMITTEE MEETING

Council Chambers, Litchfield

Wednesday, 31 August 2022 at 4.01pm

Present	Garry Lambert Cr Mathew Salter Cr Mark Sidey Mayor Doug Barden	Chairperson (Electronic Attendance) Committee Member Committee Member Ex-Officio
Staff	Stephen Hoyne Nicky McMaster Maxie Smith James Morgan Rebecca Taylor Jessica Eves	Chief Executive Officer General Manager Community and Lifestyle A/General Manager Business Excellence Manager Infrastructure and Assets A/Manager People & Performance Executive Support

1. OPENING OF THE MEETING

The Chairperson, Garry Lambert opened the meeting at 4.01pm.

2. APOLOGIES AND LEAVE OF ABSENCE

Nil.

3. DISCLOSURES OF INTEREST

No disclosures of interest were declared.

4. CONFIRMATION OF MINUTES

Moved: Cr Salter

Seconded: Cr Sidey

THAT the minutes of the Open and Confidential Risk Management and Audit Committee meeting held 1 June 2022 be confirmed.

CARRIED (3-0)

5. BUSINESS ARISING FROM THE MINUTES

The Risk Management & Audit Committee reviewed the Action Sheet.

6. PRESENTATIONS

Nil.

7. ACCEPTING OR DECLINING LATE ITEMS

Nil.

8. OFFICERS REPORTS

8.1 Audit Committee Performance Assessment

Moved: Chairperson Garry Lambert
Seconded: Cr Salter

THAT the Risk Management and Audit Committee:

1. receive and note the audit committee self-assessment plan; and
2. request that all committee members of the Risk Management and Audit Committee complete the Audit Committee Self-Assessment; and
3. requests that the CEO nominates relevant Executive Team members to complete the Audit Committee Self-Assessment; and
4. requests that Litchfield Council Elected Member/s be nominated to complete the Audit Committee Self-Assessment; and
5. requests that all responses be prepared within a report to be provided to the October 2022 Risk Management and Audit Committee meeting.

CARRIED (3-0)

8.2 Risk Management Governance Framework

Moved: Cr Sidey
Seconded: Chairperson Garry Lambert

THAT Risk Management and Audit Committee approve the Risk Management Governance Framework, at Attachment A.

CARRIED (3-0)

8.3 Risk Register

Moved: Cr Salter

Seconded: Cr Sidey

THAT the Risk Management and Audit Committee:

1. note the updated risk register at Attachment A; and
2. note the completed action in the risk dashboard of the risk register, which will be removed from the action list and controls to be updated where required; and
3. approve the new reporting arrangements for the risk register.

CARRIED (3-0)

8.4 Resignation of Independent Chair

Moved: Chairperson Garry Lambert

Seconded: Cr Sidey

THAT the Risk Management and Audit Committee:

1. receive and note report entitled Resignation of Independent Chair; and
2. accept Mr Lambert's resignation and that a letter be prepared to thank Mr Lambert for his services on the Committee.
3. recommend to Council that funds be allocated to the 2023/24 budget to extend its independent membership on the Risk Management and Audit Committee to include an Independent Member.

CARRIED (3-0)

9. OTHER BUSINESS

Nil.

10. CONFIDENTIAL ITEMS

Moved: Chairperson Garry Lambert
Seconded: Cr Salter

THAT pursuant to Section 99(2) of the *Local Government Act 2019* and Regulation 51(1) of the *Local Government (General) Regulations* the meeting be closed to the public to consider the following Confidential Items:

10.1 Interim Audit Report – Year Ended 30 June 2022

Regulation 51(1) For section 293(1) of the Act, the following information is prescribed as confidential:

(e) subject to subregulation (3) – information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest.

CARRIED (3-0)

The meeting was closed to the public at 4:49pm.
The meeting was re-opened at 4:54pm.

12. CLOSE OF MEETING

The Chair closed the meeting at 4:54pm.

13. NEXT COMMITTEE MEETING

Wednesday 26 October 2022

MINUTES TO BE CONFIRMED

Wednesday 26 October 2022

.....
Chair
Garry Lambert



COUNCIL REPORT

Agenda Item Number:	14.02.01
Report Title:	Draft Reconciliation Action Plan
Author:	Jessica Watts, Community Development Program Leader
Recommending Officer:	Nicky Davidge, General Manager Community & Lifestyle
Meeting Date:	20/09/2022
Attachments:	A: Draft Reconciliation Action Plan

Executive Summary

This report provides Council with an update on the progression of the Reconciliation Action Plan (RAP), an action from the 2021-22 Municipal Plan.

Recommendation

That Council approve the Draft Reconciliation Action Plan to progress to seek conditional endorsement from Reconciliation Australia.

Background

Reconciliation is about working with Aboriginal and Torres Strait Islander peoples and their strengths with a RAP enabling organisations to contribute to reconciliation by providing a framework for actions.

The development of a Reconciliation Action Plan was identified as a new initiative in the 2021-22 Municipal Plan. Council is registered with Reconciliation Australia to develop a Reflect RAP, the first of potentially four RAPs for Council.

Reconciliation Australia provide a template for the development of the Reflect RAP including mandatory actions to be undertaken to receive their endorsement. The draft RAP, provided at Attachment A, provides the minimum requirements for receiving endorsement and is centred on 'setting the scene' for reconciliation.

Positive two-way relationships built on trust and respect between Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians pave the way for an equitable and reconciled Australia where the length and quality of your life is not determined by your racial background.

Well documented evidence shows reconciliation benefits the whole community, with RAPs providing benefits beyond relationship building. As in Attachment A there are several actions that explore supporting Aboriginal and Torres Strait Islander employment and supporting other organisations who provide good opportunities for Aboriginal and Torres Strait Islander peoples through Council's procurement processes.

To develop the draft RAP a survey was sent to all staff and Elected Members to provide input into the vision for reconciliation. A total of 13 responses were received and the following vision was formulated based on the feedback.

Our vision is to achieve genuine reconciliation in our community through education, forming of strong relationships and by recognition of Traditional Owners and their continuing connection to lands, waters and communities. Crucial to this, is the recognition of Australia's history.

As an organisation we are committed to increasing our understanding, respect and relationships with First Nations Communities to deliver inclusive and culturally appropriate services that uphold our corporate values.

The timeline for the development of the RAP is outlined below. This is in line with recommendations of the process from Reconciliation Australia.

Action	Timeline	Status
Registration with Reconciliation Australia	June 2021	Complete
Draft Plan is developed in consultation with Elected Members, staff and Reconciliation Australia	March 2022	Complete
Executive Feedback	April- June 2022	Complete
RAP presented to Council Briefing	September Briefing Meeting	Complete
RAP presented to Council Meeting for adoption	September Council Meeting	Current
Submit draft RAP to Reconciliation for Conditional Endorsement	September 2022	Not commenced
Final Endorsement is sought from Reconciliation Australia	Following the adoption from Council	Not commenced
RAP begins to be implemented	December 2022	Not commenced
EOI to staff on the formation of the RAP Working Group	February 2023	Not commenced

There are several actions in the RAP Council is already undertaking such as recognising Aboriginal and Torres Strait Islander cultures locally by holding Acknowledgement of Country proceedings at Ordinary Council meetings. Council has also raised the Aboriginal flag at multiple Council facilities and hosted Welcome to Country ceremonies at a number of Council run events. Including an Acknowledgement of Country on our website and emails has also been complete.

Links with Strategic Plan

Performance - An Effective and Efficient Organisation

Legislative and Policy Implications

Nil.

Risks



Nil identified.

Community Engagement

The Reflect Reconciliation Action Plan is the internal component of the process so broader community engagement has not been undertaken in the development of this stage. To assist with the development of the Reflect RAP, staff and Elected Members were sent a non-compulsory survey to complete.

Litchfield Council

REFLECT

Reconciliation Action Plan

December 2022 – June 2024

DRAFT

Acknowledgment of Traditional Owners

Litchfield Council acknowledges the Traditional Custodians of the lands we live and work on, which now comprises the Litchfield Municipality. We recognise their continuing connection to Lands, Waters and Communities and pay respect to the Elders past, present and emerging.

MAYOR MESSAGE

This message will be developed with in line with the resolution and available for consideration prior to seeking conditional approval.

Doug Barden

Mayor

CEO MESSAGE

This message will be developed with in line with the resolution and available for consideration prior to seeking conditional approval.

Stephen Hoyne

Chief Executive Officer

OUR BUSINESS

Litchfield Municipality is situated on the outskirts of Darwin amid tropical rural bushland, boasting a rural lifestyle with a wide range of well managed services and facilities available to its residents and visitors. The Litchfield Municipality is home to the Larrakia, Woolna and Kungarakany Aboriginal peoples.

Spread over 3,100sqkm, Litchfield is rapidly growing offering larger land parcels for families and is currently home to over 25,500 people. As of the 2016 Australian Census, 2,308 people identified as Aboriginal or Torres Strait Islander, representing just over 10% of the total population.

Litchfield residents enjoy a rural lifestyle which combines a mix of rural residential, horticultural, agricultural and industrial interests within its boundaries. In response to the growing population of the rural area, Litchfield Council was established in 1985 provides local government services and advocacy for the residents of the Litchfield Municipality.

Council is governed by seven Elected Members, including the Mayor, who represent the community and operate in accordance with the Local Government Act. Council's services are delivered by its employees, of which there are currently 65 staff, with 3% of staff identifying as Aboriginal or Torres Strait Islander peoples.

Community members are highly engaged with many actively involved in their communities. Several residents volunteer with Council services, such as the Recreation Reserves, and there is a strong and passionate representation on the various Council Committees and Working Groups.

The Council Chambers and administration office are located in Freds Pass.

Council's Vision for Reconciliation

Litchfield Council believes reconciliation is everyone's business and is proudly taking steps towards reconciliation.

Our vision was created following feedback from Elected Members and staff who provided input as to what reconciliation means to them.

Our vision is to achieve genuine reconciliation in our community through education, forming of strong relationships and by recognition of Traditional Owners and their continuing connection to lands, waters and communities. Crucial to this, is the recognition of Australia's history.

As an organisation we are committed to increasing our understanding, respect and relationships with First Nations Communities to deliver inclusive and culturally appropriate services that uphold our corporate values.

Litchfield Council is only just beginning to embark on the journey of reconciliation and this RAP is the first step of a shared journey to embed the principles of reconciliation into the fabric of our working culture and community.

Council's Commitment to Reconciliation

Council has developed a Reconciliation Action Plan to take meaningful steps forward to build relationships, respect and trust between the Litchfield Community and Aboriginal and Torres Strait Islander peoples for the benefit of the broader community. This Plan underpins the commitment from Council to work with Aboriginal and Torres Strait Islander peoples on a set of actions that will demonstrate respect, build relationships, and provide opportunities.

Council strives to provide leadership to the broader community through education, acknowledgment and celebration of Aboriginal and Torres Strait Islander peoples, cultures and their significance to the land and our community as Australia's First Peoples.

The 2021-22 Municipal Plan references the development of a Reflect RAP as a commitment from Council as the first step towards reconciliation. The actions and vision for our RAP will be delivered across the Municipality. The RAP will be reviewed at the end of the 18-month term to prepare and plan for future RAPs.

Council has begun to recognise Aboriginal and Torres Strait Islander cultures locally by holding Acknowledgement of Country proceedings at Ordinary Council meetings. Council has also raised the Aboriginal flag at multiple Council facilities and hosted Welcome to Country ceremonies at several Council run events. Addition of the Acknowledgement of Country on Council's website and staff emails has also been complete.

Litchfield Council acknowledges that the reconciliation journey will be long and appreciates the need to undertake additional and ongoing engagement with local Aboriginal and Torres Strait Islander Peoples to help achieve this plan together.

The principles we aspire to which underpin our work:

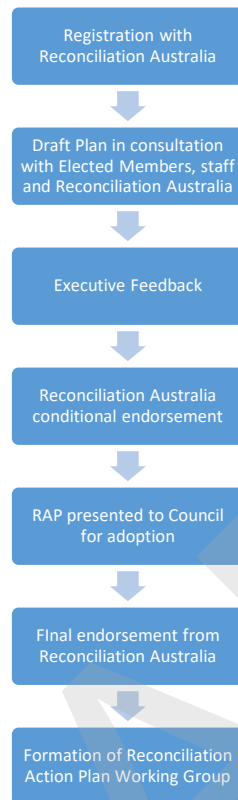
Accountability – we take responsibility for our commitments by doing what we say we will do when we say we will do it.

Respect – we treat everyone the way we would like to be treated, respecting their expertise, opinion, contribution and time.

Communication – We openly share the right information in the right way to the right people at the right time.

Honesty and Trust – We demonstrate integrity in everything we do by being open, honest and truthful to nurture a culture of trust

The Process for Developing the Reconciliation Action Plan



ACTION PLAN

The Action Plan outlines actions and deliverables in line with the four pillars of:

Relationships
Respect

Opportunities
Governance

This Plan outlines the timelines and accountability for each deliverable.

Relationships			
Action	Deliverable	Timeline	Responsibility
1. Establish and strengthen mutually beneficial relationships with Aboriginal and Torres Strait Islander stakeholders and organisations.	<ul style="list-style-type: none"> Identify Aboriginal and Torres Strait Islander stakeholders and organisations within our local area or sphere of influence. 	February 2023	Community & Lifestyle
	<ul style="list-style-type: none"> Research best practice and principles that support partnerships with Aboriginal and Torres Strait Islander stakeholders and organisations. 	March 2023	Community & Lifestyle
2. Build relationships through celebrating National Reconciliation Week (NRW).	<ul style="list-style-type: none"> Circulate Reconciliation Australia's NRW resources and reconciliation materials to our staff. 	May 2023	Manager People and Performance
	<ul style="list-style-type: none"> RAP Working Group members to participate in an external NRW event. 	27 May- 3 June 2023	RAP Working Group
	<ul style="list-style-type: none"> Encourage and support staff and senior leaders to participate in at least one external event to recognise and celebrate NRW. 	27 May- 3 June 2023	Manager People and Performance
3. Promote reconciliation through our sphere of influence.	<ul style="list-style-type: none"> Communicate our commitment to reconciliation to all staff and Elected Members 	December 2023	Mayor and CEO
	<ul style="list-style-type: none"> Identify external stakeholders that our organisation can engage with on our reconciliation journey. 	April 2023	Community & Lifestyle
	<ul style="list-style-type: none"> Identify RAP and other like-minded organisations that we could approach to collaborate with on our reconciliation journey. 	April 2023	Community & Lifestyle
4. Promote positive race relations through anti-discrimination strategies.	<ul style="list-style-type: none"> Research best practice and policies in areas of race relations and anti-discrimination. 	November 2023	Policy and Governance Program Leader

	<ul style="list-style-type: none"> Conduct a review of internal HR policies and procedures to identify existing anti-discrimination provisions, and future needs. 	November 2023	Policy and Governance Program Leader
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Respect			
Action	Deliverable	Timeline	Responsibility
5. Increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights through cultural learning.	<ul style="list-style-type: none"> Develop a business case for increasing understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights within our organisation. 	October 2023	Manager People and Performance
	<ul style="list-style-type: none"> Conduct a review of cultural learning needs within our organisation. 	October 2023	Manager People and Performance
6. Demonstrate respect to Aboriginal and Torres Strait Islander peoples by observing cultural protocols.	<ul style="list-style-type: none"> Develop an understanding of the local Traditional Owners or Custodians of the lands and waters within our organisation's operational area. 	December 2023	Community & Lifestyle
	<ul style="list-style-type: none"> Increase staff and Elected Members' understanding of the purpose and significance behind cultural protocols, including Acknowledgement of Country and Welcome to Country protocols. 	January 2023	CEO
	<ul style="list-style-type: none"> Continue to include an Acknowledgement of Country at the commencement of Council Meetings 	Ongoing	CEO
	<ul style="list-style-type: none"> Continue to engage a local Traditional Owner or Custodian to provide a Welcome to Country at significant events each year 	Ongoing	Manager Engagement and Communications
7. Build respect for Aboriginal and Torres Strait Islander cultures and histories by celebrating NAIDOC Week.	<ul style="list-style-type: none"> Raise awareness and share information amongst our staff about the meaning of NAIDOC Week. 	June 2023	Manager People and Performance
	<ul style="list-style-type: none"> Introduce our staff to NAIDOC Week by promoting external events in our local area. 	June 2023	Manager People and Performance
	<ul style="list-style-type: none"> RAP Working Group to participate in an external NAIDOC Week event. 	First week in July 2022	RAP Working Group

Opportunities			
Action	Deliverable	Timeline	Responsibility
8. Improve employment outcomes by increasing Aboriginal and Torres Strait Islander recruitment, retention and professional development.	• Develop a business case for Aboriginal and Torres Strait Islander employment within our organisation.	October 2023	Manager People and Performance
	• Build understanding of current Aboriginal and Torres Strait Islander staffing to inform future employment and professional development opportunities.	October 2023	Manager People and Performance
9. Increase Aboriginal and Torres Strait Islander supplier diversity to support improved economic and social outcomes.	• Develop a business case for procurement from Aboriginal and Torres Strait Islander owned businesses.	November 2023	Manager Corporate Services
	• Investigate Supply Nation membership.	October 2023	Manager Corporate Services

Governance			
Action	Deliverable	Timeline	Responsibility
10. Establish and maintain an effective RAP Working Group (RWG) to drive governance of the RAP.	• Form a RWG to govern RAP implementation.	January 2023	Community & Lifestyle
	• Draft a Terms of Reference for the RWG.	January 2023	Community & Lifestyle
	• Establish Aboriginal and Torres Strait Islander representation on the RWG.	February 2023	Community & Lifestyle
11. Provide appropriate support for effective implementation of RAP commitments.	• Define resource needs for RAP implementation.	January 2023	Community & Lifestyle
	• Engage senior leaders in the delivery of RAP commitments.	January 2023	General Manager Community and Lifestyle
	• Define appropriate systems and capability to track, measure and report on RAP commitments.	January 2023	Community & Lifestyle

12. Build accountability and transparency through reporting RAP achievements, challenges and learnings both internally and externally.	<ul style="list-style-type: none"> Complete and submit the annual RAP Impact Measurement Questionnaire to Reconciliation Australia. 	30 September, 2023	Community & Lifestyle
13. Continue our reconciliation journey by developing our next RAP.	<ul style="list-style-type: none"> Register via Reconciliation Australia's website to begin developing our next RAP. 	December 2023	Community & Lifestyle



COUNCIL REPORT

Agenda Item Number:	14.02.02
Report Title:	Howard Park and Knuckey Lagoon Recreation Reserves Committee Minutes
Author:	Kate Townsend, Sport and Recreation Officer
Recommending Officer:	Nicky Davidge, General Manager Community and Lifestyle
Meeting Date:	20/09/2022
Attachments:	A: Howard Park Committee Minutes 20220808 Unconfirmed B: Knuckey Lagoon Committee Minutes 20220804 Unconfirmed

Executive Summary

The purpose of this report is to provide the minutes of the Howard Park Recreation Reserve and Knuckey Lagoon Recreation Reserve Committee meetings.

Recommendation

THAT Council receive and note:

1. the unconfirmed Howard Park Committee Minutes of 8 August 2022, at Attachment A; and
2. the unconfirmed Knuckey Lagoon Committee Minutes of 4 August 2022, at Attachment B.

Background

In accordance with Section 101(4) of the Local Government Act 2019, the minutes for meetings of Council committees are required to be tabled at the following Council meeting. There are no recommendations requiring Council decisions arising from either Committee's minutes.

Links with Strategic Plan

A Well-Run Council - Good Governance

Legislative and Policy Implications

Compliance with the *Local Government Act 2019*, Section 101(4).

Risks



Service Delivery

Failure to comply with Council’s regulatory obligations could negatively impact on the Council’s reputation.

Governance

Failure to provide committee meeting minutes to Council and making them available to the public via Council’s website, would place Council’s commitment to regulatory compliance at risk.

Community Engagement

Reserve committees, such as Knuckey Lagoon and Howard Park Recreation Reserve committees, provide Council with regular opportunities to engage with the community for the betterment of Councils reserves.



Howard Park Recreation Reserve Management Committee Meeting

MINUTES **Monday 8/08/2022**

Meeting held commencing 5:15pm
at Howard Hall, Howard Park Recreation Reserve
325 Whitewood Road, Howard Springs

Kate Townsend, Community Development Officer



Howard Park Reserve Committee Meeting

**Meeting at Howard Hall, Howard Park Reserve
on Monday, 08 August 2022 at 5:15pm**

1 Opening of Meeting

5:28 pm

2 Attendees

Mathew Salter	Litchfield Council North Ward Councillor (Chair)
Kate Townsend	Litchfield Council, CDO
Maxine Way	Howard Springs Volunteer Fire Brigade
Fletcher Austin	Resident
Gerry Wood	Resident

3 Apologies and Leave of Absence

Gerard Maley	Resident / local MLA
Gerard Rosse	Resident

4 Acknowledgement of traditional ownership

The Chair acknowledged the traditional custodians of this land on which we met. The Chair paid our respects to the Elders past, present and future for their continuing custodianship of the land and the children of this land across generations.

5 Disclosures of Interest

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

Nil

6 Confirmation of Minutes

That the Committee confirm the minutes of the meeting held on Monday 6th June 2022

Moved: Fletcher Austin

Seconded: Maxine Way

7 Monthly Financial Report

- Councillor Salter requested a copy of Councils annual report to be brought to the next meeting
- Committee requested an annual summary of casual users to be brought to the next committee meeting

Moved: Gerry Wood

Accepted Salter

8 Operations Report

Appendix A

- Fletcher Austin suggested to Incorporate a feedback survey at the conclusion of any booking terms. CDO Kate Townsend indicated this will be a feature of the new booking system and is currently covered in Council's annual community survey.

9 Business Arising from the Minutes

None

10 General Business

- Fletcher Austin wanted to bring to the Committee's Attention the New Community Fire Station is nearing completion and is expected to have occupancy certificates in the coming weeks.

11 Other Business

None

12 Next Meeting

Monday 3 October at 5:15pm Howard Hall, Howard Park Recreation Reserve.

13 Close of Meeting

6.26 pm

Howard Park Recreation
Reserve

Operating results as at **30.06.2022** are summarised below.



	Annual	2021/22 YTD	2021/22 YTD	Variance to Budget	% Spent	2020/21 YTD
	2021/22 Budget	Actuals	Commitments	[Annual Budget – (YTD Actuals + YTD Commitments)]	(Actuals + Commitments / Annual Budget)	Actuals
Revenue						
User Fees & Charges	\$25,699	\$24,573	-	\$1,126	96%	\$20,482
TOTAL REVENUE	\$25,699	\$24,573	-	\$1,126	96%	\$20,482
Expenditure						
Operational Expenses	\$104,000	\$91,316	-	\$12,684	88%	\$89,698
Repairs & Maintenance	\$20,000	\$14,869	-	\$5,131	74%	\$18,226
TOTAL EXPENDITURE	\$124,000	\$106,185	-	\$17,815	86%	\$107,924
Tree Maintenance – Council Land	\$6,000	\$900	-	\$5,100	15%	\$3,360
TOTAL EXPENDITURE	\$130,000	\$107,085	-	\$22,915	82%	\$111,284

HOWARD PARK OPERATION REPORT AUGUST 2022

Recreation Reserves Management Committee Meeting





Utilization

	Howard Hall	Whitewood Hall	Howard Park Oval
Regular user groups	7	6	3
Casual Bookings		1	1

USER GROUPS

Howard Hall

- Sam's Dance Studio
- Core Body Fitness x 2
- Top End Mustangs
- Country Women's Association
- Vincent He – Health and Wellbeing Group
- Development Consent Authority
- Litchfield Orchid Club
- Mums and Bubs

Whitewood Hall

- Palmerston Yoga
- Karuna Yoga
- Vincent He – Health and Wellbeing Group
- Craft Group
- Lodge of Koolpinyah
- Acupuncture
- Linda Patterson, Psychology

Howard Park Oval

- Darwin Cricket Competition
- Red's Baseball Club
- Core Body Fitness



STORAGE

Internal Storage	External Storage sheds
Lodge of Koolpinyah	Howard Springs Scouts
Dr James Acupuncture	Darwin Community Arts
Linda Patterson, Psychologist	Reds Baseball
Palmerston Yoga	

Financial Report

	2020/2021	2021/2022
Income	79%	96%
Repairs and Maintenance	91%	74%
Operational	86%	88%
Tree budget	56%	15%

Maintenance

Works completed this period

- Blocked toilets x 4
- Toilet vandalized
- Locks serviced
- Underground leaking pipes in car park
- Frosting completed on Whitewood Windows
- Irrigation system repairs
- Replace broken/rusted tables

(Appendix A) list of all the current repairs and maintenance jobs requiring council's attention. As the list exceeds current budget allocation, jobs are prioritized and quoted to action according to need and capacity.

LEASE AGREEMENTS



No updates

COMMUNICATION AND PROMOTION

ANNUAL FEE CHANGES

The annual fee change has taken effect. An increase of 5% was adopted by council to reflect CPI. If any user groups are experiencing financial difficulty, I encourage you to contact Council to discuss options for support.

CRICKET NETS

Installation of the cricket nets is nearing completion. Once complete a small launch will occur inviting the committee, mayor, CEO, and councilors to acknowledge the wonderful community contributions to the project.

VANDALISM AND ANTI-SOCIAL BEHAVIOUR

Issues are ongoing, this period has seen a social media trend of defecating on bathroom floors and basins. Cleaners have begun charging a bio-hazard fee in line with industry standards. Council is trialing installation of basic cameras outside bathroom stalls to deter the 11–12-year demographic largely responsible.

Council would be grateful if committee members can encourage anyone witnessing anti-social behavior on reserves to call the police, take photos/video if safe to do so, then notify council.

COMMUNITY BENEFIT GRANT



NTG has opened the next round of Community Benefit Grants. Community Organizations can apply for funds up to \$250,000 for infrastructure improvements or to purchase assets which have an ongoing benefit to the community.

Council is ineligible to apply but is supportive of not-for-profit groups and organizations who would like to initiate projects on council property which benefit the entire community. All projects on council land require a comprehensive project plan sent to the Community Development Officer which is then submitted for approval by the CEO.

PLANNING AND DEVELOPMENT

ONLINE BOOKING SYSTEM

Council has identified a supplier for the booking system and is rigorously exploring costs, integration, and experience of other councils. We anticipate that the upgrade could be initiated as early as September and be live approximately 3 weeks after.

Committee will be updated as project progresses

SECURITY/WIFI ACCESS UPGRADES

Council has been successful in securing an LRCI grant which will fund the installation of a CCTV and Wifi at all of Council's reserves in June 2023.



FOOTPATH

Litchfield's infrastructure expects a project timeline to be available at the next committee meeting in October outlining plan approval dates and project commencement and anticipated completion.

RESIDUAL FUNDS FROM PREVIOUS COMMITTEE

Options are being explored and quoted to utilize the remaining residual funds from the previous management committee. Due to the presence of asbestos more detailed quotes were required from specialist contractors exceeding the report deadline for this meeting. A masterplan is being explored internally so to avoid doubling up, it is recommended to wait for the outcome of these discussions before the committee pursues anything externally.



ACCESS CONTROL SYSTEM REPORT

Aim: Trial the elimination of key access to council reserves.

Project scope: new locks and control system to be installed at Howard Park Halls. This would allow user groups upon booking to be issued a unique identification code to access the building. This code will only be active during designated booking times. This will eliminate the need to collect keys from Freds Pass and return as well as require council to hold and return a key deposit.

Benefits: Council will no longer be required to track, reissue or recut keys saving money and time. Users will not be required to travel to and from Freds Pass to collect/return keys or leave a key deposit. Booking times will reflect actual usage, something council has been unable to track previously. Access control system could eventually be programmed to integrate with booking system to further improve efficiency.

If successful, this trial could be extended to Knuckey Lagoon further increasing accessibility and Council efficiency.

Detriments: Initial installation costs, unforeseeable repairs, and maintenance costs. Transition period may require additional support for those not tech savvy.

Budget: \$7013.23

Appendix A : Maintenance and repairs log

Location	Description	Action Required	Priority Score	Quoted
Caretakers shed	Diverts in floor	Removal	2	
Whitewood Hall	Carpet being eaten by mites	removal	2	\$30,000
Entire Reserve	Excess master key and access keys in circulation	Rekey entire site		
Whitewood Hall	Power point not switching off	Removal/replacement	2	
Carpark	Garden Edging	Addition		
Carpark	Tree near Fire Station impeding school bus access	Remove	2	
Carpark	Road base deteriorating around edges of carpark	Repair		



Knuckey Lagoon Recreation Reserve Management Committee Meeting

MINUTES
Monday 4/08/2022

Meeting held commencing 5:45pm
at Knuckey Lagoon Hall, 110 Brandt Road Knuckey Lagoon

Kate Townsend, Community Development Officer



Knuckey Lagoon Reserve Committee Meeting

Held in the Knuckey Lagoon Recreation Reserve
on Thursday 4 August 2022 at 5:45pm

1 Opening of Meeting

5.48 pm

2 Acknowledgement of Traditional Owners

3 Attendees

Neil Grant	Top End Gem & Mineral Club
Kate Townsend	Community Development Officer (CDO)
Councillor Rachel Wright	Litchfield Council
Saramat 'Tou' Ruchkaew	NT Thai Association
Michelle	Berrimah Scouts

4 Apologies and Leave of Absence

Lorna Blake	Running Club / Knuckey Lagoon Resident
Tov Tagell	Runners and Walkers Club/Resident

5 Disclosure of Interest

Nil

6 Confirmation of Minutes

2nd June 2022

Moved: Neil

Carried: Kate

7 Monthly Finance Report

Moved: Tou

Carried: Neil

8 Operations Report

Moved: Tou

Carried: Councillor Wright

9 Business Arising from the Minutes

None

10 Other Business

Issue	Action
Michelle from Berrimah Scouts identified Mosquitos have been severe during the evening and asked if council may be able to undertake misting/spraying	Kate to investigate internally and notify committee
Lighting/reflectors on the road	Add to the Repairs and Maintenance Log
Path from shed to hall	CDO to add to the Repairs and Maintenance Log
Signage	CDO to ask MWF if it is possible to raise the Reserve signage at the front to make group signage more prominent Style guide for signage
Extend road base	Add to the repairs and maintenance log

11 Next Meeting

Next meeting Thursday 6th of October 2022 at time pm Knuckey Lagoon Recreation Reserve.

12 Close of Meeting

6.48 pm

Knuckey Lagoon
Recreation Reserve

Operating results as at **30.06.2022** are summarised below.

	Annual	2021/22 YTD	2021/22 YTD	Variance to Budget [Annual Budget – (YTD Actuals + YTD Commitments)]	% Spent (Actuals + Commitments / Annual Budget)	2020/21 YTD
	2021/22 Budget	Actuals	Commitments			Actuals
Revenue						
User Fees & Charges	\$6,025	\$6,784	-	-\$759	113%	\$5,306
TOTAL REVENUE	\$6,025	\$6,784	-	-\$759	113%	\$5,306
Expenditure						
Operational Expenses	\$19,645	\$19,474	-	\$171	99%	\$16,464
Repairs & Maintenance	\$8,000	\$5,469	-	\$2,531	68%	\$14,422
TOTAL EXPENDITURE	\$27,645	\$24,943	-	\$2,702	90%	\$30,886
Tree Maintenance – Council Land	\$10,000	\$5,500	-	\$4,500	55%	-
TOTAL EXPENDITURE	\$37,645	\$30,443	-	\$7,202	81%	\$30,886

Knuckey Lagoon Operation Report August 2022

LITCHFIELD
COUNCIL



Kate Townsend, Community Development Officer

4 August 2022



COMMITTEE TERMS OF REFERENCE

1. Provide advice on the efficient and effective operations of the Reserve
2. Provide advice to Council concerning strategic or policy issues relating to the Reserve
3. Enhance communication between Council and the community to ensure that the Reserve meets community expectations and need.

UTILIZATION

	Knuckey Lagoon Feb – April 2022
Regular user groups	5
Casual Bookings	1

REGULAR USER GROUPS

- Top End Gem Club
- Berrimah Scouts
- Darwin Runners and Walkers Club
- NT Thai Association

STORAGE

Internal Storage	External Storage
Top End Gem Club	Berrimah Scouts



FINANCIALS

Figures as of 25th of May*

	2020/2021	2021/2022
Income	92%	113%
Operational Expenses	108%	99%
Repairs and Maintenance	288.44%	68%
Tree maintenance	0	55%

PLEASE NOTE – THESE ARE NOT FINAL FIGURES FOR END OF FINANCIAL YEAR. S

MAINTENANCE & REPAIRS

User groups are asked to submit repairs and maintenance requests to the Litchfield Council CDO as they are identified (not at committee meetings).

Jobs are then prioritized and actioned according to budget with progress reported at meetings. Please report progress back to your user groups.

Work completed this period:

1. Eves of the outdoor area and paving cleaned by MWF
2. TV Mounted
3. Vinyl floor stripped and resealed, tiles deep cleaned
4. Nature play area tidied up
5. Leak detected and repaired
6. Smoke alarms replaced
7. Cleaning cupboard at front door

(Appendix A) Repairs and Maintenance log lists, prioritizes, and costs each job reported to Council from contractors and user groups. This allows jobs to be actioned according to need and budget.



COMMUNICATION AND PROMOTION

ANNUAL FEE CHANGES

The annual fee review has taken effect. An increase of 5% was adopted by council to reflect CPI.

If any user groups are experiencing financial difficulty, we encourage you to contact Council to discuss options for support.

NATURE PLAY AREA AND WALKING TRACKS

Contractors have come through to tidy much of the dead branches impeding paths and sitting areas. We appreciate user groups informing council when walking paths and play area needs attention so that all areas of the reserve are effectively maintained.

We are seeking ideas for improvement to the nature play area for potential grant funding if anyone has any suggestions, we warmly welcome ideas and suggestions.

COMMUNITY BENEFIT GRANT

NTG has opened the next round of Community Benefit Grants. Community Organizations can apply for funds up to \$250,000 for infrastructure improves or to purchase assets which have an ongoing benefit to the community.

Council is ineligible to apply but is supportive of not-for-profit groups and organizations who would like to initiate projects on council property which benefit the entire community. All projects on council land require a comprehensive project plan, including budget sent to the Community Development Officer which is then submitted for approval by the CEO.

UPGRADES AND IMPROVEMENTS

ONLINE BOOKING SYSTEM



Council has identified a supplier for the booking system and is rigorously exploring costs, integration, and experience of other councils. We anticipate that the upgrade could be initiated as early as September and be live approximately 3 weeks after.

Committee will be updated as project progresses

SECURITY/WIFI ACCESS UPGRADES

Council has begun to engage contractors to quote work on this project. The committee will be notified when a quote has been accepted and work is anticipated to begin

SHED LIGHTING

Council has begun to engage contractors to quote work on this project. The committee will be notified when a quote has been accepted and work is anticipated to begin



Appendix A Repairs and Ma

Location	Description	Action Required	Date	Priority Score	Quoted
Bathrooms	Flooding whenever showers are used	Plumber/contractor	Apr-22	5	
Bathrooms	Taps frequently not turned off completely	change taps	Apr-22	2	
Hallway	skirting board missing	Contractor			
General	Painting tired and chipped	paint	Apr-22	2	\$3,908
General	Replacement blowers and vacuum cleaner	replacement	Apr-22	2	
Kitchen	Tiles Missing from kickboard	Replacement	Apr-22	4	\$500
Kitchen	Possum entering building via roller door	Block entry	Apr-22	5	
Kitchen	Electric Urn leaking	Service	Apr-22	2	
Outdoor	BBQ's in poor condition	Replacment	Apr-22	3	
Stairs	chipped and flaked paint	Needs repainting	May-22	5	\$1,328
Upstairs	Water damage on left hand side	replace tiles, check roof	Apr-22	4	
Upstairs	Hole in floor	Needs patching	May-22	5	



COUNCIL REPORT

Agenda Item Number:	14.02.03
Report Title:	Freds Pass Sport and Recreation Reserve Water Leak Funding Update
Author & Recommending Officer:	Nicky Davidge, General Manager Community & Lifestyle
Meeting Date:	20/09/2022
Attachments:	Nil

Executive Summary

To present to Council the water leak issue at Freds Pass Sport and Recreation Reserve (FPSRR), actions taken to date and funding to install new infrastructure for an uninterrupted supply to the cricket club and surrounding areas and to enable the restoration of the community hall.

Recommendation

THAT Council receive and note the report.

Background

Current Update

The Freds Pass Sport and Recreation Management Board have advised Council that they have heard and agreed with the Council's sentiments that the problem has been occurring for too long and that it is a priority that the leak needs to be fixed immediately to further negate the ongoing environmental, financial, and operational risks that are occurring.

The Management Board have approved the works to commence asap and realise that without additional funding this is a potential risk to their budget and obligations under the funding agreement. As such, FPSRR are looking at all options to increase revenue to assist but note that if they are unable to cover this unforeseen expenditure there may be impacts on the agreed funding KPI's.

Council staff have identified an existing budget for the renewal of assets at FPSRR which are outside of their funding obligations that will cover this expenditure.

Historic Details

Over the past 12 months, the General Manager at FPSRR has been investigating and remediating an extensive water leak on the Reserve. To date, \$27,000 of unbudgeted funding has been spent on the investigations, installation of hardware and continual fixes of leaks. In addition to the \$27,000, the excessive water charges, charged at a higher rate, was \$20,000.

The leak has now been reduced from 5,000L per hour to 1,000L per hour and has been localised to under the annex concrete slab on the side of the 'community hall'.

Due to the old infrastructure and the setup of the plumbing fixtures, isolating the water under the concrete slab, also isolates the cricket club.

After extensive investigations, including the possibility of demolishing the community hall, the best option identified to stop the leak and have water continuing to the cricket club, is to redirect the water supply from the mains, which will allow the 'community hall' to be isolated whilst still allowing water to be supplied to the cricket club and surrounding areas.

Isolating the water to the 'community hall' FPSRR will work with contractors to ensure the foundations to the hall have not been compromised due to the water leak and then repair and clean up the hall and make it available for public use again.

Links with Strategic Plan

Progress - Continuity of Services and Facilities

Legislative and Policy Implications

Nil.

Risks



Nil identified.

Community Engagement

Not applicable.



COUNCIL REPORT

Agenda Item Number:	14.03.01
Report Title:	Summary Planning and Development Report August 2022
Author:	Jaimie O'Connor, Business Support Officer (IA)
Recommending Officer:	James Morgan, Manager Infrastructure and Assets
Meeting Date:	20/09/2022
Attachments:	A: PA2022/0135 (map Figure 1) B: PA2022/0257 (map Figure 2) C: PA2022/0273 (map Figure 3) D: PA2022/0261 (map Figure 4)

Executive Summary

The purpose of this report is to provide to Council a summary of planning and development applications received, and comments provided, for the period of 1 August 2022 to 31 August 2022.

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

Type of Application	No. Applications
Development Applications	4
Mining Applications	
Sale, Lease, or Occupation of Crown Land Applications	
Liquor Licence Applications	
Water Licence Applications	
Clearances for Development Conditions	1
Stormwater/Driveway Plan Reviews	14
Works Permits	9

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

Recommendation

THAT Council:

1. receive the Summary Planning and Development Report August 2022; and
2. note for information the responses provided to relevant agencies within Attachments A-D to this report.

Background

DEVELOPMENT APPLICATIONS

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

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

Council Outcome on Development Applications	No. Applications
Development applications supported, subject to normal Council conditions	4
Development applications supported, subject to specific issues being adequately addressed	0
Development applications not supported/objected to for reasons related to Council issues	0
Development applications objected to for reasons not directly related to Council issues	0
Note: Additional detail is provided below on all development applications.	

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

Development Applications supported, subject to normal Council conditions

The table on the following page describes the Development Applications that are supported by Council.

Application Number, Address, and Attachment Reference	Purpose and Summary
PA2022/0135 335 Old Bynoe Road, Livingstone NT (Lot 00002 Hundred of Cavenagh) Attachment A Figure 1.	<u>Exceptional Development Permit (Veterans Retreat) with ancillary caravan park</u> Council does not object Whilst the ancillary use as a caravan park is not compliant with the zone Rural, the caravan park is existing, and this is a retrospective approval. The site does not function commercially nor is it open to the public with primary use being for a club by invite only.
PA2022/0257 85 Brahminy Road, Humpty Doo NT (Section 3247 Hundred of Strangways) Attachment B Figure 2.	<u>Shed with reduced set-back</u> Council does not object The proposal is for a significantly reduced set-back from 10 metres to 5 metres which does not comply with the zone Rural Living. However, provided the applicant can confirm the effected neighbour to the south is aware and supportive (by way of letter of consent). The proposal is also in keeping with the general neighbourhood character and is well setback from the road.
PA2022/0273 3202 Arnhem Highway, Wak Wak NT (Section 01614 Hundred of Guy) Attachment C Figure 3.	<u>Pontoon and walkway addition for the purpose of a tourist facility</u> Council does not object Council supports local businesses and economic growth for the region. Provided it is considered sustainable and appropriate development for this nationally significant tourist precinct should be encouraged.
PA2022/0261 180 Gulnare Road, Bees Creek NT (Lot 00055 Hundred of Strangways) Attachment D Figure 4.	Dwelling-independent with separate effluent disposal system Council does not object The proposed dwelling is within the allowable floor area of 80m2 and meets minimum setbacks required to boundary fencing. The site location provides sufficient opportunity to accommodate the separate effluent disposal system.

ASSESSMENT OF PLANS/REPORTS/DRAWINGS FOR CLEARANCE OF DEVELOPMENT PERMIT CONDITIONS

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

No. Requests for Assessment of Plans/Reports/Drawings for Clearance of Development Permit Conditions
1

STORMWATER DRAINAGE AND/OR DRIVEWAY CROSSOVER APPLICATIONS FOR BUILDING CERTIFICATION

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

No. Building Certification Applications
14

WORKS PERMIT APPLICATIONS

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

Application Date Received	Proposed Works Start Date	Location of Works Permit Application	Purpose of works
4/08/2022	8/08/2022	55 Sayer Road, McMinns Lagoon	Driveway Crossover Construction
8/08/2022	16/08/2022	3400 Stuart Hwy (Leonino Road)	PWC - Installation pole and hardware
10/08/2022	17/08/2022	445 Whitewood Road (Hillier Road) Howard Springs	PWC - IVMS Vegetation Maintenance
18/08/2022	24/08/2022	29 Makhara Road, Girrarween	PWC - Underground bore for water main
19/08/2022	14/09/2022	100 Melaleuca Street, Howard Springs	PWC - Power Pole upgrade
22/08/2022	7/09/2022	246 Bronzewing Avenue, Howard Springs	PWC - New Power Pole
29/08/2022	12/09/2022	115 Ewart Road, Lampbells Lagoon	PWC - Install PSU switches install new pole stay
30/08/2022	13/09/2022	125 Golding Road, Acacia Hills	PWC - Pole Top Maintenance
31/08/2022	5/09/2022	185 Girraween Road, Howard Springs	Repair leak to water service

Links with Strategic Plan

A Great Place to Live - Development and Open Space

Legislative and Policy Implications

Not applicable to this report.

Risks



Nil identified.

Community Engagement

Not applicable.



11 August 2022

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

RE: Letter of Comment – EDP Club (Veterans Retreat) with Ancillary Caravan Park

PA2022/0135, 335 (Lot 00002) Old Bynoe Road, Hundred of Cavenagh, Livingstone NT

Thank you for the Exceptional Development Permit (EDP) application referred to this office on 14 July 2022 concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council you will be advised accordingly.

Council does not object to the granting of a Permit, and as per Section 49(6) of the *NT Planning Act 1999*, provides relevant comments below.

- a) It is acknowledged that an EDP is required, given the ancillary use as a caravan park is not compliant in the Zone Rural per the *NT Planning Scheme 2020*, however Council has no objections as:
 - i. the use and operation of the veteran's retreat and ancillary caravan park is existing. The application seeks a retrospective approval and no actual development works are proposed;
 - ii. the site is currently operating without undue impact on Council infrastructure and the lack of additional works obviates any need to assess the use against such Council assets; and,
 - iii. the site does not function commercially nor is it open to the public, with the primary use being for a Club (veterans retreat) and any caravan park visitors can attend via private invite only.
- b) Council's position of no objection is predicated on the use remaining the same as it is at this date, which is that the primary use is for a Club, and the caravan park is limited to a maximum of nine (9) caravans onsite. A move to commercial operations would not be supported at this time. Council may reconsider its position should the approvals process disclose there to be proven negative amenity impacts to neighbours.

Should the application be approved, the following Conditions pursuant to the *NT Planning Act 1999* and Council's responsibility under the *NT Local Government Act 2019* are also recommended for inclusion in any Development Permit issued by the consent authority:

- a) Prior to the endorsement of plans and prior to the commencement of works, a schematic 'stormwater management plan' demonstrating the on-site collection of stormwater and/or its discharge into Litchfield Council's stormwater drainage system shall be submitted to and approved by Litchfield Council.

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

- a) Inspection fees and charges may apply in accordance with Litchfield Council's current Fees and Charges. Additional information can be found at www.litchfield.nt.gov.au.
- b) A *Works Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to the Litchfield Council road network.

If you require any further discussion in relation to this application, please contact Litchfield Council on 08 8983 0600.

Yours faithfully



James Morgan
Manager Infrastructure and Assets

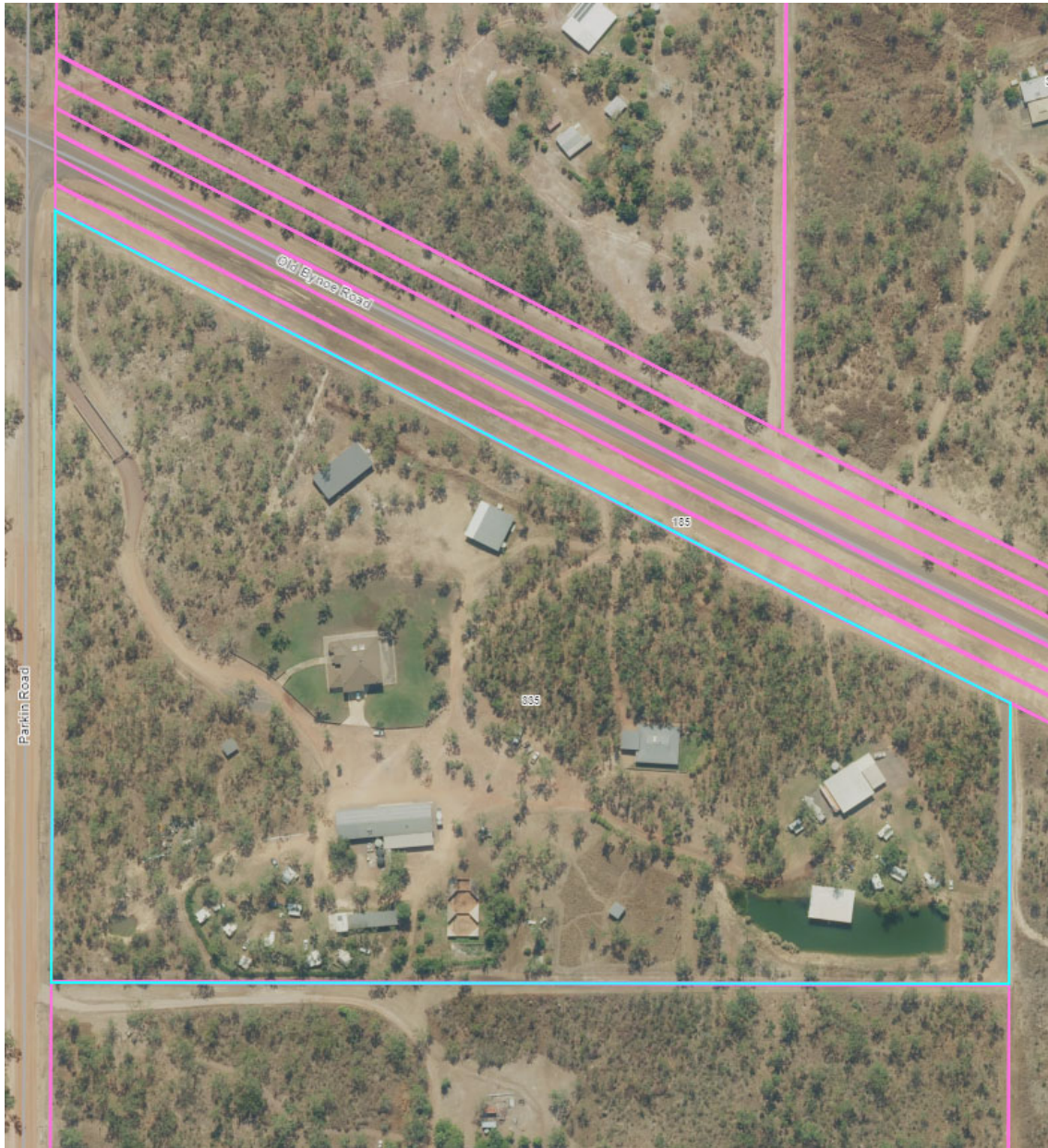


Figure 1.



11 August 2022

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

RE: Letter of Comment Development Application - Shed with Reduced Setback

PA2022/0257, 85 (Sect. 03247) Brahminy Road, Hundred of Strangways, Humpty Doo NT

Thank you for the Development Application referred to this office on 24 July 2022 concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council you will be advised accordingly.

Council does not object to the granting of a Permit, and as per Section 49(6) of the *NT Planning Act 1999*, provides relevant comments below.

- a) The proposal is for significantly reduced side and rear setbacks, from 10metres to 5metres, which is not compliant in the Zone Rural Living per the *NT Planning Scheme 2020*. Whilst discretion can be shown in such cases, Council only withholds its objection provided the applicant can confirm that the effected neighbour to the south is aware and supportive of the proposal. Typically, this support is demonstrated through a letter of consent.
- b) The proposal is also in keeping with the general neighbourhood character, it is well setback from the road and a number of nearby lots have similar setbacks to ancillary structures, so it is therefore unlikely to cause any significant amenity impacts.

Should the application be approved, the following General Conditions pursuant to the *NT Planning Act 1999* and Council's responsibility under the *NT Local Government Act 2019* are also recommended for inclusion in any Development Permit issued by the consent authority:

- a) Prior to the endorsement of plans and prior to the commencement of works, a schematic 'stormwater management plan' demonstrating the on-site collection of stormwater and/or its discharge into Litchfield Council's stormwater drainage system shall be submitted to and approved by Litchfield Council.

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

- a) Inspection fees and charges may apply in accordance with Litchfield Council's current Fees and Charges. Additional information can be found at www.litchfield.nt.gov.au.
- b) A *Works Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to the Litchfield Council road network.

If you require any further discussion in relation to this application, please contact Litchfield Council on 08 8983 0600.

Yours faithfully



James Morgan
Manager Infrastructure and Assets

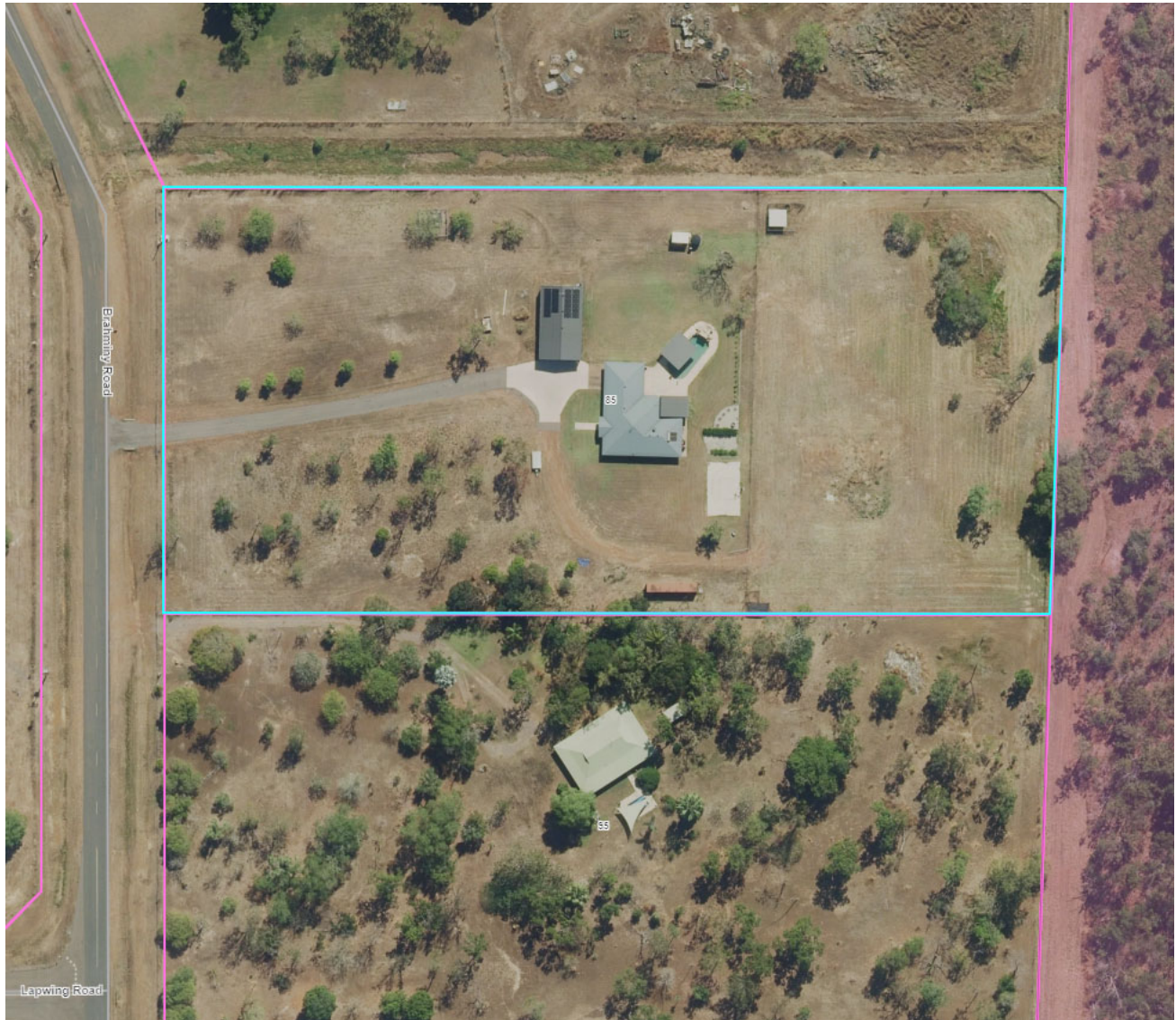


Figure 2.



26 August 2022

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

RE: Letter of Comment Development Application – Pontoon and walkway addition for the purpose of a tourist facility

PA2022/0273 – 3202 Arnhem Hwy (Sect. 01614) Hundred of Guy, Wak Wak NT

Thank you for the Development Application referred to this office on 12 August 2022, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

Council does not object to the granting of a Development Permit and, per s49(6) of the *NT Planning Act 1999*, can provide the following comments in relation to the application:

- a) Council supports local businesses and economic growth for the region. Provided it is considered, sustainable and appropriate, development of the nationally significant tourist precinct (the Adelaide River 'Jumping Crocs' area) relating to this application should be encouraged.

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

- a) Litchfield Council's current Fees and Charges may apply to the above conditions. Additional information can be found at www.litchfield.nt.gov.au.
- b) A *Works Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.

If you require any further discussion in relation to this application, please contact Litchfield Council on 08 8983 0600.

Yours faithfully



James Morgan
Manager, Infrastructure and Assets



Figure 3.



26 August 2022

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

RE: Letter of Comment Development Application – dwelling-independent with separate effluent disposal system

PA2022/0261 – 180 Gulnare Road, (Lot 00055), Bees Creek NT, Hundred of Strangways,

Thank you for the Development Application referred to this office on 12 August 2022, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

Council does not object to the granting of a Development Permit and, per s49(6) of the *NT Planning Act 1999*, can provide the following comments in relation to the application:

- a) The proposed dwelling-independent is within the 80m² maximum allowable floor area to be considered a subordinate use, at just 63m² with the separate effluent disposal system triggering permit requirements.
- b) The proposed dwelling-independent on the 1.88ha site has minimum setbacks of 30m, which are far in excess of the 10m required in the Zone Rural Living.
- c) The site location and area provide sufficient opportunity to accommodate a separate effluent disposal system, and the applicant should be commended for including technical assessments over and above what is required to demonstrate this.

Should the application be approved, the Council requests the following conditions be included as Conditions in any Development Permit issued by the consent authority:

- a) Any new driveway/crossover is to meet Litchfield Council's requirements. Additional information can be found at www.litchfield.nt.gov.au.
- b) Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and/or its

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

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

- a) Litchfield Council's current Fees and Charges may apply to the above conditions. Additional information can be found at www.litchfield.nt.gov.au.
- b) A *Works Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.

If you require any further discussion in relation to this application, please contact Litchfield Council on 08 8983 0600.

Yours faithfully



James Morgan
Manager, Infrastructure and Assets



Figure 4.



COUNCIL REPORT

Agenda Item Number:	14.03.02
Report Title:	Public Access to a Portion of Humpty Doo Waste Transfer Station
Author:	David Jan, Manager Operations and Environment
Recommending Officer:	
Meeting Date:	20/09/2022
Attachments:	A: Humpty Doo Waste Transfer Station Environmental Protection License (EPL279) B: Correspondence from Northern Territory Environment Protection Authority C: Correspondence from Development Consent Authority D: HDWTS Site map

Executive Summary

This report provides information relating to the trucks and trailers parking on a portion of land along Strangways Road, which forms part of the Humpty Doo Waste Transfer Station (HDWTS). This report has been tabled seeking budget allocation to proceed to secure the unfenced portion of land that is subject to Environmental Protection License 279 (EPL 279), provided in attachment A. This will ensure that Council is best able to meet EPL 279 obligations.

Elected members met with the owners of the plant who were given an opportunity to submit a proposal for use of the site which to date has not been received.

Recommendation

THAT Council

1. Approve a budget allocation of \$45,000 from the Waste Reserve for the fencing of the portion of land along Strangways Road, which forms part of the Humpty Doo Waste Transfer Station Environmental Protection License (EPL 279).
2. Allow 90 days for the removal of any plant on the site.

Background

This report serves as a follow up to the information provided to Councillors in the following reports.

- Councillor Bulletin provided on 22 April 2022;
- Briefing Note 23 provided to Councillors on 3 May 2022;
- Council Report provided to Council on 16 June 2022; and
- Briefing Note 42 provided to Councillors on 4 July 2022, including correspondence from;
 - Northern Territory Environment Protection Authority (Attachment B); and
 - Development Consent Authority (Attachment C).

The site map provided in Attachment D shows that the area in question is part of the land allocated to the HDWTS which is subject to conditions set out in the current Environmental Protection Licenses EPL279. Whilst EPL279 is provided for the collection and transfer of specific listed waste, its existence attracts a higher level of scrutiny from the Environment Protection Authority (EPA) in relation to the management of the site.

Historically local businesses have been parking trucks and trailers on the site for several years. Discussions with the business owners suggest that a previous works manager provided verbal approval and were apparently going to seek a permit. No such permit was ever issued, and it is unlikely to secure a permit due to the existence of EPL279. Additionally, it would seem that whilst the arrangement was initially with one company who maintained the area, it expanded into a number of businesses both from within the adjacent industrial area and beyond, without proper regulation. Site inspections (22/04/22, 19/05/22, 25/05/2022 and 24/06/2022) identified several trailers which are unlicensed and unserviceable (missing wheels, flat tyres) that appear to have been on the site for an extended time and cannot be moved without repairs, as well as other plant that has leaked fluids onto the site.

Following a complaint from a member of the public, the EPA conducted an inspection of HDWTS and the identified site. The key item of concern for the EPA Officers was the leaking of hydraulic fluid and bitumen from the plant parked on the site at the time and the potential for these contaminants to enter storm and ground water.

Informal advice from the EPA is that Council has a General Environmental Duty to take all measures that are reasonable and practicable to prevent or minimise pollution or environmental harm. EPA officers have provided this verbal advice to Council, along with options in order to maintain a working relationship, not place undue time frames and avoid formal reports against the HDWTS EPL. This has also been followed up through correspondence from the EPA (Attachment B) as well as correspondence from the Development Consent Authority (DCA) provided in Attachment C, notifying of intent to investigate, following the Council meeting on 16 June 2022.

Whilst there is nothing restricting Council from allowing the plant to be parked on the site, it is Council's responsibility to ensure there is no environmental harm done. Should Council continue to provide a hard stand area for the use of business in the adjacent industrial area, greater scrutiny will need to be undertaken by Council officers to ensure that any future leaks are detected and rectified immediately. Council will face the prospect of any clean-up costs if the business responsible for any spills or leaks is inconclusive.

It should also be noted that this site has been identified as a future emergency green waste dumping site as a consequence of the green waste generated from the clean-up of Cyclone Marcus.

Elected members met with the owners of the plant who were given an opportunity to submit a proposal for use of the site which to date has not been received.

Given the lack of response from the business owners and in order to ensure Council Officers are able to efficiently maintain the site, meeting the obligations of EPL 279 and protecting Council from noncompliance, it is proposed that Council proceed with fencing the site as indicated in Attachment D.

Quotes received in April 2022 indicated the cost would be in the vicinity of \$45,000 with an expected 3-month lead time for the work to commence. Due to the time elapsed since the initial quotes a request for updated quotes was made. At the time of writing two updates were received with one indicating that the original quote would be honoured with an updated lead time of 1 month for commencement of the work.

Initial quotes received in April 2022 noted a three-month lead time. Whilst an updated lead time of 1 month has been provided it is proposed to allow 90 days for the removal of any plant before the works commence.

This action is recommended as it attracts the least risk for Council.

Links with Strategic Plan

Places - Roads and Infrastructure

Legislative and Policy Implications

Council has a General Environmental Duty to take all measures that are reasonable and practicable to prevent or minimise the pollution or environmental harm. Additionally, clauses 30 and 31 of EPL279 require Council to ensure storm water and ground water are not contaminated within the license area.

Allowing the continued use of the site will also require approval from the DCA (see attachment C) as it is currently unauthorised. Current feedback from the DCA is that they are aware that this issue is being presented to Council and is awaiting Council response before proceeding with any investigation.

Council Officers are currently working with Crown Land Estate to progress the industrial subdivision development across the road and are reviewing documentation which has now been provided by the developer. Once this development is finalised it will provide further industrial allocation which may eliminate existing issues with trucks parking on the EPL 279 site.

Risks



Health and Safety

Allowing unrestricted access would mean that Council has limited oversight over potential contaminants which may be leaked on the site.

Service Delivery

Allowing unrestricted access has the potential to interrupt service if the EPA serves Council with official notice to clean up the site, as this would place an extra burden on the existing staff and operations. Additionally constant monitoring of the site will take away from current operational requirements.

Financial

Whilst a capital outlay of up to \$45,000 will be required to fence the area, the capital costs alone to seal and bund the area are significantly more, estimated to be in excess of \$225,000. Additionally, once sealed it becomes a Council asset that will require maintenance and renewal over time, specifically due to the impact that plant of this size has on pavement areas.

Additionally unrestricted access increases the risk of further incidents of contamination and potential fines from the EPA.

Community

There appears to be approximately five businesses utilising the site that will be inconvenienced who are all aware of the situation. Should Council proceed to allow access to the site, consideration should be given to the precedence that is being set with regards to use of Council land by specific commercial entities and any agreements which are entered into that may bind Council into the future.

Governance

Council currently does not have any related by-laws that provide regulatory power to compel users to clean up any leaks or spillages.

Environment

Council has a General Environmental Duty to take all measures that are reasonable and practicable to prevent or minimise the pollution or environmental harm. Additionally, clauses 30 and 31 of EPL279 require Council to ensure storm water and ground water are not contaminated. The EPA takes this clause seriously with Council having previously been served a noticed at Howard Springs Waste Transfer Station due to a hydraulic oil leakage.

Unrestricted access to the site would increase the likelihood of further breaches as Council has no control over the proper repairs and maintenance of the plant using the site.

Community Engagement

Council staff have been in consultation with the effected business owners and Elected members met with the owners of the plant who were given an opportunity to submit a proposal for use of the site which to date has not been received.

ENVIRONMENT PROTECTION LICENCE

(Pursuant to section 34 of the *Waste Management and Pollution Control Act*)

Licensee	LITCHFIELD COUNCIL
Licence Number	EPL279
Registered Business Address	LITCHFIELD COUNCIL 7 Bees Creek Access Freds Pass NT 0836
ABN	45 018 934 501
Premises Address	Section 05020 Hundred of Strangways plan(s) S2015/175 225 STRANGWAYS RD, HUMPTY DOO
Anniversary Date:	01 July
Commencement Date:	01/07/2019
Expiry Date:	30/06/2024
Scheduled Activity	Operating premises , other than a sewage treatment plant, associated with collecting, transporting, storing, re-cycling, treating or disposing of a listed waste (as per Table 1) on a commercial or fee for service basis.
Description	Litchfield Council operates the Humpty Doo Waste Transfer Station to consolidate and manage recyclables and waste prior to further transport to appropriate facilities. The Waste Transfer Station accepts listed waste in the form of tyres, used lead acid batteries (ULABs) and waste mineral oils.

Table 1 - Listed Wastes Authorised to be Handled

Listed Waste	Collection	Transport	Storage	Treatment	Recycling	Disposal
Acidic solutions or acids in solid form	✗	✗	✓	✗	✗	✗
Lead, lead compounds	✗	✗	✓	✗	✗	✗
Tyres	✗	✗	✓	✗	✗	✗
Waste mineral oils unfit for their original intended use	✗	✗	✓	✗	✗	✗

✓ Activity authorised by this licence

✗ Activity not authorised by this licence

ENVIRONMENT PROTECTION LICENCE 279

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- 1 Attachment 1 - Surface Water Management Plan - Humpty Doo Waste Transfer Station

ENVIRONMENT PROTECTION LICENCE 279

INFORMATION ABOUT THIS LICENCE

- This licence does not in any way relieve the licence holder from its obligations to comply with the *Waste Management and Pollution Control Act* (WMPC Act), including the general environmental duty in section 12 of the WMPC Act and the duty to notify of incidents causing or threatening to cause pollution under section 14 of the WMPC Act.

Duration of a licence (section 40, 43 and 45 of the WMPC Act)

- A licence will remain in force until its expiry date or until it is surrendered by the licensee or is suspended or cancelled in accordance with the WMPC Act.
- The licensee must notify the Northern Territory Environment Protection Authority (NT EPA) within 14 days after ceasing to conduct the activity.
- The licensee may, with the approval of the NT EPA, surrender the licence to the NT EPA.

Amendment or Revocation of a licence (section 37 of the WMPC Act)

- The licensee may apply to amend or revoke a condition of this licence.
- A fee applies and the application must be made using the designated form via NT EPA Online.
- The NT EPA may also amend or revoke a condition of this licence as set out in section 38 of the WMPC Act.

Transfer of a licence (section 46 of the WMPC Act)

- The licensee can apply to transfer their licence to another person.

Renewal of a licence (section 40 of the WMPC Act and section 3 of the Regulations)

- The licensee may apply for the renewal of their licence not earlier than 90 days, and not later than 30 days, before their licence expires.
- A fee applies and the application must be made via NT EPA Online.

Public Register

- A copy of environment protection licences and any plans for environmental management, reports, submissions or documents required as a condition of an environment protection licence, will be placed on a register in accordance with section 9 of the WMPC Act.
- A copy of the Annual Return will be placed on the register.
- The NT EPA makes this register freely available from the NT EPA website.

Environment Protection Objectives (Part 4 of the WMPC Act), and Water Quality Standards (section 73 of the *Water Act*)

- An Environment Protection Objective (EPO) is a statutory instrument to establish principles on which:
 - a. environmental quality is to be maintained, enhanced, managed or protected;
 - b. pollution, or environmental harm resulting from pollution, is to be assessed, prevented, reduced, controlled, rectified or cleaned up; and
 - c. effective waste management is to be implemented or evaluated.
- In accordance with section 18 of the WMPC Act a beneficial use, quality standard, criteria or objective declared under section 73 of the *Water Act* and in force is an environment protection objective for the purposes of the WMPC Act.

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- The following EPOs and Beneficial Use Declarations (BUDs) are relevant to this licence:
 - Darwin Harbour Region
 - Darwin Rural Water Control District

Environmental Interests

- This section highlights sensitivity of the surrounding land use and environment associated with the location of the approved activity.
- Sites of Conservation Significance - Howard Sand Plains
- Ramsar Wetland - nil

Cultural Interests

- It is the licensee's responsibility to contact the Aboriginal Areas Protection Authority, appropriate land council or other governing body and ensure that any Authority Certificates required as a result of conducting the licenced activity are obtained and complied with.

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RULES FOR INTERPRETING THE CONDITIONS OF THIS LICENCE

- Where there is a discrepancy between the conditions of this licence and any plan, standard, guideline or other document referred to in this licence, the conditions of this licence prevail to the extent of the inconsistency.
- Any reference to any standard (Australian or international) in this licence means the relevant parts of the current version of that standard.
- A reference to any guideline or code of practice (or to the relevant parts of any guideline or code of practice) in this licence means the current version of the guideline or code of practice.
- Under section 39 of the WMPC Act, any contravention of or failure to comply with this licence by the licensee may be an offence.
- In determining whether the licensee has committed an offence, the licensee may be liable for the conduct of its directors, employees or agents.
- The licensee should ensure that each of its directors, employees, contractors or agents are aware of, and comply with, this licence.
- In this licence, unless the contrary intention appears, words that are defined in the WMPC Act are intended to have the meaning given to them in that Act.

ENVIRONMENT PROTECTION LICENCE 279

LICENCE CONDITIONS

GENERAL

- 1 The licensee must ensure the contact details recorded in NT EPA Online for this licence are correct at all times.
- 2 The licensee must at all times have a 24 hour emergency contact.
- 3 The licensee must pay the annual fee calculated in accordance with the method prescribed in the Regulations within 50 business days of the anniversary of the commencement date of this licence, for each year or part of a year that this licence is in force.
- 4 The licensee must cause clear and legible signage, in English, to be displayed in a prominent location at each public entrance to the premises that includes the following details:
 - 4.1 environment protection licence number issued under the WMPC Act;
 - 4.2 24 hour emergency contact details;
 - 4.3 days and hours of opening; and
 - 4.4 waste types accepted.
- 5 The licensee must cause a copy of this licence to be available for inspection by any person, in hard copy form, at the premises.
- 6 The licensee must provide to the NT EPA, within 10 business days of a request, a copy of any document, monitoring data or other information in relation to the activity, in the format requested by the NT EPA.
- 7 All notices, reports, documents or other correspondence required to be provided as a condition of this licence, unless otherwise specified as a condition of this licence, must be provided in electronic form by uploading the document via NT EPA Online (or by emailing waste@nt.gov.au).
- 8 The licensee must implement, maintain and follow the document(s) listed in Table 2:

Table 2 - Documents Relevant to Licensed Activity

Reference	Document Title
20190028R01D	Environmental Management Plan Humpty Doo Waste Transfer Station Litchfield Council

- 9 Within 10 business days of any amendment being made to a document listed in Table 2 the licensee must provide the amended document to the NT EPA, along with:
 - 9.1 a tabulated summary of the amendment(s) with document references;
 - 9.2 reasons for the amendment(s); and
 - 9.3 an assessment of environmental risk associated with the amendment(s).
- 10 The NT EPA may require the licensee to revise or amend and resubmit any amended document. Where the NT EPA requires a document to be resubmitted, the licensee must submit it to the NT EPA by the date specified by the NT EPA.

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- 11 The licensee must, for the duration of this licence, implement, maintain and follow a Consultation and Communication Plan which includes a strategy for communicating with persons who are likely to have a real interest in, or be affected by, the activity.
- 12 The licensee must maintain a Complaint Log for all complaints received by the licensee in relation to the activity.
- 13 The licensee must ensure that the Complaint Log includes, for each complaint received by the licensee, the following information:
 - 13.1 the person to whom the complaint was made;
 - 13.2 the person responsible for managing the complaint;
 - 13.3 the date and time the complaint was reported;
 - 13.4 the date and time of the event(s) that led to the complaint;
 - 13.5 the contact details of the complainant if known, or where no details are provided a note to that effect;
 - 13.6 the nature of the complaint;
 - 13.7 the nature of event(s) giving rise to the complaint;
 - 13.8 prevailing weather conditions at the time (where relevant to the complaint);
 - 13.9 the action taken in relation to the complaint, including any follow-up contact with the complainant; and
 - 13.10 if no action was taken, why no action was taken.
- 14 The licensee must implement, maintain and follow an Emergency Response Plan that addresses procedures for responding to emergencies associated with the activity that may cause environmental harm.

EARLY SURRENDER OF LICENCE

- 15 Any reports, records or other information required or able to be provided by the licensee under this licence must be submitted to the NT EPA prior to the licensee surrendering the licence. If the date on which a report, record or other information is required falls after the date the licensee requests to surrender this licence, the licensee must provide the report, record or information as far as possible using data available to the licensee up to and including the date the request to surrender the licence is made.

OPERATIONAL

- 16 The licensee must not collect, transport, store, recycle, treat or dispose of listed waste other than the listed waste specified in Table 1.
- 17 The licensee must ensure that listed waste found at the premises not specified in Table 1 is:
 - 17.1 managed in accordance with the conditions of this licence; and
 - 17.2 not stored for longer than 20 business days.
- 18 The licensee must ensure that all materials that are likely to cause environmental harm are handled and stored in areas with a containment system in accordance with the relevant Australian Standard. Where

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no relevant Australian Standard exists, the containment system must be sized to contain 110% of the volume of the largest container within the area.

- 19 The licensee must ensure any plant and equipment used by the licensee in conducting the activity:
 - 19.1 is reasonably fit for the purpose and use to which it is put;
 - 19.2 is maintained;
 - 19.3 is operated by a person trained to use the plant and equipment; and
 - 19.4 is operated by, or operated by a person accompanied by, a person trained to handle, store or dispose of listed waste in connection with the activity.
- 20 The licensee must ensure that wastewater generated from washing plant and equipment associated with the activity does not cause pollution.
- 21 The licensee must segregate waste received at the premises in clearly designated areas for recycling, re-use or disposal.
- 22 The licensee must segregate waste generated at the premises in clearly designated areas for recycling, re-use or disposal.
- 23 The licensee must ensure that litter:
 - 23.1 is contained within the boundary of the premises;
 - 23.2 is not deposited or allowed to accumulate in stormwater drain(s), water or leachate dam(s); and
 - 23.3 does not accumulate along the boundary of the premises.
- 24 The licensee must not cause or permit waste to be burned.
- 25 The licensee must maintain a log of fires occurring at the premises including the following information:
 - 25.1 the time and date of when the fire was reported;
 - 25.2 the circumstance which ignited the fire;
 - 25.3 the time and date of when the fire ceased and whether it burnt out or was extinguished;
 - 25.4 the location of the fire on the premises (e.g. green waste, putrescible waste);
 - 25.5 prevailing weather conditions;
 - 25.6 observations made in regard to smoke direction and dispersion;
 - 25.7 the amount of waste combusted by the fire; and
 - 25.8 action taken to extinguish the fire.
- 26 The licensee must notify the NT EPA of any fires at the premises by contacting the Pollution Hotline on telephone number 1800 064 567 as soon as practicable after (and in any case, within 24 hours after) first becoming aware of the fire. The licensee must provide the status of the fire and this licence number when contacting the Pollution Hotline.
- 27 The licensee must ensure that all listed waste being transported from the premises is transported by a person licenced under section 30 of the WMPC Act to transport the listed waste.
- 28 The licensee must comply with the National Environment Protection (Movement of Controlled Wastes between States and Territories) Measure.

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DISCHARGES AND EMISSIONS

- 29 The licensee must ensure there is no migration or overflow of a contaminant or waste, which causes or may cause environmental harm, beyond the boundary of the land on which the premises are located. (For the avoidance of doubt, this condition is not intended to authorise the discharge of a contaminant or waste to any land or water which discharge has not been specifically authorised by another condition of this licence.)
- 30 The licensee must not allow a contaminant or waste, which causes or may cause environmental harm, to enter water.
- 31 The licensee must ensure that stormwater does not come into contact with a contaminant or waste, which causes or may cause environmental harm.

MONITORING

- 32 The licensee must conduct surface water monitoring in accordance with the Surface Water Management Plan contained within the Environmental Management Plan listed in Table 2.
- 33 The licensee must ensure the Surface Water Management Plan includes the particulars in Attachment 1.
- 34 The Surface Water Management Plan must be reviewed following the second anniversary of this licence.
- 35 The licensee must ensure that all samples and field environmental data are representative of the conditions at the time of sampling.
- 36 The licensee must ensure that all samples and field environmental data are collected in accordance with recognised Australian Standards and guidelines (such as AS/NZS 5667, ANZECC/ARMCANZ)
- 37 The licensee must ensure that all monitoring samples are analysed at a laboratory with current NATA accreditation or equivalent, for the parameters to be measured.
- 38 The licensee must ensure that, for each sample collected in accordance with the Monitoring Plan or the activity the following information must be recorded and retained:
- 38.1 the date on which the sample was collected;
 - 38.2 the time at which the sample was collected;
 - 38.3 the location, including GPS coordinates, at which the sample was collected;
 - 38.4 the name of the person who collected the sample;
 - 38.5 the chain of custody forms relating to the sample;
 - 38.6 the field measurements (if any) and analytical results (if any) relating to the sample; and
 - 38.7 laboratory quality assurance and quality control documentation.

RECORDING AND REPORTING

- 39 The licensee must maintain records of the nature, quantities and source of waste, other than listed waste, received at the premises in each successive 12 month period following the commencement date of this licence.
- 40 The licensee must keep and maintain records relating to the activity undertaken and the listed waste

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handled by the licensee in each successive 12 month period following the commencement of this licence, which include:

- 40.1 the date of collection;
 - 40.2 the source of the listed waste;
 - 40.3 the name of the transport company, if not the licensee;
 - 40.4 the vehicle registration;
 - 40.5 a description of the listed waste;
 - 40.6 the quantity of the listed waste;
 - 40.7 the final destination of the listed waste; and
 - 40.8 whether the listed waste was stored, recycled, treated or disposed of.
- 41 The licensee must retain records relating to waste, including listed waste, as required by the conditions of this licence, for a period of 2 years after the end of the 12 month period to which the record relates.
- 42 The licensee must keep records of all non-compliances with this licence. These records must be adequate to enable the licensee to comply with the non-compliance notification conditions of this licence.
- 43 The licensee must notify the NT EPA of any non-compliance with this licence by completing the Non-Compliance Notification via NT EPA Online (or by emailing waste@nt.gov.au), as soon as practicable after (and in any case within 24 hours after) first becoming aware of the non-compliance.
- 44 The licensee must include in the notification of non-compliance the following information:
- 44.1 when the non-compliance was detected and by whom;
 - 44.2 the date and time of the non-compliance;
 - 44.3 the actual and potential causes and contributing factors to the non-compliance;
 - 44.4 the risk of environmental harm arising from the non-compliance;
 - 44.5 the action(s) that have or will be undertaken to mitigate any environmental harm arising from the non-compliance;
 - 44.6 corrective actions that have or will be undertaken to ensure the non-compliance does not reoccur;
 - 44.7 if no action was taken, why no action was taken; and
 - 44.8 a date when an incident investigation report will be submitted to the NT EPA.
- 45 The licensee must complete and provide to the NT EPA a Monitoring Report for the Surface Water Management Plan, as prescribed by this licence, within 10 business days after each anniversary date of this licence.
- 46 The licensee must ensure that each Monitoring Report:
- 46.1 is prepared in accordance with the requirements of the NT EPA 'Guideline for Reporting on Environmental Monitoring';
 - 46.2 includes a tabulation of all monitoring data required as a condition of this licence;

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- 46.3 includes long term trend analysis of monitoring data to demonstrate any environmental impact associated with the activity over a minimum period of three years (where the data is available); and
- 46.4 includes an assessment of environmental impact from the activity.
- 47 The NT EPA may require the licensee to revise or amend and resubmit any Monitoring Report. Where the NT EPA requires the Monitoring Report to be resubmitted, the licensee must submit it to the NT EPA by the date specified by the NT EPA.
- 48 The licensee must submit a completed Annual Return via NT EPA Online within 10 business days after each anniversary date of this licence, which relates to the preceding 12 month period.

END OF LICENCE CONDITIONS

This licence is not valid unless signed below:



Leonie Cooper
Director Environment Authorisations
Delegate of the Northern Territory
Environment Protection Authority
Dated: 08/11/2019

END NOTES

This licence is a renewal and supercedes EPL77-05-HD.

EPL77-05-HD was an amended licence issued on 21 July 2015.

EPL77-04-HD was an amended licence issued on 6 March 2015.

EPL77-03-HD was a licence renewal issued on 28 August 2014.

EPL77-02 was an amendment issued on 28 August 2013.

EPL77-01 was an amendment issued on 27 January 2012.

EPL77 was issued on 1 July 2011.

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DEFINITIONS

All terms in the Licence which are defined in the *Waste Management and Pollution Control Act* have the meaning given in that Act unless otherwise or further defined in this section.

DEFINITION	In this licence, unless a contrary intention appears:
24 hour emergency contact	the phone number of a person who can be contacted at any time and be capable of responding to and providing information about any incident associated with the activity.
Activity	the Scheduled activity as described on the covering page of this licence.
Air	includes any layer of the atmosphere.
Annual fee	yearly fee payable in respect of the activity as specified in the WMPC Act and the Regulations.
Annual Return	an NT EPA prescribed format for demonstrating and reporting compliance with the conditions of this licence and providing information on waste volumes for the preceding 12 month period.
ANZECC/ARMCANZ	Australian and New Zealand Environment and Conservation Council and Agriculture and Resource Management Council of Australia and New Zealand, 2000: National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting.
Business days	a day not Saturday, Sunday or a public holiday, in the Northern Territory.
Complaint Log	a register of complaints to be maintained by the Licensee that records the details of each complaint received in relation to the activity.
Consultation and Communication Plan	a written plan documenting proposed consultation and communications for the activity before, during and after the activity which includes a strategy for communicating with members of the public who are likely to have a real interest in, or be affected by, the activity.
Contact details	includes the 24 hour emergency contact, and name, position title and phone number of a representative of the licensee who can be contacted about the licence and activity.
Contaminant	a solid, liquid or gas or any combination of such substances and includes: (a) noise, odour, heat and electromagnetic radiation; (b) a prescribed substance or prescribed class of substances; and (c) a substance having a prescribed property or prescribed class of properties.
Discharges	allow a liquid, gas or other substance to flow out from where it has been confined.
Emergency Response Plan	a written plan documenting the licensee's procedures for responding to emergencies caused by, resulting from or associated with the activity and that may cause environmental harm.
Environmental harm	(a) any harm to or adverse effect on the environment; or (b) any potential harm (including the risk of harm and future harm) to or potential adverse effect on the environment, of any degree or duration and includes environmental nuisance.
Environmental nuisance	means:

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	<p>(a) an adverse effect on the amenity of an area that:</p> <p>(i) is caused by noise, smoke, dust, fumes or odour; and</p> <p>(ii) unreasonably interferes with or is likely to unreasonably interfere with the enjoyment of the area by persons who occupy a place within the area or are otherwise lawfully in the area; or</p> <p>(b) an unsightly or offensive condition caused by contaminants or waste.</p>
Incident	<p>includes:</p> <p>(a) an accident, emergency or malfunction; and</p> <p>(b) a deliberate action, whether or not that action was taken by the person conducting the activity in the course of which the incident occurred.</p>
Land	<p>includes water and air on, above or under land.</p>
Leachate	<p>any liquid produced by the action of water percolating through waste, and that contains contaminants.</p>
Listed waste	<p>a waste included under Schedule 2 of the Regulations.</p>
Litter	<p>litter, garbage, rubbish, refuse or waste matter, and includes the body of a dead animal.</p>
Maintain	<p>kept in a manner that it does not present or cause a risk of environmental harm or a hazard to persons or property or, for the purposes of documents including plans, a process of reviewing and amending documentation to ensure it is relevant.</p>
Material environmental harm	<p>environmental harm that:</p> <p>(a) is not trivial or negligible in nature;</p> <p>(b) consists of an environmental nuisance of a high impact or on a wide scale;</p> <p>(c) results, or is likely to result, in not more than \$50,000 or the prescribed amount (whichever is greater) being spent in taking appropriate action to prevent or minimise the environmental harm or rehabilitate the environment; or</p> <p>(d) results in actual or potential loss or damage to the value of not more than \$50,000 or the prescribed amount (whichever is greater).</p>
NATA	<p>National Association of Testing Authorities, Australia.</p>
Non-compliance	<p>failure or refusal to comply, whether by act or omission, with obligations or requirements and includes any exceedance of a licence limit.</p>
Non-compliance notification	<p>an NT EPA prescribed format for notifying the NT EPA of a non-compliance.</p>
NT EPA Online	<p>online system for Environment Protection Licence (EPL), Environment Protection Approval (EPA) and Waste Discharge Licence (WDL) lodgement and maintenance.</p>
Plant and equipment	<p>all material items used in association with the activity, including (but not limited to) storage vessels and containers, pipe work and hosing, vehicles (including vessels), tools, and measuring equipment.</p>
Pollute	<p>(a) emit, discharge, deposit, or disturb, directly or indirectly, a contaminant or waste; or</p> <p>(b) cause, permit, or fail to prevent, directly or indirectly, the emission, discharge, deposition, disturbance or escape of a contaminant or waste.</p>
Pollution	<p>(a) a contaminant or waste that is emitted, discharged, deposited or disturbed or that escapes; or</p>

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	(b) a contaminant or waste, effect or phenomenon, that is present in the environment as a consequence of an emission, discharge, deposition, escape or disturbance or a contaminant or waste.
Premises	the premises identified in this licence which includes equipment, plant and structures, whether stationary or portable, and the land on which premises are situated.
Public entrance	access to the premises that is utilised by the public.
Putrescible waste	the component of the waste stream liable to become putrid. For example, organic matter that has the potential to decompose with the formation of malodorous substances, usually refers to vegetative, food and animal products.
Regulations	<i>Waste Management and Pollution Control (Administration) Regulations.</i>
Serious environmental harm	environmental harm that is more serious than material environmental harm and includes environmental harm that: (a) is irreversible or otherwise of a high impact or on a wide scale; (b) damages an aspect of the environment that is of a high conservation value, high cultural value or high community value or is of special significance; (c) results or is likely to result in more than \$50,000 or the prescribed amount (whichever is greater) being spent in taking appropriate action to prevent or minimise the environmental harm or rehabilitate the environment; or (d) results in actual or potential loss or damage to the value of more than \$50,000 or the prescribed amount (whichever is greater).
Solid inert waste	solid waste that has no active chemical or biological properties. These wastes do not undergo environmentally significant physical, chemical or biological transformation.
Stormwater	water flowing over ground surfaces, in natural streams and drains as a direct result of rainfall over a catchment and consists primarily of rainfall runoff.
Waste	(a) a solid, a liquid or a gas; or (b) a mixture of such substances, that is or are left over, surplus or an unwanted by-product from any activity (whether or not the substance is of value) and includes a prescribed substance or class of substances.
Waste transport certificate	the NT EPA waste tracking documentation used to track listed waste being transported interstate as required in accordance with the National Environment Protection (Movement of Controlled Waste Between States and Territories) Measure.
Wastewater	water that contains a contaminant or waste.
Water	includes: (a) surface water, ground water and tidal waters; (b) coastal waters of the Territory, within the meaning of the <i>Coastal Waters (Northern Territory Powers) Act 1980</i> of the Commonwealth; and (c) water containing an impurity.
WMPC Act	the Northern Territory <i>Waste Management and Pollution Control Act</i> .

From: [Waste NTEPA](#)
To: [David Jan](#)
Cc: [Paul Wilson](#)
Subject: RE: Trucks Parking on EPL279 (Humpty Doo Waste Transfer Station)
Date: Friday, 1 July 2022 3:45:57 PM
Attachments: [image006.jpg](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image001.png](#)

Good afternoon David and Paul,

From what I can tell, we've not received anything officially on our end from the Mayor or Lichfield Council seeking a formal position, so as an interim measure I'm providing my view on this issue to assist. This email and my personal views do not constitute any form of formal advice or position and should not be relied on.

As a regulator I cannot provide anyone with any specific solutions (*i.e. 'what needs to be done'*) to resolve their issues. In this case it's solely Councils responsibility to understand and ensure that they comply at a times with their licence conditions and environmental regulatory requirements. If there are concerns and a wish to understand the range of possible options that might be available, I'd recommend that professional advice is sought and/or an environmental consultant is contacted.

To be clear, I do not see any specific regulatory restrictions in our Acts that prevents vehicles or trailers parking on Council managed land. There are a number of obvious issues to be aware of if vehicles are parked there though, irrespective of whether any permission has been given to do so. Firstly that if any waste leaks, escapes or is dumped from these vehicles, then as we have already seen, there is a lack of any control measures to prevent or mitigate environmental harm that may result. In the absence of any evidence to identify all the parties responsible, it will fall to the landowner to clean up. Secondly as a large portion of the 'parking' area is detailed as land covered under EPL279, any leaked or escaped waste or pollution that occurs in this area, no matter how it has occurred, is likely to contravene conditions of the licence.

As examples and only to assist considerations, if waste/pollution occurs on any of the licensed area, condition **18** of EPL279 is likely to be breached. Also there is potential to be in breach of conditions **29, 30 & 31**, particularly if it rains and this carries wastes off site.

Condition 18) The licensee must ensure that all materials that are likely to cause environmental harm are handled and stored in areas with a containment system in accordance with the relevant Australian Standard. Where no relevant Australian Standard exists, the containment system must be sized to contain 110% of the volume of the largest container within the area.

Condition 29) The licensee must ensure there is no migration or overflow of a contaminant or waste, which causes or may cause environmental harm, beyond the boundary of the land on which the premises are located. (For the avoidance of doubt, this condition is not intended to

authorise the discharge of a contaminant or waste to any land or water which discharge has not been specifically authorised by another condition of this licence.)

Condition 30) The licensee must not allow a contaminant or waste, which causes or may cause environmental harm, to enter water.

Condition 31) The licensee must ensure that stormwater does not come into contact with a contaminant or waste, which causes or may cause environmental harm.

Table 1 - Excerpt from EPL279

Any activity occurring anywhere on the premises licensed under EPL279, including the parking of vehicles/trailers parking, is likely to result in Council (as the licensee) taking on the environmental, regulatory and financial risks that may result. Clean ups can be expensive and individual breaches of an EPL can incur substantial penalties.

It is solely a matter for licensees to decide if they wish to accept, manage or prevent the risks.

In addition to the above, Section 12 of the *Waste Management and Pollution Control Act 1998* (the Act) provides everyone with a General Environment Duty (GED) that the Council must be aware of.

12 General environmental duty

(1) A person who:

- (a) conducts an activity that causes or is likely to cause pollution resulting in environmental harm or that generates or is likely to generate waste; or
- (b) performs an action that causes or is likely to cause pollution resulting in environmental harm or that generates or is likely to generate waste,

must take all measures that are reasonable and practicable to:

- (c) prevent or minimise the pollution or environmental harm; and
- (d) reduce the amount of the waste.

(2) Without limiting the generality of subsection (1), in determining which measures are reasonable and practicable for the purposes of subsection (1), a person is to have regard to:

- (a) the nature of the environmental harm and the sensitivity of the environment into which a contaminant or waste is placed or may be placed;
- (b) current technical information reasonably available to the person in relation to the activity and the likelihood that a measure proposed in the information would minimise the pollution, environmental harm or waste that the activity or action may cause; and
- (c) the financial implications of implementing or carrying out the measures.

(3) A failure to comply with subsection (1) does not of itself constitute an offence, but where a person has failed to comply with the subsection a pollution abatement notice may be issued to him or her.

Table 2 - Excerpt from the *Waste Management and Pollution Control Act 1998*

Any permitted parking of vehicles/trailers in this area, when wastes and pollution from similar

parked vehicles has already been shown to occur, and without taking all reasonable and practicable measures, may contravene the General Environmental Duty. Note also that the GED applies everywhere including on land that is not covered under the EPL.

Again, I cannot provide specific advice or my views on what options may be available. I recommend that independent advice is sought to fully understand and quantify these and other risks and to inform future decisions.

Regards,

Michael Aagaard

Environmental Officer
Environmental Operations, Environmental Regulations Division
Department of Environment, Parks and Water Security
Northern Territory Government

Providing services for the

Northern Territory Environment Protection Authority



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W: [Northern Territory Environment Protection Authority](#)

W: [Department of Environment, Parks and Water Security](#)

W: [Parks and Wildlife Commission](#)

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From: David Jan <david.jan@litchfield.nt.gov.au>

Sent: Thursday, 23 June 2022 10:39 AM

To: Michael Aagaard <Michael.Aagaard@nt.gov.au>

Cc: Paul Wilson <paul.wilson@litchfield.nt.gov.au>; Leon Kruger <leon.kruger@litchfield.nt.gov.au>

Subject: Trucks Parking on EPL77 (Humpty Doo Waste Transfer Station)

Hi Michael

I provide the following information as an update regarding the trucks parking on a portion of EPL77 (HD) and the progress towards removing the risk of contamination.

On Tuesday 21 June a paper was presented to Council (Item 14.03.02) recommending that the area be fenced resulting in the whole of EPL77 area being fenced to address EPA concerns regarding hydraulic oil and bitumen spills. The agenda can be found here (https://www.litchfield.nt.gov.au/sites/default/files/uploads/meeting/agenda/2022/Agenda - Ordinary Council Meeting - 21 June 2022_0.pdf) with the item in question on page 351.

As a result of deliberations regarding this paper, Council resolved the **DRAFT** decision below (Minutes have not been endorsed yet).

14.03.02 Public Access to a Portion of Humpty Doo Waste Transfer Station

Moved: Deputy Mayor Sharp

Seconded: Cr Mackay

THAT Council:

1. lay Item 14.03.04 Public Access to a Portion of Humpty Doo Waste Transfer Station on the table until the August 2022 meeting, pending Council holding a stakeholder meeting with affected businesses and industry.
2. Staff investigate options for meeting NT EPA requirements.

CARRIED (6-0) ORD2022 11-147

Additionally Mayor Barden expressed that he would like something in writing from the EPA regarding what needs to be done. Below is the link for the recording of the meeting for your reference. Discussion regarding Item 14.03.02 occurs from 1:57:00 – 2:26:30 in the time line and comments from the Mayor occur at 2:11:00.

<https://www.youtube.com/watch?v=sSy2T5m4ArM&t=1s>

Having conducted 3 site visits and obtained photo evidence of issues it is clear that many of the trailers are moved regularly making attribution of any spills difficult. I intend to conduct a further site visit before my leave at the end of this week to document the current status. Please note that it is Councils intent to meet all EPA requirements for the site.

Please cc Paul in on any correspondence regarding this matter so that any issues can be dealt with in a timely manner whilst I am on leave.

Regards

David



David Jan
Manager Operations & Environment
7 Bees Creek Road, Freds Pass NT 0822 | PO Box 446 Humpty Doo NT 0836
Ph 08 8983 0617 | Mobile 0429 407 499 | Email
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Litchfield Council acknowledges the Traditional Owners of the land we work on and recognises their continuing connection to land, water and communities. We pay our respects to all Traditional Owners and to the Elders past, present and emerging.

Development Consent Authority

Northern Territory



GPO BOX 1680
DARWIN NT 0801

Telephone No: (08) 8999 6046
Email: das.ntg@nt.gov.au

ATTACHMENT C

In reply please quote: LUPD2022/0003-0015

Paul Wilson
A/Manager Operations and Environment
Litchfield Council
Email: paul.wilson@litchfield.nt.gov.au

Dear Mr Wilson,

Re: Allegation regarding Section 5020 (225) Strangways Road, Hundred of Strangways - s79(3) Intention to investigate

The Litchfield Division of the Development Consent Authority (DCA) has received a complaint, made in accordance with the requirements of section 78 of the *Planning Act 1999 (Act)*, regarding an alleged breach under the *Act*.

The complaint relates to the use of the above-mentioned land for an unapproved car park/motor repair station/transport terminal. The DCA intends to investigate the complaint.

Specifically, the Northern Territory Planning Scheme 2020 applies to the land subject to the complaint. The land is in Zone CP (Community Purpose), and the primary purpose of Zone CP is *to provide for community services and facilities, whether publicly or privately owned or operated, in locations that are accessible to the community that it serves*. There are specific uses that are identified as permitted, merit assessable or impact assessable in the zoning table. All other uses are prohibited. Enclosed are the relevant extracts of the Northern Territory Planning Scheme 2020 that relate to this notice.

Should a breach be identified, enforcement action may be undertaken, and you are advised the breach would be a prosecutable offence under the *Act*.

You have a right to respond to the complaint and to provide information on the use of the land. Your response must be in writing and be lodged by email to das.ntg@nt.gov.au within 14 days of receipt of this correspondence.

Please contact me on (08) 8999 8987 if you have any questions in relation to this correspondence.

Yours sincerely

Richard Lloyd
Senior Enforcement and Compliance Officer
Delegate of the Litchfield Division of the Development Consent Authority
1 July 2022

Attached: NTPS2020: Clause 4.22 (Community Purpose), Schedule 2 definitions: car park, motor repair station, transport terminal

4.22 Zone CP – Community Purpose

Zone Purpose

Provide for community services and facilities, whether publicly or privately owned or operated, in locations that are accessible to the community that it serves.

Zone Outcomes

1. Community services and facilities such as **medical clinic, place of worship, education establishment, emergency services facility, exhibition centre, residential care facility, community centre** and **childcare centre** are established to meet the social, educational, spiritual, cultural or health needs of the community.
2. Development such as **hospital, passenger terminal, place of assembly** and **recycling depot** servicing the broader regional population may be established where they do not compromise the reasonable **amenity** of residential land in the locality.
3. All development, including public infrastructure and **outbuildings**, is located, designed, operated and maintained to:
 - (a) make a positive contribution to the locality by incorporating a high quality of built form and landscape design;
 - (b) minimise unreasonable impacts to the **amenity** of surrounding premises and any residential land;
 - (c) mitigate the potential for land use conflict with existing and intended surrounding development;
 - (d) avoid adverse impacts on the local road network;
 - (e) provides safe and convenient pedestrian and bicycle **access** within the development and strong connections to external transport networks;
 - (f) avoid any adverse impacts on ecologically important areas; and
 - (g) allow passive surveillance of public spaces.
4. Subdivision provides the appropriate level of services and infrastructure including roads, pedestrian and cycle paths, reticulated electricity, water, and sewerage (where available), stormwater drainage and telecommunication infrastructure.
5. Development that is not defined in Schedule 2 (Definitions) may occur only when assessment has determined that the development is appropriate in the zone, having regard to the purpose and outcomes of this zone and such matters as the location, nature, scale and intensity of the development.

ASSESSMENT TABLE – ZONE CP – COMMUNITY PURPOSE				
Defined Use	Assessment Category	Overlays	General Development Requirements	Specific Development Requirements
Animal Boarding	Impact assessable	3.2 CNV – Clearing of Native Vegetation	5.2.1 General Height Control	5.5.3 Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T
Caravan Accommodation	Permitted	3.3 RCNV - Restricted Clearing of Native Vegetation	5.2.2 Building Heights in Alice Springs	5.7.2 Animal related use (Animal Boarding and Stables)
Child Care Centre	Permitted	3.4 CR – Coastal Reclamation	5.2.4 Vehicle Parking	5.4.11 Caravan Accommodation
Club	Impact assessable	3.5 LPA – Land In Proximity to Airports	5.2.5 Loading Bays	5.5.3 Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T
Community Centre	Permitted	3.6 LSF – Land Subject to Flooding	5.2.6 Landscaping	5.5.7 Child Care Centre
Demountable Structures	Impact assessable	3.7 LSSS – Land Subject to Storm Surge	5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR	5.5.3 Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T
Dwelling-Caretakers	Permitted	3.8 LADR - Land Adjacent to a Designated Road		5.8.3 Club
Education Establishment	Permitted	3.9 DHD – Darwin Harbour Dredging		5.5.3 Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T
Emergency Services Facility	Permitted			5.8.7 Demountable Structures
Excavation and Fill	Impact assessable			5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures
Exhibition Centre	Permitted			5.4.12 Dwelling-Caretakers
Hospital	Impact assessable			5.5.3 Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T
Leisure and Recreation	Impact assessable			5.8.2 Education establishment
Market	Permitted			5.5.3 Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T
Medical Clinic	Permitted			5.8.6 Emergency service facility
				5.8.9 Excavation and Fill
				5.5.3 Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T
				5.8.4 Exhibition Centre, Place of Assembly and Place of Worship
				5.5.3 Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T
				5.8.5 Leisure and Recreation
				5.8.1 Market
				5.5.3 Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T

ASSESSMENT TABLE – ZONE CP – COMMUNITY PURPOSE				
Defined Use	Assessment Category	Overlays	General Development Requirements	Specific Development Requirements
Passenger Terminal	Impact assessable	3.2 CNV – Clearing of Native Vegetation	5.2.1 General Height Control	5.5.3 Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T
Place of Assembly	Impact assessable	3.3 RCNV - Restricted Clearing of Native Vegetation	5.2.2 Building Heights in Alice Springs	5.5.3 Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T 5.8.4 Exhibition Centre, Place of Assembly and Place of Worship
Place of Worship	Permitted	3.4 CR – Coastal Reclamation	5.2.4 Vehicle Parking	5.5.3 Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T 5.8.4 Exhibition Centre, Place of Assembly and Place of Worship
Plant Nursery	Impact assessable	3.5 LPA – Land In Proximity to Airports	5.2.5 Loading Bays	
Recycling Depot	Impact assessable	3.6 LSF – Land Subject to Flooding	5.2.6 Landscaping	5.5.3 Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T
Residential Care Facility	Permitted	3.7 LSSS – Land Subject to Storm Surge	5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR	5.4.3 Building setbacks of Residential Buildings and Ancillary Structures 5.4.7 Communal Open Space 5.4.8 Building Design for Dwelling-Group, Dwelling-Multiple, Rooming Accommodation and Residential Care Facility 5.4.15 Residential Care Facility
Sex Services-Home Based Business	Permitted	3.8 LADR - Land Adjacent to a Designated Road		5.4.10 Home Based Businesses
Telecommunications Facility	Impact assessable	3.9 DHD – Darwin Harbour Dredging		5.8.10 Telecommunications Facility
Veterinary Clinic	Impact assessable			5.5.3 Commercial and Other Development in Zones HR, CV, CB, C, SC, TC, OR, CP, FD and T
All other uses defined in Schedule 2 (Definitions)	Prohibited			
Undefined Uses Any use not defined in Schedule 2 (Definitions)	Impact assessable			Part 2, Part 3, Part 4, Part 5 of this Planning Scheme

Schedule 2 - Definitions

car park means the parking of motor vehicles otherwise than as an **ancillary** use of land, and does not include **vehicles sale and hire**;

motor repair station means premises used for carrying out repairs to motor vehicles and may include where **ancillary** an **office**, but does not include a **motor body works** or a **transport terminal**;

transport terminal means premises used for the:

- loading, discharge or storage of goods in the course of the transport of those goods by air, road, rail or ship;
- garaging and maintenance of fleet vehicles; or
- servicing, repair and garaging of buses;

and may include where **ancillary** an **office**



Proposed new fence line



COUNCIL REPORT

Agenda Item Number:	14.03.03
Report Title:	Berry Springs Waste Transfer Station Operating Hours
Author:	David Jan, Manager Operations and Environment
Recommending Officer:	
Meeting Date:	20/09/2022
Attachments:	A: NT Work Safe Code of Practice B: Traffic Count Data

Executive Summary

This report provides information to be presented to Council regarding a change to the hours of operation of the Berry Springs Waste Transfer Station to 0700 – 1800. This proposed change comes as a result of a report of insufficient lighting and recommends confirmation of an updated closing time from 1900 to 1800.

Recommendation

THAT Council approve updated hours of operation for the Berry Springs Waste Transfer Station to be 0700 – 1800 which is consistent with the Howard Springs and Humpty Doo Transfer Stations.

Background

Following a report from staff expressing concerns in relation to lighting after 1800 at the Berry Springs Waste Transfer Station, the operating hours were reduced from 1900 to 1800 in the evenings. A lux level reading was taken by the then Manager People and Performance which resulted in a reading of less than 10.

Prior to the report of insufficient lighting, BSWTS operated seven days per week (except Xmas Day, New Year and Good Friday) from 0700 – 1900. The site is unable to receive any waste items on the NT Environment Protection Authority (EPA) listed waste schedule as unlike Howard Springs and Humpty Doo Waste Transfer Stations (HSWTS & HDWTS), it does not have an Environmental Protection License (EPL). An environmental management plan has been completed for the site.

The NT Work Safe Code of Practice (Attachment A) section 2.5 Lighting provides the recommended illumination levels required for types of tasks for facilities.

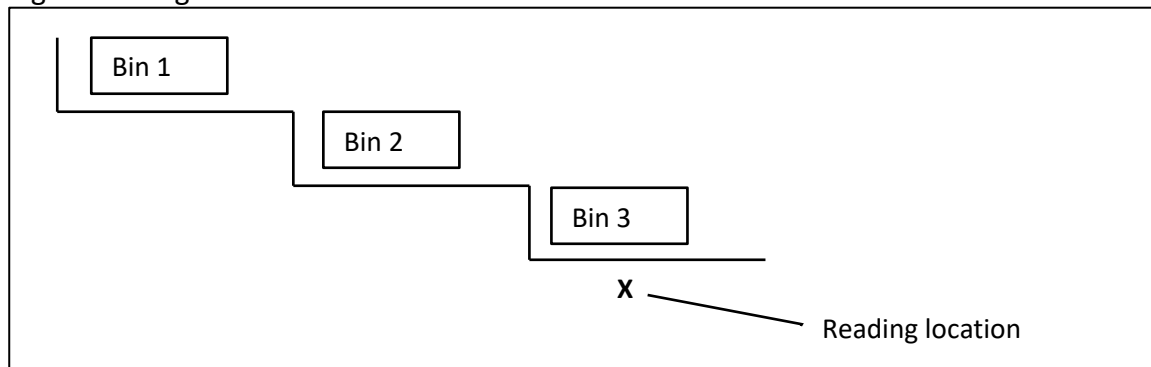
A lux level of 160 was the benchmark that the Manager People and Performance was expecting at the BSWTS. A Lux reading was taken at about 1830 on a day when it was not overcast, and he struggled to get a reading of even 10 lux. Based on this observation, his advice was to ensure the transfer station remained closed after 6pm.

For the purpose of this report the decision was taken to verify the lux reading taken by the Manager People and Performance. This resulted in the purchase of an industry standard lux meter, the Protech QM1584 light metre (\$170), with an error variance of 3.5%. Lux readings were taken at 1800 and 1900 respectively shown in Figure 1 with Figure 2 showing the location where the readings were taken.

Fig. 1 BSWTS Lux Readings

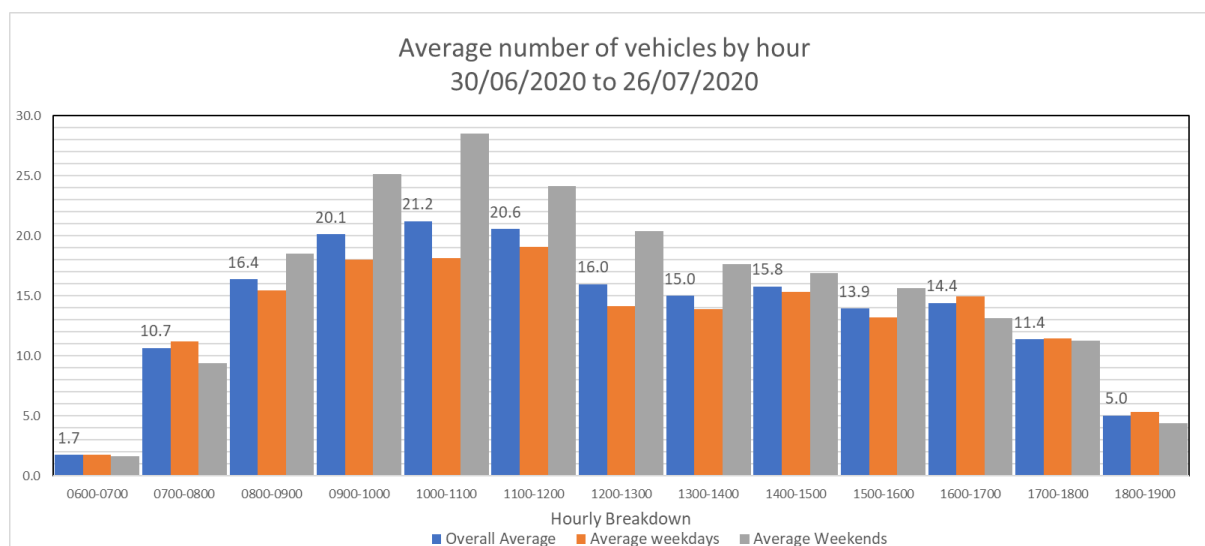
	1800	1900
5/08/2022	5,757	7
6/08/2022	9,264	9
7/08/2022	11,190	10

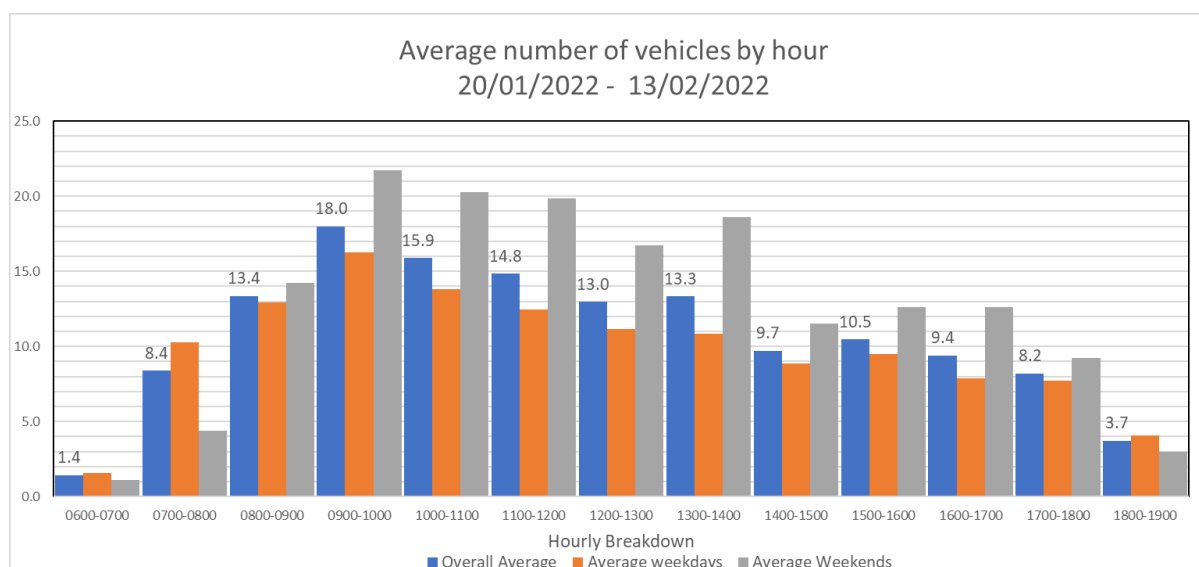
Fig. 2 Reading Location



The data confirms that by 1900 the level of lighting does not meet any of the requirements for illumination levels of the NT Work Safe Code of Practice Section 2.5 (Attachment A). When combined with the single reading at 1830 by the Manager People and Performance it shows that the light appears to deteriorate exponentially after 1800.

Additionally, traffic counts have been conducted at the site on two occasions to gauge the patronage the BSWTS receives over the course of the opening hours (30/06/2020 – 26/07/2020 and 20/01/2022 – 13/02/2022) with a summary of the data provided in the graphs below.





It should be noted that this data includes the operator vehicle and contracted pick up vehicles. The graphs highlight that an average of 5.0 vehicles entered the facility between the hours of 1800 and 1900 in Jun/Jul 2022 and an average of 3.7 vehicles in Jan/Feb 2022. Attachment B provides some context for the 1800–1900 time frame by showing the full data for the counts and the frequency of the daily count numbers. The data in Attachment B also highlights the vehicle traffic during hours of 12pm and 2pm when the facility is not manned due to rostering requirements

Additionally, there have been no CRM’s registered with regards to the altered closing time with one resident commenting to the Resource Recovery Program Leader “All good I will change my routine then”.

The 0700 - 1900 configuration also has several additional consequences which pose a risk to not only Council but the health and safety of those accessing the facility.

1. Scavenging

The site currently has bins for co-mingled recyclable material and cardboard. ‘Cash for cans’ are separated when possible but are often included in the co-mingled bin for removal by the contractor. There is a cohort of users who access the facility and ‘raid’ the co-mingled bins for the cash for cans, although this occurs less often now. Additionally, there are reports of scavenging from within the transfer bins and the scrap steel pile which pose significant health and safety risks.

2. Work Health and Safety

In addition to maintaining the health and safety of users by regulating use, having a sole operator at the site has an inherent risk that if an accident were to happen to the operator, they may be unable to contact emergency services. The issue of adequate lighting, whilst only raised now is currently being addressed through the earlier closing time.

Maintaining the 1800 closing time will resolve the issue of adequate lighting and contribute to mitigating the risks associated with the other identified issues. Future consideration could be given to ensuring the site is permanently manned as with HSWTS and HDWTS however that is not in the scope of this report.

Links with Strategic Plan

Progress - Continuity of Services and Facilities

Legislative and Policy Implications

Council has a duty of care to provide employees with a safe working environment.

Risks



Health and Safety

Reverting to an 1800 closing time will address the issue of insufficient lighting and will contribute to the mitigation of other issues identified above

Service Delivery

There will be some impact on the community, however the traffic count data provided supports the minimal impact on users compared to the contribution to the resolution of the issues described above by increasing the time that the site is manned when there is most patronage.

Community Engagement

As the site has been operating at the updated times since July 2022 no further consultation will be undertaken. This paper formalises the new arrangement.

Managing the work environment and facilities

Code of Practice



Application in the Northern Territory

This code of practice was approved by the Attorney-General and Minister for Justice under section 274(1) of the *Work Health and Safety (National Uniform Legislation) Act 2011* on 29 January 2020 and published in the Northern Territory Government Gazette (No. G9) on 04 March 2020.

The Northern Territory code of practice is based on the national model code of practice developed by Safe Work Australia.

This publication contains information regarding work health and safety, including some of your obligations under the *Work Health and Safety (National Uniform Legislation) Act 2011* administered by NT WorkSafe. The information provided is guidance material which must be read in conjunction with the appropriate legislation to ensure you understand and comply with your legal obligations.

Disclaimer

Safe Work Australia is an Australian Government statutory agency established in 2009. Safe Work Australia includes Members from the Commonwealth, and each state and territory, Members representing the interests of workers and Members representing the interests of employers.

Safe Work Australia works with the Commonwealth, state and territory governments to improve work health and safety and workers' compensation arrangements. Safe Work Australia is a national policy body, not a regulator of work health and safety. The Commonwealth, states and territories have responsibility for regulating and enforcing work health and safety laws in their jurisdiction.



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Contact information

Safe Work Australia | info@swa.gov.au | www.swa.gov.au

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Foreword

This Code of Practice on managing the work environment and facilities is an approved code of practice under section 274 of the [Work Health and Safety \(National Uniform Legislation\) Act 2011](#) (the WHS Act).

An approved code of practice provides practical guidance on how to achieve the standards of work health and safety required under the WHS Act and the [Work Health and Safety \(National Uniform Legislation\) Regulations 2011](#) (the WHS Regulations) and effective ways to identify and manage risks.

A code of practice can assist anyone who has a duty of care in the circumstances described in the code of practice. Following an approved code of practice will assist the duty holder to achieve compliance with the health and safety duties in the WHS Act and WHS Regulations, in relation to the subject matter of the code of practice. Like regulations, codes of practice deal with particular issues and may not cover all relevant hazards or risks. The health and safety duties require duty holders to consider all risks associated with work, not only those for which regulations and codes of practice exist.

Codes of practice are admissible in court proceedings under the WHS Act and WHS Regulations. Courts may regard a code of practice as evidence of what is known about a hazard, risk, risk assessment or risk control and may rely on the code in determining what is reasonably practicable in the circumstances to which the code of practice relates. For further information see Safe Work Australia's [Interpretive Guideline: The meaning of 'reasonably practicable'](#).

Compliance with the WHS Act and WHS Regulations may be achieved by following another method if it provides an equivalent or higher standard of work health and safety than the code.

An inspector may refer to an approved code of practice when issuing an improvement or prohibition notice.

Scope and application

This Code is intended to be read by a person conducting a business or undertaking (PCBU). It provides practical guidance to PCBUs on how to manage the work environment and facilities.

This Code may be a useful reference for other persons interested in the duties under the WHS Act and WHS Regulations.

This Code applies to all types of work and all workplaces covered by the WHS Act.

How to use this Code of Practice

This Code includes references to the legal requirements under the WHS Act and WHS Regulations. These are included for convenience only and should not be relied on in the place of the full text of the WHS Act or WHS Regulations. The words 'must', 'requires' or 'mandatory' indicate a legal requirement exists that must be complied with.

The word 'should' is used in this Code to indicate a recommended course of action, while 'may' is used to indicate an optional course of action.

1. Introduction

1.1. Who has health and safety duties in relation to the work environment and facilities?

Duty holders who have a role in ensuring work environments and facilities are without risk to health and safety include:

- persons conducting a business or undertaking (PCBUs)
- persons with management or control of a workplace
- designers, manufacturers, importers, suppliers and installers of plant, substances or structures
- designers of structures, and
- officers.

Workers and other persons at the workplace also have duties under the WHS Act, such as the duty to take reasonable care for their own health and safety at the workplace.

A person can have more than one duty and more than one person can have the same duty at the same time.

Early consultation and identification of risks can allow for more options to eliminate or minimise risks and reduce the associated costs.

Persons conducting a business or undertaking

WHS Act section 19

Primary duty of care

A PCBU must eliminate risks arising from the work environment and facilities, or if that is not reasonably practicable, minimise the risks so far as is reasonably practicable.

PCBUs have a duty to consult workers about work health and safety and may also have duties to consult, cooperate and coordinate with other duty holders.

In relation to work environments and facilities this primary duty requires, so far as reasonably practicable, that a PCBU:

- provide adequate and accessible facilities for the welfare of workers
- provide and maintain work environments, plant and structures and systems of work without risks to health and safety
- ensure the safe use, handling and storage of plant, structures and substances
- provide access to facilities for workers such as toilets, drinking water and washing and eating facilities
- provide information, training, instruction or supervision that is needed to protect all persons from health and safety risks that may arise from the work carried out by the business or undertaking, and
- monitor the health of workers and the conditions of the workplace for the purpose of preventing illness or injury.

There are more specific requirements to manage risks under the WHS Regulations, including those associated with fatigue, hazardous chemicals, remote and isolated work, noise, hazardous manual tasks and plant.

Person with management or control of a workplace

WHS Act section 20

Duty of persons conducting businesses or undertakings involving management or control of workplaces

Persons who have management or control of a workplace must ensure, so far as is reasonably practicable, that the workplace, the means of entering and exiting the workplace and anything arising from the workplace are without risks to the health and safety of any person.

This means that the duty to provide and maintain a safe work environment and adequate facilities may be shared between duty holders. For example, a PCBU renting their workplace will share duties with the landlord or property manager. In these situations the duty holders must, so far as is reasonably practicable, consult, cooperate and coordinate activities with each other.

Designers of structures

WHS Act section 22

Duties of persons conducting businesses or undertakings that design plant, substances or structures

Persons who design and construct buildings and structures that are intended to be used as workplaces must ensure, so far as is reasonably practicable, that the building or structure is without risks to health and safety.

Officers

WHS Act section 27

Duty of officers

Officers, for example company directors, have a duty to exercise due diligence to ensure the PCBU complies with the WHS Act and WHS Regulations. This includes taking reasonable steps to ensure the business or undertaking has and uses appropriate resources and processes to eliminate or minimise, so far as is reasonably practicable, risks from the work environment and facilities. Further information on who is an officer and their duties is available in Safe Work Australia's [Interpretive Guideline: The health and safety duty of an officer under section 27](#).

Workers

WHS Act section 28

Duties of workers

Workers have a duty to take reasonable care for their own health and safety and to not adversely affect the health and safety of other persons. Workers must comply with reasonable instructions, as far as they

are reasonably able, and cooperate with reasonable health and safety policies or procedures that have been notified to workers, for example procedures for first aid and for reporting injuries and illnesses. If personal protective equipment (PPE) is provided by the business or undertaking, the worker must so far as they are reasonably able, use or wear it in accordance with the information, instruction and training provided.

Other persons at the workplace

WHS Act section 29

Duties of other persons at the workplace

Other persons at the workplace, like visitors, must take reasonable care for their own health and safety and must take reasonable care not to adversely affect other people's health and safety. They must comply, so far as they are reasonably able, with reasonable instructions given by the PCBU to allow that person to comply with the WHS Act.

Identifying what facilities are needed

Decisions about the work environment and workplace facilities will depend on the industry the business or undertaking is operating in, the nature of the work carried out, the size and location of the workplace and the number and composition of workers at the workplace.

Construction work is often conducted in dirty, hot or arduous work conditions. The type of facilities provided, how they are provided and who provides them may vary at construction workplaces, depending on the nature of the work being carried out and the PCBUs present at the workplace. The [Code of Practice: Construction work](#) should be consulted for further guidance on how to identify what facilities should be provided, how and by whom in a construction workplace.

The requirements in the *National Construction Code of Australia* will also determine the minimum building requirements for what facilities are required for new buildings.

Consulting with workers

WHS Act section 47

Duty to consult workers

WHS Act section 48

Nature of consultation

A PCBU must consult, so far as is reasonably practicable, with workers who carry out work for the business or undertaking and who are (or are likely to be) directly affected by a work health and safety matter.

This duty to consult is based on the recognition worker input and participation improves decision-making about health and safety matters and assists in reducing work-related injuries and disease.

The broad definition of a 'worker' under the WHS Act means a PCBU must consult, so far as is reasonably practicable, with contractors and subcontractors and their employees, on-hire workers, outworkers, apprentices, trainees, work experience students, volunteers and other people who are working for the PCBU and who are, or are likely to be, directly affected by a health and safety matter.

Workers must be given an opportunity to express their views, raise work health and safety matters and contribute to the decision-making process. A PCBU must take into account the views of workers consulted and advise those workers of the outcome of the consultation. If the workers are represented by a health and safety representative, the consultation must involve that representative.

The duty to consult specifically includes consulting when making decisions about the adequacy of facilities for the welfare of workers, for example the number and location of toilets. The consultation must also include making decisions about monitoring conditions at the workplace, which would cover things such as access, cleaning and maintenance of the facilities.

If the facilities are already provided at the workplace, PCBUs should consult their workers and their health and safety representatives when there are changes that may affect the adequacy of the facilities. This will help PCBUs to determine if facilities need to be changed or expanded.

Consulting, cooperating and coordinating activities with other duty holders

WHS Act section 46

Duty to consult with other duty holders

The WHS Act requires that you consult, cooperate and coordinate activities with all other persons who have a work health or safety duty in relation to the same matter, so far as is reasonably practicable.

There is often more than one business or undertaking involved in an activity, that may each have responsibility for the same health and safety matters, either because they are involved in the same activities or share the same workplace.

In these situations, each duty holder should exchange information to find out who is doing what and work together in a cooperative and coordinated way so risks are eliminated or minimised so far as is reasonably practicable.

For example, if a PCBU is a tenant in a building, the PCBU will share responsibility for providing a safe physical work environment and facilities with the property manager or building owner and the PCBU should therefore discuss the requirements regarding these matters with them. This would include checking that there are arrangements in place for the proper maintenance of plant such as air-conditioning systems and facilities such as toilets.

Further guidance on consultation is available in the [Code of Practice: Work health and safety consultation, coordination and cooperation](#).

The nature of the work

To understand the nature of the work activities and the types of hazards involved, questions like the following should be considered:

- Does the work involve exposure to infectious material or contaminants? If so, workers may need access to shower facilities before they leave the workplace.
- Do workers need to change out of their clothes? If so, they may need change rooms and personal storage.
- Is the work mostly conducted standing or seated? If so, floor coverings and seats should be considered.
- What is the level of physical activity? This will affect the ideal comfortable air temperature.

- What are the work arrangements that may impact on cleaning and maintenance schedules?
Workers undertaking different work within the same workplace may also have different requirements for facilities depending on the work they do and the equipment they use.

Size, location and nature of the workplace

The types of facilities needed also depend on the size, location and nature of the workplace. For example, whether the work is carried out in a building or structure, or whether work is performed outdoors or in a workplace belonging to another business should be taken into consideration. Some workers may be mobile, for example sales representatives, tradespeople or visiting health care workers. To understand the effect of the size, location and nature of the workplace on the types of facilities, questions like the following should be considered:

- Does the workplace cover an extensive area, or is work undertaken in a single location?
- Do the workers travel between workplaces, to numerous work sites or to other locations?
- Is the workplace permanent or temporary?
- Is the workplace close to adequate facilities, such as toilets and clean drinking water amenities?
- Will the facilities be available at the times workers need to use them, for example during a night shift?
- Is the means of access to and from the workplace safe?

Number and composition of the workforce

The number of workers at the workplace will determine the size and types of facilities required. For example, calculating the number of toilets and hand washing facilities should take account of the number of workers who usually use them at the same time.

Facilities should provide privacy and security for any person. The requirements of workers with particular needs, for example pregnant or lactating women or people with a disability, should also be addressed in the design of the workplace.

1.2. Managing risks associated with the work environment and facilities

This Code provides guidance on how to manage the risks associated with the work environment and facilities in the workplace using the following systematic process:

- Identify hazards—find out what could cause harm.
- Assess risks, if necessary—understand the nature of the harm that could be caused by the hazard, how serious the harm could be and the likelihood of it happening. This step may not be necessary if you are dealing with a known risk with known controls.
- Control risks—implement the most effective control measures that are reasonably practicable in the circumstances in accordance with the hierarchy of control measures, and ensure they remain effective over time.
- Review control measures to ensure they are working as planned.

1.3. Monitoring and maintaining the work environment and facilities

PCBUs must monitor the conditions of the work environment, including facilities, to ensure the health and safety of workers. The conditions of the workplace should be monitored on a regular basis, particularly when there are changes to the type of work being done or to the workforce composition.

The work environment must be maintained so that it remains in a clean and safe condition. Broken or damaged furniture, fixtures and fittings, including chairs, plumbing, air-conditioning and lighting should be replaced or repaired promptly. Facilities must be clean, safe, accessible and in good working order. Consumable items, including soap and toilet paper, should be replenished regularly.

Workplaces and facilities should be cleaned regularly taking into account the type of work performed, the likelihood of contamination, the number of workers using them, including during shiftwork, and the type of facility, such as eating areas, toilets, handbasins and showers. [Appendix B](#) may be used as a checklist to help review the work environment and facilities provided to workers.

2. The work environment

WHS Regulation 40

Duty in relation to general workplace facilities

As a person conducting a business or undertaking (PCBU) you must ensure, so far as is reasonably practicable, that:

- the layout of the workplace allows, and is maintained to allow, persons to enter and exit the workplace and move within it safely, both under normal working conditions and in an emergency
- work areas have space for work to be carried out safely
- floors and other surfaces are designed, installed and maintained to allow work to be carried out safely
- lighting enables each worker to carry out work safely, persons to move around safely and safe evacuation in an emergency
- ventilation enables workers to carry out their work without risk to their health and safety
- workers exposed to extremes of heat or cold are able to carry out work without risk to their health and safety, and
- work in relation to or near essential services (such as gas, electricity, water, sewerage and telecommunications) does not affect the health and safety of persons at the workplace.

2.1. Entry and exit

The means of entry and exit to and from the workplace must be safe. This must include ensuring that workers with special needs or disabilities can safely enter and leave the workplace.

Entries and exits should be slip-resistant under wet and dry conditions.

Aisles and walkways should be at least 600 mm wide and kept free of furniture or other obstructions at all times. Where it is necessary to clearly define entry and exit routes, the boundaries of the route should be marked by a permanent line of white, yellow or other contrasting colour at least 50 mm wide or by glowing markers. Entry and exit routes, stairs and walkways should be adequately lit.

Open sides of staircases should be guarded with an upper rail at 900 mm or higher and a lower rail. A handrail should be provided on at least one side of every staircase. Extra handrails may be needed down the centre of wide staircases. Further information is available in AS 1657-1992: *Fixed platforms, walkways, stairways and ladders—Design, construction and installation*.

Separate entries and exits for mobile equipment, for example forklifts or trucks and pedestrians, should be provided to minimise the risk of persons being hit by moving vehicles. If people and vehicles have to share a traffic route, use kerbs, barriers or clear markings to designate a safe walkway. Doors and gates should

be fitted with safety devices if necessary, such as a traffic sensor system in a warehouse environment. Doors on main traffic routes should have a transparent viewing panel, unless they are fire-rated doors.

Power-operated doors and gates should have safety features to prevent people being struck or trapped. Upward-opening doors or gates should be fitted with an effective device, such as counterbalance springs or ratchet devices, to prevent them falling back.

The location of exits should be clearly marked and signs should be posted to show the direction to exit doors to aid emergency evacuation.

2.2. Work areas

The layout of work areas should be designed to provide clear space between furniture, fixtures and fittings so that workers can move about freely without strain or injury and also evacuate quickly in case of an emergency. Space for aisles, passages and access to other areas is needed in addition to the space around workstations.

In determining how much space is needed, the following should be considered:

- the physical actions needed to perform the task
- the need to move around while working
- whether the task is to be performed from a sitting or standing position
- access to workstations, and
- the equipment to be handled and the personal protective equipment (PPE) that may be worn to perform the work.

Environmental factors including heat or noise may mean a larger space is required, as will work activities that involve manual tasks or the use of tools such as knives or long hazardous implements where the risk of injury is increased due to close working conditions.

Further guidance in relation to manual tasks and the layout of work areas is available in the [Code of Practice: Hazardous manual tasks](#).

2.3. Workstations

It may be necessary to determine whether the work is best carried out in a seated or standing position, or a combination of the two. There should be a mix of seated and standing tasks—workers should avoid sitting or standing for long periods of time. It is a requirement that workers are consulted when carrying out a workstation assessment.

Workstations should be designed so workers can carry out their work in a comfortable, upright position with shoulders relaxed and upper arms close to the body. Different workers require different working heights. You must provide workstations suitable for the person and the task. For example, by providing adjustable workstations.

Many tasks are best done in a seated position, for example screen-based work, fine component assembly or tasks involving the frequent use of foot controls. For tasks undertaken in a seated position, workers should be provided with seating that:

- provides good body support, especially for the lower back
- provides foot support, preferably with both feet flat on the floor, otherwise a footrest should be provided, and
- allows space for leg clearance and freedom of movement.

Chairs should be fully adjustable to accommodate different-sized workers with seat height, back rest height and back rest tilt adjustments and should not tip or slip—a five-point base is the most stable. Castors should be used on carpet and glides or braked castors on hard surfaces.

Some standing tasks may be carried out using a sit/stand chair, for example some process or inspection work. This means that workers can support themselves on the chair while still carrying out the standing task. If the job is primarily carried out while standing, but the nature of the work allows workers to sit from time to time, appropriate seating should be provided. This allows workers to vary their position between sitting and standing.

2.4. Floors and other surfaces

As far as is reasonably practicable, floors and other surfaces must be designed, installed and maintained to allow work to be carried out without risk to health and safety. Different floor coverings will be suitable for different workplaces. The choice of floor surfaces or coverings will depend on the type of work carried out at the workplace, as well as the materials used during the work process, the likelihood of spills and other contaminants, including dust, and the need for cleaning.

Floors must be inspected regularly and maintained to eliminate or minimise slip and trip hazards. Common examples of hazards include trailing cables, uneven edges or broken surfaces, gratings or covers, loose mats or carpet tiles. Floor surfaces should have enough grip to prevent slipping, especially in areas that may become wet or contaminated. Contaminates can reduce the grip on floor surfaces and increase the risk of slipping. Cleaning methods should also take account of the potential for slips, which may be increased by the use of some cleaning agents.

Workers who undertake static standing work should be protected from discomfort and the jarring effects of direct contact with concrete, masonry or steel floors, for example by providing carpet, cushion-backed vinyl, shock-absorbent underlay, anti-fatigue matting, grates or duckboards.

Generally carpet is preferred in office areas to provide a comfortable walking surface and to reduce noise, reflected light from polished floor surfaces and the risk of slips and falls. Selection of wool mix carpets reduces the build-up of static electricity which can give a mild electric shock. Carpets should be properly laid without loose edges or ripples and should be well maintained.

If tasks require the use of wheeled equipment, for example trolleys, the floor covering should be selected to minimise friction and resistance.

Some floor surfaces can become hazardous in certain work situations. For example, machining of metals can produce hot scrap and requires a surface safe from fire risk.

Floors and other surfaces, such as mezzanines or platforms that people may walk on, must be strong enough to support loads placed on them.

Additional guidance on managing risks associated with slips and trips is available in Safe Work Australia's [Slips and trips at the workplace fact sheet](#) and the [Code of practice: Managing the risk of falls at workplaces](#) provides guidance on managing the risks associated with falls from one level to another.

2.5. Lighting

Lighting must be provided, whether it is from a natural or artificial source, to allow safe movement around the workplace and to allow workers to perform their job without having to adopt awkward postures or strain their eyes to see.

When considering the type and level of lighting needed in the workplace, the following factors should be taken into account:

- the nature of the work activity
- the nature of hazards and risks in the workplace
- the work environment
- the level of natural light including transitions or changes throughout the day
- current level of artificial lighting
- glare
- contrast, and
- reflections.

Different lighting levels may be needed for different times of the day. Too much lighting can result in glare. Measures to prevent low or excessive levels of lighting, glare or reflection include:

- providing extra lighting, such as a lamp on a movable arm
- changing the position of existing lights
- changing the location of the workstation
- increasing or decreasing the number of lights
- changing the type of lighting used for example from white light to blue light
- changing the diffusers or reflectors on existing lights, and
- using screens, visors, shields, hoods, curtains, blinds or external louvres to reduce reflections, shadows and glare.

Adequate lighting after dark may be required for outdoor paths around the workplace and car parks. Outdoor lighting should allow workers to move about easily without risk of falling.

Emergency lighting must be provided for the safe evacuation of people in the event of an emergency.

Extra lighting may be needed for some types of work or at places of particular risk (such as crossing points on traffic routes).

Table 1 provides guidance on the recommended illumination levels for various types of tasks, activities or interiors.

Table 1 Recommended illumination levels¹

Class of task	Recommended illuminance (lux)	Characteristics of the activity/interior	Examples of types of activities/interiors
Movement and orientation	40	For little-used interiors with visual tasks limited to moving around	Corridors; cable tunnels; indoor storage tanks; walkways
Rough intermittent	80	For interiors used intermittently, with visual tasks limited to movement, orientation and coarse detail	Workers change and locker rooms; live storage of bulky materials; dead storage of materials needing care; loading bays
Normal range of tasks and workplaces			
Simple	160	<ul style="list-style-type: none"> Continuously occupied interior with visual tasks (coarse detail only) Occasional reading of clearly printed documents for short periods. 	Waiting rooms; entrance halls; canteens; rough checking of stock; rough bench and machine work; general fabrication of structural steel; casting concrete; automated process monitoring; turbine halls
Ordinary or moderately easy	240	Continuously occupied interiors with moderately easy visual tasks with high contrasts or large detail	School boards and charts; medium woodworking; food preparation; counters for transactions; computer use
Moderately difficult	320	Areas where visual tasks are moderately difficult with moderate detail or with low contrasts	Routine office tasks (e.g. reading, writing, typing, enquiry desks)
	400		Inspection of medium work; fine woodworking; enquiry points; car assembly
Difficult	600	Areas where visual tasks are difficult with small detail or with low contrast	Drawing boards; most inspection tasks; proofreading; fine machine work; fine painting and finishing; colour matching
Very difficult	800	Areas where visual tasks are very difficult with very small detail or with very low contrast	Fine inspection; plant retouching; fine manufacture; grading of dark materials; colour matching of dyes

¹ Source: AS/NZS 1680.1:2006—Interior and workplace lighting: General principles and recommendations

2.6. Housekeeping

An untidy workplace can cause injuries, in particular injuries resulting from slips and trips, therefore good housekeeping practices are essential for all workplaces. For example:

- spills on floors should be cleaned up immediately
- walkways should be kept clear of obstructions
- work materials should be neatly stored, and
- waste should be regularly removed.

It will be much easier to keep the workplace clean and tidy if it is well laid out with space for storage and for the movement of people. Space close to workstations should be allocated to allow for the storage of tools and materials that are used frequently, for example providing racks for hand tools above workbenches.

Tidiness throughout the working day can be difficult to maintain in industries where there is rapid production of finished goods and waste. In these situations, training all workers in housekeeping procedures and their cooperation with these procedures is necessary to keep the workplace tidy.

Containers for waste should be conveniently located and regularly emptied.

While it may be reasonable to expect workers to leave their immediate work area in a clean and tidy condition at the end of the working day, other options for carrying out the general cleaning of the workplace should be considered, for example engaging cleaners.

2.7. Ventilation

Workplaces must be ventilated to allow work to be carried out without risk to health and safety. Fresh, clean air should be drawn from outside the workplace, uncontaminated by discharge from flumes or other outlets, and be circulated through the workplace.

Workplaces inside buildings may have natural ventilation, mechanical ventilation such as fans or extraction units, or air-conditioning.

Natural ventilation should consist of permanent openings, including windows and doors, that:

- in total are the size of at least five per cent of the floor area of the room, and
- are open to the sky, an open covered area or a ventilated adjoining room.

Natural ventilation may be assisted by mechanical ventilation systems and extraction units to ventilate the workplace and remove odours.

An air-conditioning system should:

- provide a comfortable environment in relation to air temperature, humidity and air movement
- prevent the excessive accumulation of odours
- reduce the levels of respiratory by-products, especially carbon dioxide, and other indoor contaminants that may arise from work activities, and
- supply an amount of fresh air to the workplace, exhaust some of the stale air as well as filter and recirculate some of the indoor air.

Enclosed workplaces should be supplied with comfortable rates of air movement usually between 0.1 m and 0.2 m per second.

Air-conditioning and other ventilation systems should be regularly serviced and maintained in accordance with manufacturers' instructions. Cooling towers that form part of many air-conditioning systems may be a favourable environment for Legionella bacteria if they are not properly designed and maintained. Exposure to these bacteria can cause the potentially fatal Legionnaire's disease. Cooling towers should be designed, installed and maintained in accordance with AS/NZS 3666 SET:2011: *Air-handling and water systems of buildings*².

Further information regarding air quality is available in AS 1668.2–2002: *The use of ventilation and airconditioning in buildings*: Ventilation design for indoor air contaminant control.

WHS Regulations Division 7

Managing risks from airborne contaminants

You must ensure that no one at the workplace is exposed to a substance or mixture in an airborne concentration that exceeds the exposure standard for the substance or mixture. This may require air monitoring to be carried out.

Work processes that release harmful levels of airborne contaminants, such as lead fumes, acid mist and solvent vapour, will require specific control measures to remove or reduce the potential for exposure, so far as is reasonably practicable.

Information on managing the health and safety risks associated with hazardous chemicals is available in the [Workplace exposure standards for airborne contaminants](#) and the [Code of Practice: Managing risks of hazardous chemicals in the workplace](#).

2.8. Heat and cold

Workers carrying out work in extreme heat or cold must be able to carry out work without a risk to their health and safety, so far as is reasonably practicable.

Environmental conditions and the health and safety of workers must be monitored when work involves prolonged or repeated exposure to heat or cold.

It is important to distinguish between a condition that threatens health and safety, and a feeling of discomfort.

The risk to the health of workers increases as conditions move further away from those generally accepted as comfortable. Heat-related illness can arise from working in high air temperatures, exposure to high thermal radiation or high levels of humidity, such as those in foundries, commercial kitchens and laundries. Hypothermia arises when a person gets an abnormally low body temperature as a result of exposure to cold environments. Both these conditions are potentially fatal.

Both personal and environmental factors should be considered when assessing the risk to workers' health from working in a very hot or cold environment. Personal factors can include the use of some prescription medication, age, health condition, the level of physical activity, pregnancy and breastfeeding, the amount

² AS/NZS 3666.1:2011 Air-handling and water systems of buildings—Microbial control—Design, installation and commissioning
AS/NZS 3666.2:2011 Air-handling and water systems of buildings—Microbial control—Operation and maintenance
AS/NZS 3666.3:2011 Air-handling and water systems of buildings—Microbial control—Performance-based maintenance of cooling water systems
AS/NZS 3666.4:2011 Air-handling and water systems of buildings—Microbial control—Performance-based maintenance of air-handling systems (ducts and components)

and type of clothing worn, and duration of exposure. Environmental factors include air temperature, the level of humidity, air movement and radiant heat.

In circumstances where the work involves prolonged or repeated exposure to heat or cold, the duty to provide information, training and instruction to workers would include training workers to recognise the early symptoms of heat-related illness or hypothermia in themselves and others, how to follow safe work procedures and to report problems immediately.

Thermal comfort

Work should be carried out in an environment where a temperature range is comfortable for workers and suits the work they carry out. Air temperatures that are too high or too low can contribute to fatigue and heat or cold-related illnesses. Thermal comfort is affected by many factors, including air temperature, air movement, floor temperature, humidity, clothing, the amount of physical exertion, average temperature of the surroundings and sun penetration.

Optimum comfort for sedentary work is between 20 and 26 degrees Celsius, depending on the time of year and clothing worn. Workers involved in physical exertion usually prefer a lower temperature range. The means of maintaining a comfortable temperature will depend on the working environment and the weather, and could include the following:

- air-conditioning
- fans
- electric heating
- open windows
- building insulation
- the layout of workstations
- direct sunlight control, and
- controlling air flow and the source of drafts.

Hot environments

If it is not possible to eliminate exposure to extreme heat, the risk of heat-related illness must be minimised so far as is reasonably practicable. For example:

- increase air movement using fans
- install air-conditioners or evaporative coolers to lower air temperature
- isolate workers from indoor heat sources, for example by insulating plant, pipes and walls
- remove heated air or steam from hot processes using local exhaust ventilation
- use mechanical aids to assist in carrying out manual tasks, and
- alter work schedules so that work is done at cooler times.

The following control measures should also be considered but are least effective if used on their own:

- slow down the pace of work if possible
- provide a supply of cool drinking water
- provide a cool, well-ventilated area where workers can take rest breaks
- provide opportunities for workers who are not used to working in hot conditions to acclimatise, for example job rotation and regular rest breaks
- ensure light clothing is worn to allow free movement of air and sweat evaporation, and
- ensure workers have been trained about the hazards of working in hot conditions and how to recognise and act on symptoms of heat-related illness.

First aid is vital when a worker is suffering from a heat-related illness. Immediate medical attention should be sought if a worker experiences one or more of the following symptoms of heat exhaustion or heat stroke:

- dizziness
- fatigue
- headache
- nausea sometimes with vomiting
- breathlessness
- clammy or hot skin
- difficulty remaining alert, or
- absence of sweat.

Safe Work Australia's Guide for [Managing the risks of working in heat](#) provides practical guidance on how to manage the risks associated with exposure to heat while working indoors or outdoors, and what to do if a worker begins to suffer from a heat-related illness.

Cold environments

If it is not possible to eliminate exposure to extreme cold, the risks must be minimised so far as is reasonably practicable. For example:

- provide localised heating, for example cab heaters for fork-lift trucks used in cold stores, and
- provide protection from wind and rain, such as a hut or the cabin of a vehicle.

The following control measures should also be considered but are least effective if used on their own:

- provide protection through warm and if necessary waterproof clothing
- provide opportunities for workers who are not used to working in cold conditions to acclimatise, for example job rotation and regular rest breaks, and
- ensure workers are trained about the hazards of working in cold conditions and how to recognise and act on symptoms of hypothermia.

Immediate medical assistance should be provided if a worker shows one or more of the following warning signs of hypothermia:

- numbness in hands or fingers
- uncontrolled shivering
- loss of fine motor skills, particularly in hands—workers may have trouble with buttons, laces, zips
- slurred speech and difficulty thinking clearly, and
- irrational behaviour—such as a person discarding clothing.

3. Facilities

WHS Regulation 41

Duty to provide and maintain adequate and accessible facilities

As a person conducting a business or undertaking (PCBU) you must ensure, so far as is reasonably practicable, the provision of adequate facilities for workers, including toilets, drinking water, washing and eating facilities. These facilities must be in good working order, clean, safe and accessible.

When considering how to provide and maintain facilities that are adequate and accessible, you must consider all relevant matters, including:

- the nature of the work being carried out at the workplace
- the nature of the hazards at the workplace
- the size, location and nature of the workplace, and
- the number and composition of the workers at the workplace.

It may not always be reasonably practicable to provide the same types of facilities for a temporary, mobile or remote workplace that are normally provided for a fixed workplace.

[Appendix C](#) provides examples of facilities for two types of workplaces.

3.1. Access to facilities

Workers, including those who have particular needs or disabilities, must have access to the facilities. Facilities may not need to be provided if they are already available close to the workplace, are suitable for workers to use and the workers have opportunities to use them. This would mean that:

- workers are provided with breaks to use facilities
- the facilities are within a reasonable distance from the work area
- workers on different shifts have similar access, and
- the means of access is safe at all times.

Additional specific guidance on the type of facilities such as number of toilets, eating facilities and personal storage you should provide to workers at a construction workplace is set out in the [Code of Practice: Construction work](#). You should consult this Code of Practice prior to commencing construction work.

3.2. Drinking water

Clean drinking water must be provided free of charge for workers at all times. The supply of the drinking water should be:

- positioned where it can be easily accessed by workers
- close to where hot or strenuous work is being undertaken to reduce the likelihood of dehydration or heat stress, and
- separate from toilet or washing facilities to avoid contamination of the drinking water.

The temperature of the drinking water should be at or below 24 degrees Celsius. This may be achieved by:

- refrigerating the water or providing non-contaminated ice, or
- shading water pipes and storage containers from the sun.

Water should be supplied in a hygienic manner, so that workers do not drink directly from a shared container. This may involve:

- a drinking fountain, where the water is delivered in an upward jet, or
- a supply of disposable or washable drinking containers.

Water supplied for certain industrial processes or for fire protection may not be suitable for drinking. These water supply points should be marked with signs warning that the water is unfit for drinking.

Mobile, temporary or remote workplaces

Sometimes direct connection to a water supply is not possible. In these cases, alternatives—including access to public drinking water facilities, bottled water or containers—should be provided for workers.

3.3. Toilets

Access to clean toilets must be provided for all workers while they are at work. Where reasonably practicable, toilet facilities should be provided for workers, rather than relying on access to external public toilets.

Number of toilets

For workplaces within buildings, the *National Construction Code of Australia* sets out the ratio of toilets to the number of workers, and the specifications for toilets. Generally, separate toilets should be provided in workplaces where there are both male and female workers. However, one unisex toilet may be provided in workplaces with both male and female workers where:

- the total number of people who normally work at the workplace is 10 or fewer, and
- there are two or fewer workers of one gender.

For example, a workplace with two male and eight female workers or with one female and three male workers could have a unisex toilet because there are 10 or fewer workers in total and two or fewer workers of one gender.

A unisex toilet should include one closet pan, one washbasin and means for disposing of sanitary items.

For all other workplaces, separate toilets should be provided in the following ratios.

Workers	Closet Pan(s)	Urinals
Males	1 per 20 males	1 per 25 males
Females	1 per 15 females	N/A

These ratios are the minimum standard that should be provided. However, in some workplaces, the scheduling of workers' breaks will affect the number of toilets required. There should be enough toilets available for the number of workers who may need to use them at the same time.

Design of toilets

Toilets should be:

- fitted with a hinged seat and lid
- provided with lighting and ventilation
- clearly signposted
- fitted with a hinged door capable of locking from the inside on each cubicle
- designed to allow emergency access
- positioned to ensure privacy for users, and
- separated from other rooms by an airlock, a sound-proof wall and a separate entrance that is clearly marked.

Toilets should be supplied with:

- toilet paper for each toilet
- hand washing facilities
- rubbish bins, and
- for female workers, hygienic means to dispose of sanitary items.

Access to toilets

Toilets must be accessible for all workers including workers with a disability. Preferably toilets should be located inside a building or as close as possible to the workplace. In multistorey buildings, toilets should be located on at least every second floor.

Mobile, temporary or remote workplaces

If work is undertaken away from base locations or at outdoor sites, for example by gardeners, bus drivers, couriers, workers must have access to other toilets, for example public toilets or toilets at clients' premises. In such cases, information should be provided to workers on where the toilets are located.

Where it is not reasonably practicable to provide access to permanent toilets, for example short-term temporary workplaces and workplaces in remote areas, portable toilets should be provided. Portable toilets should be located in a secure place with safe access. They should be installed so they do not fall over or become unstable and should be serviced regularly to keep them clean.

3.4. Hand washing

Hand washing facilities must be provided to enable workers to maintain a good standard of personal hygiene. Workers may need to wash their hands at different times, for example after visiting the toilet, before and after eating meals, after handling chemicals or handling greasy machinery.

Number of hand washing basins

In most cases, for both males and females, hand washing basins should be provided in at least the ratio of one wash basin for every 30 male workers and one for every 30 female workers, or part thereof.

The number of hand washing basins may need to be increased depending on the nature of the work carried out at the workplace. For example, where the work involves exposure to infectious substances or other contaminants, separate hand washing basins should be provided in addition to those provided with toilets.

Design of hand washing facilities

Hand washing facilities should:

- be accessible at all times to work areas, eating areas and the toilets
- be separate from troughs or sinks used in connection with the work process
- contain both hot and cold water taps or temperature mixers
- be protected from the weather
- be supplied with non-irritating soap preferably from a soap dispenser, and
- contain hygienic hand drying facilities, for example automatic air dryers or paper towels.

Where a business engages in activities such as food preparation or health care, there are also duties under health legislation in relation to hand washing facilities.

Mobile, temporary or remote workplaces

If work is carried out in locations where there are no hand washing facilities, workers should have access to alternative hand hygiene facilities, for example a water container with soap and paper towels, hand wipes or alcohol-based hand sanitiser.

3.5. Eating facilities

Workers must be provided with access to hygienic facilities for eating and for preparing and storing food. Depending on the type of workplace, a range of facilities may be appropriate, which could include a shared facility such as a canteen or cafeteria, a dedicated meals area or allowing time for mobile workers to access eating facilities.

A separate eating area should be provided if:

- 10 or more workers usually eat at the workplace at the same time, or
- there is a risk of substances or processes contaminating food.

Facilities for large static workplaces

A dedicated eating area should be provided that is protected from the weather and is separated from work processes, toilet facilities and hazards, including noise, heat and atmospheric contaminants. It should be supplied with:

- tables and seats to accommodate each worker likely to use the eating area at one time
- a sink with hot and cold water, washing utensils and detergent
- an appliance for boiling water
- crockery and cutlery
- food warming appliances, such as a microwave oven
- clean storage, including a refrigerator for storing perishable food, and
- vermin-proof rubbish bins, which should be emptied at least daily.

Eating areas should have 1 m² of clear space for each person likely to use the area at any one time. The clear space is calculated free of furniture, fittings or obstructions such as pillars. This means that the size of an eating area for 10 workers should be 10 m² plus extra space for meal furniture, appliances and fittings such as sinks.

Facilities for small static workplaces

For some small workplaces, an area within the workplace for making tea and coffee and preparing and storing food might be all that is needed. The facility should be protected from the weather, be free of tools and work materials and be separated from toilet facilities and hazards including noise, heat and atmospheric contaminants. It should be supplied with:

- seating
- a sink with hot and cold water, washing utensils and detergent
- an appliance for boiling water
- clean storage, including a refrigerator for storing perishable food, and
- vermin-proof rubbish bins, which should be emptied at least daily.

Mobile, temporary or remote workplaces

Where the work involves travelling between different workplaces, or is remote or seasonal, workers need reasonable access to eating facilities. This may involve organising rosters for mobile workers to ensure that they are back at their base location for meal breaks or allowing workers to take their meal breaks at a public cafeteria.

It may be appropriate for some temporary workplaces to provide portable eating facilities such as mobile caravans or transportable lunchrooms.

Access to eating facilities for workers in remote areas, such as loggers or mining exploration workers, may be limited. At times the only enclosed facility available to them may be their vehicle. In this instance portable food storage facilities may be required, such as a car fridge or insulated lunch box.

3.6. Personal storage

Accessible and secure storage should be provided at the workplace for personal items belonging to workers, for example handbags, jewellery, medication or hygiene supplies. This storage should be separate from that provided for personal protective clothing and equipment in cases where contamination is possible.

Where work involves the use of tools provided by a worker, provision should be made for secure and weatherproof storage of those tools during non-working hours.

Mobile, temporary or remote workplaces

Where the workplace is temporary or mobile, lockable containers that can be held in a safe place should be provided. Where lockers are provided, they may also serve as secure storage for other personal items.

3.7. Change rooms

If workers have to change in and out of clothing due to the nature of their work, access to private changing areas with secure storage for personal belongings should be provided. This includes workers who need to:

- wear personal protective clothing or uniforms while they are working, and
- leave their work clothing at the workplace.

If male and female workers need to change at the same time, separate male and female changing rooms should be provided. The changing room should allow a clear space of no less than 0.5 m² for each worker changing at any time.

The temperature in the changing room should be maintained so that it is comfortable for workers when changing. Additional heating or cooling may be needed.

Change rooms should be conveniently located and equipped with:

- seating to enable the numbers of workers changing at one time to sit when dressing or undressing
- mirrors, either within the changing room or directly outside it, and
- an adequate number of hooks or shelves.

Where change rooms are provided, it may be reasonably practicable to provide lockers for storing clothing and personal belongings. Lockers should be:

- well ventilated, accessible and secure, and
- a sufficient size to accommodate clothing and personal belongings.

There should also be a clear space of at least 1800 mm between rows of lockers facing each other and at least 900 mm between lockers and a seat or wall.

Mobile, temporary or remote workplaces

Where the workplace is located away from buildings or other fixed accommodation, portable private facilities containing secure storage and seating should be provided.

3.8. Shower facilities

Certain jobs may involve dirty, hot or hazardous work and may require the provision of showering and drying facilities. For example, work involving mining, firefighting, health care, work in abattoirs, foundry work, welding, and police search and rescue.

At least one shower cubicle for every 10 workers who may need to shower should be provided. Usually separate facilities should be provided for male and female workers. However, in small or temporary workplaces where privacy can be assured, it may be acceptable to provide one unisex shower.

Showers should have:

- a floor area of not less than 1.8 m²
- a slip-resistant surface that is capable of being sanitised
- partitions between each shower that are at least 1650 mm high and no more than 300 mm above the floor
- an adjacent dressing area for each shower containing a seat and hooks, and
- a lockable door enclosing the shower and dressing cubicle.

Each shower should be supplied with clean hot and cold water and individual non-irritating soap or another cleaning product. If grime or other by-products of the work process cannot be removed just by washing, individual nail or scrubbing brushes should be provided. Also provide drying facilities such as towels if the work the workers carry out means they need to shower before leaving the workplace, for example workers who need to decontaminate after asbestos or lead risk work.

Mobile, temporary or remote workplaces

Workers in remote or temporary locations who are involved in dirty, hot or hazardous working conditions may also need access to showering and drying facilities. This may involve providing portable shower units of the same standard as specified above.

4. Guidance for specific types of work

4.1. Outdoor work

Outdoor workers should have access to shelter for eating meals and taking breaks, and to protect them in adverse weather conditions.

As a person conducting a business or undertaking (PCBU), you should provide access to shelter, for example using sheds, caravans, tents, windbreaks or portable shade canopies. In some situations, vehicles or public facilities may provide short-term shelter.

Where it is not reasonably practicable to eliminate a risk, you have a duty to take other steps to minimise the risk to health and safety, such as providing suitable personal protective equipment (PPE). Protection against solar ultraviolet radiation (UVR) exposure should also be provided for outdoor workers, for example by:

- reorganising outdoor work if possible so that workers carry out alternative tasks, or work in shade, when the sun is most intense, that is 10 am–2 pm and 11 am–3 pm during daylight saving time, and
- providing personal protective clothing like a wide brim hat, long-sleeved collared shirt, long pants, sunglasses and sunscreen.

Further information about managing risks associated with exposure to UVR is located in Safe Work Australia's Guide on [Exposure to solar ultraviolet radiation \(UVR\)](#).

4.2. Remote or isolated work

WHS Regulation 48

Remote or isolated work

As a PCBU you must manage the risks associated with remote or isolated work, including ensuring effective communication with the worker carrying out remote or isolated work.

Remote or isolated work is work that is isolated from the assistance of other people because of the location, time or nature of the work being done. Assistance from other people includes rescue, medical assistance and emergency services.

A worker may be isolated even if other people may be close by, for example a cleaner working by themselves at night in a city office building. In other cases, a worker may be far away from populated areas, for example on a farm.

Remote and isolated work includes:

- all-night convenience store and service station attendants
- sales representatives, including real estate agents
- long-distance freight transport drivers
- scientists, park rangers and others carrying out fieldwork alone or in remote locations, and
- health and community workers working in isolation with members of the public.

In some situations, a worker may be alone for a short time. In other situations, the worker may be on their own for days or weeks in remote locations, for example on sheep and cattle stations.

Assessing the risks

Working alone or remotely increases the risk of any job. Exposure to violence and poor access to emergency assistance are the main hazards that increase the risk of remote or isolated work. Factors that should be considered when assessing the risks include the following.

The length of time the person may be working alone

- How long will the person need to be alone to finish the job?

The time of day when a person may be working alone

- Is there increased risk at certain times of day? For example, a service station attendant working alone late at night may be at greater risk of exposure to violence.

Communication

- What forms of communication does the worker have access to?
- Are there procedures for regular contact with the worker?
- Will the emergency communication system work properly in all situations?
- If communication systems are vehicle-based, what arrangements are there to cover the worker when he or she is away from the vehicle?

The location of the work

- Is the work in a remote location that makes immediate rescue or attendance of emergency services difficult?
- What is likely to happen if there is a vehicle breakdown?

The nature of the work

What machinery, tools and equipment may be used?

- Are high risk activities involved? For example work at heights, work with electricity, hazardous substances or hazardous plant.
- Is fatigue likely to increase risk? For example with long hours driving a vehicle or operating machinery.
- Is there an increased risk of violence or aggression when workers have to deal with clients or customers by themselves?
- Can environmental factors affect the safety of the worker? For example exposure to extreme hot or cold environments.
- Is there risk of attack by an animal, including reptiles, insects and sea creatures?

The skills and capabilities of the worker

- What is the worker's level of work experience and training? Is the worker able to make sound judgements about his or her own safety?
- Are you aware of a pre-existing medical condition that may increase risk?

Controlling the risks

- **Buddy system**—some jobs present such a high level of risk that workers should not work alone, for example jobs where there is a risk of violence or where high-powered tools or equipment may be used.
- **Workplace layout and design**—workplaces and their surrounds can be designed to reduce the likelihood of violence, for example by installing physical barriers, monitored CCTV and enhancing visibility.
- **Communication systems**—the type of system chosen will depend on the distance from the base and the environment in which the worker will be located or through which he or she will be travelling. Expert advice and local knowledge may be needed to assist with the selection of an effective communication system.
- **Movement records**—knowing where workers are expected to be can assist in controlling the risks, for example call-in systems with supervisors or colleagues. Satellite tracking systems or devices may also have the capability of sending messages as part of a scheduled call-in system, and have distress or alert functions.
- **Training, information and instruction**—as a PCBU you have a duty to provide information, training and instruction suitable for the nature and risks of the work and the controls being put in place to manage the risks. Workers need training to prepare them for working alone and, where relevant, in remote locations. For example training in dealing with potentially aggressive clients, using communications systems, administering first aid, obtaining emergency assistance, driving off-road vehicles or bush survival.
- **First aid**— as a PCBU you have specific obligations under the WHS Regulations in relation to first aid requirements in the workplace. Further guidance regarding first aid and supplying first aid kits is located in the [Code of Practice: First aid in the workplace](#).

If a worker is working alone in a workplace that has a telephone, communication via the telephone is adequate, provided the worker is able to reach the telephone in an emergency. In situations where a telephone is not available or may not be accessible during an emergency, a method of communication that will allow a worker to call for help in the event of an emergency at any time should be provided, for example:

- **Personal security systems or personal duress systems**—being wireless and portable, these systems are suitable for people who move between different work locations such as health care workers visiting clients or security guards checking otherwise deserted workplaces. Personal security systems need to be able to activate an appropriate safety response. Some personal security systems include a non-movement sensor that will automatically activate an alarm transmission if the transmitter or transceiver has not moved within a certain time.
- **Radio communication systems**—enable communication between two mobile users in different vehicles or from a mobile vehicle and a fixed station. These systems are dependent upon a number of factors such as frequency, power and distance from or between broadcasters.
- **Satellite communication systems**—enable communication with workers in geographically remote locations. Satellite phones allow voice transmission during transit, but their operation can be affected by damage to aerials, failure of vehicle power supplies or vehicle damage.
- **Distress beacons** can provide pinpoint location and to indicate by activation that an emergency exists. Distress beacons include Emergency Position Indicating Radio Beacons (EPIRB) used in ships and boats, Emergency Locator Transmitters (ELT) used in aircraft and Personal Locator Beacons (PLB) for personal use.
- **Mobile phones**—cannot be relied upon as an effective means of communication in many locations. Coverage in the area where the worker will work should be confirmed before work starts. Geographical features may impede the use of mobile phones, especially at the edge of the coverage area, and different models have different capabilities in terms of effective range from the base station. Consult the provider if there is doubt about the capability of a particular phone to sustain a signal for the entire period the worker is alone. If gaps in coverage are likely, other methods of communication should be considered. It is important that batteries are kept charged and a spare is available.

4.3. Accommodation

If a business has workers working in regional and remote areas, accommodation may need to be provided while the work is being carried out. An example of such arrangements would be where accommodation is provided to fruit-pickers during the harvesting season, shearers on a sheep station or workers engaged in construction work at a remote location.

WHS Act section 19(4)

Primary duty of care

If you provide accommodation for workers and own or manage the accommodation you must, so far as is reasonably practicable, maintain the premises so that the worker occupying it is not exposed to health and safety risks.

Accommodation should be separated from hazards at the workplace likely to adversely affect the health and safety of a worker using the accommodation.

The accommodation facilities should also:

- be lockable, with safe entry and exit
- meet all relevant structural and stability requirements
- meet electrical and fire safety standards
- have a supply of drinking water
- have toilets, washing and laundry facilities
- be regularly cleaned and have rubbish collected
- be provided with sleeping quarters shielded from noise and vibration
- have crockery, utensils and eating facilities
- have lighting, heating, cooling and ventilation
- have storage cupboards and other furniture
- be provided with a refrigerator or cool room, and
- have all fittings, appliances and equipment in good condition.

5. Emergency plans

WHS Regulation 43

Duty to prepare, maintain and implement emergency plan

As a person conducting a business or undertaking (PCBU), you must ensure that an emergency plan is prepared and maintained for the workplace that provides for:

1. emergency procedures, including:
 - a. an effective response to an emergency
 - b. evacuation procedures
 - c. notification of emergency services at the earliest opportunity
 - d. medical treatment and assistance, and
 - e. effective communication between the person you have authorised to coordinate the emergency response and all persons at the workplace.
2. testing of the emergency procedures, including how often they should be tested, and
3. information, training and instruction to relevant workers in relation to implementing the emergency procedures.

There are different types of emergency situations, including fire or explosion, dangerous chemical release, medical emergency, natural disaster, bomb threats, violence or robbery.

In preparing and maintaining an emergency plan, the following must be taken into account:

- the particular work being carried out at the workplace
- the specific hazards at a workplace
- the size and location of a workplace, and
- the number and composition of the workers and other people at a workplace.

The plan must be based on an assessment of the hazards at the workplace, including the possible consequences of an incident occurring as a result of those hazards. For example a cleaner working by themselves in a city office building will be subject to different hazards to a worker in a chemical plant. The varying nature of the hazards requires the risks of the particular job to be assessed, and an emergency plan put in place.

The impact of external hazards that may affect the health and safety of workers should also be taken into account, for example a chemical storage facility across the road from the workplace.

The preparation of an emergency plan for a workplace shared by a number of businesses, for example a shopping centre, construction site or multi-tenanted office building, should be coordinated by the person with management or control of the workplace, who may be the property manager, principal contractor or landlord, in consultation with all tenants or businesses at the workplace.

If a new business is to be conducted at a workplace shared by a number of businesses, the existing emergency plan should be reviewed to take into account any new types of emergency situations that may arise from the new business. Workers and their health and safety representatives must be consulted by the person responsible for preparing the emergency plan when reviewing and if necessary revising it.

If the consequences of an emergency at a workplace are significant, for example due to the size and location of the workplace or the nature of the hazards involved, then the local emergency services should be consulted when developing the plan.

5.1. Preparing emergency procedures

The emergency procedures in the emergency plan must clearly explain how to respond in various types of emergency, including how to evacuate people from the workplace in a controlled manner.

The procedures should be written clearly and be simple to understand. Where relevant, the emergency procedures should address:

- allocation of roles and responsibilities for specific actions in an emergency to persons with appropriate skills, for example appointment of area wardens
- clear lines of communication between the person authorised to coordinate the emergency response and all persons at the workplace
- the activation of alarms and how to alert staff and other people at the workplace
- the safety of all the people who may be at the workplace in an emergency, including visitors, shiftworkers and tradespeople
- workers or other persons who will require special assistance to evacuate
- specific procedures for critical functions such as a power shut-off
- identification of safe places
- risks from neighbouring businesses
- potential traffic restrictions
- distribution and display of a site plan that illustrates the location of fire protection equipment, emergency exits and assembly points
- the distribution of emergency phone numbers, including out-of-hours contact numbers
- access for emergency services and their ability to get close to the work area
- regular evacuation practice drills at least every 12 months
- the use and maintenance of equipment required to deal with specific types of emergencies, for example spill kits, fire extinguishers, early warning systems such as fixed gas monitors or smoke detectors and automatic response systems such as sprinklers, and
- regular review of procedures and training.

Emergency procedures must be tested in accordance with the emergency plan in which they are contained.

Evacuation procedures should be displayed in a prominent place, for example on a noticeboard. Workers must be instructed and trained in the procedures.

A more comprehensive plan may be needed to address high risk situations such as:

- people sleeping on site, for example hotels
- large numbers of people at the site at the same time, for example stadiums
- high risk chemical processes and major hazard facilities, and
- significant cash handling, particularly outside normal business hours.

Further guidance on emergency plans and procedures is available in AS 3745–2010: *Planning for emergencies in facilities* and Safe Work Australia's [Emergency plans fact sheet](#).

Appendix A—Glossary

Term	Description
Duty holder	Any person who owes a work health and safety duty under the WHS Act including a person conducting a business or undertaking, a designer, manufacturer, importer, supplier, installer of products or plant used at work (upstream duty holder), officer or a worker.
Hazard	A situation or thing that has the potential to harm a person. Hazards at work may include: noisy machinery, a moving forklift, chemicals, electricity, working at heights, a repetitive job, bullying and violence at the workplace.
Health and safety committee	A consultative body established under the WHS Act. The committee's functions include facilitating cooperation between workers and the person conducting a business or undertaking to ensure workers' health and safety at work, and assisting to develop work health and safety standards, rules and procedures for the workplace.
Health and safety representative	A worker who has been elected by their work group under the WHS Act to represent them on health and safety matters.
May	'May' indicates an optional course of action.
Must	'Must' indicates a legal requirement exists that must be complied with.
Officer	<p>An officer under the WHS Act includes:</p> <ul style="list-style-type: none"> – an officer under section 9 of the <i>Corporations Act 2001</i> (Cth) – an officer of the Crown within the meaning of section 247 of the WHS Act, and – an officer of a public authority within the meaning of section 252 of the WHS Act. <p>A partner in a partnership or an elected member of a local authority is not an officer while acting in that capacity.</p>
Person conducting a business or undertaking (PCBU)	<p>A PCBU is an umbrella concept which intends to capture all types of working arrangements or relationships.</p> <p>A PCBU includes a:</p> <ul style="list-style-type: none"> – company – unincorporated body or association – sole trader or self-employed person. <p>Individuals who are in a partnership that is conducting a business will individually and collectively be a PCBU.</p> <p>A volunteer association (defined under the WHS Act, see below) or elected members of a local authority will not be a PCBU.</p>
Remote	Remote or isolated work is work that is isolated from the assistance of other people because of the location, time or nature of the work being

	done. Assistance from other people includes rescue, medical assistance and emergency services.
Risk	The possibility harm (death, injury or illness) might occur when exposed to a hazard.
Should	'Should' indicates a recommended course of action.
Volunteer association	A group of volunteers working together for one or more community purposes where none of the volunteers, whether alone or jointly with any other volunteers, employs any person to carry out work for the volunteer association.
Work group	A group of workers established to facilitate the representation of workers by one or more health and safety representatives. A work group may be all workers at a workplace but it may also be appropriate to split a workplace into multiple work groups where workers share similar work conditions, for example all workers on night shift.
Worker	Any person who carries out work for a person conducting a business or undertaking, including work as an employee, contractor or subcontractor (or their employee), self-employed person, outworker, apprentice or trainee, work experience student, employee of a labour hire company placed with a 'host employer' or a volunteer.
Workplace	Any place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work. This may include offices, factories, shops, construction sites, vehicles, ships, aircraft or other mobile structures on land or water.

Appendix B—Work environment and facilities checklist

Subject	Yes	No	Action to be taken
Consultation			
Have workers and their health and safety representatives been consulted on decisions about the adequacy of the facilities?	<input type="checkbox"/>	<input type="checkbox"/>	
Nature of the work and workplace			
Have the type of work being done and how the work impacts the work environment and facilities been considered?	<input type="checkbox"/>	<input type="checkbox"/>	
Have the composition of the workforce and how it impacts the work environment and facilities been considered?	<input type="checkbox"/>	<input type="checkbox"/>	
Is the work being undertaken near appropriate facilities?	<input type="checkbox"/>	<input type="checkbox"/>	
Do all workers on all shifts have access to the facilities?	<input type="checkbox"/>	<input type="checkbox"/>	
Managing facilities			
Are consumable items, such as soap and toilet paper, replaced regularly?	<input type="checkbox"/>	<input type="checkbox"/>	
Is broken or damaged infrastructure, such as plumbing, air-conditioning or lighting, repaired promptly?	<input type="checkbox"/>	<input type="checkbox"/>	
Are equipment and furniture, like fridges, lockers and seating, maintained in good condition?	<input type="checkbox"/>	<input type="checkbox"/>	
Are facilities cleaned regularly?	<input type="checkbox"/>	<input type="checkbox"/>	
Work area			
Is there safe access to and from the workplace or work area?	<input type="checkbox"/>	<input type="checkbox"/>	
Is there enough space for the work to be carried out safely, taking into account the physical actions needed to perform the task, and any plant and personal protective equipment that is needed?	<input type="checkbox"/>	<input type="checkbox"/>	

Does the layout of the work area provide enough space to move about in walkways and around cupboards, storage or doors?	<input type="checkbox"/>	<input type="checkbox"/>
Seating		
Can the work be done from a seated position?	<input type="checkbox"/>	<input type="checkbox"/>
Can the workstation be adjusted for individual needs and is it appropriate for the type of work being carried out?	<input type="checkbox"/>	<input type="checkbox"/>
Can workers vary their posture or work position at regular intervals? For example, can workers who stand while working sit from time to time?	<input type="checkbox"/>	<input type="checkbox"/>
Floors		
Is suitable floor covering provided for workers who need to stand for long periods?	<input type="checkbox"/>	<input type="checkbox"/>
Are the floors maintained to be free of slip and trip hazards?	<input type="checkbox"/>	<input type="checkbox"/>
Are factors such as the work materials used, the likelihood of spills and the need for washing considered when choosing floor coverings?	<input type="checkbox"/>	<input type="checkbox"/>
Lighting		
Does the lighting allow workers to move about easily and to carry out their work effectively without adopting awkward postures or straining their eyes to see?	<input type="checkbox"/>	<input type="checkbox"/>
Does the working environment minimise the amount of glare, contrast or reflection?	<input type="checkbox"/>	<input type="checkbox"/>
Ventilation		
Is the temperature between 20°C and 26°C or less if the work is physically active?	<input type="checkbox"/>	<input type="checkbox"/>
Are ventilation and air-conditioning systems serviced regularly and maintained in a safe condition?	<input type="checkbox"/>	<input type="checkbox"/>
Are rates of air movement in enclosed workplaces between 0.1 m and 0.2 m per second?	<input type="checkbox"/>	<input type="checkbox"/>
Is local exhaust ventilation used to control airborne contaminants released during a work process?	<input type="checkbox"/>	<input type="checkbox"/>
Exposure to heat or cold		

Have all reasonably practicable control measures been implemented to minimise the risks of working in extreme hot or cold conditions?	<input type="checkbox"/>	<input type="checkbox"/>
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Have workers been provided with information, instruction and training to recognise unsafe conditions arising from exposure to hot or cold conditions, to follow safe work procedures and to report problems immediately?	<input type="checkbox"/>	<input type="checkbox"/>
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Drinking water

Do all workers have access to drinking water?	<input type="checkbox"/>	<input type="checkbox"/>
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Is the supply of drinking water outlets separate from toilet and washing facilities?	<input type="checkbox"/>	<input type="checkbox"/>
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Is the water clean, cool and hygienically provided?	<input type="checkbox"/>	<input type="checkbox"/>
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Toilets

If the workplace has 10 or fewer workers (with 2 or fewer of 1 gender), has at least 1 unisex toilet been provided?	<input type="checkbox"/>	<input type="checkbox"/>
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If the workplace has more than 10 workers (or more than 2 workers of each gender), is there at least 1 male toilet for every 20 men and 1 female toilet for every 15 women?	<input type="checkbox"/>	<input type="checkbox"/>
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Are there adequate toilet facilities accessible to workers with disabilities?	<input type="checkbox"/>	<input type="checkbox"/>
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Are toilets clearly marked, and do they have lockable doors, lighting and ventilation?	<input type="checkbox"/>	<input type="checkbox"/>
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Are toilets cleaned regularly and maintained in good working order?	<input type="checkbox"/>	<input type="checkbox"/>
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Are toilet paper, hand washing facilities and soap, rubbish bins and sanitary disposal bins provided?	<input type="checkbox"/>	<input type="checkbox"/>
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Hand washing

Are there enough hand washing basins for all workers, including workers with a physical disability?	<input type="checkbox"/>	<input type="checkbox"/>
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Does the nature of the work require additional hand washing facilities or access to hand sanitisers? Have you taken into account exposure to:	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> dirty conditions infectious agents contaminants, and 		

• health regulations?		
Are the hand washing facilities:	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • separate from work-related troughs or sinks • protected from weather, and • accessible from work areas, eating facilities and toilets? 		
Are hot and cold water, soap or other cleaning products provided?	<input type="checkbox"/>	<input type="checkbox"/>
Is hygienic hand drying provided that does not involve workers sharing towels?	<input type="checkbox"/>	<input type="checkbox"/>
Eating facilities		
Does the nature of the work cause a health and safety risk to workers from preparing food or eating in the workplace?	<input type="checkbox"/>	<input type="checkbox"/>
Taking into account the number of workers and the nature of the work, should a separate eating area be provided?	<input type="checkbox"/>	<input type="checkbox"/>
For workplaces needing an eating area, is there 1 m ² of clear floor space for each person likely to use the eating area at a time?	<input type="checkbox"/>	<input type="checkbox"/>
Is there protection from the elements, the work area, contaminants and hazards?	<input type="checkbox"/>	<input type="checkbox"/>
If a shared eating facility is used, can it accommodate all workers likely to be eating at a time?	<input type="checkbox"/>	<input type="checkbox"/>
Personal storage		
Is there accessible, secure storage at the workplace for workers' personal property, including any tools provided by a worker?	<input type="checkbox"/>	<input type="checkbox"/>
Is it separate from any storage facilities provided for dirty or contaminated personal protective clothing and equipment?	<input type="checkbox"/>	<input type="checkbox"/>
Change rooms		
Are change rooms provided for workers who are required to change in and out of clothing?	<input type="checkbox"/>	<input type="checkbox"/>
Are there arrangements in place for the privacy of all workers?	<input type="checkbox"/>	<input type="checkbox"/>

Do change rooms allow a clear space of at least no less than 0.5 m ² for each worker?	<input type="checkbox"/>	<input type="checkbox"/>
Is the change room temperature comfortable for changing clothing?	<input type="checkbox"/>	<input type="checkbox"/>
Are there enough seats, accessible mirrors, hooks for the numbers of workers changing at a time?	<input type="checkbox"/>	<input type="checkbox"/>
Are there well-ventilated, accessible and secure lockers for each worker for storing clothing and personal belongings?	<input type="checkbox"/>	<input type="checkbox"/>
Is there clear space of at least 1800 mm between rows of lockers facing each other and at least 900 mm between lockers and a seat or a wall?	<input type="checkbox"/>	<input type="checkbox"/>

Showers

Do workers need to shower before they leave the workplace? For example, where work is carried out in hot, hazardous or dirty environments.	<input type="checkbox"/>	<input type="checkbox"/>
Is there one shower cubicle for every 10 workers who may need to shower?	<input type="checkbox"/>	<input type="checkbox"/>
Are there separate facilities for all workers, or other forms of security to ensure privacy?	<input type="checkbox"/>	<input type="checkbox"/>
Does each shower have a slip-resistant floor area of not less than 1.8 m ² , which is capable of being sanitised?	<input type="checkbox"/>	<input type="checkbox"/>
Are partitions between each shower at least 1650 mm high and no more than 300 mm above the floor?	<input type="checkbox"/>	<input type="checkbox"/>
Is there an adjacent dressing area for each shower, containing a seat and hooks, with a curtain or lockable door enclosing the shower and dressing cubicle?	<input type="checkbox"/>	<input type="checkbox"/>
Are clean hot and cold water and soap or other cleaning products provided?	<input type="checkbox"/>	<input type="checkbox"/>

Outdoor work

Is the means of access to and from the outdoor work area safe?	<input type="checkbox"/>	<input type="checkbox"/>
Are there appropriate procedures to ensure outdoor workers have access to: <ul style="list-style-type: none"> • clean drinking water 	<input type="checkbox"/>	<input type="checkbox"/>

- toilets
- eating facilities
- hygienic storage of food and water, and
- emergency and first aid assistance?

Is there access to shelter for:

☐
☐

- eating meals and taking breaks, and
- for protection when weather conditions become unsafe?

Mobile or remote work

Do mobile or remote workers have access to:

☐
☐

- clean drinking water
- toilets
- eating facilities
- hygienic storage of food and water, and
- emergency and first aid assistance?

Can mobile or remote workers access emergency communications that are reliable in their location, such as a satellite or mobile phone?

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☐

Accommodation

Is the accommodation separate from hazards at the workplace that are likely to present a risk to the health or safety of a worker using the accommodation?

☐
☐

Is the accommodation well equipped? Consider the following:

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☐

- safe access and exit
- security of personal possessions
- fire safety arrangements
- electrical safety standards
- drinking water
- toilets, washing, bathing and laundry facilities
- procedures to ensure cleanliness
- suitable, quiet sleeping accommodation
- crockery, utensils and eating facilities
- rubbish collection, and
- heating, cooling and ventilation.

Does the accommodation meet all relevant structural and stability requirements?

☐
☐

Are the fittings, appliances and other equipment maintained in good working condition?

☐
☐

Emergency plans

Is there a written emergency plan covering emergency situations relevant to the workplace, with clear emergency procedures?	<input type="checkbox"/>	<input type="checkbox"/>
Is the plan accessible to all workers?	<input type="checkbox"/>	<input type="checkbox"/>
Are workers, managers and supervisors instructed and trained in the procedures?	<input type="checkbox"/>	<input type="checkbox"/>
Has someone with appropriate skills been made responsible for specific actions in an emergency? For example, the appointment of an area warden.	<input type="checkbox"/>	<input type="checkbox"/>
Is someone responsible for ensuring workers and others in the workplace are accounted for in the event of an evacuation?	<input type="checkbox"/>	<input type="checkbox"/>
Are emergency contact details relevant to the types of possible threats? For example are fire, police, poison information centre contact details displayed at the workplace in an easily accessible location?	<input type="checkbox"/>	<input type="checkbox"/>
Are contact details updated regularly?	<input type="checkbox"/>	<input type="checkbox"/>
Is there a mechanism, such as a siren or bell alarm, for alerting everyone in the workplace of an emergency?	<input type="checkbox"/>	<input type="checkbox"/>
Is there a documented site plan that illustrates: <ul style="list-style-type: none"> the location of fire protection equipment emergency exits, and assembly points? 	<input type="checkbox"/>	<input type="checkbox"/>
Is there is a site plan and is it displayed in key locations throughout the workplace?	<input type="checkbox"/>	<input type="checkbox"/>
Are procedures in place for assisting mobility-impaired people?	<input type="checkbox"/>	<input type="checkbox"/>
Does the workplace have first aid facilities and emergency equipment to deal with the types of emergencies that may arise?	<input type="checkbox"/>	<input type="checkbox"/>
Is the fire protection equipment suitable for the types of risks at the workplace? For example, foam or dry powder type extinguishers for fires that involve flammable liquids.	<input type="checkbox"/>	<input type="checkbox"/>
Is equipment easily accessible in an emergency?	<input type="checkbox"/>	<input type="checkbox"/>
Are workers trained to use emergency equipment? For example, fire extinguishers, chemical spill kits, breathing apparatus and lifelines.	<input type="checkbox"/>	<input type="checkbox"/>

Have you considered neighbouring businesses and how you will let them know about an emergency situation should one arise?	<input type="checkbox"/>	<input type="checkbox"/>
Have you considered the risks from neighbouring businesses? For example, fire from restaurant/takeaway food outlets, Q fever from cattle yards.	<input type="checkbox"/>	<input type="checkbox"/>
Are emergency practice runs such as evacuation drills regularly undertaken to assess the effectiveness of the emergency plan?	<input type="checkbox"/>	<input type="checkbox"/>
Is someone responsible for reviewing the emergency plan and informing workers of revisions?	<input type="checkbox"/>	<input type="checkbox"/>

Appendix C—Examples of facilities for different workplaces

Temporary workplace—Gardening

Assessment of facilities needed	Facilities plan
<p>Nature of work being carried out</p> <ul style="list-style-type: none"> Garden maintenance—Workers gather tools from depot at the start of the shift, and work outdoors in pairs most of the day, returning to the depot at the end of the day. <p>Size and location of the place of work</p> <ul style="list-style-type: none"> Depot located in township—gardens within 8 km of depot. <p>Composition of the workforce</p> <ul style="list-style-type: none"> 10 men and three women <p>Type of workplace</p> <ul style="list-style-type: none"> Depot is a permanent building; garden maintenance done at temporary sites. <p>Need for maintenance</p> <ul style="list-style-type: none"> Cleaning Replenishing consumable items 	<p>Communication</p> <ul style="list-style-type: none"> Each vehicle is equipped with mobile phone for communication with the depot and in case of emergencies. <p>Toilets</p> <ul style="list-style-type: none"> Separate male and female toilets available at the depot. Workers can use public toilets in gardens. <p>Shelter sheds</p> <ul style="list-style-type: none"> Some of the gardens have public shelter accessible for workers. Can also seek temporary shelter in vehicle or return to depot. <p>Personal protective equipment</p> <ul style="list-style-type: none"> Workers are provided with safety gloves, face shields, steel-toed boots and shin guards. Personal protective clothing is provided for all workers including a wide brim hat, long-sleeved collared shirt and long pants. <p>Seating</p> <ul style="list-style-type: none"> Sit/stand chair provided in potting room, and comfortable seating in lunchroom. Most other tasks done when standing or kneeling. Folding stools provided for sitting breaks when working away from depot. <p>Eating facilities</p> <ul style="list-style-type: none"> Workers have the option of returning to the depot for lunch where a lunchroom is provided, or taking lunch on site. Vehicles equipped with folding stools if latter is chosen. <p>Change room</p> <ul style="list-style-type: none"> Separate male and female change rooms provided at the depot. <p>Drinking water</p> <ul style="list-style-type: none"> Cool drinking water provided at depot, plus refrigerator for other types of drinks. Workers take insulated individual flasks when on site. <p>Lockers</p> <ul style="list-style-type: none"> Lockable locker provided for each worker, located in change room at depot. <p>Washing facilities</p>

- Handbasins located adjacent to male and female toilets; workers can use garden taps and paper towels if on site
- Two showers (one male and one female) located adjacent to change rooms at depot, with room to change clothes and lockable door.

Permanent workplace—Office

Assessment of facilities needed	Facilities plan
<p>Nature of work being carried out</p> <ul style="list-style-type: none"> • Workers undertaking general office work. <p>Size and location of the place of work</p> <ul style="list-style-type: none"> • Three-storey building located in the central business district. All floors in use. <p>Composition of the workforce</p> <ul style="list-style-type: none"> • 50 females and 20 males • Some staff have disabilities. <p>Type of workplace</p> <ul style="list-style-type: none"> • Permanent building. <p>Need for maintenance</p> <p>Cleaning</p> <p>Replenishing consumable items</p>	<p>Toilets</p> <ul style="list-style-type: none"> • Toilet block located on the 2nd floor • Lift provides access for disabled • Male: one toilet and urinal provided • Female: four toilets provided with access to an appropriate system to dispose of sanitary items • Facilities for workers with disabilities—one unisex toilet provided. <p>Shelter sheds</p> <ul style="list-style-type: none"> • Not applicable, as all work is indoors. <p>Seating</p> <ul style="list-style-type: none"> • All workers provided with fully adjustable office chair. • Kitchen area provided with comfortable, non-adjustable chairs. <p>Eating facilities</p> <ul style="list-style-type: none"> • Eating area on ground floor has tables and seating to accommodate up to 20 persons at any one time—it also has a kitchen. • 2nd and 3rd floors have kitchenettes for boiling water and washing utensils. <p>Change room</p> <ul style="list-style-type: none"> • Change rooms not required. <p>Drinking water</p> <ul style="list-style-type: none"> • Drinking water and refrigerators provided in kitchen and kitchenettes. • Cool water dispenser in ground floor kitchen. <p>Lockers</p> <ul style="list-style-type: none"> • Each worker has a lockable drawer for personal belongings at their workstation, or a locker or cabinet to store valuables on the same level as their workstation. <p>Washing facilities</p> <ul style="list-style-type: none"> • Handbasins located adjacent to male and female toilets • Facilities for workers with disabilities—one handbasin provided.

Amendments

This version was approved in the Northern Territory by the Attorney-General and Minister for Justice on 29 January 2020.

30/06/2020 – 26/07/2020 Traffic Count Data

30/06/2020 – 26/07/2020 Traffic Count Data

20/01/2022 – 13/02/2022 Traffic Count Data

20/01/2022 – 13/02/2022 Traffic Count Data



COUNCIL REPORT

Agenda Item Number:	14.03.04
Report Title:	Humpty Doo Waste Transfer Station Asbestos Remediation Project
Author:	David Jan, Manager Operations and Environment
Recommending Officer:	
Meeting Date:	20/09/2022
Attachments:	A: Soil Hygienist Report B: Email from NTEX confirming final cost C: Request to update EPL279 with initial EPA advice D: Further EPA advice re EPL279 update.

Executive Summary

This report provides an update on the progress of the Humpty Doo Waste Transfer Station asbestos remediation project and foreshadows a request for further funding to complete the project following the discovery of further contamination.

Recommendation

THAT Council approve a further final budget allocation of \$400,000 from the waste reserve to finalise the Humpty Doo Waste Transfer Station asbestos remediation project.

Background

At the December 2021 meeting Council resolved to update construction waste fees and charges following the reporting of illegal dumping of Asbestos Contaminated Material (ACM) at both the Humpty Doo and Howard Springs Waste Transfer Stations.

At its meeting on 15 February 2022, Council approved a budget allocation of \$350,000 for the remediation of asbestos containing materials from the Humpty Doo Waste Transfer Station (HDWTS). \$88,000 of the \$350,000 budget was allocated to the transportation and dumping costs at the Shoal Bay waste management facility.

As identified in the report (14.03.02: Asbestos Remediation at HDWTS – Budget Allocation) tabled on 15 February 2022 it was noted that *“due to the size of the piles the exact tonnage and cost is uncertain”*. It should be noted that the contaminated pile in question had been building up since at least October 2019 some two years prior to the initial discovery of the ACM at HDWTS and updates to the construction waste fees and charges structure, based on previous concrete crushing invoices.

Following the February Council decision, a tender was released for the remediation of the site and was awarded with works commencing in June 2022. As a result of the remediation works the full extent of the contaminated material has been realised as more extensive than originally thought due to a number of factors.

- The extent of the ACM contamination throughout the entire pile.
- The volume of soil within the demolition pile.
- The volume of broken porcelain tiles within the demolition pile that were previously attached to walls with ACM.

To date approximately 230t of ACM has been transported to the Shoal Bay facility. Work has currently halted, and the site made safe so as to not exceed the original \$350,000 budget allocation.

With confirmation from an independent licensed asbestos hygienist that all of the remaining soil is contaminated with asbestos fibre (Attachment A) a final cost to complete the remediation project has been determined. Following consultation with the contractor the value to complete the works removing all asbestos material from HDWTS was provided (Attachment B) confirming that an upper limit of \$400,000 will need to be committed to complete the project. Actual measure of weighbridge dockets may allow a reduction in final costs.

In investigating all options available to Council, the contractor identified the potential to apply for an update to the existing HDWTS Environmental Protection License (EPL279) to allow for temporary storage of the ACM due to potential changes in the National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEMPM) that have the potential to impact on the volume of material which would need to be transported to the Shoal Bay facility.

On this advice a request was put to the Environmental Protection Authority (EPA) regarding the potential to update EPL279 to allow for temp storage of the material until the NEPM was updated. The response from the EPA came back unfavourable (Attachments C & D).

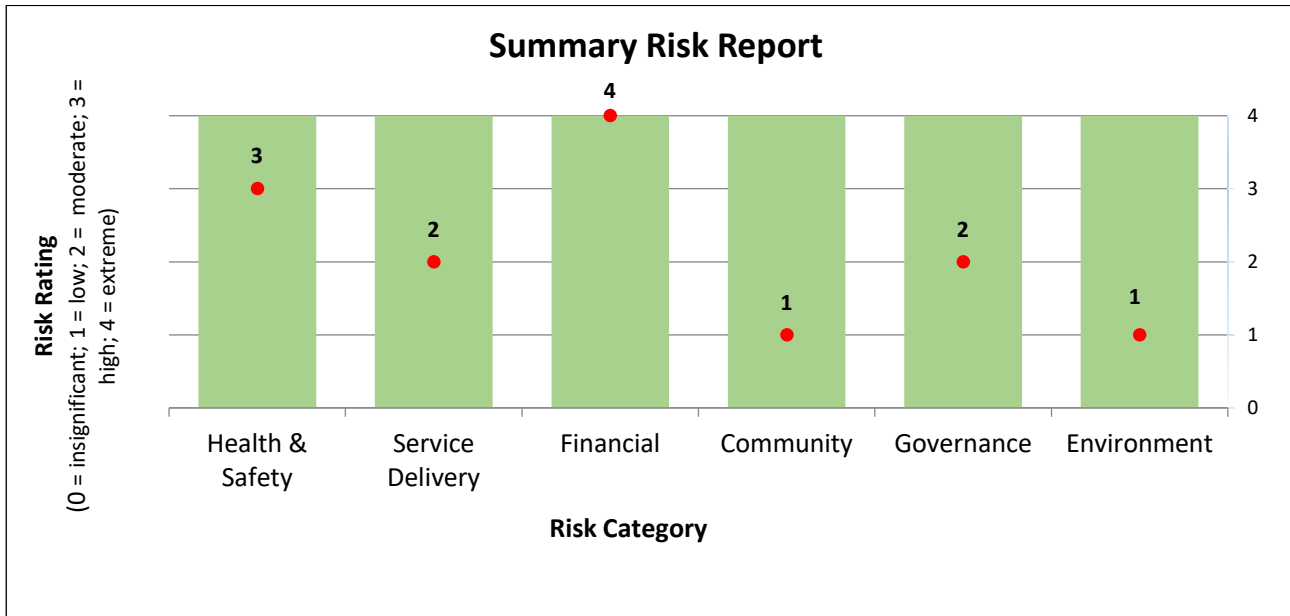
Links with Strategic Plan

Progress - Continuity of Services and Facilities

Legislative and Policy Implications

Council has legislative obligations through *Environmental Protection Act* and its Environmental Protection Licenses for Humpty Doo and Howard Springs Waste Transfer Stations that mandate the types of listed waste that can be accepted. Section 16 of the EPL279 is provided below.

“The licensee must not collect, transport, store, recycle, treat or dispose of listed waste other than the listed waste specified in Table 1.”



Health and Safety

Any occurrence of illegal dumping of asbestos containing material needs to be dealt with as a matter of urgency to ensure the health and safety of both staff and the public. Asbestos identification training is being coordinated for the waste transfer station gate keepers however asbestos removal consultants to date have indicated it is still difficult for them to visually identify all asbestos containing material. It is also near impossible to inspect all waste that is delivered. Greater control supported by updated fee structure consistent with the Shoal Bay transfer station and landfill will provide a high certainty of compliance and safety for staff.

Service Delivery

The acceptance of construction and demolition waste has been a service provided by Council over many years. In response to these recent illegal dumping incidents gate keepers have been instructed to use the precautionary principle when accepting material in that if there is any doubt, the material is turned away. This has impacted several residents who expected to be able to dump their construction waste.

Financial

The disposal of asbestos containing material is an expensive exercise as indicated above. Whilst a verbal estimate of \$800,000 to transport and dump the whole pile without any cleaning and separating was provided in the February 2022 report, a tendered price of over \$1.8 million to dispose of all of the approximately 2000 tonne at Humpy Doo WTS was received.

Removal of contaminated waste from the site will negate the risk of Council being charged a penalty for failure to remediate.

Community

Increased surveillance may make some sectors of the community nervous. A public education program will be initiated to further inform residents of the potential consequences of illegally dumping asbestos and the reasons behind the non-acceptance of non-certified construction waste such as gyprock.

Gate keepers report that Council is already receiving certified waste as a result of the updated fees and charges structure. Officers will be providing further information to the public regarding certification options available to them with certification costing approximately \$50 depending on the amount of waste.

Governance

Due to asbestos being a listed waste, it has specific requirements when being disposed of. Council staff will continue to be stringent at the gate with incoming construction waste.

The EPA has indicated that they would assist Council through regulation in any instances of illegal dumping of asbestos at Council sites. Council Officers will work with EPA Officers and consideration will be given to increasing the CCTV coverage at HDWTS in order to adequately collect evidence which can be used by the EPA to prosecute.

Environment

The risk of further illegal deposits of asbestos containing material will be reduced with a more stringent rules approach and revised fees and charges structure (approved at December 2021 Council meeting). Whilst the risk will remain, overall environmental impact of the activities will be minimal as when discovered, it is treated and removed immediately.

Community Engagement

Not applicable.

24th August 2022

**P242 – Humpty Doo Waste Transfer Station
Construction Waste Stockpile Remediation
Asbestos in Soil Results**

Attn: Mr David Evans
Operations Manager
NTEX Options Group

Sent via email – operations@ntex.com.au

Dear David

RE: Humpty Doo Waste Transfer Station Construction Waste Stockpile Remediation

NTEX Operations Group (NTEX) with the support of Asbestos Solutions Northern Territory (ASNT) as the Licensed Asbestos Removalist and Trakondy Asbestos and Hazardous Materials (Trakondy) as the Licensed Asbestos Assessors mobilised to site and commenced asbestos removal works on Wednesday 06 July 2022, with works continuing on the site through until Friday 12 August 2022.

The projects scope of works including segregating the concrete, steel and other non-porous materials that could be decontaminated from the construction waste stockpile situated at the site, with the materials that could not be effectively segregated and decontaminated being transported to Shoal Bay Waste Management Facility as asbestos contaminated waste. The volume of soil encountered was not known, nor was the fact that the soil was contaminated with less than 7mm fragments of cement sheet containing asbestos – this was only identified during validation asbestos in soil sampling post the segregation process.

Asbestos in Soil Legislation, Policy and Guidelines

This document and the site works conducted at the site have been prepared with consideration of relevant legislation, policy and guidelines including, but not limited to:

- National Environment Protection Council (NEPM), 1999. National Environmental Protection (Assessment of Site Contamination) Measure (Amended 2013);
- NT Work Health and Safety (National Uniform Legislation) Act 2011;
- NT Work Health and Safety (National Uniform Legislation) Regulations 2011;
- NT Worksafe How to Safely Remove Asbestos – Code of Practice;
- NT Worksafe How to Manage and Control Asbestos in the Workplace – Code of Practice;
- Western Australian Department of Health (WA DoH) Guidelines for Remediation and Management of Asbestos Contaminated Sites in Western Australia (WA DoH 2009) - superceeded;
- Western Australian Department of Health (WA DoH) Guidelines for Remediation and Management of Asbestos Contaminated Sites in Western Australia (WA DoH 2021) – not recognised by the NTEPA; and
- CRC Care 2019, National Remediation Framework, CRC for contamination Assessment and Remediation of Environment, Newcastle, Australia.

National Environment Protection Council (NEPM), 1999. National Environmental Protection (Assessment of Site Contamination) Measure (Amended 2013 – Asbestos in Soils)

The NEPM (2013) provides guidance relating to the assessment of known and suspected asbestos contamination in soil and addresses both friable and non-friable forms of asbestos. The health screening levels for asbestos in soil within the NEPM have been adopted from the Western Australian Department of Health (WA DoH) Guidelines for Remediation and Management of Asbestos Contaminated Sites in Western Australia (WA DoH 2009). The NEPM also refers to the WA DoH Guidelines for further information on risk assessment, remediation and management procedures. The WA Guidelines are referred to within the NEPM due to them being the only detailed and published asbestos in soils document within Australia specifically dealing with asbestos in soils.

The NEPM guidance emphasises that the assessment and management of asbestos contamination should take into account the condition of the asbestos materials and the potential for damage and resulting release of asbestos fibres. Therefore, for the purposes of assessing the significance of asbestos in soil contamination, three terms are used and are summarised below:

- Bonded asbestos containing material (Bonded ACM) – sound condition although possibly broken or fragmented and the asbestos is bound in a matrix such as cement or resin;
- Fibrous asbestos (FA) – friable asbestos materials such as severely weathered ACM and asbestos in the form of loose fibrous materials such as insulation; and
- Asbestos fines (AF) – including free fibres of asbestos, small fibre bundles and also fragmented ACM that passes through a 7 mm x 7 mm sieve.

From a risk to human health perspective, AF and FA are categorized as friable asbestos and pose the greatest risk to human health as they are either, already in their current state, or have the potential to easily generate free asbestos fibres, which may become airborne. Non-friable (bonded) asbestos poses a reduced risk to human health, due to the nature of the material which binds (or holds together) the asbestos fibres within the materials matrix, and so long as the matrix is not incorrectly disturbed, the chance of generating loose fibres is very low.

When assessing asbestos in soils, consideration of the intended future land use is essential in assessing the site and determining remediation requirements. Table 1 summarises the land use setting and health screening levels for asbestos in soil that are detailed within both the NEPM (2013) and the WA Guidelines.

Table 1 – Health Screening Levels for Asbestos Contamination In Soil

Intended Land Use	% w/w non-friable (bonded) asbestos containing materials	% w/w asbestos fines / friable asbestos	All forms of asbestos
Low density residential, day care centres, preschools, etc	0.01% w/w	0.001% w/w	No visible asbestos for surface soil
Medium-high density residential (minimum soil access)	0.04% w/w	0.001% w/w	No visible asbestos for surface soil
Parks, public open spaces, playing fields, etc	0.02% w/w	0.001% w/w	No visible asbestos for surface soil
Commercial / industrial	0.05% w/w	0.001% w/w	No visible asbestos for surface soil

1. Residential A with garden/accessible soil also includes children's day care centres, preschools and primary schools.
2. Residential B with minimal opportunities for soil access; includes dwellings with fully and permanently paved yard space such as high-rise buildings and apartments.
3. Recreational C includes public open space such as parks, playgrounds, playing fields (e.g. ovals), secondary schools and unpaved footpaths.
4. Commercial/industrial D includes premises such as shops, offices, factories and industrial sites.
5. The screening level of 0.001% w/w asbestos in soil for FA and AF (i.e. non-bonded/friable asbestos) only applies where the FA and AF are able to be quantified.

Western Australian Department of Health (WA DoH) Guidelines for Remediation and Management of Asbestos Contaminated Sites in Western Australia

The Western Australian Department of Health (WA DoH) Guidelines for Remediation and Management of Asbestos Contaminated Sites in Western Australia (both the 2009 and 2021 versions) is the only detailed asbestos in soils document published by the commonwealth or state/territory governments and hence why it is referred to within the NEPM as the guiding document. The WA DOH document provides guidance relating to the assessment of known and suspected asbestos contamination in soil and addresses both friable and non-friable forms of asbestos. The document provides health screening levels for asbestos in soil, which have been referenced within the NEPM and are detailed within Table 1 above.

The WA Guidelines Department of Health (DOH) 2009 document stated that they took a risk-based and, where necessary, conservative approach to the uncertainties associated with protecting the public from asbestos-contaminated sites and as such employed four general contamination principles which included having an “investigation criterion or clean-up goal used by DOH is 0.001% asbestos in soil on a weight for weight basis (w/w) for free fibre-related materials including fibrous asbestos and free fibre itself”.

It should be noted that the ASC NEPM specifically refers to the Western Australian Department of Health (WA DoH) Guidelines for Remediation and Management of Asbestos Contaminated Sites in Western Australia (WA DoH 2009) which has been superseded, however the NT EPA (along with some of the other jurisdictions such as NSW) have stated that they do not recognise the new 2021 guidelines as the NEPM has not been updated to refer to these new guidelines.

Remedial Options

It should be noted that the NEPM (including the WA Guidelines) nor the CRC Care National Remediation Framework does not provide any specific guidance in relation to this specific situation (asbestos in soils that was removed from a construction waste stockpile with the soil segregated from the construction waste) within a licensed waste management facility. The guidance does however provide detail in relation to asbestos in soil, asbestos materials which are wastes such as demolition material, etc, and as such the information provided below is general information in relation to asbestos in soil contamination. In the absence of any more specific guidance, this information where relevant and prudent has been considered when undertaking site works.

With regard to site remediation, in accordance with NEPM (2013) and the CRC Care National Remediation Framework the preferred options for site remediation and management are (in descending order):

- On-site treatment of contamination so that the contaminant(s) are either destroyed or the associated hazard is reduced to an acceptable level; then
- Off-site treatment of contamination so that the contaminant(s) are either destroyed or the associated hazard is reduced to an acceptable level, after which the formerly contaminated material is returned to the site.

If these options cannot be implemented, then the other options that should be considered include:

- Removal of contaminated material to an approved site or facility (such as a landfill), followed, where necessary by the reinstatement of formed excavations using clean fill; then
- Consolidation and isolation of the contaminated material on-site by containing the contaminated material within a properly designed barrier.

If remediation is likely to cause a greater adverse effect than would occur should the site be left undisturbed, then remediation should not proceed.

In relation to asbestos, the NEPM (Schedule B1 section 4.11) notes that remediation options which minimise soil disturbance and therefore public risk are preferred; and management of asbestos in situ is encouraged, which may include covering the contamination with uncontaminated fill or other protective or warning layers. However, Section 4.1 of Schedule B1 notes that this guidance is not applicable to asbestos materials which are wastes such as demolition materials present on the surface of the land. Section 4.3 also notes that if visible asbestos is present and it may be disturbed during work activities, it must be removed.

The WA DoH (2021) guidelines for the assessment, remediation and management of asbestos contaminated soil outline the main remediation options for asbestos contaminated soil can be broadly divided into management in situ, treatment on-site, and removal of the contaminated soil from the site.

Sampling Protocols and Quality Control Procedures

The soil samples were collected using a ratio of three samples per 25m³, with each sampling location having ten litres of soil collected and passed through a 7mm sieve onsite. Any oversized material was collected and subsequently spread out on a piece of colour contrasting plastic and inspected for any possible non-friable pieces of asbestos containing debris greater than 7mm, had any such pieces been identified they would have been collected, labelled to clearly identify the sample and then submitted for NATA accredited laboratory analysis. Soil samples of at least 500 gm were taken from each location and clearly labelled to identify the sample and submitted for NATA accredited laboratory analysis.

All sampling was undertaken utilising a systematic and uniform approach in accordance with accepted industry practice to ensure an acceptable standard of quality control.

Soil Analysis Results and Discussion

The NATA accredited laboratory reports are attached as Appendix B to this report and are summarized in Tables 2 below. The soil samples taken from the stockpiled soil which was removed and remediated prior to stockpiling had previously had all oversized material removed from the soil matrix.

- The soil sampling did not identify any fragments of suspected non-friable (bonded) ACM cement in excess of 7mm in diameter.
- The soil sampling did identify small fragments of cement sheet debris less than 7mm in diameter and in a number of instances as small as 2mm in diameter.
- There were a very small number of instances where either single asbestos fibres or bundles of asbestos fibres were identified within the soil samples.

Table 2 –Asbestos in Soil Results – Soil Stockpiles Humpty Doo Waste Transfer Station – Construction Waste Stockpile

Sample	Weight (g) of Asbestos Material Detected in 2-10mm Fraction (note this is the ACM weight not the asbestos weight)	Weight (g) of Asbestos Material Detected in <2mm Fraction (note this is the ACM weight not the asbestos weight)	Weight (g) of Asbestos Material Detected in >7mm Fraction (Field Sampling) (note this is the ACM weight not the asbestos weight)	2 - 7 mm Fraction	<2 mm Fraction
				2-7mm Asbestos Content (Weight for Weight) - Assuming 100% Asbestos Content and assessed as AF/FA	<2mm Asbestos Content (Weight for Weight) - Assuming 100% Asbestos Content and assessed as AF/FA
S1	0.0018	0.001	0	<0.001	0.003
S2	0	0	0	<0.001	<0.001
S3	0.0043	0.0015	0	<0.001	0.004
S4	0.0032	0.0025	0	<0.001	0.006
S5	0.0078	0.0008	0	0.001	0.002
S6	0.2415	0.0005	0	0.037	0.001
S7	0.1462	0.0046	0	0.021	0.012
S8	0.1964	0.0025	0	0.033	0.007
S9	0.1031	0.0005	0	0.017	0.001
S10	0.03	0.0015	0	0.005	0.004
S11	0.0386	0.003	0	0.006	0.009
S12	0.0976	0.001	0	0.015	0.003
S14A	0.0041	0.0127	0	<0.001	0.039
S14B	0.0206	0.0045	0	0.004	0.011
S14C	0.0066	0.0135	0	0.001	0.041
S15A	0.0025	0	0	<0.001	0.000
S15B	0.0014	0	0	<0.001	0.000
S15C	0.0498	0.0021	0	0.01	0.007
S16A	0.7005	0.28	0	0.14	0.900
S16B	0.9388	0.0032	0	0.188	0.010
S16C	0.7225	0.0018	0	0.145	0.005
S17A	0.0785	0.31	0	0.157	1.014
S17B	0.0022	0	0	<0.001	0.000
S17C	0.0532	0.0015	0	0.011	0.006
S18A	0.7481	0.0049	0	0.147	0.016
S18B	0	0.0019	0	0	0.007
S18C	0.0328	0.0021	0	0.007	0.006
S19A	0.003	0.0025	0	<0.001	0.006
S19B	0.0046	0.002	0	<0.001	0.006
S19C	0.0026	0.0018	0	<0.001	0.006
S20A	0.0931	0.0543	0	0.019	0.157
S20B	1.238	0.0082	0	0.248	0.021
S20C	0.6598	0.0021	0	0.132	0.008
S21A	0.0884	0.0093	0	0.018	0.028
S21B	0.5532	0.0043	0	0.111	0.016
S21C	0.0015	0.0038	0	<0.001	0.014

Conclusion

Based on advice received from the NTEPA, they have advised that the asbestos contaminated soil must be disposed of as asbestos contaminated waste. In the interim Trakondy is recommending that the current site be managed to ensure that the site does not pose an unacceptable health and safety or environmental risk. This should be reviewed if the remediation has not been finalised prior to the wet season, where different or additional controls may need to be considered.

For any further information, please do not hesitate to contact the undersigned on 0400 260 483 or mark.kondakov@outlook.com

Yours Sincerely



Mark Kondakov

Principal Hazardous Materials Consultant

Licensed Asbestos Assessor NTWS-AA-456703

Managing Director

Trakondy Asbestos and Hazardous Materials Pty Ltd

Appendix A – Photo Log



Photo 1 – Soil Stockpiles within the Construction Waste Asbestos Removal Work Zone



Photo 2 – Soil Stockpiles within the Construction Waste Asbestos Removal Work Zone



Photo 3 – Soil Stockpiles within the Construction Waste Asbestos Removal Work Zone



Photo 4 – Soil Stockpiles within the Construction Waste Asbestos Removal Work Zone



Photo 5 – Soil Stockpiles within the Construction Waste Asbestos Removal Work Zone



Photo 6 – Soil Stockpiles within the Construction Waste Asbestos Removal Work Zone

Appendix B – Laboratory Certificate of Analysis

CERTIFICATE OF ANALYSIS

Report No. 22-3497

Rev No. 00

Client: Trakondy Asbestos and Hazardous Materials Pty Ltd
Client Contact: Mark Kondakov
Telephone: 0400 260 483
Client Project / Site Reference: P242B.3
Purchase Order #: P242B.3
Sampled By: Mark Kondakov
Date Sampled: 21/07/2022
Number of Samples Submitted: 6

Laboratory Location: Yatala Branch
Date Samples Received: 21/07/2022
Date Analysed: 26/07/2022
Samples Analysed By: Donna Bolstad
Date Report Issued: 26/07/2022

Report Approved By:



Maulika Amin

Test Methodology: Samples submitted to the laboratory are analysed by polarised light microscopy including dispersion staining techniques for the presence of asbestos in accordance with the methodology outlined in AS4964 and OCTIEF in-house method QP-930-001. Detection limit – 0.1g/kg (equivalent to 0.01% w/w).

Notes

- I. Please refer to page 2 onwards for results
- II. NATA Accreditation does not cover the sampling performance
- III. OCTIEF accepts no responsibility for the collection, packaging and transportation of samples submitted by external parties
- IV. All samples are analysed as received (unless otherwise indicated) and the results contained within this report relate only to the sample(s) as received
- V. Sample material descriptions and results reported may be limited by the size and condition of the sample submitted for analysis
- VI. Sizes and weights are approximate only
- VII. Due to their nature, if no asbestos is detected in vinyl tiles, adhesives, mastics, sealants, paints, epoxy resins and ore samples, confirmation by another independent analytical technique may be required
- VIII. Where 'unknown mineral fibres detected' is reported, the fibres detected may or may not be asbestos fibres. To confirm the identities, another independent analytical technique may be required
- IX. Where trace asbestos is reported, respirable asbestos fibres were detected within the sample material
- X. Any sub-sampling carried out by the laboratory is conducted in accordance with ISO23909. Where sub-sampling is conducted, there is the potential for invalid results because of the high probability that small amounts of asbestos materials may be unintentionally omitted due to the sub-sampling process

Report No. 22-3497 Rev No. 00				
Lab Ref No.	Client Sample ID / Information	Sample Type	Approximate Sample Dry Weights (g)	Result
22-3497/1	Location S1 from Screened Stockpile	Soil	Total Sample: 607.47 <2mm Sub Sample: 35.21	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0018 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Organic fibres detected Asbestos Material Type: Free fibre Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0010 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected No trace asbestos detected
22-3497/2	Location S2 from Screened Stockpile	Soil	Total Sample: 732.16 <2mm Sub Sample: 34.92	No asbestos detected at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected
22-3497/3	Location S3 from Screened Stockpile	Soil	Total Sample: 802.88 <2mm Sub Sample: 35.34	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0043 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0015 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected

22-3497/4	Location S4 from Screened Stockpile	Soil	Total Sample: 700.33 <2mm Sub Sample: 39.79	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0032 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0025 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected
22-3497/5	Location S5 from Screened Stockpile	Soil	Total Sample: 644.19 <2mm Sub Sample: 34.68	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0078 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0008 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected

22-3497/6	Location S6 from Screened Stockpile	Soil	Total Sample: 651.09 <2mm Sub Sample: 41.00	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.2415 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Free fibre Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0005 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected
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CERTIFICATE OF ANALYSIS

Report No. 22-3522

Rev No. 00

Client: Trakondy Asbestos and Hazardous Materials Pty Ltd
Client Contact: Mark Kondakov
Telephone: 0400 260 483
Client Project / Site Reference: P242B.4
Purchase Order #: P242B.4
Sampled By: Mark Kondakov
Date Sampled: 21/07/2022
Number of Samples Submitted: 6

Laboratory Location: Yatala Branch
Date Samples Received: 22/07/2022
Date Analysed: 27/07/2022
Samples Analysed By: Donna Bolstad
Date Report Issued: 27/07/2022

Report Approved By:



Maulika Amin

Test Methodology: Samples submitted to the laboratory are analysed by polarised light microscopy including dispersion staining techniques for the presence of asbestos in accordance with the methodology outlined in AS4964 and OCTIEF in-house method QP-930-001. Detection limit – 0.1g/kg (equivalent to 0.01% w/w).

Notes

- I. Please refer to page 2 onwards for results
- II. NATA Accreditation does not cover the sampling performance
- III. OCTIEF accepts no responsibility for the collection, packaging and transportation of samples submitted by external parties
- IV. All samples are analysed as received (unless otherwise indicated) and the results contained within this report relate only to the sample(s) as received
- V. Sample material descriptions and results reported may be limited by the size and condition of the sample submitted for analysis
- VI. Sizes and weights are approximate only
- VII. Due to their nature, if no asbestos is detected in vinyl tiles, adhesives, mastics, sealants, paints, epoxy resins and ore samples, confirmation by another independent analytical technique may be required
- VIII. Where 'unknown mineral fibres detected' is reported, the fibres detected may or may not be asbestos fibres. To confirm the identities, another independent analytical technique may be required
- IX. Where trace asbestos is reported, respirable asbestos fibres were detected within the sample material
- X. Any sub-sampling carried out by the laboratory is conducted in accordance with ISO23909. Where sub-sampling is conducted, there is the potential for invalid results because of the high probability that small amounts of asbestos materials may be unintentionally omitted due to the sub-sampling process

Lab Ref No.	Client Sample ID / Information	Sample Type	Approximate Sample Dry Weights (g)	Result
22-3522/1	Location S7 from Screened Stockpile	Soil	Total Sample: 683.90 <2mm Sub Sample: 39.05	<p>Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.1462 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected</p> <p>Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0046 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected</p> <p>The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected</p>
22-3522/2	Location S8 from Screened Stockpile	Soil	Total Sample: 596.45 <2mm Sub Sample: 35.26	<p>Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.1964 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected</p> <p>Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0025 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected</p> <p>The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected</p>

Lab Ref No.	Client Sample ID / Information	Sample Type	Approximate Sample Dry Weights (g)	Result
22-3522/3	Location S9 from Screened Stockpile	Soil	Total Sample: 601.56 <2mm Sub Sample: 33.74	<p>Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.1031 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected</p> <p>Asbestos Material Type: Free fibre Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0005 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected</p> <p>The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected</p>
22-3522/4	Location S10 from Screened Stockpile	Soil	Total Sample: 646.03 <2mm Sub Sample: 38.55	<p>Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0300 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected</p> <p>Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0015 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected</p> <p>The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected</p>

Lab Ref No.	Client Sample ID / Information	Sample Type	Approximate Sample Dry Weights (g)	Result
22-3522/5	Location S11 from Screened Stockpile	Soil	Total Sample: 600.45 <2mm Sub Sample: 33.98	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0386 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0030 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected
22-3522/6	Location S12 from Screened Stockpile	Soil	Total Sample: 664.42 <2mm Sub Sample: 36.83	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0976 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0010 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected

CERTIFICATE OF ANALYSIS

Report No. 22-3983

Rev No. 00

Client: Trakondy Asbestos and Hazardous Materials Pty Ltd
Client Contact: Mark Kondakov
Telephone: 0400 260 483
Client Project / Site Reference: P242B.6
Purchase Order #: P242B.6
Sampled By: Mark Kondakov
Date Sampled: 11/08/2022
Number of Samples Submitted: 24

Laboratory Location: Yatala Branch
Date Samples Received: 11/08/2022
Date Analysed: 16 & 17/08/2022
Samples Analysed By: Donna Bolstad and Maulika Amin
Date Report Issued: 17/08/2022

Report Approved By:



Laura Smith

Test Methodology: Samples submitted to the laboratory are analysed by polarised light microscopy including dispersion staining techniques for the presence of asbestos in accordance with the methodology outlined in AS4964 and OCTIEF in-house method QP-930-001. Detection limit – 0.1g/kg (equivalent to 0.01% w/w).

Notes

- I. Please refer to page 2 onwards for results
- II. NATA Accreditation does not cover the sampling performance
- III. OCTIEF accepts no responsibility for the collection, packaging and transportation of samples submitted by external parties
- IV. All samples are analysed as received (unless otherwise indicated) and the results contained within this report relate only to the sample(s) as received
- V. Sample material descriptions and results reported may be limited by the size and condition of the sample submitted for analysis
- VI. Sizes and weights are approximate only
- VII. Due to their nature, if no asbestos is detected in vinyl tiles, adhesives, mastics, sealants, paints, epoxy resins and ore samples, confirmation by another independent analytical technique may be required
- VIII. Where 'unknown mineral fibres detected' is reported, the fibres detected may or may not be asbestos fibres. To confirm the identities, another independent analytical technique may be required
- IX. Where trace asbestos is reported, respirable asbestos fibres were detected within the sample material
- X. Any sub-sampling carried out by the laboratory is conducted in accordance with ISO23909. Where sub-sampling is conducted, there is the potential for invalid results because of the high probability that small amounts of asbestos materials may be unintentionally omitted due to the sub-sampling process

Report No. 22-3983 Rev No. 00				
Lab Ref No.	Client Sample ID / Information	Sample Type	Approximate Sample Dry Weights (g)	Result
22-3983/1	Stockpile 14 - Location A	Soil	Total Sample: 44.32 <2mm Sub Sample: 31.87	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0041 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0127 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected
22-3983/2	Stockpile 14 - Location B	Soil	Total Sample: 56.57 <2mm Sub Sample: 40.84	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0206 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0045 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected

22-3983/3	Stockpile 14 - Location C	Soil	Total Sample: 43.01 <2mm Sub Sample: 33.16	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0066 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0135 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected
22-3983/4	Stockpile 15 - Location A	Soil	Total Sample: 32.74 <2mm Sub Sample: 28.54	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0025 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected
22-3983/5	Stockpile 15 - Location B	Soil	Total Sample: 36.14 <2mm Sub Sample: 27.51	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0014 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected

22-3983/6	Stockpile 15 - Location C	Soil	Total Sample: 34.89 <2mm Sub Sample: 29.62	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0498 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0221 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected
22-3983/7	Stockpile 16 - Location A	Soil	Total Sample: 43.80 <2mm Sub Sample: 31.11	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.7005 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0028 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected

22-3983/10	Stockpile 17 - Location A	Soil	Total Sample: 40.81 <2mm Sub Sample: 30.57	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0785 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0031 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected
22-3983/11	Stockpile 17 - Location B	Soil	Total Sample: 39.41 <2mm Sub Sample: 32.00	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0022 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected

22-3983/12	Stockpile 17 - Location C	Soil	Total Sample: 34.91 <2mm Sub Sample: 26.26	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0532 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0015 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected
22-3983/13	Stockpile 18 - Location A	Soil	Total Sample: 39.34 <2mm Sub Sample: 31.05	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.7481 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0049 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected

22-3983/14	Stockpile 18 - Location B	Soil	Total Sample: 39.24 <2mm Sub Sample: 29.36	Asbestos Material Type: Free fibre Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0019 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected
22-3983/15	Stockpile 18 - Location C	Soil	Total Sample: 43.56 <2mm Sub Sample: 35.85	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0328 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0021 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected

22-3983/16	Stockpile 19 - Location A	Soil	Total Sample: 55.69 <2mm Sub Sample: 43.22	Asbestos Material Type: Insulating board / low density board Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0030 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Insulating board / low density board Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0025 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected
22-3983/17	Stockpile 19 - Location B	Soil	Total Sample: 50.87 <2mm Sub Sample: 36.04	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0046 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0020 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected

22-3983/18	Stockpile 19 - Location C	Soil	Total Sample: 34.76 <2mm Sub Sample: 27.92	Asbestos Material Type: Insulating board / low density board Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0026 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Insulating board / low density board Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0018 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected
22-3983/19	Stockpile 20 - Location A	Soil	Total Sample: 48.87 <2mm Sub Sample: 34.69	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0931 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0543 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected

22-3983/20	Stockpile 20 - Location B	Soil	Total Sample: 47.26 <2mm Sub Sample: 39.64	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 1.2380 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0082 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected
22-3983/21	Stockpile 20 - Location C	Soil	Total Sample: 33.66 <2mm Sub Sample: 26.32	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.6598 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0021 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected

22-3983/22	Stockpile 21 - Location A	Soil	Total Sample: 39.49 <2mm Sub Sample: 32.77	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0884 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0093 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected
22-3983/23	Stockpile 21 - Location B	Soil	Total Sample: 50.05 <2mm Sub Sample: 37.54	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.5532 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0043 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected

22-3983/24	Stockpile 21 - Location C	Soil	Total Sample: 33.78 <2mm Sub Sample: 27.38	Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: 2mm-10mm Approximate Asbestos Material Weight (g): 0.0015 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected Asbestos Material Type: Cement material Asbestos Material Detected in Fraction: <2mm Sub Sample Approximate Asbestos Material Weight (g): 0.0038 Fibre Types Detected in Asbestos Material: Chrysotile fibres detected Amosite fibres detected The asbestos detected in the sample was not at or above the reporting limit of 0.1g/kg Organic fibres detected Synthetic mineral fibres detected No trace asbestos detected
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David Jan

From: David Evans <operations@ntex.com.au>
Sent: Wednesday, 24 August 2022 1:58 PM
To: David Jan
Cc: Paul Wilson
Subject: Re: Confirmation of ACM costs

Follow Up Flag: Follow up
Flag Status: Flagged

Hi David

NTEX confirms the values as stated

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From: David Jan <david.jan@litchfield.nt.gov.au>
Sent: Wednesday, August 24, 2022 1:20:52 PM
To: David Evans <operations@ntex.com.au>
Cc: Paul Wilson <paul.wilson@litchfield.nt.gov.au>
Subject: Confirmation of ACM costs

Hi David

As per our conversation would you please confirm the costings below will be the final variation to the contract to remove the ACM from Humpty Doo Waste Transfer Station.

	Volume (m3)	Weight 1.5t/m3	Ex GST Disposal cost	Comments
Tested and confirmed to contain ACM	100	150.0	\$ 71,999.40	
remaining untested soil	174	261.0	\$ 113,889.96	Confirmation from Trakondy that all the soil is contaminated
Already Separated				
Remaining 20mm/50mm separated material containing ACM	49.3	74.0	\$ 31,854.28	
Remaining bone pile to sort	175	198.135	\$ 86,544.73	Estimated .66 ACM
Transport and dump fees SUBTOTAL			\$ 304,288.37	
Additional Subcontractor costs			\$ 92,021.00	
			\$ 396,309.37	
			\$ 40,000.00	Contingency depending on soil moisture content. TO only be spent on shoal bay weigh bridge fees only

Regards

David Jan

Manager Operations and Environment



T: 08 8983 0617

M: [0429 407 499](tel:0429407499)

E: david.jan@litchfield.nt.gov.au

7 Bees Creek Road, Freds Pass NT 0822 | PO Box 446 Humpty Doo NT 0836



www.litchfield.nt.gov.au

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Litchfield Council acknowledges the Traditional Owners of the land we work on and recognises their continuing connection to land, water and communities. We pay our respects to all Traditional Owners and to the Elders past, present and emerging.

David Jan

From: Michael Aagaard <Michael.Aagaard@nt.gov.au>
Sent: Tuesday, 23 August 2022 12:30 PM
To: David Jan
Subject: RE: Potential Update to Humpty Doo Waste Transfer Station EP279

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon David,

It should be noted for context that from what I can tell looking through the history of this incident, the Council would appear to have been in breach of EPL279 licence condition 17.2 since September 2021. Given our actions as a regulator in similar cases, it would be my personal belief that any further significant delays in removing the contaminated materials will not be welcomed on our end, and as it is with all incidents, the use of formal compliance instruments would be considered.

In regards to your query about NEPM, my understanding is that the current version was written with specific regard to the WA 2009 Guidelines, and is the current legislative reality will continue to apply until it is officially changed. When that may be, if at all, is beyond my knowledge. I am not aware of any NT EPA policy on this aspect of the NEPM nor any considerations of adopting any other States relevant guidelines. In the wider context though, it is my understanding that no consensus exists amongst the other national regulators and I am also aware that NSW has identified that they will not be supporting the WA 2021 guidelines.

In light of the above, my personal view is that any argument relying solely on the hope of future legislative changes in an attempt to reduce costs and avoid non-compliances with the licence, is neither an appropriate reason nor likely to be considered favourably by the Delegate. Even if it were to be considered, any past or continued non-compliance with the Council's licence condition(s) up to that point will still be taken into account by Officers against the requirements of the NT EPA Compliance and enforcement policy.

These are my personal views only and I am neither a decision maker or a Delegate. Your clients are of course free to apply for an amendment should they wish to do so. It will be reviewed and assessed purely on its merits and the information provided to support it.

Regards,

Michael Aagaard

Environmental Officer
Environmental Operations, Environmental Regulations Division
Department of Environment, Parks and Water Security
Northern Territory Government

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From: David Jan <david.jan@litchfield.nt.gov.au>

Sent: Friday, 19 August 2022 10:42 AM

To: Michael Aagaard <Michael.Aagaard@nt.gov.au>

Cc: Waste NTEPA <Waste.NTEPA@nt.gov.au>; Paul Wilson <paul.wilson@litchfield.nt.gov.au>

Subject: Potential Update to Humpty Doo Waste Transfer Station EP279

Hi Michael

As you are aware we have commenced the remediation of the contaminated site at the Humpty Doo Waste Transfer Station. As a result we have found that the amount requiring disposal is considerably more than initial estimates. I am investigating all options for Council in order to meet requirements whilst maintaining cost efficiencies.

As per our discussion yesterday, would you please advise if it is worth our while seeking to update EPL279 (Humpty Doo Waste Transfer Station) to temporarily store Asbestos contaminated Material in anticipation of updated NEPM standards which have the potential to reduce eventual cost to Council for disposal of the material.

As discussed through the current remediation project we have discovered further suspect material that would be treated differently under the updated 2021 Western Australian Asbestos in Soils Guideline. Recognising that the current NEPM references the 2009 guideline, the update would be in anticipation that the NEPM would be updated at some stage to refer to the 2021 guideline. We would then continue with the disposal process.

Council has no intention to accept asbestos containing material now or into the future and has set up a fee structure for construction and demolition waste that requires certification of waste as being free from contamination before it is accepted (<https://www.litchfield.nt.gov.au/file/download/3016> - see the waste section). This update of the EPL would allow Council to more efficiently manage and dispose of any further instances of illegal deposits of asbestos at the site into the future through an effective plan.

We understand that a request from NTEX (remediation contractor) had asked the EPA if the 2021 guideline could be applied and that the response was that the current NEPM applies which refers to the 2009 guideline. Hence this investigation as to the feasibility of updating our Environmental Management Plan and EPL to allow for the storage of Asbestos Containing Material.

I am preparing a paper for Council by the end of next week and would like to be able to confirm if this is an option or not so your rapid response would be appreciated.

Cheers
David

David Jan
Manager Operations and Environment



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Litchfield Council acknowledges the Traditional Owners of the land we work on and recognises their continuing connection to land, water and communities. We pay our respects to all Traditional Owners and to the Elders past, present and emerging.

David Jan

From: Michael Aagaard <Michael.Aagaard@nt.gov.au>
Sent: Thursday, 25 August 2022 11:17 AM
To: David Jan
Subject: RE: Potential Update to Humpty Doo Waste Transfer Station EP279

Good morning David, further to my email to you the other day I provide the following additional information.

As discussed at the meeting with the Litchfield Council CEO Stephen Hoyne yesterday, the Director of Environmental Operations Peter Vasel, who is the Delegate in charge of approving any EPL applications, confirmed that given the reasons provided, any amendment for the long term storage of asbestos would be rejected by him at this point.

In addition to this, Mr Vasel has told me that the Council should aim to remove the remaining asbestos contaminated materials from the premises by the end of October 2022, or otherwise as soon as possible afterwards.

Regards,

Michael Aagaard

Environmental Officer
Environmental Operations, Environmental Regulations Division
Department of Environment, Parks and Water Security
Northern Territory Government

Providing services for the
Northern Territory Environment Protection Authority



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COUNCIL AGENDA

LITCHFIELD ORDINARY COUNCIL MEETING

Tuesday 20 September 2022

15 Other Business

16 Confidential Items

Pursuant to Section 99 (2) of the Local Government Act and Regulation 51(1) of the Local Government (General) Regulations the meeting be closed to the public to consider the following Confidential Items:

16.01.01 Minutes Confidential Ordinary Council Meeting

16.01.02 Risk Management Audit Committee Unconfirmed Confidential Minutes 31 August 2022

This item is considered 'confidential' pursuant to Section 293(1) of the *Local Government Act 2019* and Section 51(1) of the *Local Government (General) Regulations 2021*.

(c)(i) information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

16.02.01 Request to Write Off Interest Charges

This item is considered 'confidential' pursuant to Section 293(1) of the *Local Government Act 2019* and Section 51(1) of the *Local Government (General) Regulations 2021*.

(b) information about the personal circumstances of a resident or ratepayer.

16.02.02 Humpty Doo Village Green Management

This item is considered 'confidential' pursuant to Section 293(1) of the *Local Government Act 2019* and Section 51(1) of the *Local Government (General) Regulations 2021*.

(c)(i) information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

16.02.03 Application to Write Off Road Seal Levy 10067601

This item is considered 'confidential' pursuant to Section 293(1) of the *Local Government Act 2019* and Section 51(1) of the *Local Government (General) Regulations 2021*.

(b) information about the personal circumstances of a resident or ratepayer.

16.02.04 Firebreaks on Unmaintained Road Reserves

This item is considered 'confidential' pursuant to Section 293(1) of the *Local Government Act 2019* and Section 51(1) of the *Local Government (General) Regulations 2021*.

(c)(iv) information that would, if publicly disclosed, be likely to subject to subregulation (3) – prejudice the interests of the council or some other person.

16.02.05 Breach of Code of Conduct

This item is considered 'confidential' pursuant to Section 293(1) of the *Local Government Act 2019* and Section 51(1) of the *Local Government (General) Regulations 2021*.

(f) subject to subregulation (2) – information in relation to a complaint of a contravention of the code of conduct.

17 Close of Meeting